HOUSE OF ASSEMBLY

Tuesday, 22 September 2020

The SPEAKER (Hon. J.B. Teague) took the chair at 11:00 and read prayers.

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

Parliamentary Committees

LEGISLATIVE REVIEW COMMITTEE

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

That the committee have leave to sit during the sitting of the house today.

Motion carried.

Members

MEMBERS, ACCOMMODATION ALLOWANCES, SPEAKER'S STATEMENT

The SPEAKER (11:02): Honourable members, I make the following statement in relation to the reporting of members' entitlements. Prior to my appointment as Speaker, a number of comments were made in the house concerning the need for greater transparency in respect of certain entitlements for members of parliament. My predecessor was also considering providing information on the Leader of the Opposition's accommodation allowance.

I can advise the house that I have given consideration to the reporting on members' entitlements and I have arranged for monthly reporting to be published on the parliamentary internet so that all members of the public can access details on country members' accommodation allowance claims and the Leader of the Opposition's travel allowances that are administered by the House of Assembly.

Consistent with the earlier tabling of 10 years of country members' accommodation allowance claims by my predecessor, I now table a report on the Leader of the Opposition's travel and accommodation claims administered by the House of Assembly for the period 2010-11 to 2019-20.

Before monthly reporting on members' entitlements will be made available on the parliamentary internet, there are a number of administrative tasks that need to be completed. I will keep the house updated on when the reporting will be available on the parliamentary internet.

Bills

STATUTES AMENDMENT (NATIONAL ENERGY LAWS) (PENALTIES AND ENFORCEMENT) BILL

Committee Stage

In committee.

(Continued from 9 September 2020.)

Clause 13.

The Hon. A. KOUTSANTONIS: The opposition has no further questions and we ask that all matters be dealt with to complete the committee stage forthwith to expedite the passage of this bill to get onto the Statutes Amendment (Sentencing) Bill that will come next.

Clause passed.

Remaining clauses (14 to 72) and title passed.

Bill reported without amendment.

Third Reading

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining) (11:05): I want to make a statement to thank the opposition for the speedy passage of this bill. I believe that all the questions that were taken on notice last sitting week during this stage have had answers provided to the opposition, but if there are any other pieces of information required so that the opposition can swiftly support the bill in the other place the opposition only has to ask. I move:

That this bill be now read a third time.

Bill read a third time and passed.

STATUTES AMENDMENT (SENTENCING) BILL

Second Reading

Adjourned debate on second reading.

(Continued from 9 September 2020.)

Ms LUETHEN (King) (11:07): I rise wholeheartedly to support the Statutes Amendment (Sentencing) Bill 2020 on behalf of people living in the state electorate of King. The current sentencing reduction scheme was introduced by the former Labor government in 2013. It is important to note that every time the Labor Party go on the radio or, most commonly, on social media to raise their concerns about lenient sentencing outcomes they blatantly omit to mention that these discounted sentences are a result of legislation they introduced in 2013. On 22 July 2020—

Mr Brown: Shame on you.

The DEPUTY SPEAKER: Order!

Ms LUETHEN: —the opposition hurriedly introduced a bill into parliament. In the past two years in this place, I have witnessed the Labor Party doing this time and time again—

Members interjecting:

The DEPUTY SPEAKER: Order! Member for King, could you take a seat, please.

Ms LUETHEN: —to grab a headline. In contrast, we take the time needed—

The DEPUTY SPEAKER: Member for King!

Ms LUETHEN: —to fix Labor's past mistakes—

The DEPUTY SPEAKER: Member for King, could you take a seat, please. The member for King is making a contribution to the bill that is before the house and she is very much entitled to be heard in silence, as members of the opposition will be when they contribute, so there will be order in the house.

Ms LUETHEN: I will repeat some of what I was saying. On 22 July 2020, the opposition hurriedly introduced a bill into parliament. In the past two years in this place, I have witnessed the Labor Party do this time and—

Mr PICTON: Point of order.

The DEPUTY SPEAKER: Member for King, there is a point of order. Could you take a seat, please. Member for Kaurna.

Mr PICTON: There are two points of order: one is referring to a bill that is still on the *Notice Paper* and the other is reflecting on a vote of the house that was taken on that day.

The DEPUTY SPEAKER: Member for Kaurna, could you clarify what vote you are referring to?

Mr PICTON: The member for King made reference to a bill that was introduced in July by the opposition. That is a bill which is still on the *Notice Paper*, as I understand it, and it is therefore not in keeping with the standing orders to debate another bill on the *Notice Paper*. Also, she made

reference to how it was introduced and the debate that happened on that day in July. There was a vote that took place, and it is not parliamentary to refer to a vote of the house that took place.

The DEPUTY SPEAKER: Thank you, member for Kaurna. I uphold both points of order. You are quite correct. Member for King, keep that in mind—that you are not to reflect on a vote of the house or speak about a bill that is before the house. Just keep that in mind.

Ms LUETHEN: Okay. I find it incredibly interesting, Mr Deputy Speaker, that in my electorate in people's letterboxes there is material reflecting on that vote, but I will move on.

The DEPUTY SPEAKER: Yes, but, member for King, they are—

Members interjecting:

The DEPUTY SPEAKER: Please. They are not in the parliament: we are, today.

Ms LUETHEN: Thank you. I will move on. We, in contrast, have taken the time needed to fix Labor's past mistakes and improve this legislation. I urge the Labor Party to work with us to improve legislation for the benefit of our community. This is certainly what my community is asking for. It is positive that the opposition is now finally likewise seeking to reduce the discounts available that they previously introduced.

Ms Stinson: We had to drag you to it kicking and screaming. You should've voted for our bill ages ago.

Ms LUETHEN: In 2019, the Hon. Brian Martin AO, QC—

Ms Stinson: We'd have it in already.

The DEPUTY SPEAKER: Order, member for Badcoe!

Ms LUETHEN: —conducted a review of this discounting scheme. Mr Martin received written submissions from numerous criminal justice sector stakeholders, members of the public, academics and victims. From the communications from victims, victims advocacy agencies and members of the public, he published a report which distilled a number of key themes. These included that victims feel devalued by the sentencing reduction scheme introduced by the Labor Party in 2013—

Members interjecting:

The DEPUTY SPEAKER: Order!

Ms LUETHEN: —and that this perception is exacerbated by the extent of the discount available, 40 per cent; that significant reductions are also out of touch with expectations held by the broader community; that this dissatisfaction is most keenly felt in relation to serious offences, especially when the prosecution case is strong; and that a significant reduction being applied to a sentence the court has determined to be appropriate suggests that the offender is not receiving the appropriate punishment.

The government's bill implements the majority of the recommendations made in the report and other issues raised to do the following:

- for serious indictable offences, being serious sexual offences and serious offences of violence, the maximum reductions available for guilty pleas will be reduced from 40 per cent to 25 per cent for a plea entered within four weeks of the first court appearance, with each graduation thereafter also to be reduced;
- provide that a sentencing court can apply a lesser reduction than the maximum in the following additional circumstances to what is currently allowed: when a disputed facts hearing is not determined in favour of the defendant, if the court is satisfied that the offender intentionally concealed the commission of the crime or if the prosecution case is so strong or the offender has shown so little remorse that such a reduction of the sentence by the percentage contemplated would be so inappropriate that it would or may affect public confidence in the administration of justice.

This has been a lengthy process given the complications sentencing laws present to lawmakers. The government has conducted a thorough examination of all of the issues canvassed in the Martin report

and consulted with key criminal justice stakeholders. We always want to limit the possibility of legal challenge, which is why it is important to be thorough and get it right. Whilst the opposition's bill also seeks to reduce—

Mr BROWN: Point of order: the member is debating the opposition's bill again, in defiance of your ruling, sir.

The DEPUTY SPEAKER: Yes, look, I was busy with the Speaker at that point, but you have heard my ruling on this already, member for King. Please keep that in mind.

Ms LUETHEN: Thank you, Mr Deputy Speaker. Rather than cherrypicking an easy fix of recommendations—

Mr Brown interjecting:

The DEPUTY SPEAKER: Member for King, could you take your seat, please. I am going to call the member for Playford to order. Member for King.

Ms LUETHEN: Thank you, Mr Deputy Speaker. The government's bill goes further and implements the following additional reforms. It abolishes the provision which allows a court to reduce a sentence by up to 10 per cent if a defendant has complied with procedural requirements, even though they did not plead guilty to the offence.

It allows the Magistrates Court to reduce sentence discounts if a disputed facts hearing is not determined in favour of the defendant, if the court is satisfied that the offender intentionally concealed the commission of the crime, or if the prosecution case is so strong or the offender has shown so little remorse that such a reduction of the sentence by the percentage contemplated would be so inappropriate that it would or may offend public confidence in the administration of justice. It empowers magistrates to accept pleas to a statutory alternative or an attempt to commit an offence. This will fix a practical issue of defendants receiving a higher reduction in sentence because fresh information needed to be filed.

It makes an amendment to improve court procedures so that once a guilty plea to a major indictable offence has been entered in the Magistrates Court, a magistrate may commit the offender for sentence regardless of the stage at which the plea has been entered. It also extends the period within which the maximum reduction can be applied by 14 days in very limited circumstances to overcome practical difficulties experienced, in particular by Indigenous defendants who reside remotely—for example, on the APY lands—and/or for whom English is not their first language.

It is abundantly clear to me that people in my electorate want us to get tough on serious offenders and that is why I am supporting this bill by the government which aims to better protect our community. We have been working hard to overhaul and fix the sentencing reduction scheme which Labor introduced. This bill will significantly cut discounts available to serious offenders for early guilty pleas. We are putting protection of the community back at the heart of our sentencing laws. I thank the Attorney-General for her hard work to reform this law so that we can better protect our community and I urge others across this house to put their politics aside and support this bill.

The SPEAKER: The leader.

Mr MALINAUSKAS (Croydon—Leader of the Opposition) (11:17): Thank you, Your Honour—sorry, Mr Speaker. I rise to speak in regard to this piece of legislation, as the lead speaker for the opposition, which is a piece of legislation the opposition obviously has a keen interest in. I note the member for King's vitriolic contribution to the debate. The member for King has rather enthusiastically decided to take an interest in this subject matter, rather belatedly, because the record will show in due course just how late the member for King is to this—

Ms LUETHEN: A point of order, sir. I object to the personal reflections by the leader.

Members interjecting:

Ms LUETHEN: Yes, that I have no interest in this topic or delayed interest in this topic. It is a personal reflection on a member and I take offence.

Members interjecting:

The SPEAKER: Order! As I understand the point of order, the member for King has taken exception to a reflection on the extent and timing of her interest in the matter. I do not know that that is impugning any particular motive. The member having taken offence, I will ask the leader to withdraw the reference to the belated interest, as I heard it.

Mr MALINAUSKAS: Just as a point of clarification, the member has taken offence to the word 'belated'.

The SPEAKER: That is as I understand it, and I confess that I am relying on the member for King having identified that word.

Mr BROWN: On the point of order, Mr Speaker, may I ask a point of clarification?

The SPEAKER: The member for Playford on the point of order.

Mr BROWN: Are you now saying that the word 'belated' is unparliamentary?

The SPEAKER: That, in combination with having had no interest in the subject matter prior to that, is my understanding. That point of exception having been made, I invite the leader to withdraw any imputation as to a lack of interest that the member for King may have had in the subject matter.

Ms STINSON: Point of order, Mr Speaker.

The SPEAKER: On the point of order, or is it a new point of order?

Ms STINSON: On the point of order.

The SPEAKER: On the point of order, the member for Badcoe.

Ms STINSON: I would request that you reflect on the *Hansard* because I think the characterisation of what was said is actually inaccurate, on which you are basing your ruling, particularly that of 'no interest'.

The SPEAKER: I have invited the leader to withdraw the reflection on both the lack of interest and belated interest of the member for King in the subject matter. I note the invitation to reflect on the *Hansard*. I have invited the leader to withdraw. I do ask him to withdraw.

Mr MALINAUSKAS: I withdraw my reference to the word 'belated'.

The SPEAKER: I am grateful to the leader. I will indicate to all members that I will review *Hansard*, as I am in the practice of doing. If there is anything to add or correct in that regard, then I will be sure to do so.

Mr MALINAUSKAS: I go back to where I was in regard to the member for King's remarks because the member for King's remarks are rather ironic in the context of various votes that the member for King has taken, amongst other government members, in regard to this subject matter generally. I simply point the member for King to the undisputable fact, which is of course that the member for King actively supported a delay in a change to this legislation.

The Hon. V.A. CHAPMAN: Point of order, Mr Speaker.

The SPEAKER: The leader will take his seat. The Deputy Premier.

The Hon. V.A. CHAPMAN: There has already been a ruling—and it is 'indisputable', not 'undisputable'—on the question of the reflection on the vote, on this particular vote: not acceptable. They have made that objection. It has been ruled on. I ask you, sir, to be consistent.

Members interjecting:

The SPEAKER: Order! The Deputy Speaker, only a few moments ago, has made a ruling, as I understand it. I was not in the seat at the time. That order having been made, it ought not be repeated. All members are on notice that there is not to be any further reflection in that regard.

Mr MALINAUSKAS: I fully accept that the government would not want to have a historical reflection on such matters. What I would like to assure the member for King, though, is this: that members of the South Australian community know. They know who sought to move most quickly and responsibly in regard to this particular measure.

Again, the South Australian community knows all too well precisely who responded to Brian Martin QC's recommendations first, and I would like to assure the member for King that any degree of awareness or consciousness that her community has in regard to this issue exists. It will exist in perpetuity, and it will exist to be prosecuted in a way that best represents the facts that we know.

To go beyond the member for King's remarks, which as I said were partisan and vitriolic, I rise to speak on the bill and indicate that I will be the lead speaker for the opposition. We are firmly of the view that this bill should be passed without delay. As a result, the opposition will have no further speakers so as to ensure the bill can pass through the house post haste.

The Hon. V.A. Chapman: Why didn't you do it two weeks ago?

Mr MALINAUSKAS: The Attorney interjects, as she frequently does, and suggests that somehow two weeks ago the opposition had the opportunity to pass the bill. I might remind the Attorney-General of some facts. She, of course, is a member of the government, which purports to have 24 votes on the floor of the house, which means the Attorney, more than anyone else in this chamber, has control of whether or not a piece of legislation is brought on. Not on one occasion has the opposition sought to delay this bill. We will not have the Deputy Premier's—

Members interjecting:

The SPEAKER: Order!

Mr MALINAUSKAS: —verbal misrepresentations of the truth in regard to this matter. The Attorney is sensitive on this because, like so many other matters, when it comes to the criminal justice system she has been led to a position by the opposition. The track record is now rather substantial in this regard. I might remind the Attorney-General that she has been elected to lead, but if she wants to continue to follow the opposition's lead we nonetheless welcome it.

The bill is an absolute failure on the part of the Liberal government, the Premier and the Attorney-General. The government has failed the community. The government, including the member for King, has failed victims. The government has failed the most basic test of keeping people safe. The opposition has been ready to support the measures in the bill for months. We were not just ready to support these measures, of course, we moved our own bill two months ago.

What did the government do on that? We know what they did not do. Eight weeks ago, on 22 July, this government voted against progressing Labor's bill to slash sentencing discounts. But the issue actually goes back a lot further than eight weeks. It was two years ago—two years ago—when the Attorney-General put out a media release announcing that she had hired a retired Supreme Court justice to review sentencing discounts.

It was 15 months ago when an expert report was completed and made public. It recommended slashing sentencing discounts for the most serious offences. The release of the report was yet another opportunity for a government media release, and they took it, which flies in the face of so much rhetoric that we have seen from this government since they have been elected. They are not interested in media releases; they are interested in substance.

Tragically, the government did not take the opportunity to act on their own media release. Almost two years after the whole process began and with an expert report in hand, all the government had done was issue two media releases. All the while, serious offenders who entered guilty pleas continue to be eligible for the maximum sentencing discount of 40 per cent.

In July this year, the horrific case of the Bahrami matter meant that we could not wait any longer. Labor decided to lead. We moved a bill to fix the issue and the government voted against progressing it. In the Bahrami case, he sexually abused a young girl in a public toilet while his daughter and niece waited outside. The judge said he could not explain his offending. That was a deplorable example where the maximum sentence discount of 40 per cent did not fit the horrendous crime of the offender.

The judge's sentencing remarks stated, and I quote, 'The offending represented one of the most serious examples of its kind.' His actions were described by the judge as despicable and of a heinous nature, yet the judge still did not exercise his discretion to reduce the sentence by less than the maximum discount. Under Labor's bill, or if the government had acted earlier, Bahrami would

have only been entitled to a maximum reduction of 25 per cent. Instead, he got the maximum 40 per cent discount.

Since that time, a conga line of serious criminals has taken advantage of the Attorney-General's casual approach to this issue, ably supported, nonetheless, by the member for King. A drug kingpin was busted with a $6 million operation and his lawyer is seeking to speed up the court process so that he can get the highest discount possible.

Mr Geoffrey Adams pleaded guilty to manslaughter for killing his wife over 45 years ago. He buried her body under a concrete slab and then concealed his crime. He claimed that she abandoned her family. He could be eligible for a discount of up to 40 per cent of his sentence. Mr Klosowski has been charged with killing his son and his son's girlfriend in the South-East just weeks ago. He has hurriedly entered a guilty plea to their murder. He could be eligible for a discount of up to 40 per cent on his sentence. Mr Matthew McIntyre sexually abused a 13-year-old girl—while in state care, mind you—and she became pregnant, before having a termination.

Ms Stinson: Where was the minister? What's she doing? Nothing.

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

Mr MALINAUSKAS: He received a 25 per cent discount, but the judge had to start with the maximum 40 per cent discount and work backwards. This could have been less under Labor's bill, delayed by the member for King and her colleagues. The two sexual offenders, Bahrami and McIntyre, could both be back on the streets in less than two years, an outcome that is only the responsibility of government members and those on the backbench who acquiesce to such a position. As a father, I am horrified. As a politician, I am ashamed for the government and all its members. The bill that I introduced in July would have slashed the maximum discount from 40 per cent to 25 per cent. Despite the government—

Ms Luethen: That's original.

Mr MALINAUSKAS: It is original. The member for King interjects—

The SPEAKER: Order!

Mr MALINAUSKAS: —and says it is original, and she is right—it is because it's our idea and now the government has been caught napping.

Members interjecting:

The SPEAKER: Order, member for King! I remind the leader not to respond to interjections, and there will be order on my right.

Mr MALINAUSKAS: But when they are right, Mr Speaker, it is hard to resist. Despite the government voting against Labor's bill, they are effectively proposing the same thing. Disturbingly, the Attorney-General's office has confirmed in writing that it does not even know how many people got sentence discounts in the last 15 months since it was handed the expert report.

The Hon. V.A. Chapman interjecting:

The SPEAKER: Order, Attorney!

Mr MALINAUSKAS: The Attorney-General interjects that we should take it up with the Supreme Court justice, as though the Attorney-General is utterly disinterested in decisions that are taken by the court. She is the person who should be paying the most attention but, clearly, is disinterested in the outcomes that impinge upon victims.

The Hon. V.A. CHAPMAN: Point of order: I totally reject that and I am offended by such a statement. I ask that it be withdrawn.

The SPEAKER: The Attorney has risen on a point of order and has indicated that she is offended by the remark of the leader and the reference to the Attorney being disinterested, as I understand it. It is the same point that I made earlier. The Attorney having indicated her offence at that remark, I invite the leader to withdraw.

Mr MALINAUSKAS: I am happy to withdraw, Mr Speaker. I withdraw the word 'disinterested'. Just as a point of clarification for my benefit, if a member in this place takes offence to any word said and makes that known to the house, are they under an obligation to withdraw it regardless of how trivial or, indeed, inoffensive on one interpretation that word may be, such as 'disinterested'?

The SPEAKER: The point of order will be considered on its merits. The short point is that if a member—

Members interjecting:

The SPEAKER: Order, members on my right! The short point is that if a member takes offence at any reflection that is made on them in the course of debate, then that is a matter that the Chair will give serious consideration to. If it is determined that that is a bona fide matter in the view of the member who has taken offence, then the member having made that observation may be invited to withdraw. I have made a ruling in respect of two occasions in the course of this debate. Any point of order will be determined according to its merits. The leader.

Mr MALINAUSKAS: Thank you, Mr Speaker. I do withdraw the reference to the word 'disinterested' that the Attorney has taken offence to. It is worth noting, of course, in this place that I can only imagine what offence is taken by victims of the crimes, where they are now witnessing serious offenders potentially getting maximum sentencing discounts. If the Attorney is offended by the word 'disinterested', one can only imagine what offence is taken by those victims by the lack of action on behalf of this government.

Members interjecting:

The SPEAKER: Order! The leader has the call.

Mr MALINAUSKAS: As I was saying, the Attorney-General's office has confirmed in writing that it does not even know how many people have got sentencing discounts in the 15 months since the expert report was handed down. We do not know exactly how many discounts have been given and for what offences. I do not know whether the government does not care or does not want the public to find out.

If the Attorney-General had any sense of decency, she would stand in this place and read the sentencing remarks for each of the cases that have happened since she received the expert report in June last year. The Premier and the Attorney-General, amongst other senior members of the government like the Minister for Child Protection and other government MPs, have some explaining to do. They need to explain to their communities why they have voted to give serious sexual violent offenders an easier ride.

It is important to get the history on this issue on the record. The Attorney-General commissioned the Hon. Brian Martin QC in September 2018 to conduct a review to examine the early guilty plea legislation. That report was handed down in June 2019. The report made 12 recommendations, which included amending the Sentencing Act and reducing the maximum percentage reductions available to offenders who plead guilty in matters heard in the District and Supreme courts. The report is a blueprint to improve the sentence reduction scheme. Its objective is simple: just like Labor's bill in July, it seeks to improve community safety and confidence in our justice system. The government sat on the report for 15 months.

The Attorney-General's responses to the delay have been varied and sound like a child claiming that her dog ate her homework. She said it was due to the COVID-19 pandemic, despite getting the report nine months before that emergency. The Attorney-General said, and I quote:

> Regrettably, COVID-19 and other such activities have taken up Parliamentary time and has made some of our legislation a little delayed.

She said they had to consult with stakeholders, despite Brian Martin doing this for his report and having nine months before COVID-19. The consultation documents are public.

She said they needed to get the legislation right, and I quote—this is a good one: 'It's a complex body of work that needs to be 100 per cent right…poorly drafted legislation and amendments can cause chaos, so we're being thorough—

Members interjecting:

The SPEAKER: Order!

Mr MALINAUSKAS: —'to ensure we get it right'. She goes on, 'We need to do it properly and that's precisely what we're doing.'

The Attorney-General's problem is that she took 15 months and then got it wrong, after telling everyone how she wanted to get it right. After all the delays, the government is now amending its own bill because they left out a range of violent and sexual offences.

Having told the parliament, having told the public that of course amendments can cause chaos, that they are being thorough, that they are getting it right, that it needs to be 100 per cent right, that they are doing it properly, they then are introducing their own amendments because the Attorney-General got it wrong. The Attorney-General's credibility was already in tatters when she came up with a new excuse this week. On radio—

Members interjecting:

The SPEAKER: Order, members on my right!

Mr MALINAUSKAS: On radio, she has now claimed that judges were not happy with the proposal. Well, the Attorney-General is not here to keep judges happy; she is supposed to be here to keep the community safe.

The Hon. V.A. Chapman interjecting:

The SPEAKER: Order, Deputy Premier!

Mr MALINAUSKAS: None of these excuses from the Marshall Liberal government hold water, let alone pass any basic pub test. More importantly, none of these excuses can make up for the trauma that victims felt as serious offenders got shorter sentences.

Instead of voting for Labor's bill in July, the Attorney-General announced that the government would bring in its own legislation. Even then, the Attorney-General did not act with urgency or haste. Finally, in early September, she announced that she would introduce legislation to amend the Sentencing Act and cut sentencing discounts for serious offenders in parliament in that week.

Here we are again. This is the Attorney-General's groundhog day. Child sex offenders, wife killers, drug kingpins and double murderers all potentially benefit from the Attorney-General and the government's delay. These cases and more are on the government's head for any shortened prison terms that are handed out. We cannot afford for this to be repeated. It should never have happened in the first place.

The Attorney-General's recent legislative agenda shows that her priority has not been on sentencing reform, until it was all too late. She has been focused on what she herself has recently described in this place as 'rats and mice legislation'. She has been focused on titles for senior lawyers, more concerned about what letters exist after silks' names than about the sentences that are applied to double murderers. She has been focused on repealing inactive pieces of legislation around gift cards.

In a panic, the Attorney-General has now introduced two bills in two weeks: the Sentencing (Serious Repeat Offenders) Amendment Bill 2020 and now the Statutes Amendment (Sentencing) Bill 2020. It is critical that we keep the community safe and maintain confidence in our justice system, but this should have been dealt with months or weeks ago. The government has the numbers in this place. They could have used them, with the opposition's support, to deal with this before the horrific and disturbing cases that we have seen recently.

Instead, they used their numbers to delay the process so they could put out another media release to say that they had fixed the problem. But at what price? Any victory the government claims on this issue is clearly a hollow one. It will come at the expense of victims and their trauma. We know that the government does not have high regard for victims, after slashing millions of dollars from the Victim Support Service earlier this year. In simple terms, the bill amends the Sentencing Act and the Criminal Procedure Act. It adopts most—

The Hon. V.A. Chapman interjecting:

The SPEAKER: Order, Deputy Premier!

Mr MALINAUSKAS: It adopts most, but not all, of the Martin report recommendations. The bill reduces the maximum discount available for guilty pleas for all major indictable offences by an overall 5 per cent. The maximum is now up to 35 per cent, instead of up to 40 per cent. For more serious offences, the maximum is cut from 40 per cent to 25 per cent.

The bill ensures that the courts can apply a lesser discount if a guilty plea is entered in the face of an overwhelming prosecution case. It also requires courts to have regard to a number of additional factors when determining the sentencing discount. These factors include that the defendant has shown no genuine remorse, whether they intentionally concealed the crime, and whether they disputed the factual basis of a plea and lost.

The bill also seeks to amend the Criminal Procedure Act 1921. These amendments are considered more procedural in nature and relate to the Magistrates Court. The amendment adopts recommendations 10 and 12 of the Martin report. There is also a transitional provision that makes the sentencing amendments apply to all persons who have pleaded guilty on or after the commencement date of the act. This is regardless of whether the offence was committed before or after the commencement.

This means we have to pass this bill before another serious offender is sentenced. For that reason, no other member of the opposition will be speaking on this bill. We will not even ask questions in the committee stage. We will support the government's amendment to its own bill, but the amendment does warrant a brief comment. The Attorney-General preached to the opposition about the need to get it right, and then she got it wrong.

The government's bill was 15 months late and stuffed up the definition of the most serious offences that see the biggest cuts to discounts. They left out a range of violent and sexual offences. They could have just copied and pasted from the Labor bill, but they had to be different. The government put pride before community safety. In her second reading speech, the Attorney-General was clear what a serious indictable offence meant, saying:

> 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…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.

I am not sure what bill the Attorney-General was referring to, but it was not hers. The whole debacle is an awful legacy for the Liberal government. If one more serious offender gets the benefit of a 40 per cent discount on his or her sentence, then the government and the Attorney-General will need to answer to the victims and their families.

The opposition supports this bill, but the incompetent and reckless government that brought it here enjoys less support. The argy-bargy in the public realm about whose idea it was and the implications that has in terms of timing is material. We should not—

The Hon. D.G. Pisoni: When are you going to apologise for introducing it in the first place?

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

Members interjecting:

The SPEAKER: There will be silence on my right and on my left. The leader is on his feet; he is entitled to be heard. The leader has the call.

Mr MALINAUSKAS: Thank you, Mr Speaker. There are material consequences to this. What we have seen here is crass, overt politicking on behalf of the government, which drives the community crazy. There are quite literally cases and victims who are feeling more pain than would otherwise need be the case because the government did not have the courage to be able to be pragmatic and support a reasonable, thoughtful proposition in the first instance. They had to put their

pride before the outcome, which is unfortunate because, had the government just supported Labor's bill, the public would have just focused on the outcome.

So let's make sure for the rest of the passage of this legislation that the government again tries to acknowledge that Labor is doing the right thing here. We are supporting the legislation, we are going to get it through asap, we are not going to ask questions, we are not going to have more speakers, we just want to get the outcome here of this legislation passed. The historical context matters because hopefully the government learns, the next time the opposition brings in a thoughtful bill trying to address an issue that the community cares about, that it is not unreasonable for the government and the Attorney-General to say, 'You know what? That's a good idea; let's just do it,' rather than playing crass, base politics.

The Hon. R. SANDERSON (Adelaide—Minister for Child Protection) (11:47): I rise to support the Statutes Amendment (Sentencing) Bill 2020 introduced by the member for Bragg and Attorney-General. As the Attorney-General stated in the house, the bill amends both the Sentencing Act 2017 and the Criminal Procedure Act 1921 and resolves problems with the sentencing reduction scheme that currently operates in our state, which was developed, introduced and passed through the parliament by the former Labor government.

It was a former Labor government that introduced this scheme through the Criminal Law (Sentencing) (Guilty Pleas) Amendment Act 2012, which came into operation on 11 March 2013. It allowed an offender's sentence to be reduced if they entered a guilty plea before trial. The earlier the plea was entered, the greater the discount that could be applied to the sentencing.

The bill before us, the Statutes Amendment (Sentencing) Bill 2020, also incorporates recommendations made in the 2018-19 report by the Hon. Brian Martin AO, QC and seeks to remedy the current sentencing reduction scheme, as well as a number of other technical changes. I would like to put on the record today my community's concern with the arrangements that exist and that were implemented by the former Labor government.

Victims can feel devalued by the generous discount provisions attached to the current sentencing process. The significant reductions received by offenders, who have all too often committed heinous and serious crimes, are out of touch with community expectations. It is an expectation of the broader community, and those within my own electorate of Adelaide, that offenders should receive a punishment that is commensurate with their crime.

I see all too often, in my portfolio of child protection, young victims who have been traumatised and have had to spend the rest of their lives dealing with the trauma caused by those unconscionable offenders who have committed serious offences against them. The bill proposes amendments to section 40 of the Sentencing Act, which deals with major indictable offences and other offences finalised in the District Court and Supreme Court. Further, it introduces a two-tiered scheme, one for serious indictable offences and one for all other offences.

The bill proposes a serious indictable offence to include a serious offence of violence or a serious sexual offence. Serious indictable offences will include the 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.

I am pleased that the maximum reduction that a court may apply for a guilty plea for serious indictable offences, serious sexual offences and serious offences of violence will now be reduced from the current maximum of up to 40 per cent to, now, 25 per cent maximum for a guilty plea entered within four weeks of the first court appearance. These reductions will similarly be reduced at each stage of the prosecution process. In effect, the longer the accused takes to enter a guilty plea, the less discount available to them.

For other major indictable offences, the maximum reductions available for guilty pleas are reduced to up to 35 per cent for a plea entered within four weeks of the first court appearance, again on a reducing scale the longer the accused takes to enter the guilty plea. Under the new arrangements, all sentencing courts must also have regard to additional factors when determining the appropriate reduction when a disputed facts hearing is not determined in favour of the defendant

and if the court is satisfied that the offender intentionally concealed the commission of the crime or if the prosecution case is so strong or the offender has shown little remorse that a reduction of sentence would be inappropriate and may affect public confidence in the administration of justice.

The Marshall Liberal government is committed to sentencing reform that protects the community. The government has been working hard to overhaul the sentencing reduction scheme left by the former Labor government and has been consulting with the relevant stakeholders in the criminal justice system to get it right.

The Liberal government has not responded in a knee-jerk manner, like those opposite. It has consulted with the experts, with victims and the wider community to fix a problem that the Labor government introduced. The Liberal government's bill is superior and goes much further. The opposition's bill is silent on a number of additional recommendations made by Brian Martin AO, QC.

Mr BROWN: Point of order: the minister is debating another piece of legislation that is currently before the house rather than this bill.

The SPEAKER: I have been listening carefully to the contribution of the Minister for Child Protection. For the time being, the minister is addressing remarks to the subject matter of the bill and is providing some context. I will take that point of order on board. I will listen evermore carefully. For the time being, the minister is sufficiently addressing the subject matter of debate, and the minister has the call. Minister.

The Hon. R. SANDERSON: Labor has lowered the public debate to grubby attacks in my electorate of Adelaide and other Liberal-held electorates in an attempt to convince the general public of their inferior and limited argument. The Liberal government, on the other hand, has undertaken a full review and accounted for multiple recommendations. Our legislation will achieve better outcomes, not just political headlines. To maintain public confidence in the criminal justice system, it is important that the seriousness of a crime is reflected in the penalty, and that is what the Marshall Liberal government is doing.

I congratulate the Attorney-General on restoring public confidence by striking an appropriate balance between the efficient functioning of the criminal justice system and public confidence. The implementation of the recommendations outlined by the Attorney-General will ensure that sentencing reduction is now more closely aligned with community expectations. I commend this bill to the house.

The Hon. D.G. PISONI (Unley—Minister for Innovation and Skills) (11:54): I think that I have a duty to expose the Leader of the Opposition as the phoney that he is.

Mr PICTON: Point of order.

The Hon. D.G. PISONI: The facts are that—

The SPEAKER: The member for Kaurna.

The Hon. D.G. PISONI: The facts are—

The SPEAKER: The minister will resume his seat. The member for Kaurna, point of order.

Mr PICTON: Yes, using very unparliamentary language, and I ask the member to withdraw.

Members interjecting:

The SPEAKER: Order! The member who is the subject of the reflection is required to raise the point. I remind all members of standing orders 125, 126 and 127 in that regard. The remark, as I heard it, reflected on the leader. I remind all members to avoid any reflections on members. But very specifically to the point of order, the member who might have taken offence, and might reasonably have done so pursuant to the relevant standing order, needs to rise and raise that immediately. I take the opportunity to remind all members not to reflect on members and not to indulge in language that might be deemed to cause offence to any member. The minister.

The Hon. D.G. PISONI: Thank you, sir, and of course—

Mr BROWN: On a point of order, Mr Speaker. Sit down.

The SPEAKER: The minister will resume his seat. The member for Playford on a point of order.

Mr BROWN: A point of clarification, Mr Speaker, on unparliamentary language. Are you now saying that the word 'phoney' is parliamentary?

Members interjecting:

The SPEAKER: The point of order that was raised by the member for Playford was put in terms of it being a reflection on a member.

Members interjecting:

The SPEAKER: It is for the member to whom the reflection is made to raise that, so there's no point of order, member for Playford.

Mr BROWN: May I raise another point of order, Mr Speaker?

The SPEAKER: The member for Playford on a separate point of order.

Mr BROWN: May I ask that you pull the minister into line for unparliamentary language. The word 'phoney' is clearly unparliamentary.

Members interjecting:

The SPEAKER: The point of order having been raised in relation to the use of the word 'phoney' and whether or not it is unparliamentary, I do invite the minister to withdraw the word 'phoney'.

The Hon. D.G. PISONI: Thank you, sir. I withdraw the word 'phoney', but you cannot miss the faux rage that has come from the Leader of the Opposition. This was a man who, as the number one union powerbroker in South Australia had the power to sack a premier, but he did not have the power to stop paedophiles and murderers getting out of gaol early.

Members interjecting:

The SPEAKER: Order!

The Hon. D.G. PISONI: How can he stand there now, the Leader of the Opposition, and blame everybody else but the power that he refused to use, a power so powerful that he could tap on the shoulder of Mike Rann and say, 'It's time for you to go'? Do you know why he did that, Mr Speaker? Do you know why he stayed out of this debate and was not in parliament—

Members interjecting:

The SPEAKER: Order!

The Hon. D.G. PISONI: —when Labor brought this in.

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

The Hon. D.G. PISONI: Labor brought this in as a government. He did not do that because he was much more interested in—

Members interjecting:

The SPEAKER: Member for Kaurna!

The Hon. D.G. PISONI: —his parliamentary career, getting into parliament, ticking the right boxes, making sure his union mates backed him to be preselected into this chamber. That was the motivation of the Leader of the Opposition.

Members interjecting:

The SPEAKER: Order!

The Hon. D.G. PISONI: That is why we have faux outrage from the Leader of the Opposition today, using a very difficult issue for political purposes, attacking women members of parliament for their political benefit.

Members interjecting:

The SPEAKER: Order!

The Hon. D.G. PISONI: One really has to ask about the character of the Leader of the Opposition and what his motivations are for being in this place. We know it is all about the Leader of the Opposition. That is what it is all about. It is not about the people of South Australia from the Leader of the Opposition and the Labor Party: it is about getting back onto the treasury bench. That is their only motivation for being in this place, as opposed to the Liberal Party who are here to serve the people—

Mr BROWN: Point of order, Mr Speaker.

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

Mr BROWN: I am offended by the—

Members interjecting:

The SPEAKER: Order!

Mr BROWN: I am offended by the minister's remark that I and other members of the opposition are only interested in power and not in helping the people of South Australia. I ask him to withdraw and apologise.

The Hon. V.A. TARZIA: Point of order.

The SPEAKER: On the point of order, the Minister for Police and Emergency Services.

The Hon. V.A. TARZIA: I do believe the member for Unley referred to an individual member: I think he referred to the collective, not to an individual member.

The SPEAKER: A collective reference is, according to practice, not generally the subject of a point of order pursuant to standing order 125 for practical reasons. The member will resume his seat. It is appropriate that no member in this place contravenes standing order 124 by the use of unparliamentary language. I remind all members that, where offensive words are used against a member, it is for the member to raise the point of order, but where an observation may be made in the more general sense it is a matter that is otherwise to be brought into line as a matter of general order. I remind the minister to contribute to the debate to the extent that he will continue to do so. The minister has the call.

The Hon. D.G. PISONI: Thank you, sir. It is ironic, is it not, that the most offended member on the other side is the member who was the designer of the 'Put your family first campaign'. Remember that in the 2010 election—deliberately misleading voters.

Members interjecting:

The SPEAKER: Order! The member for Playford—

The Hon. D.G. PISONI: And what did Labor do? Labor had to put a law in the parliament to stop him doing it again!

The SPEAKER: Order! The minister will resume his seat. The member for Kaurna, a point of order.

Mr PICTON: The member for Unley is not being relevant at all to the subject, the matter of the bill.

The SPEAKER: Order! I draw the minister's attention to the subject matter of the bill. The minister has the call.

The Hon. D.G. PISONI: It is all about character, and today we have just seen—

Mr Brown: You wouldn't even know what character was!

The SPEAKER: Order!

The Hon. D.G. PISONI: —the character of those opposite and their motivations for sitting in this place: it is all about them.

Mr BROWN: Point of order. Again, I would ask the minister to withdraw that comment about what each individual member of the opposition's motivations are in this place. He was not referring to the opposition in general: he was referring to each one of us individually.

The SPEAKER: The member for Playford rises on a point of order. I have ruled on the matter. I understand the minister has finished.

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General, Minister for Planning and Local Government) (12:02): In the absence of anyone else wishing to speak on this matter, I thank all members for their contribution. I start with the member for King. The member for King has been very passionate in her coming into the parliament, and also in the many speeches she has given in this parliament, to really ask the parliament at all material times to protect the vulnerable.

Whether they are a victim of child exploitation, a victim of sexual assault or victims of sexual harassment in the workplace, she has been a champion in this house. Repeatedly I have heard her give impassioned speeches for those who need our protection most. I welcome her contribution today on this bill to again reflect her dedication to being forever vigilant to protect those most vulnerable in our community, and I thank her for her continued passion and interest.

I also acknowledge the more fiery contribution of the minister who most recently contributed, because he says it all about what the real motivation is in trying to exploit a delay in the implementation of a law which has been extant for seven years and which had been authored by those opposite. I thank him for that contribution.

I also acknowledge the Leader of the Opposition's indication that they will now support this legislation. It followed a disclosure on the radio this morning by the shadow attorney-general that he agreed that this legislation, as an enactment following the initiatives of the former Labor government back in 2013, was wrong and that it did need to be changed. That acknowledgement, whilst late in coming, has been appreciated.

But, yes, the government accept and appreciate the opposition's indication that it will be supported. They see the significance of ensuring that it be dealt with as rapidly as possible in the parliament. I do note, however, that it was their initiative, when we were here two weeks ago and when I introduced this bill in the parliament, to seek an adjournment on the matter. You would wonder: if it was so pressing for them, they would have actually just jumped up and said, 'We consent to this straightaway.' Nevertheless, that is what has occurred. So we are here today—

Mr PICTON: Point of order, sir: there was a reflection upon the opposition that we sought an adjournment. There is an automatic adjournment in the standing orders, which is what took place last sitting week.

Members interjecting:

The SPEAKER: Order! There is no point of order. The Deputy Premier has the call.

The Hon. V.A. CHAPMAN: Thank you, Mr Speaker. There are a couple of matters that have been raised by the Leader of the Opposition, however, that do require some response. Firstly, can I indicate that, whilst this legislation had been extant for many years before the change of government, within months—that is, in September 2018—as Attorney-General I requested Brian Martin AO, QC to undertake this review. He had had some history in providing reports to the government on this subject matter—indeed, to the previous government. I felt that therefore he was at least able to understand the complexity of the legislation that had been introduced by the previous government and would be able to give a very comprehensive assessment.

Although he provided an interim report by June 2019, his final report was provided on 13 September 2019. For someone as clever as Mr Martin, with experience in this matter, to take a year to provide his final report is no reflection on him at all, but it confirms and corroborates the government's position; that is, this is a complex area and it does require considerable work to be done, and there are very strong voices of disparate views in relation to this type of legislation.

I do not think there is any doubt that, at the time, the government of the day—that is, the Labor government—who introduced this legislation were looking for financial relief. They were approaching a situation where the prisons were full and they needed to save money. They had a choice: they could either build another prison or they could look at providing some relief. I have no doubt in my mind that this is motivated by money.

No other jurisdiction in Australia had gone to a statutory discounting procedure to such an extent of up to 40 per cent for an early guilty plea on serious offences. I do not think that the concept of the new-found interest in the safety of South Australians as being the priority is lost on the community at large. They know what the motivations of the Labor government have been. Whilst we appreciate this late coming to a support of this reform, clearly it was not something that pressed on the Leader of the Opposition at any time in the five years after this legislation—or perhaps it had, and he simply had no influence on the cabinet; I do not know.

He came into the house and said, 'As a father, I am horrified. As a politician, this is shameful.' Suddenly, he finds these attributes very distressing and concerning, when for five years, as a father and a politician, he seemed to have had no imperative on him to say, 'No, this law cannot be passed. No, this law cannot be sustained. The Liberals were right in saying that this was far too comprehensive in its application.'

The second matter the Leader of the Opposition raised was the refusal to undertake a provision of data in relation to the discounting review since the Martin report. It was expanded today in the contribution of the Leader of the Opposition to a new level where he thought that it was appropriate that I as Attorney-General should have read out the sentencing remarks of all the cases that might have occurred, presumably since we have been in government, to make provision for the cases to which this may have applied.

The opposition's question on this data was in relation to 'updated information on prevalence/type of guilty pleas and sentence discounts since the review'. That, in fact, was the question that was sought via I think the shadow attorney-general or at least a representative of his office. Quite simply, the Leader of the Opposition has either not understood actually what his shadow attorney-general had asked for, or just misses the point completely.

The discount scheme—this is the discount scheme introduced under his Labor government—in fact was a discount scheme that only applies when any or all of the offenders plead guilty. That is in accordance with their legislation, so he either does not understand his own legislation or he does not have any clue about what his shadow attorney-general has asked for in relation to that data.

But can I just say this: we advised the representative to the shadow minister's office that that information, in particular what had been sought for the purposes of the Martin review:

> …involved manually reading and analysing each sentencing remark, which was sourced from the CAA [Courts Administration Authority]. The Department has not undertaken further analysis of all sentencing remarks since that time.

I read that into the *Hansard* because I think the Leader of the Opposition is somewhat irresponsible coming in and suggesting that he has asked for one thing when, in fact, he has asked for something entirely different.

Secondly, the Courts Administration Authority, which is headed by the Chief Justice, collates some of this data and it had manually gone through that to assist Mr Martin in his review. We thank the Courts Administration Authority for doing that, but if the Leader of the Opposition was so incensed about either this data not being provided by the Chief Justice's division or he wanted to read in the sentencing remarks of all cases that he thought were important to this point, then he could have done that himself. The sentencing remarks are there, they are online and they are available for him to do that if he wishes, or have someone in his office do it. That is a matter entirely for him.

When it came to the examples granted—in relation to which he took some offence at the legislation that currently exists and would have been remedied if, in fact, this parliament had accepted earlier bills prepared by the Leader of the Opposition in June-July—I think he quoted three examples, and I need to place on the record that two of them do not apply at all.

The first was the Leader of the Opposition's reference to a drug dealer and his eligibility for the benefit of sentence discounting, which would have been capped at 25 per cent if there had been passage of his bill. I just need to remind the Leader of the Opposition that this legislation does not deal with drug offenders; it actually deals with violent offences and/or sexual offences, so if he is going to use an example, perhaps get one that works.

Secondly, he referred to the Geoffrey Adams case, which, as members are aware because of the publicity around it, relates to the death of his wife some 40-odd years ago and of which he refers as being buried under a slab of concrete, etc. on Yorke Peninsula. Notwithstanding all of that emotive language, Mr Adams has not yet been sentenced, but he was actually arrested in September 2018. To be eligible for a 40 per cent discount he had to enter or at least intimate his plea within four weeks of that date.

Of course, his arrest is nine months before Mr Martin had even released his report, so again this is not an example which advances their cause of suggesting there have been multiple aggrieved victims out there and/or, presumably, relatives of victims as a result of this legislation not passing earlier. I do ask the Leader of the Opposition that in future, if he is going to quote examples, he perhaps quote ones that are relevant to the actual legislation that is before us.

I could deal with a litany of the cases of legislation pushed through this parliament under the Labor government which had clearly not been adequate. I start under the Atkinson administration of the Attorney-General's Department when we went all the way to the High Court in relation to the invalidity of legislation designed to crack down on bikie gangs and serious and organised crime. The Totani case cost the taxpayers of South Australia an enormous amount of money and delayed for years the implementation of a subsequently valid umbrella of legislative protection to deal with serious and organised crime in this state.

This whole idea of saying, 'We are going to be bigger, better, stronger, tougher' in that era was a very expensive one for the people of South Australia, who were left unprotected and left with legislation which we all knew was going to be smashed when it got to the High Court. That is precisely what happens and is the sign of an irresponsible government that just will not listen and is more interested in the headlines rather than the actual application.

There was the Chiro case, rushing in with legislation, and the Hamra case since, which we have had to tidy up. These are all examples of knee-jerk responses to legislation which has been introduced, claiming to be protecting the people of South Australia and which has failed. This example here of dealing with statutory discounting in relation to sentences for sexual and violence offences is a very telling piece of law and is a signature of the failed prior administration.

I would have thought the Leader of the Opposition would have come into the chamber and acknowledged, as the shadow minister had, that they had got it wrong and that we actually need to get it right. He also reflected an advance on an amendment to this legislation: 'The Attorney-General's wanting to get this 100 per cent right, yet there's foreshadowed amendments.'

I indicate to the house that I will be introducing an amendment which is to ensure, as a matter of absolute clarity, in relation to violent offences we make it clear. I might point out that in fact, if he looks at his own bill, the same clause, which is repeated in the current bill, was in his. It does need to be clarified, on the advice we have received, to make it absolutely clear and to make sure that there is not one model of detailing of the application of the act in relation to sexual offences as distinct from violent offences. We are simply going to repeat that same model in the description so that both a serious offence of violence and the serious sexual offence are descriptive in the new bill.

We do want to get this absolutely right. Mr Martin—we thank him for his work—took nine months to actually deal with this issue but also nearly 12 months to finalise his report in relation to discounting, even though he had a history of providing reports on this matter. That ought to indicate to the parliament that we cannot, firstly, do something in a hurry and get it wrong and cause enormous distress to the people of South Australia and that, secondly, when we do do it, obviously it has to be effective, otherwise we fail for a second time the victims and/or witnesses in cases we are dealing with.

I applaud the contributions that have been made by members of this house. I am disappointed the Leader of the Opposition has come in here with examples that do not even apply to his own previous government's laws. If he is going to come in here with examples, please get it right. I seek that the bill now be read a second time.

Bill read a second time.

Committee Stage

In committee.

Clauses 1 to 8 passed.

Clause 9.

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

Amendment No 1 [AG–1]—

Page 7, after line 6 [clause 9(4), before the definition of *serious indictable offence*]—Insert:

serious harm has the same meaning as in section 21 of the *Criminal Law Consolidation Act 1935*;

Amendment No 2 [AG–1]—

Page 7, lines 8 and 9 [clause 9(4), definition of *serious indictable offence*, (a)]—Delete 'within the meaning of section 83D(1) of the *Criminal Law Consolidation Act 1935*' and substitute:

for which the maximum penalty prescribed is, or includes, imprisonment for at least 5 years

Amendment No 3 [AG–1]—

Page 7, lines 10 and 11 [clause 9(4), definition of *serious indictable offence*, (b)]—Delete 'within the meaning of section 52(1) of this Act'

Amendment No 4 [AG–1]—

Page 7, after line 14 [clause 9(4), after the definition of *serious indictable offence*]—Insert:

serious offence of violence means—

(a) an offence under section 11, 13, 13A, 19A(1), 19AB(1), 23, 29(1), 29(2), 29A(1) or 31(1) of the *Criminal Law Consolidation Act 1935*; or

(b) an offence under section 14 of the *Criminal Law Consolidation Act 1935* where the victim died or suffered serious harm; or

(c) an offence under section 19A(3) or 19AB(2) of the *Criminal Law Consolidation Act 1935* where serious harm was caused to a person;

(d) an offence under a corresponding previous enactment substantially similar to an offence referred to in any of the preceding paragraphs; or

(e) an attempt to commit or an assault with intent to commit any of the offences referred to in any of the preceding paragraphs;

serious sexual offence means—

(a) an offence under section 48, 48A, 49, 50, 51, 56, 58, 59, 60, 63, 63B, 66, 67, 68 or 72 of the *Criminal Law Consolidation Act 1935*; or

(b) an offence under a corresponding previous enactment substantially similar to an offence referred to in the preceding paragraph; or

(c) an attempt to commit or an assault with intent to commit any of the offences referred to in either of the preceding paragraphs.

I have moved amendments Nos 1, 2, 3, and 4 together, amending the definition of 'serious indictable offence' for the purposes of section 40 of the Sentencing Act 2017. 'Serious indictable offence' is amended to mean a 'serious offence of violence' for which the maximum penalty is or includes at least five years' imprisonment, a 'serious sexual offence' for which the maximum penalty is or includes at least five years' imprisonment and any other offence prescribed by regulation for this purpose.

The amendments insert new definitions for the terms 'serious offence of violence' and 'serious sexual offence' for the purpose of what is a 'serious indictable offence' in section 40 of the Sentencing Act 2017. In relation to serious offences of violence, the primary reason for this amendment is to ensure greater clarity for courts, defendants, victims and legal practitioners in terms of what offences are and what offences are not serious offences of violence.

The bill, as introduced, provides that a serious offence of violence is as defined in section 83D of the Criminal Law Consolidation Act 1935. However, this definition is such that whether a particular offence is a serious offence of violence will depend on the facts of a particular case. In many cases, the court will be required to hear argument and possibly evidence to make findings about facts that do not compromise the elements of the offence the offender is to be sentenced for.

By defining serious offences of violence by reference to specific offences, there is no scope for argument regarding what offences do or do not fall within that category. There will be no need for factual arguments at the point of sentencing in order to determine the reduction to be applied in relation to a particular offence.

In relation to a serious sexual offence, the amended definition ensures consistency of drafting, that is defining both 'serious offence of violence' and 'serious sexual offence' for the purposes of section 40 and further because section 52 of the Sentencing Act is soon to be amended by the Sentencing (Serious Repeat Offenders) Amendment Bill 2020—of course, assuming that bill is passed. This highlights the need for a standalone definition for the purposes of the sentence reduction scheme.

As amended, 'serious sexual offence' is defined to mean any of the offences specified replicating the offences listed in section 52 of the Sentencing Act but also including the offence against section 51 of the Criminal Law Consolidation Act. Amendment No. 1, in particular, provides for a definition of 'serious harm'. The term 'serious harm' as used in the definition of 'serious offence of violence' is amended. 'Serious harm' is to have the same meaning as it does in section 21 of the Criminal Law Consolidation Act 1935.

Amendments carried; clause as amended passed.

Remaining clause (10) and title passed.

Bill reported with amendment.

Third Reading

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General, Minister for Planning and Local Government) (12:26): I move:

That this bill be now read a third time.

Bill read a third time and passed.

STATE PROCUREMENT REPEAL BILL

Second Reading

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General, Minister for Planning and Local Government) (12:26): I move:

That this bill be now read a second time.

The South Australian government spends over $11 billion a year on purchasing goods, services and construction projects. This spending underpins the provision of critical public services and has a significant impact on employment, business activity and investment in the state. The government is committed to enhancing the efficiency and effectiveness of our policies and practices for procurement, maximising value for money and improving local industry and social outcomes.

To this end, in late 2018, the government tasked the South Australian Productivity Commission with undertaking an inquiry into public sector procurement. One of the key recommendations made by the commission was to repeal the State Procurement Act 2004, abolish the State Procurement Board and replace the board's policies and guidelines.

In parallel, the Statutory Authorities Review Committee (SARC) conducted an inquiry into the State Procurement Board and made similar recommendations. We thank both for the work that they had undertaken. The government has accepted a majority of the recommendations made by the commission and SARC, including those related to the State Procurement Act 2004.

The State Procurement Repeal Bill has been introduced to act on the government's commitment to implement these recommendations. To give effect to the government's decision, the bill will repeal the State Procurement Act 2004 and the State Procurement Regulations 2005 and dissolve the State Procurement Board and its relevant policies and guidelines.

The passage of the bill through parliament is a key enabler to progress implementation of a range of other important recommendations made by the commission and SARC. Pursuing this program of work will represent the most substantive form of the state's procurement system in more than a decade. I commend the bill to members. I have a short explanation of clauses, as follows:

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

These clauses are formal.

Part 2—Repeal of State Procurement Act 2004

3—Repeal of Act

This clause repeals the State Procurement Act 2004.

4—Transitional provisions

This clause sets out transitional provisions for the purposes of the repeal of the *State Procurement Act 2004*.

The DEPUTY SPEAKER: Thank you, Attorney. Does the opposition have a speaker?

The Hon. S.C. MULLIGHAN (Lee) (12:29): Are we proceeding now? Okay. What a collegial parliament we are today.

The DEPUTY SPEAKER: Are we adjourning, are we?

The Hon. V.A. Chapman interjecting:

The Hon. S.C. MULLIGHAN: I am happy to speak, I am informed by the Deputy Premier.

The DEPUTY SPEAKER: If you are happy to speak, member for Lee, you have the call.

The Hon. S.C. MULLIGHAN: Once I can resecure my own will, let me see how I can proceed with making some comments.

The DEPUTY SPEAKER: And you will be the lead speaker?

The Hon. S.C. MULLIGHAN: I will be the lead speaker on the State Procurement Repeal Bill. This is a reform by the government, which does no more than abolish the State Procurement Act and also, in doing so, the State Procurement Board. We are told by the government that this is an important reform because we have had a voluminous review undertaken by the Productivity Commission within the Department of Treasury and Finance into state procurement operations. That review commenced in 2018 and proceeded over the course of more than 12 months, and here we are 18 months before the next election and, other than the abolition of Brand SA, this is the government's main contribution to reforming procurement efforts across the public sector.

These are important efforts, and the Deputy Premier is correct in quoting the figure of $11 billion being procured annually each year. Of course, that figure will change and will in particular change given the current government's predilection for privatising essential services under this government, but it also seems to indicate a discomfort with separate independent oversight of procurement operations across government.

The rationale that has been put forward by the Treasurer in the other place, the Hon. Rob Lucas, is that the State Procurement Board rarely if ever provided advice to a minister

on procurement operations, which is of course, and characteristically of the Treasurer, a deliberate misrepresentation of the role of the State Procurement Board. The State Procurement Board was to oversee and provide guidance to public authorities in the course of procurement, not to the responsible minister of the day. The bulk of their work was for the benefit of the agencies.

What will happen if the State Procurement Board is to be abolished? Well, apparently, we will be entering this new nirvana of a separate unit established in the Department of Treasury and Finance to oversee procurement operations. That is all we know. We do not have any further detail about who might be on that, what they might be doing with what resources they may be doing it and what benefits they may be seeking to deliver.

So, once the Treasurer and the government have successfully eradicated any separate oversight of the $11 billion of procurement activity a year, the Treasurer assures us he will be an appropriate person to take on sole oversight and responsibility of those operations across government by virtue of a yet to be established division within the Department of Treasury and Finance. Should that give South Australians comfort? No, it should not give any comfort whatsoever; in fact, it should provide the opposite to South Australians—an ongoing sense of trepidation if not fear about how taxpayers' dollars may be expended in the future.

We have already seen an appalling record quickly be established under this government of dreadful procurement activities. Take the most recently announced: the outsourcing of train operations to Keolis Downer. This was a company that as soon as the election was over, if not beforehand, made a beeline directly to government ministers to thump on their door about outsourcing rail operations here in South Australia.

Their infamous agent, Sasha Grebe, formerly of Keolis Downer—maybe they moved him on, maybe he left of his own volition, because he is no longer at Keolis Downer—you might remember, Mr Deputy Speaker, from such hits as disseminating defamatory information about me and the member for West Torrens, falsely claiming that we had made comments about the so-called benefits of privatisation of rail operations in South Australia.

It was not hard to point out that Keolis Downer and their agent, Sasha Grebe, had fabricated those claims. They had been taken from an obscure weblog, a post being made on no day other than April Fools' Day, I understand. I was going to say that the fool is no longer Sasha Grebe, but it may well be and, given that behaviour, it perhaps is likely to be. Unfortunately, the fool now, of course, is users of the rail system here in South Australia.

We have been told by a very, very reliable source very close to the procurement operations that Keolis Downer won that contract because their offer was substantially below those of other tenderers for the operation of that rail service. One of the reasons why they were able to offer that is because of the substantial reduction in the number of workers who will be providing those rail services into the future.

Of course, it is not the first rail operations that were outsourced under this government. The tram operations have been outsourced under this government as well. We have had the remarkable appointment of corporate liquidators KordaMentha, interstate corporate liquidators not from South Australia on a fly-in fly-out basis at extraordinary expense to the taxpayer—a contract at full value of more than $40 million without any market process.

The Auditor-General no less has commented extensively on this procurement in one of his reports recently. It is extraordinary that SA Health would take it upon themselves to directly approach KordaMentha and offer them to do this work without any process. They clearly do not believe, and this government clearly does not believe, that there is anyone in South Australia that is capable of assisting the health department try to achieve the efficiencies which the government tells us are so important to achieve.

We still do not know who put the idea in the mind of those health bureaucrats to go out and approach KordaMentha and KordaMentha only. Of course, there are an enormous number of theories circulating throughout corporate South Australia as to why KordaMentha was specifically approached. Nonetheless, we saw the extraordinary situation where KordaMentha was awarded a three-stage contract, culminating in a full value of over $40 million, uncontested without a market

process. If that is the sort of behaviour that the removal of independent procurement oversight is going to provide South Australians, then we should be very worried. Of course, it does not stop there.

Speaking of reaching over the border to ask people without a market process to come and provide services to the state government, we only have to think of the schools capital works program, where the company Sensum, hitherto unheard of in South Australia, was asked to bid to project manage work for several of the school upgrades. The reason, we are told, that Sensum was asked to do this without an open process, without a tender process, was that, apparently, allegedly, they are the only ones who do prefabricated building services, which would enable the swift construction of some of these school upgrades.

You can imagine how those South Australian building companies felt when they found out that Sensum had been awarded this work, when they themselves had been providing very similar prefabricated construction modules that would have enabled them to complete this work. That is a project worth in the vicinity of $50 million, to oversee something in the order of $500 million to $600 million worth of capital works.

Of course, we had the attempted privatisation of SA Pathology. If any good thing could come out of the coronavirus pandemic—not that there are many or any—it is the recognition of the importance of SA Pathology's work and the public appreciation for that work, to the point where the Premier was badgered into ruling out on radio the privatisation of SA Pathology. Less than two hours after, when Treasurer Rob Lucas was asked on radio whether SA Pathology would not be privatised, he was at a loss for words, eventually responding, 'If that's what the Premier has said earlier today, he is the Premier. He is the one who makes these decisions.' This is a government making it up as it goes along when it comes to these decisions.

So we have had KordaMentha, we have had Sensum for the schools' capital works upgrades and we have had the treatment of SA Pathology. Of course, we have had the privatisation of the Adelaide Remand Centre, we have had the privatisation of facilities management services in Department of Planning, Transport and Infrastructure, and the privatisation of field services and its operations in DPTI, which does not tend to get as much public recognition as other issues, such as road maintenance and facilities management, but is just as important. Those people who are responsible for maintaining, upgrading and installing, for example, traffic lights, road signage and so on—those staff and their operations at the Walkley Heights facility—devolved down into privatisation.

It makes you think: what is it about transport ministers and the not so newly appointed now chief executive of the transport department that they do not trust themselves to provide transport services here in South Australia? They do not want to provide rail operations, they do not want to provide road maintenance operations, they do not want to provide facilities management operations and they do not want to provide field services operations. You might ask yourself why Mr Braxton-Smith would have taken on the job if he did not want to provide these services from the government.

In contrast, we took the advice of local industry when Labor was last in government that South Australia and the South Australian government needed to do more to use its procurement spend more wisely. Coming from that was the appointment in 2012 of the Industry Participation Advocate, the former executive director in the Department of Primary Industries, Ian Nightingale. Starting with a pretty blank slate, he did two things. He put upon agencies a requirement: to weight their tender evaluation criteria more favourably towards South Australian goods and services providers; and, perhaps arguably more importantly, to try to assist and educate goods and services suppliers in South Australia of the opportunities available for public sector procurement. That has in many instances been a fantastic success.

Certainly, with some of the major road projects, you only need to look at the extraordinary efforts of Lendlease and what they did out at the Northern Connector and also, to a similar but lesser extent, what York Civil and their project partners did with the Torrens to Torrens upgrade of South Road to get more and more South Australian companies involved. I was really pleased to hear the member for Schubert talk about how terrific it is to have completely Indigenous-owned companies providing services to those road upgrades. The first two of those, of course, were providing those services in traffic management to the Darlington project back in late 2016/early 2017 and also to the

APY lands road upgrade up in the Far North of the state. Those are two small examples of the sorts of outcomes which government procurement should be driving.

The government's Productivity Commission report said, amongst other things, that it should be a focus of government procurement efforts to find the most efficient goods or services provider for the South Australian government here in South Australia because by giving them government business at that efficient price you are, in effect, supporting them and their operations being so efficient so that they can take their business and spread their wings interstate, if not overseas.

That is a terrific point of view for the economic rationalists amongst the Productivity Commission. Putting price and efficiency at the absolute top of the considerations when it comes to government procurement I am sure makes them feel better, but here in South Australia—a relatively small economy located geographically more distantly from markets than perhaps our eastern state counterparts if not our Western Australian counterparts for some markets—it has always been the case that the South Australia government has had to find ways to assist business and industry grow here.

There is a key role for state government to assist economic development in South Australia. Economic development through procurement is very, very important. Take for example—and I am sorry to go on about transport issues—the procurement of the public transport bus fleet. One of the quirks of the Laidlaw privatisation of bus services in South Australia was that the bus operations and bus maintenance would be provided by the private sector but the buses, as assets, would be kept and owned by the public sector and, hence, as buses reached the end of their permissible life, 25 years, they needed to be replaced with newer buses.

In 2017, the former Labor government went out to tender to provide a forward commitment of 400 new buses over a 10-year period to replace those buses that were reaching the end of their useful age over the same period. We were really pleased to partner with Precision Engineering, a company that had grown and established itself by providing the rear suspension assemblies for Holden's operations in South Australia—and providing them for other models I am sure, but when I visited their factory they were for the VF and VF series II Commodores—and seeking to try to transition their business away from providing those rear suspension assemblies for a business which was due to close in October 2017.

They were funded by the state government through the transport department to build some buses, to try to demonstrate that they were capable of moving into what was traditionally known as coachbuilding. Of course, it was made very clear to us that if they were successful in their tender for those buses, then that would enable some of their other commercial activities to not only flourish but also remain in South Australia—for example, the Brabham supercar BT62, I think it is called.

So you can see how government procurement can be used not only to assist companies that have the skills and the capability and the wherewithal to provide what is being tendered for, but also to transition away from economic opportunities which were about to come to an end, as well as provide enough scale and capability to engage in other separate commercial ventures. I think the Precision group has done an extraordinary job in doing that, and I was pleased that, after the tender process was delayed for some reason for more than 12 months after the 2018 state election, they were subsequently successful in winning that tender.

So government procurement can be a very good thing. I know that when the government announced its 1000 Homes in 1000 Days program to try to build 1,000 new public housing dwellings in a little over three years the market engagement seminar conducted by the industry participation advocate, Ian Nightingale, had over 250 attendees, many of whom had never built for government before, many builders who were interested in doing government works, and that is a good thing.

As we have seen, not just because of COVID but before COVID, we had a remarkable drop-off throughout 2019 in the number of homes being approved to be built in South Australia, which terrified a lot of builders, worried about whether they would be able to continue on. We also saw a number of builders collapse in South Australia. We can be blasé about these things, as was the Treasurer at the time, and say, 'Oh, well, some companies fall over. That's their problem, nothing to see here,' but we know that while that might have been true for some of those companies other of those companies were struggling simply because of the lack of work in the market.

It is not necessarily the role of the government to solely provide activity within a market, for example, committing to, on an ongoing basis, build more and more houses just to keep builders busy, but it is the role of government to support industries where they need it. I note that today, even with the HomeBuilder scheme that the federal government has put in place to provide $25,000 to eligible recipients for either new homes to be built or extensive renovations to be done, we are among a very small number of remaining jurisdictions in Australia that has not provided any additional support to the housing construction industry.

There are opportunities in the procurement of both government goods and services and also the additional opportunity to support those industries as well, something that is not being taken on by the current government in the same way. I think we would feel vastly more confident with this bill if we had a clear indication from the government exactly how the operations and the responsibilities of the Procurement Board were being replaced. Certainly, we have had an indication of intent from the government. This will all be set up in the Department of Treasury and Finance.

There will be people responsible for this, and ultimately they will be answerable to the Treasurer. Well, that is no comfort, as I said, and not just for those examples either. Not only have we seen some of those essential government services being privatised under the government—as I mentioned before, rail operations—but we have also seen the government choose to deliberately cut those government efforts that were being put into trying to support South Australian businesses from purchasing decisions, either from government or from the general public. I am talking specifically about the Premier's decision to cut and defund the Brand SA organisation.

We had gone through an extraordinary period of work, which had been led by the former Economic Development Board, something also abolished under this government and led by Darren Thomas, the proprietor of Thomas Foods, to establish a new state brand. In fact, some of us, like me today, are wearing it. Brand SA's job was not only to promote the state brand but also to encourage manufacturers and other providers of goods and services to use the state brand so that people who were looking at purchasing goods or services could be aware that they were South Australian-provided goods or services. That being cut has of course almost completely—not entirely but almost completely—derailed the efforts of Brand SA.

We have a government that loves to look over the border to hand out lucrative multimillion dollar contracts, deliberately excluding any South Australian from having an opportunity of getting that government-funded work, and at the same time stopping the government-funded efforts to encourage other South Australians to support South Australian providers of goods and services.

I think it is alarming that the government, particularly when South Australia's economy was the slowest in the nation in the financial year leading up to the coronavirus pandemic, has continued to be the slowest in the nation on an ongoing basis since then and now has the highest unemployment rate in the nation and is actively looking at ways of reducing the amount of support that South Australian businesses and workers can get.

I would have thought a responsible government would choose to do the opposite. I would have thought a responsible government would seek to support South Australian businesses and workers through these very difficult times, not merely hand over the responsibility for the independent oversight of government procurement activities to the same bloke who privatised ETSA, TAB (for an amount less than one year's profits, mind you), the Ports Corp and SGIC.

I would have thought that he is the last person we should be giving it to, but apparently, according to this government, the Hon. Mr Lucas is the perfect person to be handed the responsibility for this. Well, I completely disagree. I think there is a role for an independent agency, like the State Procurement Board, not only to monitor what government agencies are doing but, where appropriate, to put pressure on agencies—if not putting pressure on the government themselves—to do better when it comes to state government procurement.

It is very regrettable that, once again, this is a way in which the government is seeking to limit the amount of transparency and oversight that will be available to South Australians when it comes to procurement operations in government. We know that the government is not comfortable with transparency and separate oversight, and I think this bill only further underlines that. It is with

those words that I indicate the opposition will not be supporting the bill, as we did not in the other place when it came down.

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General, Minister for Planning and Local Government) (12:57): I wish to place a number of matters on the record in response to the contribution by the member for Lee. He acknowledged that the abolition of the act and of the board was the principal purpose of this legislation, about which he is correct. He then outlined, presumably for the benefit of the parliament, what he currently sees as unacceptable advances of the current government in relation to the appointment of three parties for the purposes of work.

One was the Keolis Downer contract, about which he outlined his rather scathing assessment of what happened there—without a shred of evidence, but nevertheless that is what his statement was. Second was the KordaMentha appointment, claiming that they had cost money, that they were not South Australian and that they were fly-in fly-out to assist the health department, which was a complete debacle when we came into government.

He complained about $40 million being expended, which I might remind the member was almost completely recovered in the first year when they found millions of dollars of invoices that had not actually been presented for payment. That was really a so mind-blowingly hopeless legacy of the previous government that you would wonder why he would even rate it. Nevertheless, that was his second contribution.

The third was the appointment of Sensum to undertake a body of work for the education department in modular school buildings, which he claimed were available in South Australia. I am advised that, during the course of the early part of this government, this model was not available. It was utilised by the Labor government in Victoria because it was a Victorian company and was only available at that stage. I seek leave to continue my remarks after the lunch break.

Leave granted; debate adjourned.

Sitting suspended from 13:00 to 14:00.

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

Assent

His Excellency the Governor assented to the bill.

CONTROLLED SUBSTANCES (CONFIDENTIALITY AND OTHER MATTERS) AMENDMENT BILL

Assent

His Excellency the Governor assented to the bill.

FAIR TRADING (REPEAL OF PART 6A - GIFT CARDS) AMENDMENT BILL

Assent

His Excellency the Governor assented to the bill.

Parliamentary Procedure

ANSWERS TABLED

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

PAPERS

The following papers were laid on the table:

By the Speaker—

Independent Commissioner Against Corruption and Office for Public Integrity—Erratum, Annual Report 2019-20

Parliament of South Australia—Joint Parliamentary Service, Administration of the—
Annual Report 2019-20
Parliament of South Australia—Statistical Record of the Legislature 1836-2019
[Ordered to be published]

By the Premier (Hon. S.S. Marshall)—

Regulations made under the following Acts—
Superannuation—Prescribed Authorities

By the Deputy Premier (Hon. V.A. Chapman)—

Regulations made under the following Acts—
Cost of Living Concessions—General

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

Regulations made under the following Acts—
Criminal Law Consolidation—Criminal Organisations—Premises in Para Hills
Fair Trading—Gift Cards
Surveillance Devices—Prescribed Circumstances
Rules made under the following Acts—
Magistrates Court—Amendment (No. 85)

By the Minister for Infrastructure and Transport (Hon. C.L. Wingard)—

Regulations made under the following Acts—
Motor Vehicles—Audio Visual Recordings

By the Minister for Environment and Water (Hon. D.J. Speirs)—

Notice made under the following Acts—
Marine Parks Act 2007
Plans made under the following Acts—
Marine Parks Act 2007—Encounter Marine Park Management Plan Amendment 2020
Marine Parks Act 2007—Neptune Islands Group (Ron and Valerie Taylor) Marine Park Management Plan Amendment 2020
Marine Parks Act 2007—Nuyts Archipelago Marine Park Management Plan Amendment 2020
Marine Parks Act 2007—Upper Gulf St Vincent Marine Park Management Plan Amendment 2020
Marine Parks Act 2007—Upper South East Marine Park Management Plan Amendment 2020
Marine Parks Act 2007—Western Kangaroo Island Marine Park Management Plan Amendment 2020

Ministerial Statement

ONLINE PREDATORY BEHAVIOUR

The Hon. R. SANDERSON (Adelaide—Minister for Child Protection) (14:05): I seek leave to make a ministerial statement.

Leave granted.

The Hon. R. SANDERSON: Last week, South Australians were confronted by the reports of abhorrent abuse against a minor. Sentencing remarks made by Her Honour Judge McIntyre exposed how truly devious child sex offenders are. I would like to remind the house that at the centre of this is a vulnerable young person in care.

I want to be clear that, in any discussion of this incident, members and the public respect that the privacy of the young person who was the victim of this crime is maintained, that in exploring the circumstances of this matter we do not reinjure and retraumatise this young person, and indeed the many other young people in the community who have also been victims of child sex offenders, and that we do not perpetuate the unacceptable narrative where the blame for violence against women, children and young people is shifted away from the offender.

On 14 September 2020, a 35-year-old male sexual predator was convicted of two serious offences, including unlawful sexual intercourse with a person under the age of 14. I share the community's outrage that this has occurred, and I know that all parents and carers across South Australia and the nation are concerned about their children going online and being exposed to the risk of sexual predators. I will not shy away from the scrutiny I expect the public to place on how young and vulnerable people are cared for.

The media attention has understandably been that a minister was not apprised by her department of a very serious incident of a child in statutory care. I have already addressed my own dissatisfaction with my department in relation to this matter. I can advise the house that, immediately upon discovering the perpetrator's criminal behaviour against the young person, the department initiated a rapid and comprehensive response centred on the best interest of the young person.

Child protection practitioners supporting this young person acted in a timely and decisive manner in their prompt identification of this predatory behaviour; in their immediate referral of the matter to SA Police, which resulted in the offender's arrest; and in their efforts to mitigate the harm caused by the perpetrator's offending through the ongoing provision of targeted and therapeutic supports.

I reiterate to the house that, in accordance with established protocols, staff reported the matter to SA Police and immediately provided trauma-informed therapeutic interventions to the young person. A complex case review was undertaken and, as per their recommendations, the young person will continue to receive a range of targeted, specialised and wraparound services to support her mental, physical and emotional wellbeing going forward.

I have met with my chief executive, Cathy Taylor, and reaffirmed my expectation that I should have been advised much earlier by my department of this tragic case. In relation to the department's ongoing response, I can confirm it has policies and practice guides in place for the use of mobile phones and social media in residential care homes, which cover cyber safety and the responsible use of technology. As I have stated, it was these policies and practices that instigated immediate contact to SA Police.

Last Friday, I also met with the Commissioner for Children and Young People, Helen Connolly. From that, she has renewed her commitment to e-safety and the protection of children and young people. My department has also provided a briefing to the Guardian for Children and Young People. My department and I will continue to support the work of SA Police and the eSafety Commissioner to improve community awareness about online predatory behaviour, including sexual predators, and reduce the incidence of sexual abuse of children online. To that effect, I have arranged a meeting with the eSafety Commissioner, Julie Inman Grant, to further discuss implementing restrictions and improving safeguards for access by children to improve online safety.

I have also written to the Minister for Police requesting an urgent meeting with the Joint Anti-Child Exploitation Taskforce of the Australian Federal and South Australia Police to pursue other avenues to remove these sick and depraved predators from our community. In addition, the department has consolidated and enhanced its practice in regard to targeting predatory online behaviour. The Department for Child Protection has:

- further modified its significant incident reporting procedure;
- commenced communications to ensure all staff and carers are familiar with the volume of online apps and social media that might be used by sexual predators to target children and young people;

- continued to work with the MacKillop Family Services to implement the Sanctuary model of therapeutic residential care and to consider opportunities to scaffold this model with specialised training through innovative programs, such as MacKillop's Power to Kids; and
- we have tabled e-safety on the agenda of the Children and Families Secretaries meeting in November 2020 to support a national approach to this important issue.

Of course, this incident should give not only my department but all parents and carers pause to consider what strategies should be put in place to ensure that we are all armed to recognise predatory behaviour targeting our children so we can intervene as early as possible.

Like any parent, getting the balance right between independence and supervision requires an ongoing focus. As a government, as a community and as parents it is appropriate that we reinforce our commitment to do everything in our power as a whole of government and a whole of community to be alert to the vulnerability of children to this kind of criminal behaviour, to keep children safe from online predatory attacks and to hold offenders accountable for their crimes, and this is exactly what I will doing.

Honourable members: Hear, hear!

Parliamentary Procedure

INDEPENDENT COMMISSIONER AGAINST CORRUPTION, SPEAKER'S STATEMENT

The SPEAKER (14:12): Honourable members, I make a further statement in relation to an ICAC investigation. Further to my statement to the house on 9 September concerning the ICAC investigation into the country members' accommodation allowance, I provide the following update.

I have since received a request from the Hon. Ann Vanstone QC, Independent Commissioner Against Corruption, which sets out refined categories of information that are under consideration by the commissioner in respect of her investigation into the country members' accommodation allowance.

The commissioner has asked me if I would consider whether a claim for parliamentary privilege should be made over any of the categories of information set out in her correspondence. I am presently not aware of any claim of privilege being made over information currently sought by the Independent Commissioner Against Corruption.

As the commissioner wishes to complete her investigation as soon as possible, I am making every endeavour to respond as quickly as practicable. Pursuant to standing order 59, absent any claim of parliamentary privilege, I will provide my express leave for any document in the custody or control of the Clerk that is administrative in nature to be provided to the Independent Commissioner Against Corruption.

As the commissioner's investigation is proceeding, I advise the house that standing order 397 precludes the Clerk or any officer of the house from giving evidence to the ICAC investigation in respect of proceedings of the House of Assembly in the absence of special leave of the house. It is open, however, to the Clerk or officer of the house to provide information or evidence of matters that fall outside of that restriction. This would undoubtedly include general information about administrative processes and procedures of the assembly.

I will report back to the house should it be considered necessary to obtain special leave of the house for the Clerk or any officer of the house to provide information to the commissioner. The Clerk and officers of the house would, however, be precluded from being able to speak to any documents that are in the custody or control of the Clerk unless the express leave of the Speaker is provided under standing order 59.

The Hon. A. KOUTSANTONIS: Point of clarification, sir: given that privilege that may or may not be asserted is not yours, will you table the correspondence from the ICAC commissioner?

The SPEAKER: In response to the member for West Torrens' request for clarification, I am not presently minded to do that. If the occasion arises, I will certainly keep that under consideration.

For the time being, I have nothing further to add to what I have just indicated to the house. And I reiterate that I am making every endeavour to respond to the commissioner's requests.

Question Time

CHILD PROTECTION

Ms HILDYARD (Reynell) (14:15): My question is to the Minister for Child Protection. Can the minister assure the house that neither the minister nor her office knew about the rape and subsequent pregnancy of a 13-year-old girl until after the judge's sentencing remarks?

The Hon. R. SANDERSON (Adelaide—Minister for Child Protection) (14:16): I first became aware after the sentencing remarks last Tuesday.

CHILD PROTECTION

Ms HILDYARD (Reynell) (14:16): Supplementary question to the Minister for Child Protection: can the minister advise when her office knew about the rape and subsequent pregnancy of a 13-year-old girl?

The Hon. R. SANDERSON (Adelaide—Minister for Child Protection) (14:16): As I've stated, I was first aware after the sentencing remarks last Tuesday, and I had not been briefed prior to this by my department.

CHILD PROTECTION

Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:17): My question is to the Minister for Child Protection. When was her office first advised of the tragic case regarding the 13-year-old girl?

The Hon. R. SANDERSON (Adelaide—Minister for Child Protection) (14:17): As I have made clear, I was first made aware—

Members interjecting:

The Hon. R. SANDERSON: I was first aware after the sentencing remarks.

Members interjecting:

The SPEAKER: Order!

The Hon. R. SANDERSON: I had not been briefed by this—

Members interjecting:

The SPEAKER: Order!

The Hon. R. SANDERSON: —prior to my department. For any further information, I'll take it on notice and bring it back to the house if there's anything else.

CHILD PROTECTION

Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:17): My question is to the Minister for Child Protection. Was the minister the first person in her office to be advised of the tragic case of the 13-year-old girl?

The Hon. R. SANDERSON (Adelaide—Minister for Child Protection) (14:17): I refer to my previous answers.

CHILD PROTECTION

Ms HILDYARD (Reynell) (14:17): My question is again to the Minister for Child Protection. Can the minister confirm she was low down on her department's notification list? With your leave and that of the house, Mr Speaker, I will explain.

Leave granted.

Ms HILDYARD: On 17 September 2020, the minister stated she was, and I quote, 'very low down on the notification list' of people notified of critical incidents.

The Hon. R. SANDERSON (Adelaide—Minister for Child Protection) (14:18): I thank the member for her question. As a result of the Ann Marie Smith incident earlier this year, we were all tasked to go and have a look at the policy regarding significant incidents. It was at that time I saw that I was lower down the critical incident list than I would have expected. I can only assume this was the policy of the previous government that was still in place. It was the policy that was already there—put it that way.

We moved to change that so that I will be notified higher up. That was finalised and printed in May of this year after the incident occurred, which was in January. It is my expectation that for an incident of this significant nature I would be notified earlier.

STATE ECONOMY

Mr TRELOAR (Flinders) (14:19): My question is to the Premier. Can the Premier update the house on how the Marshall Liberal government is creating more jobs and keeping South Australia safe and strong?

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:19): I thank the member for Flinders for his excellent question. He is focused on the issues which are important to every single South Australian: the health of South Australia and also the economy of South Australia.

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: These are two critical issues for our state, and I am very proud of the way our state has responded to the coronavirus pandemic which has gripped the world. This has been a true partnership between government and the people of our state, working together to educate themselves and ourselves about this pandemic, the way that we can respond, keeping ourselves and our communities, our businesses and our families safe.

We have had a very good result with regard to the health outcomes in this state, but we have been facing the dual crises, if you like, of health and economy. Today, I would like to update the house on how we have been responding with regard to the economy. Can I just say that we have the employment statistics which came out last week, which showed that in the past three months in South Australia we have clawed back almost 34,000 jobs, and 14,000 of those jobs clawed back occurred in August.

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: So 14,000 of those were clawed back in the month of August, about 10,000 in the month of July and 10,000 in the month of June. We now find ourselves in a situation where we only have 7,000 fewer people employed in our state now than we had at the beginning of the year. It goes without saying that this is an outstanding result, but there remains much more work to be done. Today, the ABS have put out their Single Touch data series information. Again, this reiterates that, since the August figures came out, South Australia continues to do very well.

In fact, when we look at the detail of this data, it shows that, of the two weeks that this reports, South Australia had the equal highest employment growth in the nation. This is something to be extraordinarily proud of. In addition to that, what we see is that the total wages that were paid over that two-week period increased in South Australia by a whopping, nation-leading 2.3 per cent against a growth nationally of just 0.9 per cent. These are all good signs, but there remains a huge amount of work to be done.

We know that the effects of the coronavirus do not hit every business, every family and every individual equally. While some people are keeping their head above water, and in fact while some people are doing extraordinarily well—some people are doing much better than they were last year—there are still some people who are struggling. What we will now see, whether it be from the federal government level or the state government level, is a more nuanced approach to helping those individuals and those companies who find themselves in a difficult situation on an ongoing basis.

There will be some changes, of course, as we know, to the JobKeeper payments and the JobSeeker payments as of the end of this week. We also know that, in early October, we will be presented with the federal budget, and our state budget will follow up thereafter. The goal of the federal government, the goal of our state government, is to make sure that we can continue to deliver from an economic perspective and continue to keep the people of South Australia safe.

Earlier today, we announced that we would be lifting the restriction on people coming into South Australia from New South Wales. This will provide another benefit to our economy, but it will also provide a great benefit to those people who have been dislocated from their family during this difficult period of time. Much has been achieved since the outbreak of the coronavirus here in South Australia, and there remains much more work to be done.

The SPEAKER: Before I call the member for Reynell, I call to order the member for Badcoe and the member for Playford. Member for Reynell.

CHILD PROTECTION

Ms HILDYARD (Reynell) (14:23): My question is to the Minister for Child Protection. Given the minister has just confirmed to the house that she was on the department's notification list and the incident occurred in January, how can the minister say she wasn't notified by her department?

The Hon. R. SANDERSON (Adelaide—Minister for Child Protection) (14:24): I have already answered that question.

CHILD PROTECTION

Ms HILDYARD (Reynell) (14:24): My question is to the Minister for Child Protection. Can the minister inform the house when her chief executive was advised of the rape and subsequent pregnancy of a 13-year-old girl under her guardianship?

The Hon. R. SANDERSON (Adelaide—Minister for Child Protection) (14:24): I will take it on notice.

CHILD PROTECTION

Ms HILDYARD (Reynell) (14:24): My question is to the Minister for Child Protection. Can the minister inform the house when her deputy chief executive was advised of the rape and subsequent pregnancy of a 13-year-old girl under her guardianship?

The Hon. R. SANDERSON (Adelaide—Minister for Child Protection) (14:25): As I have said, I first became aware of this after the sentencing remarks last Tuesday. My executive, my CE, my deputy CE, as far as I am aware, weren't aware of the sentencing that was happening on the Monday. They are working with the DPP's office currently to look at a better protocol: that the executive of my department would be notified earlier rather than what appears to have happened, which is that one of the child protection workers involved in the case has been notified, but it hasn't gone up high enough to the executive to then be notified to the minister. We are looking at rectifying that process and that is an ongoing process currently being undertaken.

CHILD PROTECTION

Ms HILDYARD (Reynell) (14:25): My question is to the Minister for Child Protection. When was the minister's Chief of Staff first advised of the rape and subsequent pregnancy of a 13-year-old girl?

The Hon. R. SANDERSON (Adelaide—Minister for Child Protection) (14:26): I will take it on notice.

CHILD PROTECTION

Ms HILDYARD (Reynell) (14:26): My question is to the Minister for Child Protection. Who was the most senior official in the minister's department who was first advised about the rape and subsequent pregnancy of a 13-year-old girl?

The Hon. R. SANDERSON (Adelaide—Minister for Child Protection) (14:26): I will take it on notice, Mr Speaker.

ENERGY PRICES

Ms LUETHEN (King) (14:26): My question is to the Minister for Energy and Mining. Can the minister please update the house on how the state government's policies are cutting energy bills for South Australians? With the leave of the house I will explain.

Leave granted.

Ms LUETHEN: The Essential Services Commission of South Australia's energy retail price offers comparison report, released in August, shows that the average South Australian residential market offer for electricity went down by $96 in 2019-20, continuing a downward trend since the election of the Marshall Liberal government.

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining) (14:27): I thank the member for King—the incredibly capable, hardworking member for King—for this important issue. There are many important issues in her electorate that she fights for and cost of living is certainly one of them. As she has highlighted, a $96 decrease in the cost of electricity on top of a $62 decrease in the cost of electricity in the previous year is very significant for South Australia. It is a decrease in the cost of electricity of $158 over the last two years for South Australians.

It certainly compares, unfortunately for those opposite, very unfavourably against what South Australians saw in the last two years of the previous government, which was a $477 increase. The last two years of the previous government saw a $477 increase in the cost of electricity and the first two years of the Marshall Liberal government have seen a $158 decrease. We are delivering on our commitments to reduce the cost of living for South Australia and these figures are independently assessed by the Essential Services Commission—very important.

Our policies—the Home Battery Scheme, grid-scale storage scheme, demand management, interconnection—are working very well. We are very close to having final submissions into the Australian Energy Regulator from ElectraNet and TransGrid for the proposed interconnector. It's fantastic to have the federal government's public support for underwriting so that we can continue to keep this project on track time-wise for South Australians so that the benefits can continue to flow.

It's particularly positive also to have the South Australian government supported not only by the federal government but also by the Infrastructure Australia group, by the Clean Energy Council, by Beyond Zero Emissions and by Greenpeace saying this is a positive project. The only people who don't think this is a good project are those opposite.

It has been a flip-flop for them of course. They used to support this project and when, out of an abundance of goodwill and doing the very best thing we could from opposition for South Australians, we said that we thought interconnection was good also, those opposite when in government then said, 'Well, then we don't like it. If they like it, we don't like it.' It is pure politics. That's exactly why we saw more and more blackouts and higher and higher electricity prices under those opposite, and that's why every single one of us, including the member for King, is doing everything that we possibly can to support South Australians with cheaper electricity prices.

Those opposite really just need to get onboard. You really do just need to accept the fact that the policies that are being put in place at the moment are working. They are working. They are good for South Australians, and those opposite should just get out of the way and let us get on with it or, at the very least, just say, 'Yes, actually those policies are good.' Those opposite should go back to their previous position on the interconnector and say, 'Yes, it's a good thing,' because they are the only ones who don't like it at the moment, and the only reason they don't like it is for pure politics.

What we are doing to raise the standard of living, partly through decreasing the cost of living, more jobs, more investment, etc., is starting to work and we are not going to stop. We are not going to stop. The member for King and every single one of us is determined to continue the downward trend of electricity prices that has already started.

Members interjecting:

The SPEAKER: Order! Before I call the member for Reynell, I call to order the Premier, the Deputy Premier, the member for West Torrens and the member for Lee. I warn the member for Playford.

CHILD PROTECTION

Ms HILDYARD (Reynell) (14:31): My question is to the Minister for Child Protection. Has the minister asked her Chief of Staff when they were first informed?

The Hon. R. SANDERSON (Adelaide—Minister for Child Protection) (14:32): The public, rightly so, has an interest in this case. The public are interested in how this could happen and what we are doing about it to ensure it doesn't happen in the future, not who knew when, what minute, which order, which staff member.

Members interjecting:

The SPEAKER: Order!

The Hon. R. SANDERSON: I have already advised. You have already asked that question and I have taken it on notice.

CHILD PROTECTION

Ms HILDYARD (Reynell) (14:32): My question is to the Minister for Child Protection. Has the minister asked her department who was first notified about the rape and subsequent pregnancy of a 13-year-old girl under their guardianship and who they informed?

The Hon. R. SANDERSON (Adelaide—Minister for Child Protection) (14:32): As we know, this terrible incident has occurred and all of the services and everything that could be done for this young girl were the most important thing. Obviously, our online procedures and policies were how the residential care workers found out that something had occurred. They notified the police. They wrapped around services and looked after the best interests of the child. That was their primary responsibility and that is what I expect. Telling who at what time was not on their mind. Looking after the child was on their mind and it's a shame that that is not on the mind of the opposition.

CHILD PROTECTION

Ms HILDYARD (Reynell) (14:33): Supplementary again to the Minister for Child Protection: who did the child protection workers, who you have just stated reported the incident to police, tell in the department?

The Hon. R. SANDERSON (Adelaide—Minister for Child Protection) (14:33): As I just indicated, the staff, to their credit, were only focused on the child, the child's best interests—reporting this to the police, getting the right therapies and safety network around this young person—and that was their focus. They reported it to police, which is their protocol, and then from there there was a conviction. The staff, I don't know who they have told, but their role was to tell the police. They did that. They put in all of the services that were required by the young person. At no point did they worry about the minister or the opposition. They were thinking about the child and I congratulate them on looking after the child's interests first.

PLANNING AND DESIGN CODE

Dr HARVEY (Newland) (14:34): My question is to the Attorney-General. Can the Attorney-General update the house on how a streamlined planning system is driving growth in South Australia.

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General, Minister for Planning and Local Government) (14:34): I thank the member for Newland for this question in my newly minted role. I thank the Premier for appointing me as the Minister for Planning and indicate to the house that obviously my job is now to be focused on all the economic recovery that flows from COVID-19 that our state has faced. Importantly, the Premier reasserts the need to keep South Australians safe and strong.

Since becoming minister, I have approved several major projects such as the relocation of the temporary generators to Snapper Point, which will support 70 well-paying jobs and, of course,

bolster grid security. The new planning system, good news in this regard. Whilst I have announced already that there will be some delay in the finalisation of phase 3 of the planning and development code, phases 1 and 2 are currently operational, with hundreds of development applications already lodged through this new system.

I urge members to go online and identify an area in regional South Australia. I looked at 10 Smith Street, Port Vincent. It can tell you all the laws and zones that apply. I don't know who lives in 10 Smith Street, Port Vincent, no idea.

Members interjecting:

The SPEAKER: Order, member for Lee!

The Hon. V.A. CHAPMAN: Perhaps the member for Lee has. Perhaps it's the member for Lee's holiday house or something.

Members interjecting:

The SPEAKER: Order!

The Hon. V.A. CHAPMAN: I don't know. It might be the Hon. Clare Scriven's. In any event, I don't know whose holiday house it is.

Members interjecting:

The SPEAKER: Order!

The Hon. V.A. CHAPMAN: Somebody over there can tell me perhaps. Anyway, I went on to check and that tells us exactly all the planning zones and obligations that relate to it. It's a very instructive and helpful tool, I think, for both the professionals in this field and also, of course, for the home owners themselves, or members across the other side who might have a holiday house at 10 Smith Street.

There have also been 150 development applications, since going live on 31 July, granted to phase 2 council areas. There are another 500 lodged for assessment through the new ePlanning portal. These projects come in many shapes and sizes, but one thing they all have in common, of course, is the job opportunity investment to our regional areas. The ePlanning platform, for members' education, alters the way that policies are stored, retrieved and maintained, obviously making it easier, for the reasons I have outlined. The national HomeBuilder scheme stimulus package is also having a positive impact on housing proposals.

I look forward to receiving the final development proposal for the SA-New South Wales interconnector, a proposal that we as a government are fast-tracking and, as the Minister for Energy has outlined, a critical part of the security and pricing of power in our state. The planning system is now teeming with projects, keen to build off the interconnector. We have made that commitment as a government and people are lining up. This includes Neoen's Goyder South project, which is currently in community consultation and has secured its first offtake in stage 1 of that project.

It's a huge project. Each of the stages includes around 400 megawatts of wind generation, 200 megawatts of solar generation and 300 megawatts of battery storage. This dwarfs all existing projects. Neoen has made it crystal clear that it only works with the SA and New South Wales interconnector. So no interconnector means none of these projects will progress.

Sadly, it is disappointing to see the Labor opposition continuing to oppose this interconnector. They had a good idea in the old member for Lee Patrick Conlon's day. That got dumped. Of course, now they are very anti, but nevertheless we are getting on with the job and we will provide that security to South Australia.

Members interjecting:

The SPEAKER: Order! The Deputy Premier's time has expired. Before I call the member for Reynell, I warn the member for Badcoe, I warn for a second time the member for Playford, I warn the member for Lee and I warn the member for West Torrens.

CHILD PROTECTION

Ms HILDYARD (Reynell) (14:39): My question is to the Minister for Child Protection. Is it the minister's view that there is no requirement for staff, reporting the rape of a child to police, to inform their manager or supervisor?

The Hon. R. SANDERSON (Adelaide—Minister for Child Protection) (14:39): I have answered this and, as I said earlier, there is a significant incident reporting procedure that was reviewed as a result of the Ann Marie Smith case, and it was updated in May so that the minister would be notified of an incident such as this at an earlier point.

CHILD PROTECTION

Ms HILDYARD (Reynell) (14:40): My question is to the Minister for Child Protection. Has the minister asked her office if it has ever received any email, minute or telephone call notifying her office about the rape of a 13-year-old girl?

The Hon. R. SANDERSON (Adelaide—Minister for Child Protection) (14:40): I find it incredible that the opposition isn't concerned about what the department is doing to stop this in the future, and—

Members interjecting:

The SPEAKER: Order!

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

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

The Hon. A. KOUTSANTONIS: I would ask the member to withdraw that accusation that we don't care about what the department is doing to rectify a child being abused in the minister's care.

The SPEAKER: On the point of order, this theme seems to have been a theme of the day, to some extent. There has been occasion for two earlier rulings on this point. I have indicated to members that the practice of the house is that in relation to any reflection on an individual member it is for that individual member to take issue with it. Where an observation is made more generally, there is a test as to the use of parliamentary language or the imputation of improper motives. I hear the point of order, and I will listen carefully to the minister. The minister has the call.

The Hon. R. SANDERSON: Thank you, Mr Speaker. The important point here is what are we doing to stop this from happening in the future and what have we done to protect this child and to put the services around her, and I have clearly indicated that in my ministerial speech. But I can assure the house that this is an issue that concerns all parents, all carers, and that is that online safety is the emerging area where perpetrators are no longer at the bus stop or harassing a child on their way to school—they are in their phone, they are in their room, they are in their home.

So procedures and policies are where—I have looked at our policies; they were updated in 2019. I am satisfied that they are there to protect our young people and, in fact, it is proof that they work because that is how the carers found out about this online activity and discovered it and reported it to the police. That is their protocol. They acted swiftly. Wraparound services were put around the child.

What I have been doing since then, as I have also mentioned already in this house, is I have met with the children's commissioner, Helen Connolly, to look at what we can do for all children in our state to improve their online safety. I have spoken to the Minister for Education, and I have a full list of all of the online and e-safety information, which I am surprised to see starts at reception even, and there are different amounts of information for all the differing years of schooling, because this is such an issue for all children and young people.

Also, I have a phone meeting with the eSafety Commissioner later today to look at what extra strengthening and security can be put in place for online websites and apps, such as MyLOL, which are used by teenagers. Apparently, there are a lot more regulations for other dating services used

by adults—regulations, restrictions and oversight supervision. So I am looking at how we can improve things going forward for the future, and I will continue to work hard every day to protect children in care.

CHILD PROTECTION

Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:44): Supplementary: given the minister's previous answer, how can the minister say that the policy updated in January 2019 worked when, in January 2020, a 13-year-old girl was raped by a paedophile while under state government care?

The Hon. R. SANDERSON (Adelaide—Minister for Child Protection) (14:44): It's not a supplementary, but the fact that the residential care worker actually was given the phone, which is part of the policy, and noticed a password had been changed, which is also part of the protocols, shows that the policy was working. That's why they notified the police and now the offender is arrested.

Members interjecting:

The SPEAKER: Order! Before I call the member for Kavel, I call to order the member for Hurtle Vale and I call to order the Minister for Education. Member for Kavel.

SKILLS TRAINING

Mr CREGAN (Kavel) (14:45): Thank you, Mr Speaker. My question is to the Minister for Innovation and Skills. Can the minister update the house on how the state government is supporting training and employment for South Australians? With your leave and that of the house, I will explain.

Leave granted.

Mr CREGAN: In July, the shadow minister for jobs, who is also the Leader of the Opposition, held a press conference with an electrical apprentice to support the opposition's views on the state government's $12.9 billion infrastructure spend and the impacts of COVID-19 on South Australia's workforce.

The Hon. D.G. PISONI (Unley—Minister for Innovation and Skills) (14:46): I thank the member for Kavel for his interest in vocational education and training. Yes, I did see that press conference on the Sunday night news, and I was motivated—not motivated to exploit Anthony Cahill like the Leader of the Opposition was; I was motivated to find him a job, and I did.

I contacted PEER Training on Port Road because I noticed they had jobs advertised; they were looking for electrical apprentices. So I contacted PEER, they confirmed they were looking for applicants and my office then contacted Anthony Cahill and encouraged him to apply. And guess what? He got the job.

I met Anthony just last month. He was in there on one of his induction days. He was having a ball and very pleased with the opportunity that the government's Skilling South Australia program had given him. The government's emphasis on growing the economy here in South Australia has given him a brand-new job—a job that was taken away from him just a couple of years earlier, reinstated by the Marshall government with the policies that we're putting in place to train South Australians.

It beggars belief that the opposition were unaware of the job vacancies for electrical apprentices at PEER. I suggest trying Twitter: @PEER7027; they advertise their jobs all the time on PEER. The opposition leader's choice to exploit Anthony's situation rather than assist him in getting a job says a lot about the character of the Leader of the Opposition. He's more interested in his job. He failed his first test as the shadow minister for jobs, Mr Speaker.

Members interjecting:

The SPEAKER: Order! Before I call the member for Mount Gambier, I remind members that question time is your time to ask questions and to seek answers. It is appropriate that that be done in silence with respect to both the questioner and the answerer. The Minister for Energy and Mining, a point of order?

The Hon. D.C. VAN HOLST PELLEKAAN: Mr Speaker, before you call the member for Mount Gambier, I bring to your attention that I don't think the Minister for Innovation and Skills has actually finished his answer yet.

Members interjecting:

The SPEAKER: If I am in error—I rather anticipated the—

Members interjecting:

The SPEAKER: Order! The Minister for Innovation and Skills was moving around to some extent. I may have misinterpreted a movement as being the commencement of sitting down. If there is some conclusion that the minister needs to make, the minister has the call.

The Hon. D.G. PISONI: Thank you, sir; I do get quite animated and I apologise for that. I can't speak for the Leader of the Opposition. I can't explain why it is that he didn't pass that information on to Anthony Cahill and help that young man get a job, but I was very pleased to help out because that's what I'm paid to do. I am a servant of the people. I am not here to serve myself, like the Leader of the Opposition.

Of course, the Marshall Liberal government, in stark contrast, is ensuring that more South Australians are skilled and able to work in rewarding employment. More important than ever is our transitioning economy, particularly post COVID-19. Over the last month—the Premier touched on this earlier—13,400 jobs returned to South Australia and 34,000 jobs over the last three months. More people have confidence now to return to the workforce. We have participation rates up at similar levels to what they were before COVID hit. This is a great sign of the confidence that people in South Australia have that there are opportunities returning after COVID.

Of course, South Australia achieved the highest participation rate in the nation in the last figures. In training data from the National Centre for Vocational Education Research from last year to March, we saw a 12 per cent increase. This is not a point in time; this is a whole year—a whole year of growth in apprenticeships and training. It is 12 per cent growth compared to a nearly 8 per cent decline nationally, so South Australia is leading the nation. We have a 20 per cent lead on the rest of the nation when it comes to apprenticeship and traineeship commencements.

These are paid-to-learn opportunities. People are being paid to learn these skills the industry needs. If you don't want to support people taking up trades, like Anthony Cahill, you need a pipeline of work if you want to support those people. Whether it's defence, whether it's civil construction, energy or mining, all these areas create well-paying jobs. A risk to the job pipeline here in South Australia, of course, is the opposition's opposition to the New South Wales-South Australia interconnector.

The SPEAKER: Order! The minister's time has expired.

MOUNT GAMBIER GAS OUTAGE

Mr BELL (Mount Gambier) (14:51): My question is to the Minister for Energy. When was the minister informed of gas outages in Mount Gambier? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mr BELL: On Wednesday 9 September, gas supplies were cut off to 9,000 customers in Mount Gambier, including aged-care homes, hotels and dozens of businesses, and remained off at some locations until Sunday 13 September.

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining) (14:52): I welcome this question. I would be happy to check whatever notes I might have but, from recollection, the outage occurred at around about 7 o'clock in the evening. I think I heard about it perhaps an hour or two after that, but I can check that.

The outage was caused by the failure of two diaphragms in two separate pressure release valves at the very end of the Epic pipeline, essentially just before it entered the main reticulation

system, which APA runs throughout Mount Gambier. An automatic safety shutdown to prevent any harm, danger or leaks quite appropriately took place.

What that meant was that the gas wasn't flowing into the Mount Gambier system. Yes, there were about 9,000 customers who were affected. I know that Epic, APA and also the Department for Energy and Mining got onto that very quickly. All three organisations actually sent people down to Mount Gambier to support the people from the organisations who were already there.

Fortunately, it was pretty mild weather and, fortunately, it wasn't a time of particularly high energy use. I accept the fact that, at 7 o'clock in the evening, for any family and for some businesses, not having your stove or your hot water or something like that working is a significant inconvenience. I don't downplay that at all, but it wasn't 7 o'clock on a 40° night or a 4° night, when it would have been a far more serious issue.

Certainly, I asked many questions to satisfy myself that everything was being done to get all those 9,000 customers on as quickly as possible. First and foremost, of course, was the hospital. The hospital, I believe, came back online with full gas supply at all the appliances that work from it around about 1 o'clock in the afternoon the next day, but the hospital did have its own backup power sources to provide electricity and other needs, most importantly for patients but also for staff, obviously, to be able to do the work that they needed to do.

It took about 3½ days for the very last of the customers to be switched back on to gas, and the reason that it took a while was actually out of an abundance of caution. The fault at the end of the Epic line was fixed relatively quickly, but, of course, recharging gas throughout the entire Mount Gambier system through the APA network is something that needed to be done very carefully because while the gas was out air had gone into those lines and there was a very serious concern.

There was a risk that needed to be addressed to make sure that it didn't turn into any harm or damage because people with appliances which use gas are almost always ignited by a spark or a flame. If the gas is not coming through and there is air coming through, there is actually gas and air coming through the pipelines, which is what exactly happens. People try to turn their appliances on and it doesn't work because they are getting the air coming through, and then they try, unfortunately, at times unusual ways of getting the appliance going. We wanted to make sure that no harm came to anybody through that sort of process.

The overwhelming majority of those 9,000 customers actually had a visit or some firsthand contact to help them reignite their gas appliances to be absolutely sure that no harm came to any of those people. I think that the 3½ to four days that it took was time well spent to avoid a far more serious outcome.

The SPEAKER: The member for Mount Gambier with a supplementary question.

MOUNT GAMBIER GAS OUTAGE

Mr BELL (Mount Gambier) (14:56): Can the minister explain when he made contact with the local member and let him know about the outage in Mount Gambier?

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining) (14:56): Well, the answer, as the local member knows, is that I did not contact him, but I did—

Members interjecting:

The SPEAKER: Order!

The Hon. D.C. VAN HOLST PELLEKAAN: But if those—

The Hon. J.A.W. Gardner: Is he supposed to get out with a wrench and a spanner?

The SPEAKER: Order!

Members interjecting:

The Hon. D.C. VAN HOLST PELLEKAAN: The enthusiasm of those opposite to look for a problem means that they just have to wait longer for the answer. As the member for Mount Gambier knows, I did not contact him directly myself, but what I did do was make sure that he had been

informed. I made sure through the Department for Energy and Mining that he was aware of it. So me telling him something that he was already aware of was not going to do him or me any additional benefit whatsoever. This was a serious issue—

Members interjecting:

The SPEAKER: Order! Minister.

The Hon. D.C. VAN HOLST PELLEKAAN: There is something up the back. I don't know what it is. I satisfied myself that all of the people, including local mayors and other people, had received the information that they were expecting to receive, that they deserved to receive. If I had been advised that the local member hadn't been or wasn't going to be informed, then I certainly would have done it myself, but I didn't see any need to waste his time with another phone call, because no doubt a good local member would have been engaging with his constituents and making sure that they were all okay.

In addition, I also made sure that flow of information was going to be available to the member for Mount Gambier just to be sure that he knew what was going on. Essentially, I said, 'If there's anybody who needs anything, let me know. If there's something that they're not getting already, let me know.'

But, as I have already explained, the most important thing—the absolutely most important thing—was to make sure that nobody was harmed through this process, and it actually wasn't too long a bow to draw to think that could have happened. The initial issue was a shortage of gas, appliances not working, making sure that the hospital had everything that it needed—for example, making sure that emergency services had everything that they needed, including backup from other places if they needed it.

So it was making sure that people weren't without information, making sure that people actually got visits from APA staff predominantly—there were other people involved as well but predominantly from APA staff—to help them with the reignition of their appliances to avoid the risk that I was talking about before with regard to potentially a burn, a potential explosion, potentially appliance damage, etc., etc.

Those were the sorts of things that were front of everybody's mind. Let me just say that if it is unsatisfactory to the member for Mount Gambier that I did not contact him directly myself after being told that he was aware of what was going on, then I certainly make a very clear commitment to do exactly that in the future, even if I know that he is already fully informed. The member for Mount Gambier and I have a very positive working relationship. We were colleagues—

Members interjecting:

The SPEAKER: Order!

The Hon. D.C. VAN HOLST PELLEKAAN: —for a long time, as people know. He is now an Independent MP and, as I do with all of the Independent MPs, I treat them with great respect and dignity and very happy to—

Ms Bedford: Oh, I don't know about that!

The Hon. D.C. VAN HOLST PELLEKAAN: Well, in fact, I will ask—

Members interjecting:

The SPEAKER: Order!

The Hon. D.C. VAN HOLST PELLEKAAN: —the member for Florey to hark back to when we visited—

The SPEAKER: Order! The minister will not respond to interjections.

The Hon. D.C. VAN HOLST PELLEKAAN: —the Adelaide Produce Market together.

The SPEAKER: The minister's time has expired. Before I call the member for Reynell, I call to order the member for Chaffey, I call to order and warn the member for Mawson, I warn for a second time the member for Lee and the member for West Torrens, and I remind the member for Playford

he's been on two warnings for some time. If he continues to interject—and I am not wanting to remove anyone from the house—that's the next step for the member for Playford.

CHILD PROTECTION

Ms HILDYARD (Reynell) (15:01): My question is to the Minister for Child Protection. Who ultimately advised the minister of the rape of the 13-year-old girl in residential care?

The Hon. R. SANDERSON (Adelaide—Minister for Child Protection) (15:01): I have answered this many times. The first I became aware of this was after the sentencing remarks last Tuesday. I had not been briefed before then by my CE or department.

CHILD PROTECTION

Mr MALINAUSKAS (Croydon—Leader of the Opposition) (15:01): Supplementary question: given the minister found out post the sentencing remarks, who exactly advised her of the sentencing remarks? Did she read it online, see it in a news report, or did she find out from someone else?

The Hon. R. SANDERSON (Adelaide—Minister for Child Protection) (15:01): A member of my staff.

CHILD PROTECTION

Mr MALINAUSKAS (Croydon—Leader of the Opposition) (15:01): Further supplementary question: which staff member advised the Minister for Child Protection?

Members interjecting:

The SPEAKER: Order!

Mr Picton interjecting:

The SPEAKER: Order, member for Kaurna!

Members interjecting:

The SPEAKER: Order! The Minister for Child Protection has the call.

The Hon. R. SANDERSON (Adelaide—Minister for Child Protection) (15:02): I was the shadow minister for almost four years, and when Chloe Valentine died under their watch I didn't ask: which staff member, what day, when did they know? We worried about the child and how can you prevent it from happening in the future. This is an embarrassing indictment—

Members interjecting:

The SPEAKER: Order!

The Hon. R. SANDERSON: —on the opposition, that they are so petty minded and in the gutter to continue this line of questioning.

Members interjecting:

The SPEAKER: Order!

FUEL PRICE MONITORING

Ms BEDFORD (Florey) (15:02): My question is to the Attorney-General. Why have regulations not yet been made and tenders not published to implement the Fair Trading (Fuel Pricing Information) Amendment Act? With your leave and that of the house, I will explain.

Leave granted.

Ms BEDFORD: Over the past two months, since the passage of the government's preferred model, there is no record of regulations being made to implement the 30-minute model and the government is yet to ensure any tenders to procure a technology provider to operate the fuel pricing monitoring app. According to the ACCC, over the past 45 days petrol prices have remained over $1.10 a litre, often as high and in excess of $1.45, for all but eight days for the past 45.

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General, Minister for Planning and Local Government) (15:03): I thank the member for the question. I won't address the sort of factual issues that she has put in the question other than to indicate to her that, yes, the parliament has passed the new provision for mandatory reporting in relation to the data for all retailers.

I'm pleased to advise that Mr Soulio, our Commissioner for Consumer and Business Services, has a tender underway. There is an operator in Queensland. This is the Queensland model that we followed in the legislation that we passed here. That received some significant criticism, that company, by one of the members opposite, as being issues raised by the ACCC, and suggested there was some impropriety on their part. I don't agree with that but, nevertheless, it was made. So it was very important that we put this out to tender. I am advised that that process is underway and that we are expecting we will have that concluded as to someone who has accepted that position before Christmas.

FUEL PRICE MONITORING

Ms BEDFORD (Florey) (15:04): Could I just ask a supplementary, sir. Of the issues that were raised with the ACCC, were they not significant? Can you elaborate on what those concerns were about the provider that you are considering to use?

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General, Minister for Planning and Local Government) (15:05): No, I won't go into the detail of it. I didn't assert that they weren't significant. In fact, I think the company in question, which the Labor government in Queensland had appointed to undertake their project, had been criticised, if I can put it best as that, by the ACCC. They gave an undertaking, as I understand it, to provide data as an obligation in negotiated arrangements with the ACCC.

But the detail of that, no, I don't think I can add anything further, other than to say that, whilst there had been rather scathing comment made during our debates in relation to this particular company, it was the commissioner's view, and indeed my view, that it was even more important that there be an open tender in relation to the data providers, although I understand that there are not many in Australia who undertake this role.

The company the Queensland government went with was one that had been the subject of some criticism in our debates. I am not suggesting for one moment that that was insignificant. I simply make the point that as a government, and consistent with the commissioner's advice, it was very important to progress to a full tender, and that's exactly what is happening. His advice to me is that they expect to have a finalised position for appointment on that before Christmas.

FUEL PRICE MONITORING

Ms BEDFORD (Florey) (15:06): A further supplementary, sir. You have done it before today. I have had two.

The SPEAKER: The member for Florey with a further supplementary question.

Ms BEDFORD: Which member, Attorney, of your staff would inform you if there was something not proper about the tender?

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General, Minister for Planning and Local Government) (15:06): There is no suggestion whatsoever, to be absolutely clear, that there is anything improper about the tender. I have had discussions with the commissioner, who has the responsibility to implement this legislation now, including the drafting of regulations necessary once the machinery of the successful tenderer is in place, to initiate the receiving of the mandatory data, to place it online and to refer back to the commissioner if there is any breach of that so that he may make a determination as the independent commissioner as to any prosecution in relation to that legislation.

That is entirely his responsibility. He has kept me informed as to the progress of the actual implementation of that. He has reconfirmed to me the importance, particularly in light of the criticism of the Labor government's nominee in Queensland having come under some criticism in this debate,

of having an open tender. That's precisely what he is undertaking. He has reported to me that that is on track, and we are expecting to have a finalised position before Christmas.

The SPEAKER: The member for Colton has been seeking the call for some time.

CLIMATE CHANGE

Mr COWDREY (Colton) (15:07): I have been waiting patiently, sir. My question is for the Minister for Environment and Water. Can the minister update the house on the Marshall Liberal government's practical approach to adapting to our changing climate?

The Hon. D.J. SPEIRS (Black—Minister for Environment and Water) (15:08): I thank the member for Colton for his question. It is great to be able to update the house on the excellent trajectory that this government is taking when it comes to dealing with our changing climate because we know there are very significant challenges at play, not just in South Australia but across our nation and the globe. To be able to have our house in order, and ensure that we are not only doing our bit to lead and reduce our emissions but also adapting so that we are building that resilience and higher levels of wellbeing into our community and our landscape so that we can deal with the changing climate, is so critically important.

I was delighted to be able to meet with Ross Garnaut, really the country's pre-eminent climate economist, and have a discussion with him and receive a report that he had undertaken for the government, taking a look at how South Australia was doing in terms of climate change policy, projects and initiatives and also providing us with some advice as to the direction and trajectory we could head in, particularly in the context of economic recovery from COVID-19 and the effects that the pandemic has had on our state.

The most encouraging thing about Professor Garnaut's findings and advice was that, yes, we are headed in the right direction and there has been a fairly robust bipartisan approach to reduction of emissions over an extended period of time, but now is not the time to slow down; in fact, in the face of economic difficulties we need to redouble our efforts to transition our economy to a low or no-carbon economy and actually leverage those opportunities. We need to leverage them to invest in resources which benefit from that low or no-carbon status that this state has.

We know there are jurisdictions all across the world that are looking for products and services and resources which derive from a status like we hold here in South Australia. We know there is a movement towards green steel and many other resources to be able to essentially add value to these products and demonstrate to those wanting to buy them that the products produced here are done so in an environment where emissions are very, very low.

There is also a great importance to make sure that we adapt, that we are adapting our South Australian community to deal with that inevitable change that has come and is likely to deteriorate into the future. That means working with our agricultural communities to build resilience right across the landscape so that we can continue to produce food and fibre not only for our state but for export across the world and also looking at greening our city because we know that the streets in Adelaide which are lined by trees are the streets which are cooler. They are more resilient to those very hot days in summer.

That is why it has been great to work with Professor Chris Daniels and the board of Green Adelaide on projects in partnership with local councils to get that canopy preserved and expanded. We know that we are not doing as well as we should in the area of greening our city. It is a policy area that we need to get better at and it is a policy area that will build that resilience into our urban landscape. It is a pleasure to be able to work alongside the Deputy Premier in her capacity as planning minister to further those projects.

The SPEAKER: Order! The minister's time has expired.

CHILD PROTECTION

Ms HILDYARD (Reynell) (15:12): My question is to the Minister for Child Protection. Has the minister asked to see the adverse event report regarding the rape and subsequent pregnancy of a 13-year-old girl?

The Hon. R. SANDERSON (Adelaide—Minister for Child Protection) (15:12): The line of questioning from the opposition today is indicative of the culture—

Members interjecting:

The SPEAKER: Order, member for Badcoe!

The Hon. R. SANDERSON: —that I have been working very hard for the last 2½ years to change: the culture of blame, the culture of naming people, the culture of fear that led to the tick-box—

Members interjecting:

The SPEAKER: Order!

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

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

The Hon. A. KOUTSANTONIS: The minister is debating the answer immediately. She immediately includes in her answer a view on what the opposition believes and applies that to her answer. That is debate, sir, and I ask you to bring her back to the question.

The SPEAKER: I take it—

The Hon. V.A. Chapman: There's a criminal inquiry going on.

The SPEAKER: Order!

Mr Malinauskas: There's a lot going on.

The SPEAKER: Order! There will be silence!

Members interjecting:

The SPEAKER: Order, leader! I am in the process of responding to a point of order raised by the—

Mr Malinauskas interjecting:

The SPEAKER: I warn the leader. The member for West Torrens raises a point of order, I presume pursuant to standing order 98(a). Certainly, there is no permissible opportunity to debate the matter to which the question refers. The minister has been asked a number of questions in relation to the time at which she and various officers in her department were informed. The minister was providing some context in circumstances of a number of questions having been asked on that topic. I will listen carefully to the minister. I don't detect, for the time being, debate such as would offend standing order 98(a). The minister has the call.

The Hon. R. SANDERSON: I have been fully briefed by my department but, as I was saying, for the last 2½ years I have worked very hard to change the culture of my department so that they are no longer a tick-box, fear-based department.

Members interjecting:

The SPEAKER: Order!

The Hon. R. SANDERSON: They are making decisions and I believe they have made decisions in the best interests of the young person, which is the right thing to do. I commend them on the decision to put in wraparound services and to report this to the police.

Members interjecting:

The SPEAKER: Order!

The Hon. R. SANDERSON: My role as the minister is to find out what can be done in the future to stop this from occurring again and I am doing a lot of work in that area, including with my parliamentary colleagues in education and in police, to protect all children, not only children in care

but all children, because this is a problem that all parents grapple with and that is the online safety of their children.

As I mentioned earlier, through the education department there is extensive training for children and in my department there have been fantastic policies that were updated only in January 2019. We are looking at resending those out to all of our carers working with our foster care agencies to ensure that foster carers, as well as our kinship carers, are aware of the dangers of online activity.

Grievance Debate

CHILD PROTECTION

Ms HILDYARD (Reynell) (15:16): For many years and for many reasons, like many others in this house and in our South Australian community, I have been deeply focused on how we can collectively ensure that every South Australian child is safe, thriving in every way, developing as they should be, active, learning and engaged. I was so honoured to take on the shadow child protection portfolio and I am deeply aware of the huge responsibility that comes with it. I am steadfastly committed to working collaboratively with others towards the wellbeing of children.

What happened to the child raped by paedophile Matthew McIntyre, a child the minister and her department had responsibility to care for, made me feel utterly sick. I have no doubt that the South Australian community is also appalled and sickened that a child in residential care was raped by a 35-year-old man—that a predator had access to this child.

I am also sure that many community members are also deeply shocked that the minister claims she did not know about this incident until the perpetrator was sentenced just a week ago. Protecting children and improving their wellbeing requires compassion and empathy. It also requires a steadfast commitment to improving the lives of children, particularly those who need us most, and that commitment always has to be evidenced by action.

Those with the highest responsibility to care for children must do everything they possibly can to ensure those children are safe, protected and supported, and doing everything you can means relentlessly, methodically and regularly inquiring into the health, safety and wellbeing of those children. It means asking questions and it means answering questions. It means not assuming that nothing is happening. It means always being proactive in ensuring that you know what is happening to the children for whom you and your department care. It means always being inquisitive. It means relentlessly pursuing information.

The Minister for Child Protection has now been in this role for 2½ years. She must take responsibility for what has happened and for why she was not informed about it. Conversely, if the minister or anyone in her office or department did know, she must let this parliament and the people of South Australia know that this was the case.

I feel sickened that today we have not been enlightened as to what the minister knew, what her Chief of Staff knew, what the chief executive knew or what the deputy chief executive knew and that we could not get a straight answer to a question about what the policy is when a child is raped, when workers discover that rape and when they report that rape to the police. We cannot get an answer about what the policy is in terms of what those workers do to ensure that people higher up in the department know about that incident. I find that absolutely appalling.

Serious questions remain about what the minister, her staff and her department knew and when. Serious questions remain about what the minister, her staff and her department have specifically done, if anything, to assure our community that there are measures in place to ensure that such an appalling case never, ever happens again. It is utterly unacceptable that this predator was able to gain access to a child in state care. The minister must explain how on earth this was possible.

The minister must also explain the immediate steps that she has taken over the past week to ensure that the more than 400 children in residential care are protected from paedophiles seeking to groom them on teenage dating apps and websites. Has there been an immediate check of all children in residential care to see if they have this app or other similar apps on their phone? How are the phones and computers of children in her care monitored, when are they monitored and by whom? When were they last monitored and by whom?

Last week, the minister spoke to the media repeatedly about how terrible it is that one in four children is approached online by a predator. This, in itself, requires urgent action. It raises many questions for many parents and caregivers, questions about what they can do to block these apps and these approaches. It also raises continual questions for the minister about what she has done and what she has failed to do.

Members interjecting:

The SPEAKER: Order! The member for Reynell's time has expired.

BRIGHTON OVAL

The Hon. C.L. WINGARD (Gibson—Minister for Infrastructure and Transport, Minister for Recreation, Sport and Racing) (15:21): I rise to speak on the official opening of the redeveloped Brighton Oval in Hove. On Tuesday 15 September, I stood with a crowd of people in one of Brighton's new clubrooms, enthralled by what we had just seen on a tour and excited for the future of this big community space.

As the Mayor of Holdfast Bay Amanda Wilson, the local federal member Nicolle Flint, my colleague the member for Black (Minister for Environment) and I unveiled a plaque together to commemorate the official opening, it was clear that this was a special moment. It was a special moment for the hundreds of players, volunteers, life members and local residents who love using these grounds.

It was a special moment marking a great achievement and a win for the community that was not thought possible a number of years ago. Their tenacity, teamwork and the united vision of many people pulled this together and delivered a great outcome for our community. As I have spoken about many times in this place, these three clubs do an absolutely outstanding job. Brighton Oval is home to the Brighton rugby club, the football club, the cricket club and the lacrosse club and I note that they are looking to expand into netball as well.

As part of this project, we constructed three new clubrooms, including new bars, kitchens and communal spaces, but, from the state government's perspective, we were most enthused to deliver new change rooms for decaying old facilities. I have said in this place before that the change rooms at the football club were change rooms that I would not urinate in, and that is saying something. They were terrible. They were the worst I had seen. As Minister for Sport, I get to travel the state and I have seen some pretty appalling change rooms, but these were the worst.

The upgraded space as well is still continuing, but built in around this was, of course, the skate park and the basketball courts. You drive past the basketball courts on Brighton Road and you see them used all the time. This is getting people active, which is a big part of our game-on plan, and it is wonderful to see the life and reinvigoration this has put into the local community.

This overhaul will greatly improve the change facilities for the rugby club, the football club, the cricket club and also the lacrosse club. What that will do is attract new members and people to play. We know the growth in women's football and women's rugby, and lacrosse is very much a men's and women's sport. This is doing exactly what we intended: bringing families out to community sport, and the results speak for themselves. This was a $13.7 million project, with the state government contributing $2 million, the federal government and council also putting in funds, as did AFL and Cricket Australia.

There are a couple of names I would also like to mention. Of course, I have mentioned the Mayor of Holdfast Bay. Matthew Rechner, who is the Active Communities manager, did an outstanding job along with all the local councillors involved, including former councillor Karen Donaldson. I have recognised the federal member Nicolle Flint. The member for Black, the member for Morphett and myself worked with the federal member collectively to create a great space for our community.

Within the clubs, I would like to acknowledge the presidents: Wayne Londema from the rugby club, Travis Kalleske from the football club, Jason Webb from the lacrosse club and Scott Phillips from the cricket club. They have really led the charge for their local communities in this project. I have to mention also past President Kym Steer who did an outstanding job. He was there on day

one when the member for Black, myself and the then Mayor of Holdfast Bay (the now member for Morphett) sat down with these community groups and planned this out. It was our commitment at the last election that enabled this to happen, and to have everyone come on board and work with us was truly outstanding.

I am also pleased to note that at the ground—and this is a side issue to this project—all three clubs now have a new electronic scoreboard. Modern technology has finally been kicked in place. The old Brighton football oval scoreboard was ripped down just the other day. There had been a big kink in it for as long as I had been involved with that footy club or had been down there watching games. It finally came down, as did the old wooden numbers that would be manually put up.

The point about the scoreboard is that local business Aria Digital Screens, run by Matt Cornelissen, actually put those screens up. Again, this was a project that sourced local contractors where possible, and to have this local company deliver those scoreboards is great. I know that Matt's kids play football out with the Brighton Bombers.

Again, to everyone involved, this truly is a wonderful project and one that I know the community will be proud of for generations and generations to come. It was sad to see the old club come down. It made me think of people like Mostyn Matters in our local community, who had fundraised to get these clubs built in their heyday. What they have created is such a colossus of support from the local community, with people out there playing, being active and getting active in their local community, which is exactly what we want to see. Long may it continue for years to come.

INTERNATIONAL WEEK OF THE DEAF

Ms COOK (Hurtle Vale) (15:26): This week is International Week of the Deaf. The International Week of the Deaf is an initiative of the World Federation of the Deaf, and I believe this is its 62nd or 63rd year. It commenced in 1958 in Rome. It is celebrated annually by the global deaf community on the last week of September each year to commemorate the same month that the first World Congress of the World Federation of the Deaf was held.

International Week of the Deaf is celebrated through a whole range of activities, which I have attended over many years. Specifically, in the last couple of years, I have really enjoyed attending some of the events and functions held by Deaf Can:Do. I have attended their Silent Breakfast in the past, which I am sure you can imagine is an enormous challenge for me because I do enjoy having a chat, and they do pick you up when you talk because it is actually against the rules.

A couple of years ago, I taught myself fingerspelling at the Silent Breakfast, and I still know how to do that today. I had hoped I might be able to combine a bit of my speaking with some fingerspelling but I am nowhere near coordinated or clever enough, sadly. I have enormous respect for interpreters who have that skill. I do not think I have the right/left brain thing going on that enables me to do that. This year, I was unable to attend the Silent Breakfast, but I wish to thank the Hon. Irene Pnevmatikos from the other house, who was able to represent the Leader of the Opposition and me at that event. I know she thoroughly enjoyed it and her attendance was appreciated.

I did attend the dinner that was held a couple of weeks ago by the Can:Do group called Dinner in the Dark, where you are blindfolded. It simulates vision impairment, and you need to eat your meal and drink and do all those things with a blindfold on. Again, it is very challenging if the person next to you decides that they would like to move your utensils. This year, my husband was next to me, so it was not quite so challenging, but thank you very much to the jokester a couple of years ago.

I did learn phase 1 of Auslan last year with the Can:Do team, and I found that provided me with amazing insight into the use of Auslan and the evolution of that language, which is quite intuitive. It is a combination of using shapes that represent the things you are trying to say and also using size and form with your hands. I would recommend it to anybody.

There are some come-and-try events this week. One is this afternoon, which none of us will be able to attend, but it is at the Duke of Brunswick at 5.30. In the City of Onkaparinga on Thursday, there are two events being held at 11.30 and 12.30 in the Port Noarlunga Arts Centre, so register online for those.

I think it is important to mention that many of the block funding programs that used to fund deaf groups and vision-impaired groups such as the RSB have been cut. We did campaign very early on to get some attention from the NDIS about guide dogs, and they have managed to solve that problem, so guide dog training is happening much better. One of the things we are worried about is Auslan interpreters at big events such as Carols by Candlelight, where you are supposed to use individualised funding. This could be a bit chaotic if you have 10 people who need to book an interpreter.

I would also like to mention that I hold a drawing competition in my community every year. This year, the theme was 'Butterflies, bugs and beetles' to recognise the small things in a big year of COVID. I would like to congratulate the winners:

- Reynella East: Laila and Page;
- Braeview Primary: Indiana, with a special mention to Ariannah;
- Woodcroft College: Liam and Shelby;
- Antonio: Charlotte and Tyler;
- Prescott College: Darley; and
- Morphett Vale East Primary: Jayden.

At Sunrise and Braeview I managed to dress up in the Book Week theme, and this year I dressed up like a cowgirl and had a great time. Stephanie won the award at Sunrise. I have not yet presented the awards at Emmaus, Coorara and Happy Valley, but I look forward to visiting you at assembly in the next few weeks. Thank you very much to all the entrants; they make the walls in my office look so much brighter.

Time expired.

GELLON, MR L.

Mr CREGAN (Kavel) (15:32): It gives me great pleasure to acknowledge in the house the contribution made by Laurence Gellon to my community. Laurie has received life membership at the Mount Barker and District Residents' Association and has been a member of the association for 14 years. In that time, he has served as either chair or secretary for 13 years.

It must be remembered that Laurie's service to our community has coincided with substantial changes in the district, including the rezoning of Mount Barker for large-scale population growth. In his time as chair of the association, Laurie has been far-sighted about many of the challenges that have in fact arisen.

In 1998, Laurie moved from metropolitan Melbourne to the Adelaide Hills. At that time, he had retired from work as an air traffic controller and lecturer in air traffic control, coming to that role after earlier working as a banker, a stage manager with Channel 10 and a weather observer with the Bureau of Meteorology.

It is important for me to record in this place Laurie's extraordinary contribution to the arts. Laurie's knowledge of theatre is extraordinary. He gave 28 years of his life to the Williamstown Little Theatre, including as chairperson and secretary, production director and member of the committee. He took a close interest in the hard business of staging. Of the 133 productions mounted in his time at the theatre, Laurie had a substantial role in 85, including directing 11.

For six years, Laurie was also a company director of Gateway Theatre, a professional production company in Melbourne. At one time, they were the third largest employer of actors and creatives in Melbourne. I also must recall Laurie's service to the committee of the Victorian Drama League, including as producer and presenter of their weekly radio program, *Applause, Applause*. The Williamstown Little Theatre and Music Theatre Guild of Victoria have recognised Laurie by conferring on him life membership. Laurie's service for 10 years as judge of the Music Theatre Guild of Victoria ought to be recorded.

Laurie is a man of tremendous compassion. He nursed a close friend who suffered from John Cunningham virus. When Laurie took his friend in, the man was not expected to live for more than six months. Instead, with Laurie's careful nursing, he lived until 2018. On his death, Laurie took in his two dogs.

I also wish to record in this place Laurie's service to the Stationmaster's Art Gallery in Strathalbyn within your electorate, Mr Speaker. I record, too, that despite the tremendous contribution that Laurie has made to his community, his own health at times has been tested. It is very much a measure of Laurie's contribution to our community that, despite the serious conditions he has faced, he has given far more to our community than he has asked for in return.

TOURISM INDUSTRY

The Hon. Z.L. BETTISON (Ramsay) (15:35): Last week, the opposition was contacted by disgruntled tourism operators who contacted us because they had heard about a proposed tourism voucher from the Marshall Liberal government. Initially, I was delighted to hear that finally this government was taking notice of the need of tourism. We went out in June, talking about tourism vouchers, after seeing the success in the Northern Territory. We encouraged the government as a constructive opposition that we, too, should have tourism vouchers here in South Australia.

Why were these tourism operators disgruntled? Because this is a stingy tourism voucher. It is just for accommodation for hotels with more than 10 rooms, for $100 in Adelaide and North Adelaide and $50 outside those areas, including the regions. There are many things wrong with these vouchers. I have had many people call me to say, 'Why is the CBD getting twice as much money as the regions? Why is this voucher just for accommodation? Why isn't this for attractions? Why isn't this for experiences? $50 won't pay for my petrol to go to Port Lincoln. I really want to go and swim with the sea lions, but the discount does not provide anything for experiences or attractions.'

While we welcome this tourism voucher, I am shocked at the short-handedness delivered to South Australians. In the Northern Territory, their tourism voucher gave $200 matched with another $200 to get that voucher. It sold out overnight—$5.2 million in stage 1 of their tourism vouchers. In Tasmania, it was $100 for accommodation and $50 for attractions and up to $500 for a family of five. What this tourism industry needs is demand. It needs support. The vouchers could have delivered this, but what we have seen is a scheme that is simply not enough.

This was the second announcement for tourism by the Marshall Liberal government. Earlier in the week, they announced the Tourism Industry Development Fund. Once again, I welcomed this interest in tourism because we know tourism is doing it incredibly tough. We know that 94 per cent of tourism organisations are on JobKeeper. For many of them, overnight, in March, their business came to a halt. When I speak to tourism operators, they say they are just trying to survive. For many, they hibernated for the months when COVID had severe restrictions with the hope that they would come out on the other side, but they have a long way to go, particularly those exposed to the international markets.

But let us have a look at this fund, the Tourism Industry Development Fund. It is a $20 million fund to support people to develop new products and to develop infrastructure. However, first of all, you have to have the money to support this hand in hand. At a minimum, to get the $20,000 from the government you have to have more than $40,000 available for you to contribute—nearly $50,000.

In fact, a Letter to the Editor in *The Advertiser* stated, 'I don't have a lazy $40,000 lying around.' Another operator contacted me to say, 'These development grants really fall short'—and let's be clear, 90 per cent of tourism businesses in South Australia are small—'I've used up my cash reserves and paid my overheads during this difficult time. Only bigger more established businesses will be able to afford to take up this government's offer. I only have cash flow for another three months.'

We call on the Marshall Liberal government to extend this voucher to enable smaller businesses to be able to access the fund.

Time expired.

KOONIBBA ROCKET LAUNCH

Mr TRELOAR (Flinders) (15:40): I rise today to talk about a very exciting event that happened in the electorate of Flinders just in the last week. Last Tuesday, a week ago today, along with a couple of hundred other people I headed to Koonibba on the Far West coast. Koonibba is a community situated about half way between Ceduna and Penong, west of Ceduna. It is around about 40 kilometres west of Ceduna.

Among the crowd was the Premier (Hon. Steven Marshall), the Minister for Trade and Investment and the Hon. David Ridgway and the Hon. Justin Hanson from the other place. As the local member, I of course was also in attendance, and the Mayor of Ceduna, Perry Will, was there. There were many, many locals—both Ceduna and west-of locals—and the students from the Koonibba Primary School came along as well.

The ambition on that particular day was to launch a rocket into near space. Near space is up to 100 kilometres above the Earth's surface, and beyond that it comes under the jurisdiction of the Australian Space Agency. At this point in time Southern Launch had permission only from CASA, so they needed to stay within that 100-kilometre altitude.

The companies represented there were Southern Launch of course, and I will talk a little bit more about them in a moment, and DEWC provided some of the machinery as well. Unfortunately, there was a misfire on the Tuesday and the much-anticipated launch did not take place. However, not to be daunted, the crew reassembled last Saturday. It was a much smaller crowd but still a good crowd came along.

Unfortunately, I was not able to be there on Saturday, but they had two successful launches into near space. They fired north and were aiming to retrieve the rockets. I have not heard that they have been able to do that yet, although they had pinpointed where they fell back to Earth. The plan is for Koonibba to be Australia's largest rocket-testing facility with the opportunity to recover the payload.

However, the bigger plan from Southern Launch is to regularly launch rockets, small rockets—these are not Saturn Vs; they are relatively small rockets—with communication satellites with a weight of around 25 kilograms from a site down at the very southern tip of Eyre Peninsula near Cape Carnot; certainly, I think people in this place would be more familiar with Whalers Way.

The beauty of this site is, of course, its proximity to Port Lincoln, a large regional centre which offers facilities and infrastructure to support the rocket launches and to support the people and the jobs that might come along with it. It has good year-round whether. That is a big selling point from Southern Launch. I do not know that it is always fantastic, but it is certainly a better proposition than some of the other options that are being put forward from around the world.

The real beauty of this site is that they can launch south over the Great Southern Ocean to put a small satellite into a polar orbiting trajectory and monitor the lift-off from Kangaroo Island. And, of course, the rocket shoots out over relatively calm waters with little sea traffic or air traffic, which gives unhindered southward trajectories. The real future in this is, of course, communication satellites, and satellites are the source of much of the data consumed on a daily basis and certainly is the way of the future.

Previously, it was all about big satellites costing half a billion dollars orbiting around the equator in geostationary Earth orbit. However, companies from around the world—and, remember, this is a commercial enterprise, a commercial venture—are now planning and launching constellations of small satellites orbiting at less than 400 kilometres from the Earth's surface in low Earth orbit, which are costing less than half a million dollars each. I wish Lloyd Damp and the team at Southern Launch every success in the future.

Time expired.

Bills

STATE PROCUREMENT REPEAL BILL

Second Reading

Adjourned debate on second reading (resumed on motion).

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General, Minister for Planning and Local Government) (15:46): As I was saying, I am pleased to confirm to the house that the local industry have indeed taken on the new model of module buildings for the schools that is operated by Sensum from Victoria. I am advised, only as recently as this morning, that we now have the expertise in South Australia. I do not know what the arrangement is as to whether there is any intellectual property surrounding this particular model.

But, in any event, our local people have developed the skills and understanding to be able to implement this type of module work, which can quickly address an infrastructure issue, particularly, as I understand it, for classrooms for schools, and that is great because it means in future they will be available to tender for this work. Notwithstanding the criticism of the member for Lee as to the use of an interstate company, which has this innovative model for the school buildings, we have moved to ensure that there is support for the industry to develop the skills, and that is precisely what they have done.

Probably, the commentary made by the member for Lee on the attempted privatisation of SA Pathology, as he claims, is quite the reverse. It was the previous government who had raided the IMVS, which was an internationally renowned institution. They had sold off entities, including Medvet at that organisation. They had sacked the board, bought in-house pathology and had tried to keep the income stream in relation to pathology work in-house. Under their leadership, they even failed at that.

It was this government that worked with SA Pathology to enable them to be competitive, to be able to provide a continued good service and to be able to continue to provide that in a manner that has, I think, been applauded around Australia in support of the COVID crisis. I think the member for Lee must have a very short memory and seems to be a little bit distorted in relation to the facts. Of course, it was his former government that was the master of privatisation, and one has only to look at the debacle surrounding the sale of the Lands Titles Office.

I say that not because of Land Services SA, which was the ultimate purchaser of that stream of data, which of course is necessary for the conveyancing world amongst others, but because the previous government, under the leadership in the treasury of the Hon. Tom Koutsantonis, refused even to disclose that contract after it was signed. We found after the change of government that there was a little extra bit added, and that was the right of that company—for decades—to be able to have exclusive access to the purchase of other data that a government may be minded to sell.

It came with a nasty little sting that meant that, if any new government did not do that, they would have to pay back some $80 million to the purchaser under that agreement. This is the sort of disgraceful conduct the previous government were involved in, with no transparency, no disclosure, having to find these little poisonous chestnuts when we get into office.

But I suppose if one were to take advice from the previous government, one would do so with great caution given their precedent set in the behaviour in the Gillman inquiry and the sale of that land—avoiding any proper scrutiny, not going to the open market, doing a side deal and being caught out—of which Mr Bruce Lander QC had scathing commentary to make in relation to his extensive report subsequent to those proceedings.

The SPEAKER: I sense that the Attorney might be moving on, and I might be a bit belated, but I do remind the Attorney and all members to avoid referring to members by name. A reference earlier might more appropriately have been to the member for West Torrens.

The Hon. V.A. CHAPMAN: Thank you, sir. I was trying to put him in the context of his previous title as Treasurer, but I certainly heed your advice in that regard. In any event, there are two other pieces of information that I think are important to identify here. There were two reports that had

advised and helped us as a new government to make a decision to go down this course, which, we have heard from the opposition, they refused to support.

One was the report and recommendations of the Productivity Commission of South Australia. Two responses were published by the government on stage 1 and stage 2 in response to that. I think the dates were circa 2019. In any event, subsequent to the Productivity Commission's inquiry, the Statutory Authorities Review Committee of this parliament also published their report, titled 'Inquiry into the State Procurement Board', on 24 September 2019. From my recollection, it was some months earlier that the Productivity Commission had published their report. They are both consistent in their message, and that is that the structure we have under the current act, which we are proposing to repeal, is clearly outdated.

It was not as though the Statutory Authorities Review Committee was somehow or other stacked with members of the government who would, perhaps at first blush, be expected to support this proposed legislation. Two members of that committee, the Hon. J. Hanson MLC and the Hon. Irene Pnevmatikos MLC, Australian Labor Party members of that committee, without dissent—that is, no published dissenting report—made recommendations that led to this legislation. Perhaps they did not get the Mullighan memo, I do not know, but they clearly took a very different view as to—

The SPEAKER: I anticipate the member for Lee on a point of order.

The Hon. S.C. MULLIGHAN: I am not sure if it was through negligence or incompetence, but the member for Bragg inadvertently used my name rather than my title.

The SPEAKER: I sensed that that was a reference to the member for Lee and, again, I remind the Attorney to refer to members appropriately.

The Hon. V.A. CHAPMAN: Perhaps the member for Lee has instruction in relation to what his party's position is on this bill, which is to oppose it. Notwithstanding that, they were party to a report published on 24 December 2019 in this parliament, which was to outline the reasons why we need a new model. It was not as though the previous government had not been clearly alerted to how inefficient this whole process was. The same committee had provided a report on an inquiry into the board back in 2015.

They had given five recommendations in that report, obviously outlining the concerns about how this outdated model was no longer appropriate. They had indicated recommendations to assist the government of the day to be able to modernise and provide a robust structure in relation to future procurement with the transparency that goes with it. But it seems as though they did not listen. In fact, the 2019 report records:

> The then Treasurer, the Hon Tom Koutsantonis MP, did not accept the Committee's recommendations in relation to amending the composition of the Board…

The report goes on to say:

> The Committee, despite its earlier efforts, was concerned that the current procurement framework in South Australia continues to fall short in achieving the required balance between securing value for money for the State, with ensuring local businesses are given sufficient opportunities to secure State Government contracts, and queried whether the Board was performing adequately in relation to its statutory functions.

It goes on to say:

> The Committee finds that the State Procurement Board is currently not in a position to adequately achieve its functions and to enable the necessary balance required for local business participation in Government tenders and providing value for money for the State.

I do not know how clear it had to be, but this report, which followed the Productivity Commission's report, with Labor members in it, was sending a very clear message. As a new government, we listened to that and we have acted on it and we are wanting the parliament to support a modern, robust, effective, efficient framework for the purposes of procurement in this state.

I also make mention of the committee's assessment in relation to the important role that Mr Nightingale plays as the Industry Advocate. The member for Lee also mentioned this in his contribution, but again I would urge the member for Lee to have a look at this report because it says:

The Committee sees a need to respond to the wide-spread lack of confidence in the IPP being applied correctly at State Government agency level, and the Committee questions whether it is sufficient in its current state to allow for the increase in local business participation in winning State Government contracts...

So in 2015 the previous government had been alerted to the need to do this. We have a new report, which includes Labor members, which again identifies the weaknesses in relation to this framework and provides the parliament with the recommendations to actually do what we are doing in this bill. And yet still the member for Lee comes in and says, 'The opposition is opposing this because we haven't got enough clarity about what they intend to do as a government.' Well, I would urge the member for Lee to also look at the reports of the state government's response in relation to the Productivity Commission, and I am just going to list a few. In relation to improving procurement in the short term, the document commits on page 5 to:

- Simplify the process through delegation
- Improve guidance on value for money
- Improve agency engagement with businesses
- Improve reporting and analysis of the value delivered from procurement
- Build capability in procurement across government.

In relation to the question of the South Australian Industry Participation Policy, which is what I referred to earlier, the government has committed to:

- Provide better information on the performance of the SAIPP
- Increase the capacity of businesses to compete in government procurement
- Complete the development of a pre-registration system for businesses and not-for-profit organisations
- Simplify the Industry Participation Policy to reduce tape and unnecessary costs to businesses and agencies.

I do not know how clear we have to make it, but it is pretty clear from this published material precisely what the government is committed to do and we want to get on with it. For completion, for procuring services from the not-for-profit sector, we have committed in writing to:

- Evaluate the implementation of the NFP funding policy
- Improve guidance for agencies on quality assurance accreditation for procurements involving the NFP sector
- Review adequacy of current tendering timeframes in procurements involving NFPs
- Determine appropriate exemption criteria in the SAIPP for NFPs
- Remove disadvantages to NFPs due to the way they are incorporated.

All these sit with recommendations that the government has endorsed. If the member for Lee has not read them, perhaps he ought. I would encourage him to do so and report back to his party room about the importance of having this reform and ensuring that we have a much better procurement policy framework to be able to deal with 21st century procurement.

The member also made comment about his concern about the abolition of Brand SA and the Economic Development Board. I do not know whether the member has noticed, but there has been a change of government. We have a commitment to making South Australia a strong, thriving economy again. We want to have a fair, transparent system. We want to be able to identify how we can best advance the South Australian brand and there are a number of advisory groups that have been established that we think can assist in a more effective manner.

In relation to Mr Darren Thomas, I do not know whether the member for Lee thinks that everything started back in the 1980s, but the reality is that T&R have been a major pastoral support company in this state for decades, that is, Mr Thomas and Mr Bob Rowe, the latter of whom I am aware is deceased. Darren Thomas operates a very good business in South Australia of which we are all proud. In fact, the government made recent announcements towards the support of infrastructure for the rebuild of the Thomas Foods abattoir in Murray Bridge. This government will be

making every effort to ensure that we support our livestock industry and that it is up and running as soon as possible.

So, yes, this government will continue to support a major industry for South Australia and we will continue to make sure that we have the structures of excellence that go with it. I commend the bill to the house and urge members to support the same.

Bill read a second time.

Third Reading

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General, Minister for Planning and Local Government) (16:04): I move:

That this bill be now read a third time.

Bill read a third time and passed.

ELECTORAL (MISCELLANEOUS) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 23 July 2020.)

Mr PICTON (Kaurna) (16:05): I indicate that I am the lead speaker for the opposition in relation to this electoral matters bill. I indicate that the opposition will be very strongly opposing this piece of legislation. Here we have an Attorney-General whose priorities during this worldwide pandemic have been helping Senior Counsel be renamed Queen's Counsel and devising legislation to better the Liberal Party and to fight Independents and to try to stop Independents and minor parties being elected to parliament. These are this government's and this Attorney-General's priorities in relation to legislation before this house.

The shadow attorney-general and I were briefed this week by the Attorney-General's staff in relation to COVID legislation, which we believed was something the Attorney-General was involved in drafting, but we were told very frankly that it was being managed by the Premier and the Premier's department but that the Attorney-General just had the job of carrying it through the house. We know that her priority has been about electoral advantage for the Liberal Party and about stopping Independents and minor parties getting elected to parliament.

That is what this legislation is about. That is the priority of this government. It is very clear that that is the effect of what is being proposed in this legislation. This proposal in relation to optional preferential voting has not come from expert reports, it has not come from the Electoral Commission and it has not come from any independent bodies that have been empanelled to consider the electoral process. It has come from the Attorney, it has come from the Liberal Party and it has come from their decision to try to change the law to better place the Liberal Party in future elections.

That is a disgraceful use not only of government resources, not only of parliament's time, but it is a disgraceful use of their power in getting into government to try to work out how they can better their position in future elections and how they can stop Independents and minor parties from getting elected to parliament. The effect of what this legislation seeks to do is that in the future we would not see non-incumbents, Independents or minor parties being elected to the House of Assembly. That is what the Attorney is seeking to do.

Very clearly, we will be opposing this legislation. As I said, it did not come from the Electoral Commission, it has not arisen from any independent body, it has come from the Attorney-General herself. At the first opportunity, the government is seeking to wipe out diversity and dissenting voices in our politics. This will be a heavy blow to Independents and minor parties. It is very clear why the Liberal Party and the Attorney-General have such a view. It is because the history of South Australian politics over the past few decades has been a history where Liberal Party supposedly safe seats have been repeatedly lost to Independents because the Liberal Party has not been appropriately representing those communities. They have taken them for granted and they have lost seats to Independents and minor parties.

We on this side have been prepared to work with those Independents and minor parties. In comparison, the Liberal Party have shunned those Independents and minor parties and have not worked with them. Just look at our record in terms of having Independents and minor parties form part of our cabinets over the past few parliaments. We have had Labor cabinets that have included Independents and even Nationals. That broad range of voices strengthened our democracy. Even when we had a Labor majority in our own right, we still welcomed these voices into our cabinet.

Now we have the Liberals rejecting working with the Independents and also trying to stop them getting elected to parliament in the first place. We also have many Independents who were former Liberal MPs ostracised, cast aside by their party. You just have to look at the late Bob Such and how he was treated in a disgraceful manner by many members of the Liberal Party for speaking his mind.

This bill would almost certainly spell the political end for independent voices in the Parliament of South Australia. Clause 24 of this bill seeks to amend section 76(2) of the Electoral Act 1985 to read, and I quote:

> (2) In a House of Assembly election, a voter must mark their vote on the ballot paper by placing the number 1 in the square opposite the name of the candidate for whom they vote as their first preference, and, if the voter so desires, by placing the number 2 and consecutive numbers in the squares opposite the names of other candidates in the order of the voter's preference for them (but not so as to be required to indicate a preference for all candidates).

This small collection of words is a significant attempt—one of the greatest attempts we have seen—to manipulate the course of democracy in South Australia, and we cannot let this happen. We are a state that has long prided itself on extending the franchise. We were the first jurisdiction to allow women the right to vote and stand for parliament in 1894. That led the way for the Commonwealth of Australia to do so in 1902. We have pioneered and triumphed matters such as the secret ballot here in South Australia and also, of course, in preferential voting.

Preferential voting has been a key tenet of our electoral system for many, many decades in South Australia. Under the government's regressive proposal, you can just vote 1 and your vote will stop there. This is effectively going to lead to first past the post in South Australia. And where is the benefit to democracy for having votes disappear from the system if nobody gets 50 per cent of the first preferences? A majority of people may not vote for a candidate and may not express a preference for them, but under the Attorney's proposal they could still be elected. This is how the Attorney-General would like our democracy to work. A significant majority may not want a candidate, but they could still end up in this place. We can and we should stop this attack on our democracy before it even starts.

This state and country have a proud history of preferential voting and compulsory voting. The combination of the two means that everybody's vote counts all the way from the top of the ballot paper to the bottom. Minor parties and Independents get value from preferences, and so does the community. Sometimes, preferences mean that Independents and minor parties get elected. Sometimes, preferences mean that smaller voices can negotiate good local policy with the major parties.

It is worth looking at the electoral history of South Australia and you can see how pivotal preferential voting has been to the fact that we have elected Independents and minor parties to this parliament. You only have to look at the last election where we saw a very significant vote for SA-Best across a number of seats. SA-Best were unable to form a majority in any of those seats on the two candidate-preferred basis, but they did come close in a few. However, they would have had no chance on the basis of what the Attorney is proposing. They would have had no look-in in any seat if what the Attorney is proposing today were law back in 2018, at the time of the last election.

Look at the Speaker's seat of Heysen. The now Speaker, Josh Teague, received 40.7 per cent of the vote—some 9,227 votes. In comparison, SA-Best received 24.3 per cent, or 5,514 votes. That was a majority, on first preference votes, of some 3,713 votes for the Liberal Party, or a 16.4 per cent majority in terms of first preference votes.

If what the Liberals want now were in place at the time, that would have ensured there was no chance that the SA-Best candidate would have even come close to overtaking the Liberal Party

candidate. However, our system allows those other voters—voters for the Labor Party, the voters for the Australian Conservatives, the voters for the Greens and the voters for the Dignity Party—to have the chance to determine which of those two candidates they would ultimately like to vote for.

That meant that by the end of the count, while Josh Teague was successful, the majority went from 3,713 votes to 824 votes. The percentage went from 16.4 per cent to just 3.6 per cent. That is the power we are giving those other voters the ability to have their say. That meant that that became a close election.

The same was true in the seat of Finniss. In the seat of Finniss, on the basis of first preferences alone, there was a majority of 17.8 per cent (3,804 votes). By the time all of those other voters had their say between the two candidates, that had reduced to 9.2 per cent (1,979 votes). That was a significant difference that had changed between the two of 1,825 votes (8.6 per cent). I should note that in relation to the seat of Heysen, there was a difference of 2,889 votes (12.8 per cent) between the first count and the two-candidate preferred count at the end of it.

Of course, the same is true of Labor seats. Labor seats can also be won by Independents. That almost happened in relation to the seat of Taylor. I should note the member for Hartley did much better, but if you look at the vote in relation to the seat of Taylor, the ALP candidate (now member for Taylor) Jon Gee received 9,786 votes (43.6 per cent) and the SA-Best candidate got 5,644 votes, which works out to be 25.1 per cent. It was a differential of 18.5 per cent or 4,142 votes.

In our system, we allowed the voters for the Greens, the Australian Conservatives and even the Liberals to have their say, which therefore reduced the margin for SA-Best. I think the eventual margin between the two candidates was 2,564 votes (11.4 per cent). That was a difference of 1,578 votes (7.1 per cent).

In relation to the Independents that were elected in the last parliament, they were elected very solidly, and I think it is important to distinguish between people who are incumbent-elect Independents and non-incumbent-elect Independents. Non-incumbent Independents face a very significant differential in terms of their ability to get elected. No-one knows that better than the member for Frome, who was elected very narrowly but has now established massive majorities of significant first preference votes that he has in his seat.

It is worth looking back at the 2009 by-election results for the seat of Frome to see how the current member for Frome, Geoff Brock, was elected. If you look at the difference in first preference votes between the Liberal Party candidate and the Independent candidate there was a difference of 3,019 votes—higher for the Liberal Party on that occasion, and there was a 15.6 per cent difference between those two.

If what the Liberal Party is proposing had been in place then, I do not think there is any doubt that a Liberal Party member of parliament would have been elected in that 2009 by-election. This is seeking to stop non-incumbent Independents getting elected to the parliament. If you look at what happened by the end, there was a very significant turnaround of 19 per cent between those two figures. Geoff Brock ended up with a 3.4 per cent higher two-candidate preferred vote than the Liberal Party and a 643 vote lead over the Liberal Party candidate in terms of two-candidate results, so there was a turnaround of 3,662 votes.

That happened because all those other voters—the voters for the Nationals, the voters for the Greens, the voters for One Nation and the voters for the Labor Party—were able to have their vote and their choice between those two candidates, the Liberal candidate and the Independent, the now member for Frome. They decided to pick the member for Frome. That is a seat where he has continued to increase his vote over elections since then. He would not have been elected if what the Attorney-General is proposing had been put in place.

There are also many other examples. Essentially, every other example you can find of a non-incumbent Independent being elected to this parliament would not have happened under what the Attorney-General is proposing. Look at the election in Mount Gambier in 2010. This was, of course, before the current member for Mount Gambier. This was a non-incumbent Independent who was elected to parliament, Mr Don Pegler. He received 36 per cent of the vote. The Liberal Party

received 42.6 per cent of the vote, so they had a lead on first preferences of 6.6 per cent, but all those other candidates got to have their say.

The other Independent, the Greens, the Labor Party, and other minor parties like Family First all got to have their say and, by the end of it, Don Pegler won by 161 votes or a two-candidate preferred lead of 0.8 per cent. There was a turnaround of 7.4 per cent or 1,601 votes, which showed the power of those other candidates having their say. Once again, he is another member of parliament who would not have been elected under what the Attorney-General is proposing.

You can go back further and look at the seat of Chaffey, the seat of Gordon and the seat of MacKillop in 1997. In all those seats at that time non-incumbent Independents were elected on the basis of other voters being able to have their say between the two leading candidates. The seat of Chaffey had a difference of 1,887 votes or 9.8 per cent between the first candidate votes and the two-candidate preferred vote at the end of the day. Karlene Maywald was elected with a lead on a two-candidate preferred basis of 996 votes, despite trailing originally by 891 votes. That is because the Labor Party and the Democrats voters were able to have their say between those candidates.

Look at the seat of Gordon, which of course is now known as the seat of Mount Gambier, where Rory McEwen was elected as an independent at that election. He was down by 3,830 votes or 19 per cent on first preferences, but the Labor voters, the Democrat voters and the other Independent voters were able to have their say, and Rory McEwen was elected on a slim lead of 52 votes on the two-candidate preferred basis. You cannot tell me that an Independent would have won that seat if what the Attorney-General is proposing was law. There is no way that that turnaround would have happened if we saw the first-past-the-post voting that will occur if the Liberal Party's shameful bill is put into place.

Last but not least, let's have a look at the seat of MacKillop, where the later to be member of the Liberal Party, Mitch Williams, was elected as an Independent in 1997. On first preferences, he was down 1,340 votes, but by the end of the two-candidate preferred result, he was up by 3,182 votes. That was a massive turnaround of 4,522 votes or 22.2 per cent, which was on the basis of the Labor voters, the National voters, the Democrat voters, the United Australia voters and the Call to Australia voters—and I can not tell you much about that party—all being able to have their say and determine between those two candidates.

But, under what the Attorney is proposing, Mitch Williams would not have got elected. Mitch Williams would not have therefore gone on to be a longstanding member of the Liberal Party, because Dale Baker would have succeeded and won that seat and Mitch Williams would not have been elected. Mr Deputy Speaker, if I knew you were in the chair I might have gone back for the history of the seat of Flinders as well, which of course has had a very significant—

The Hon. V.A. Chapman: Mr Blacker.

Mr PICTON: That's right, Mr Blacker, in relation to the National Party being successful. Without having the statistics in front of me, I think it is a fair chance that Peter Blacker would not have been elected as the member for Flinders had what the Attorney-General is proposing to put in place been in place then.

This is about a protection to stop the Liberal Party losing seats to Independents and minor parties. In each of those circumstances, they would have kept their seats, and that is why this is a manipulation to try to make sure that losing those seats does not happen in the future. Preferences mean that those smaller voices can negotiate good local policy with the major parties, and that is what we have seen time and again from those Independents who have brought to our parliament different perspectives, different voices, which the Attorney-General is looking to eliminate.

Even though we in Labor have had our differences and disputes with minor parties over the decades, it is differences and disputes that make democracy what it is. Hearing tough truths is not easy but it does make for better decisions. The Liberals are trying to take that away from our system. This bill makes massive strides backwards in our democracy.

Jack Lang, the late Premier of New South Wales, said that you should always back the horse named Self-Interest, and that is exactly what is happening with this piece of legislation. This is all about the self-interest of the Liberal Party in staying in office and not losing seats to Independents

and minor parties. In this bill the Attorney and the Premier have worked out that crushing Independents and minor parties is in their self-interest, and that is exactly what they are doing.

While the opposition may disagree with other thoughts of Antony Green from time to time and, indeed, some things he has said on optional preferential voting, he has a very clear understanding of the motivations behind why the Marshall Liberal government is bringing this bill to parliament. He said in July, and I quote:

> In proposing that South Australia adopt optional preferential voting for House of Assembly elections, the Marshall government is highlighting democratic principles in favour of making preferences optional. But you don't have to be cynical to see that in backing [that] principle, the SA Liberal Party is also backing its own self-interest…
>
> What the Marshall government no doubt finds attractive about OPV is that it makes life harder for candidates who must come from behind to win on preferences...
>
> And history explains why the Liberal Party might find OPV attractive.
>
> Since 1982, there have been 26 South Australian electoral contests where a trailing candidate won from behind on preferences.
>
> Of those 26 contests, 14 were won by Labor, 11 by independents or minor parties, and only one by the Liberal Party…
>
> But for the SA Liberal Party, the greatest benefit of OPV will be cutting off Labor's habit of helping to elect Independents in safe Liberal seats…
>
> One other consequence of OPV will be the abolition of South Australia's unique registered preference ticket savings provision…
>
> This discussion points strongly towards the Liberal Party absorbing the lessons of past defeats in understanding that full preferential voting is no longer in its interest…

That is what this legislation is all about. This is all about their interests, their self-interests, their determination of what will make them win elections in the future and not lose seats to Independent and minor parties. They want to use the power of government, the power of their seats in this chamber, to push through a bill which will change the rules to make it easier for them to win more contests in the future.

It is a move that is opposite to what other jurisdictions around the country are doing. This is not something that everyone else is doing and we are just falling in line. Other people are actually going in the reverse direction. Have a look at Queensland, where they moved to full preferential voting in April 2016, with the then Labor opposition making amendments to a government bill to reinstate it. The long-term impacts of optional preferential voting on Queensland politics have been well documented. In 2012, Norm Kelly noted this in an Australian National University paper:

> Proposals to introduce optional preferential voting have lacked support at the Federal level. Parliamentarians have raised concerns about the potential impacts of relaxing the rules to allow '1 only' votes, or votes using ticks and crosses.

The concern that a change to optional preferential voting would become a de facto first-past-the-post system has been confirmed by the experience of Queensland elections since optional preferential voting was introduced in that state. In Queensland, a significant unforeseen impact of the reformed optional preferential voting is the change in how political parties run their campaigns.

Prior to the 2001 election, the major parties advocated filling out more preferences. From 2001, however, parties have increasingly advised voters to just 'vote 1', with all major parties now advocating this option on their how-to-vote material. As a result, approximately two-thirds of voters—63.03 per cent—used the '1 only' option at the 2006. This confirms that the system is turning into a de facto first-past-the-post system, where seats are determined by a minority of votes and voters are not appropriately informed of their options. Consequently, while the reform is an improvement of fairness, voters' ability to make an informed choice is diminished.

We have the experience of Queensland, where it is very clear that up until 2012, when that paper was written, it became a de facto first-past-the-post system, where 63 per cent of voters were now voting first past the post. All major parties there were advocating that proposition. That means that all Independents—all the experiences we have had of elected Independents, who are non-incumbent Independents—would not have been elected and we would not have had the benefit of

their contributions to this parliament and their ability to represent their constituents from the crossbenches. That is a very significant change.

You only have to look at the US, which is a very significant two-party system. It is almost impossible for an Independent to be elected in the United States; it is possible in South Australia. There is a track record of it happening, but that would not be the case under what is being proposed. Sixty-three per cent of voters in Queensland voting first past the post means that, if this were in place in South Australia, none of the people I mentioned would have been elected.

As we know, Queensland have now learnt their lesson and the law has changed. It has returned to full preferential voting, consistent with the commonwealth, consistent with states and territories around Australia. Also have a look at the Northern Territory. The Northern Territory also had optional preferential voting and has returned to full preferential voting. That was in legislation passed last year. The Chief Minister made some important points about the value of full preferential voting in his second reading speech on the reinstatement of full preferential voting. He said, and I quote:

> Northern Territory elections are based on a voting system where preference votes are allocated to candidates in order to determine the final election result. A full preferential voting method encourages each and every voter to be more aware of their choice of candidates. It aligns the way in which ballot papers are required to be marked and completed with the way that these same ballot papers will be ultimately treated when distributing preferences. A full preferential voting method ensures that individual voters do not have less of a say in this democratic process due to how they choose to complete their ballot paper. Instead, each formal vote has an equal say on the distribution of preferences for candidates and this more fully represents the will of all Territory voters.

The Deputy Speaker endorsed the comments of the Chief Minister in the Northern Territory, yet another jurisdiction that has changed from having optional preferential voting (OPV) in place back to full preferential voting.

It also must be said that this would take us completely out of step with the commonwealth. People vote for state elections here and they also vote for federal elections, and what the Attorney-General is proposing is a significant shift in terms of pulling us out of alignment with the federal voting system. What that means for the confusion of voters and the potential for informal votes, particularly those that would be in place at a federal level should this pass, is very serious and I think has not been considered properly at all by the government in putting this forward.

This is very clearly a blatant attempt to try to further the Liberal Party's election prospects at future elections. As I said, this has not come from an independent commission. This has not come from any independent work or reports. This has come from the Liberal party room, trying to make sure they win the next election and the one after that and that they do not lose seats to Independents and minor parties by having a de facto first-past-the-post system here in South Australia. We will oppose this. We will oppose it because it is, we believe, a move against furthering our democracy here in South Australia.

We encourage all members in both houses of parliament to oppose this legislation on that basis, and we will be fighting this legislation very strongly because it is not in the interests of the people of South Australia. I believe that the people of South Australia, even if they are stridently for the Liberal Party or for the Labor Party, support a system whereby you can have Independents who get elected to parliament and you can have a system whereby you get different voices and a crossbench elected to parliament. What the Attorney-General is seeking to do is abolish that. It is all about their self-interest, and because of that we will oppose this bill.

Ms BEDFORD (Florey) (16:36): I rise to express concerns about a number of the proposals this bill sets out. As members will know, I believe strongly in the role both houses play in our democracy and the value of the vote, so it is alarming to me we are presented with a complex bill making some 44 amendments to the law that governs the conduct of elections in this state.

We are being asked in this house to pass this bill this week, in just two days. The reason for this is that it is in the Legislative Council where the real debate will take place. The House of Assembly is not considered the test for the legislation because the government has the numbers to force it through in this place, so this is an example of government ramming a bill through without ample scrutiny and without true consultation.

It is true a number of the amendments arise from suggested improvements made by the Electoral Commission in its report to parliament a year ago, but since then who has the government consulted with? Did the government issue a discussion paper, write to registered political parties, invite members of parliament to provide feedback or consult with relevant parliamentary committees? Unfortunately, the answer is no, and at least two of the proposals in this bill are not proposals derived from any recommendation of the Electoral Commission or any other public body. They are proposals of the government alone.

There is a very good reason why we do not tamper with electoral laws without wide input from independent public bodies. The reason is governments of the day can too easily be tempted to bend the rules to suit what they consider to be best practice. We have seen the consequences of that in the past in this state and elsewhere. It can lead to a perversion of democracy, and that is to be condemned.

In this case, the two specific matters I refer to are the proposals to introduce optional preferential voting for elections in the House of Assembly and to prohibit the use of electoral posters or, as they are more commonly known, our beloved corflutes. I foreshadow I will be moving amendments in the committee stage to remove both of these proposals from the bill. Extraordinarily, when briefed on Monday by the Attorney's adviser and departmental staff, it came to light advice from the Electoral Commission had not been sought in relation to these measures.

Not only that, it was indicated inquiries had not been made about how many votes would be exhausted—or, to put it another way, wasted—if optional preferential voting were to be adopted. That is extraordinary. Here we are, being asked to support a major change to the operation of our system of voting, a system that has formed the cornerstone of our democratic practice for a century. The founding fathers put this system in place for very good reason, and it appears there is no idea, no idea at all, of the number of votes it would affect.

It is hard to believe a decision like this could be taken without full information being sought. I feel confident someone somewhere in the machinery of government must have looked into this aspect of the question. Why there is no information, though, remains a mystery. Regardless, it was only after asking the question directly that I and my colleagues on the crossbench were given an answer yesterday at 11.30am. I quote from the email provided by the Attorney-General's office:

> ECSA advises that 40,067 votes were saved through voting tickets in the HA in 2018 (p 242 of the Election Statistics Report). It is not possible to know how many of these tickets were only marked with a 1, rather than a 1 and a 2, or 1, 2, 3, however, the view of ECSA is that the majority these tickets would only have been marked with a 1, a cross or a tick.

To put this in context, we have to look at the primary votes cast in the 2018 election. I refer to the electoral statistics report of the Electoral Commission for the 2018 state election tabled in parliament in 2019. Data from that report shows there were 1,048,713 votes cast at the 2018 election in the House of Assembly. There are some obvious points of comparison to be made. Firstly, there were 44,497 informal votes cast at the last election, or 4.1 per cent of all votes cast. These are votes that would be informal, regardless of voting tickets. In other words, we already have a kind of optional preferential in South Australia that works to validate about half the number of votes that would be otherwise rendered informal.

It is also worth noting the primary vote difference between the two major parties at the last election was only 10,000 votes more than the number of votes saved by voting tickets. The vote for SA-Best was just over three times the number of votes saved by voting tickets. The Greens had a total of around 1.5 times the number of votes saved by voting tickets, and the total vote for Independents and other minor parties was less than the number of votes saved by voting tickets.

I refer to table 3.6 on page 242 of the report. This is the table referred to in the email from the Attorney-General's office, providing details of voting ticket votes by electoral district. It shows there were 40,067 votes which were rendered formal and for which preferences were then distributed in accordance with the lodged voting tickets. If optional preferential voting is adopted, these 40,067 votes would potentially be lost if the candidate they related to were excluded in the ballot. That amounts to 3.8 per cent of total votes cast.

Changing the status of the 40,067 votes saved by lodged voting tickets will likely have a significant impact on the outcome of the next election. Of course, what this does not take account of is how voters may change their voting habits in response to optional preferential voting. We know when optional preferential voting was introduced in Queensland, for example, the then Labor government campaigned on a Just Vote 1 approach in order to split the Liberal and National Party vote. This was before those parties merged into the LNP.

We could surely expect similar campaign tactics here and that would be unfortunate in my opinion. It would, in effect, work to advantage major party incumbency and squeeze out Independents and minor parties. That would diminish participation in our democracy, the breadth and quality of debate in this parliament and would probably work to advantage the Liberal Party particularly. While it would not prevent parties handing out how-to-vote cards with a recommended preference distribution, the likelihood is it would see this practice decline and remove a powerful tool of dissent for those unhappy with incumbent members, the government and indeed the major parties.

In relation to corflutes, it seems probable similar questions of electoral advantage are motivating the government's proposal in this bill. I know some people find corflutes annoying, but, really, we are only talking about four weeks once every four years and if they are put up correctly they need only be revisited once each election and that is to take them down. For challengers, Independents and minor parties we all know that corflutes are an effective and inexpensive way of promoting candidacy. Removal of corflutes without compensating measures, such as the candidate booklets used in local government elections, could be viewed as rigging, rather than reforming the electoral system. Why, for example, are we not acting to ban canvassing at polling booths on polling day? Many voters find that more irksome, but clearly the marshalling of numbers of helpers required for a full day is easier for incumbents to organise.

As to the other part of this bill, I and my crossbench colleagues have a number of other concerns and I will ask some questions during committee stage in relation to these. For example, I note the bill proposes to allow electronic applications for postal votes. This concerns me and I would like to know what guarantees the Attorney-General can give to ensure applications are not made by third parties acting in the name of often vulnerable people who may be in need of a postal vote.

I also hold concerns about the reduction in deadlines for enrolment and the extension of the time frame for pre-polling. I expect many of those matters will be agitated between the houses. This house is not a rubber stamp and when it comes to how our democracy operates, attempts to push through measures without consultation, scrutiny or justification is an even more egregious abuse of process.

Lastly, I indicate that I will be moving a further amendment to this bill. It was alarming to read in a recent briefing paper issued by the senior research officer of the Electoral Commission that South Australia now has the lowest representation of women of any Australian parliament and below the critical mass of the 30 per cent recommended by the United Nations. I will be moving an amendment that puts this issue on the radar for political parties. In simple terms, my amendment will require registered political parties that field more than five candidates in a general election to have at least 35 per cent female and male candidates, with the sanction if they fail to comply of not receiving public funding.

Public funding of elections is a recent reform to our electoral system, and I think it is fair if political parties are going to receive taxpayer dollars that they should meet some minimum standards of representation in the candidates they offer. Manifestly, this has not been happening, so this is a small nudge that I hope means we can accelerate representation of women in parliament ahead of the 2050 time line forecast by the Electoral Commission briefing paper as the current rate of change. With those remarks, I look forward to the committee stage of the bill.

The Hon. J.A.W. GARDNER (Morialta—Minister for Education) (16:45): I am very pleased to rise to speak on the Electoral (Miscellaneous) Amendment Bill. I congratulate the Attorney-General on bringing it to this parliament because it does a number of things that are very important in ensuring that the will of the South Australian populace be reflected, if this bill is passed, in the composition of the parliament, the make-up of the government, who serve those people.

There are a number of principle matters at stake and I want to focus on the principles, because the purpose of our parliament is to govern for the best interests of all South Australians. One would hope that it would also be a widely understood and accepted idea that that government should be determined by the will of the South Australian people.

We know that for a number of elections the government—the make-up of the parliament, the composition of the parliament—did not necessarily reflect the majority view as expressed in a compulsory preferential system as advocated for by those opposite. The shadow minister, in particular, suggested that backroom deals done in preference negotiations in marginal seats that he identified and ran through were instead a better way to do it.

Members interjecting:

The DEPUTY SPEAKER: Order!

The Hon. J.A.W. GARDNER: For the party that brought us the 'Put your family first' disgraceful attack on the electoral system, designed by the member for Playford, who was State Secretary of the Labor Party at the time—

Members interjecting:

Mr BROWN: Point of order, Mr Speaker.

The DEPUTY SPEAKER: Minister, take your seat. Point of order.

The Hon. V.A. Chapman: You're out of your seat.

The DEPUTY SPEAKER: Actually, Attorney, that is a very good point, although we are under COVID arrangements, so I am not sure how that reflects.

Mr BROWN: I ask the minister to withdraw that disgraceful, incorrect statement.

The Hon. J.A.W. GARDNER: I seek the member's assistance as to which statement is allegedly incorrect and then I will assist the house if necessary.

The DEPUTY SPEAKER: Member for Playford.

Mr BROWN: I ask the minister to withdraw the remark that I was the architect of a scheme designed to subvert democracy.

The DEPUTY SPEAKER: For the sake of the late afternoon's debate, minister, it might be best if you withdraw that. You have obviously offended the—

The Hon. J.A.W. GARDNER: I withdraw the language that I used.

The DEPUTY SPEAKER: Minister, I have not quite finished yet. Thank you for withdrawing it. You have obviously offended the member for Playford, but I do also ask the member for Playford and the member for Kaurna to listen carefully and intently and quietly to the minister's contribution, as those on the government benches did for you, member for Kaurna. Minister.

The Hon. J.A.W. GARDNER: Thank you, sir. I withdraw the language that I used before and instead suggest that perhaps I could use an anecdote from history and real life to demonstrate some of the value of one of the propositions in this bill, that being the optional preferential system that is proposed.

The 2010 election, which many members would be familiar with and some might remember, was an election where the 'Put your family first' proposal was adopted by the Labor Party on election day. This was a how-to-vote card distributed by Labor Party members and other volunteers in four seats, including the seat of Morialta, where Labor Party volunteers purported to operate with an organisation connected to the then Family First political party, which was of course suggesting preferences to the Liberal Party in those seats. These Labor Party volunteers were wearing 'Put your family first' T-shirts and handing out flyers that said 'Put your family first', which clearly were designed to encourage voters who might be attached to the Family First Party to indeed express an order of preferences that was different to that which the Family First Party was suggesting.

Why does any party have these how-to-vote cards? Because it is a critically important and understood fact of our democracy that we want everyone's vote to be counted. We want people to vote for our parties, but to have their votes counted in South Australia they must number every box. Therefore, parties have this how-to-vote card so that their supporters, particularly those with any issues with their literacy or the English language, might be assisted to understand how to correctly fill in a valid vote, a vote that will be counted for the propositions that are put forward by the party they connect with.

The purpose of the Labor Party organising Labor Party members and Labor Party volunteers to assist handing out how-to-votes that said 'Vote 1 for the Family First candidate' and then prioritised the Labor candidate above the Liberal candidate in whichever seat, I would propose could only be to encourage those voters who wanted to support Family First to support candidates who were not endorsed by Family First, in this case being the Labor candidates in what were identified as marginal seats.

The member for Playford has an interesting role to play here, of course, because, if memory serves me right, I think his name was on that how-to-vote card in authorising the how-to-vote card. Indeed, a defence used by the Labor Party was that anybody who was allegedly misled by this how-to-vote card should have known better because, forgetting that the Family First name of a political party was up there big in at least 172 maybe 132-point font, and the member for Playford may correct me; he might have been the one doing the desktop publishing—

The Hon. D.G. Pisoni interjecting:

The Hon. J.A.W. GARDNER: The fact is, that that—

Mr BROWN: Point of order: I would ask the minister to withdraw that remark.

Members interjecting:

The DEPUTY SPEAKER: Order! Minister for Skills and Innovation, that was an interjection and I did hear it and I will ask you to withdraw it.

The Hon. D.G. Pisoni: What was it that you heard, sir?

The DEPUTY SPEAKER: No, don't do that, minister: just withdraw.

The Hon. D.G. Pisoni: I withdraw.

The DEPUTY SPEAKER: Minister, before I give you the call again I am going to bring the house to order. I know emotions are running high. Minister, you have the call.

The Hon. J.A.W. GARDNER: Thank you, sir. The Labor Party in producing this flyer, which was authorised by the Labor Party state secretary at the time, the now member for Playford, put in large font—132 or 172, we have not quite got clarification, but it was very large—'Family First'.

Mr Brown interjecting:

The DEPUTY SPEAKER: The member for Playford is called to order. I do not know how many times that is today, member, but take heed.

The Hon. J.A.W. GARDNER: Any reasonable observer, I would suggest, would think that it was a Family First how-to-vote card and I would put that that was the design. The second political party that was identified—

Mr BROWN: Point of order: I ask the minister to withdraw that remark, that the idea was to mislead voters.

The Hon. J.A.W. GARDNER: Sir, I was not making allusions about any member of parliament.

The DEPUTY SPEAKER: No, that is true, minister. I am not going to uphold that point of order. I know people are passionate about this and ultimately we are discussing behaviour and what is allowable in the lead-up to and on election day and that brings out passions, but I do remind members that the minister can be heard in silence. Minister.

The Hon. J.A.W. GARDNER: Thank you, sir. So, at the very least, we have Labor Party members and Labor Party volunteers and supporters handing out a flyer authorised by the Labor Party where 'Australian Labor Party' was written at the bottom in, I believe, eight-point font; it could have been 10-point font.

Mr Brown: Whatever the law says.

The Hon. J.A.W. GARDNER: Was it six? Whatever the law says is the response. I take that on. It was whatever the minimum is that the law says and my recollection is that is eight-point font. Family First, the name of another political party, was in big words underneath the words 'put your'—'Put your family first'—in 172-point font perhaps, 20 times larger. I leave it to any reasonable member of parliament, any reasonable member of the community to suggest to me that that was indeed a flyer designed to be open and transparent about its support for the Labor Party. I remain to be convinced.

You know who else was not convinced? Anyone in the Labor caucus between 2010 and 2014 because, indeed, the former government were so embarrassed by their behaviour that they brought a bill to the parliament to make it illegal to do something like that again. That was the behaviour that was authorised by the member for Playford when he was the State Secretary of the Labor Party: to authorise and to presumably, therefore, take responsibility for the publication and dissemination of a flyer on election day, which was subsequently effectively outlawed by this house based on a bill brought by the former Labor government because they were so embarrassed by their own conduct.

I would put that the reason the Labor Party did that was to take advantage of preferences in the way that they were required to be done under the compulsory preferential system, and they were enabled to do so. The benefit of an optional preferential system is that the purpose of saving a vote, the purpose of enabling every voter's wish to be reflected in the ballot box, counted for the candidate they support, will be maximised because it will be, indeed, much easier for any elector to express their preference because they will not need to follow a how-to-vote card, they will not need to choose between candidates that are lower down that they potentially do not prefer, and they can then cast their vote.

They can cast their vote in preferential order for all candidates. They can cast their vote in preferential order for some candidates and then not choose between the last couple of candidates. They can cast their vote for a smaller number of candidates in the order of their preference up to the point where they no longer have a preference between those that remain on the ballot paper. It is a perfect summary of how we can give choice back to voters about how they express their electoral will through the ballot box.

On a point of principle, I would advocate in a compulsory voting system, as we have, for the opportunity for a voter to say, 'You know what? I don't care whether you are in the Labor Party or the Greens, I don't want to choose between either of you,' or, 'I don't care whether you are in the Liberal Party or the Conservative Party, I don't want to choose between either of you. I am voting 1 Green, I am voting 2 Labor, I am voting 3 for the Nick Xenophon Team or SA-Best, or Advance SA'—any of the other parties that are in the system—

The DEPUTY SPEAKER: Whatever they are called.

The Hon. J.A.W. GARDNER: —and then choose not to vote for the Liberal Party or any other candidate under that. The fact is optional preferential voting gives that power to every voter, and for those voters who have identified only one or two people whom they want to support it gives them that power, too, and reduces the possibility of their vote being counted as invalid because they have not successfully identified filling in all of the boxes. The Labor Party does not have an in-principle objection to this, otherwise they would not have introduced legislation before the last election to have optional preferential voting in the upper house.

The Labor Party's objection to this is that they fear that it will damage them electorally. The member for Florey identified that, in fact, one of the greatest proponents of electoral benefit of the optional preferential voting system was indeed a Labor Premier in Queensland call Peter Beattie. It

was the Labor Party that determined that they would use the system to say 'Just vote 1' in their campaign material.

The fact is that in that circumstance the Labor Party did well, the Liberal Party did very, very badly—I have a feeling they may have only got a handful or less of members in that election—the National Party did pretty badly, and the One Nation Party, who were I think one of the major opposition parties at the time, probably did less well than Labor. The fact is that sometimes it will help Liberal, sometimes it will help Labor.

Mr Picton interjecting:

The Hon. J.A.W. GARDNER: We should be basing an electoral system on what is the best possible opportunity for people in our community to have the expression of their will reflected in the ballot box and in the composition of this parliament.

The member for Kaurna interjected that it will hurt Independents, or words to that effect; the member for Florey suggested as much in her comments. I challenge them on this claim. I think it is nonsense. Somebody who is capable of being elected to parliament as an Independent—because without the infrastructure of a political party the community's respect and regard for them is so significant that they are capable of winning an election in a compulsory preferential system—in many ways will benefit from the community not having to fill out every vote.

Somebody like the member for Florey, somebody like the member for Mount Gambier, somebody like the member for Frome would have been elected, I would posit, under an optional preferential voting system. Somebody like Janine Haines, who was leader of the Australian Democrats and significantly popular in the community, never stood a chance in that election because of the compulsory preferential system.

I think it was Gordon Bilney—the member for Kaurna might remind me; I am pretty sure he knows him—who was the member for Kingston at the time. Janine Haines was a candidate and the Liberal Party had a candidate, and the Labor Party and the Liberal Party, to my recollection, decided to swap preferences and shut out the Australian Democrats leader from having a hope of getting elected to that seat. I would posit that the people of Kingston, were they given the opportunity of optional preferential voting at that election, potentially may have given Janine Haines a better chance.

However, in the system defended by the member for Kaurna, allegedly to support Independents, and by the member for Florey, underestimating her own popularity in her community, those Independents would not benefit from the compulsory preferential system. They would indeed have benefited from an optional preferential system. But do you know what? That is not even my argument either. My argument comes back to principle. How can we best give the voters the opportunity to express their will at the ballot box and thereby have this parliament reflect the people who the South Australian community want to be here?

The bill does other things that I believe are also worthy of support. One of the principles in the bill is to simplify the pre-polling arrangements. If the bill is supported, these arrangements will assist in ensuring that the will of the community is best reflected in the ballot box outcomes. They remove the current state of affairs whereby the Electoral Commissioner is encouraged to encourage votes at polling booths on polling day.

There is a range of other things that put up a barrier to pre-poll voting, such as the requirement that you have to declare that you are unable to vote on polling day and so forth. I do not think that should be necessary. As long as every citizen in our country can vote, and vote only once, then I think that is the key goal that we are seeking to achieve.

In relation to voting during the period of voting, we are seeing in the United States right now an opportunity for the use of pre-poll voting and postal voting in order to benefit the capacity of that country to have an election during a pandemic. It need not be a pandemic for people to be inconvenienced by having to vote on polling day, inconvenienced to the point where some of them miss out on voting or have to rush in and out, and make very difficult decisions in relation to whether it is child care, employment arrangements or anything else.

If our purpose is to have a system that best identifies the will of the community, the will of our voters and how they express themselves at the ballot box, then surely a system that makes it easy for people to vote and makes it easy to have their vote registered and counted is the one that we should be supporting. I think these improvements to the pre-poll voting system do just that and should therefore be commended.

This bill does another significant thing, which is extraordinarily welcomed in my community and, I think, communities around Australia: it proposes to ban the use of corflute posters on Stobie poles. For people who have observed elections in other states, the extraordinary number of these posters that appear throughout our community is strangely South Australian.

There are thousands and thousands and thousands and thousands. I know the former member for Croydon Michael Atkinson revelled in the idea that he would only put up corflute posters on private property. He did not think it was necessary for his vote in the seat of Croydon to put up corflute posters. He made some entertaining speeches in this parliament about this.

The seat of Croydon is not traditionally one that has been on the knife edge of the margin in choosing elections. Usually, in marginal seats, where people are having a crack, three posters on a Stobie pole are not an uncommon sight. It is an unsightly common occurrence, but not an uncommon one. I think it is a tremendous distraction from what we should be focused on. It encourages the superficial side of elections.

While political parties are encouraged to do so by the fact that they are allowed to and by the fact that everyone else is doing so, you end up with this situation where a candidate who does not put up posters is seen not to be trying. In order to demonstrate to their community that they are trying as they go around introducing themselves, they are therefore encouraged to put up ridiculous numbers of posters.

I would posit that a better way to be known in your community is to be engaged in your community. A better way for elections to be focused is on talking about issues by using the opportunity to visit community groups and by using the opportunity to potentially distribute materials focused on the policy directions you wish to take as a candidate or a party, rather than having these posters, which traditionally have a name, a face and a political party, to drum in that soft support the idea that you are around the place and to familiarise yourself with the electorate.

The wastage in environmental terms is monumental. The annoyance for our community is significant. I certainly welcome and commend the Attorney-General for bringing to this parliament a bill that will remove the use of corflute posters from Stobie poles in future state elections. There is still the capacity for people to express support in their residences, businesses and so forth in other ways. For anybody who wants to spend some time talking to their community about whether this measure is something that should be endorsed or not, I would encourage them to do so if they are in any doubt about supporting this bill.

I note the claim by an earlier speaker that this was a suggestion that we are looking to rig elections. I fail to see any logic in that claim and I think that the community will certainly welcome this move. I endorse this bill to the house and I commend the bill to the house. I encourage all members to vote for it in its current form and I will certainly be doing so. I look forward to the continuance of the debate.

The Hon. S.C. MULLIGHAN (Lee) (17:06): I rise to speak on the Electoral (Miscellaneous) Amendment Bill. If you were not convinced by the contribution of the member for Morialta, that is no surprise. That was easily the least convincing attempt at justifying a move to optional preferential voting you would hear.

The simple fact, as the member for Kaurna has said, is this is an attempt to enshrine the incumbency of the current Liberal government—nothing more, nothing less. This has been put forward by an Attorney who has already been called out for prioritising the return to Queen's Counsels over sentencing reform. Now we learn that there has been a substantial body of work that has been undertaken during the last six months, as this state grapples with the coronavirus pandemic, to put together a bill that can help the Liberal Party secure power here in South Australia for as long as possible.

The thing that offends the Liberals the most, and the thing they seek to change here, is the fundamental tenet of our voting system at the moment: that every single vote counts. What the Deputy Premier, the member for Bragg, and all her colleagues do not want to happen anymore is for all those votes to count because, when all the votes count, it does not matter whether you vote Labor or Liberal or Green or Independent or Australian Conservative or some other party, your vote counts all the way to the end.

What the member for Bragg wants is the immediate exhaustion of votes as soon as their utility has been dispensed with, presumably, in her view. If you vote for a minor party but you do not fill out the entirety of that ballot paper so that all candidates receive a preference, that is a substantial advantage to the Liberals. The Liberals say, 'Well, that's just because the Labor Party and its electoral support base is inherently flawed because, by and large, it relies on the preferences of minor parties to get its candidates elected.'

Putting aside the fact that the Liberal Party as it is is an unholy political marriage of the Montagues and the Capulets and continues to be, particularly while the member for Bragg remains in this parliament and particularly while she and her moderate faction ensure they bring all effort to bear to exclude more conservative-thinking Liberals from the cabinet, it is also flawed, of course, because what is wrong with a Liberal member of parliament not achieving 50 per cent of the primary vote, not getting elected in their own right and relying on preferences?

It is the same for the majority of members of parliament. It is certainly the case for me. Yes, I secured a higher primary vote than my Liberal opponent, and I did so in 2014, but I do not decry his right as it was in 2018 or her right as it was in 2014 to receive the preferences of minor parties. I think that is absolutely appropriate. There is nothing wrong with that.

Once again it ensures that every vote counts. Even if you vote for a temporary political party, if I can put it like that, one which is only formed for the purpose of contesting, perhaps, one election and then disappears into the ether from then on, if somebody votes to support that minor party, why shouldn't their vote carry all the way through to the final count? Why shouldn't their vote contribute to the election of a Labor, a Liberal or an Independent member of parliament? There is nothing wrong with that whatsoever.

So then we hear the spurious argument of, 'Oh, well it's okay in the Legislative Council so we should bring it down into the House of Assembly.' Well, we all know why we have optional preferential voting in upper house elections in Australia, whether it is the Senate nationally or whether it is in the Legislative Council here in South Australia. It is because Australians and South Australians have no tolerance for a tablecloth ballot paper, because of course we have seen in the last 25 years that we will have dozens, if not up to and sometimes over 100 candidates in those upper house elections, and it is unreasonable to expect a voter to have to vote and put a number in a box next to each of those candidates. So it is entirely different what we are seeking to achieve in elections both upstairs and downstairs.

I did have to chuckle as I was listening to the contribution of the member for Morialta about the feigned outrage that comes from the Liberals about the electoral campaign conducted in some parts of the 2010 election regarding Family First, because the Liberals would have you believe that this was an outrageous concept propagated on the people of South Australia by the Labor Party.

Well, let me correct the record because the people who brought this practice to the people of South Australia were the Liberals themselves: Malcolm Buckby contesting the seat of Light in 2002; and also the former member for Mawson, Robert Brokenshire, contesting that election for the seat of Mawson in 2006. That was its genesis. Let's not have any other revisionist history put to the parliament.

This is what happened, and so for the Liberals to say, 'It is outrageous for a major political party to claim that they have family values and encourage voters to vote accordingly,' well, it was the Liberal Party of South Australia that brought that practice into our electoral system. The Deputy Premier should know that and should know better because not only was she party president, I believe, up until 2002 but she was also a candidate for the 2002 election for the first time, as she was a senior member of the Liberal parliamentary party from 2002 onwards.

No-one is persuaded by the bogus crocodile tears from those opposite about that. I am looking forward, of course, to the contribution from the member for Unley. No doubt there will be some horrific worker-driven unionist conspiracy which he is seeking to crush through this, and no doubt we will be furnished with tales of apprenticeships—

The DEPUTY SPEAKER: Member for Lee, we are all enjoying—from everyone really—a potted history of South Australian political history, but I do not think we should anticipate too much what might lie ahead.

The Hon. S.C. MULLIGHAN: Okay, well, let me segue, using, perhaps, the member for Unley in my next contribution, to the matter of corflutes. How would the member for Unley have first been elected to this place if he were not able to place his visage all over the main roads of the electorate of Unley? Remember, the member for Unley only just escaped unscathed with his candidacy through one of the well-known, well-publicised, internecine factional battles for preselection within the South Australian Liberal Party to gather enough support. Was it Chris Kenny or was it Christopher Moriarty? I cannot remember who was defeated.

Perhaps in either example the member for Unley has done us all a favour, in any event, which is not saying much. But if it was not for the benefit of corflutes, how does somebody seeking election, particularly for the first time, take on the enormous advantage of incumbency? Being able to publicise yourself or publicise a candidate's name and the fact that they are indeed a real person is an important part of that.

The member for Morialta says it is unsightly to put these posters up on Stobie poles. First of all, each to their own. Some might be more unsightly than others, and beauty is in the eye of the beholder. Are we really saying that we are covering up some sort of Hanging Gardens of Babylon in the quality of our Stobie poles by putting candidates' pictures on them? Really, if we cannot publicise the fact that (a) there is an election on and (b) these are the candidates, how else are we meant to encourage people to come out to vote?

We know that electoral participation continues to ebb in this state, as it does across most western democracies in the world. We know that people's engagement with politics continues to dwindle. If we can not, firstly, publicise the fact that we have an election on and, secondly, let people know who those candidates are, then we can only expect that people's engagement with elections and politics will continue to decline.

It is no coincidence that there are several amendments contained within this bill to change the act so as to reduce, to minimise and, in some cases, remove the requirements to advertise elections and also those key steps within elections. That is no coincidence because, once again, this is a bill designed to provide as great an advantage as possible to the incumbents.

If you can perhaps draw as little attention as possible to the fact that there is an election on, if you can draw as little attention as possible to the fact that there is an opportunity to be enrolled to vote for the purposes of the election, and if you can ensure that you have arranged the electoral process so that the incumbents have a serious advantage over all other challenges, then of course, from the Deputy Premier's and the Liberal government's point of view, you can see why this bill is so attractive to them. Of course, it does not improve the conduct of our elections; in fact, it does the opposite.

The basis for all this is the substantial chip that remains on the collective Liberal Party shoulder over their performance from 2002 through to their eventual electoral victory in 2018. Some people would say that it was the result between 2002 and 2006 of the ongoing churning of leaders of Liberal Party that meant that the public had no confidence in the Liberals when it came to the 2006 election.

Personally, I think then Liberal leader Rob Kerin is one of the most respected, admirable and just plain nicest people I have come across in politics, so not to detract from him, but what arrived after that was what caused the Liberal Party so much damage in 2006, at the same time that a government, a state and economy were performing exceptionally strongly under the then leadership of the Labor government.

Fast-forward to 2010, and you could ascribe all sorts of reasons as to why the Liberals lost 2010, but one thing still comes up in the minds of journalists, and that was, unfortunately, the member for Bragg's refusal to rule out a challenge to the venerable leader, the former member for Heysen. That certainly did derail any momentum that the Liberals had in the last week.

Not many people can say that they single-handedly lost their party an election but, in 2014, along came the member for Norwood, the current Premier. Summing up the case for people to put their faith in him on the day before the election was held, he stood up and proudly told the people of South Australia to vote Labor. On top of that, we had ill-fated submission after ill-fated campaigning technique, which led to what the Liberals thought was an unfair drawing of the electoral boundaries in South Australia.

I can understand why some Liberals would be distressed when the then Liberal leader—the Leader of the Opposition, the member for Norwood, as he was back then—would spend an enormous amount of time during the election campaign out campaigning for those important swing votes on Eyre Peninsula, doing his best to try to drive up that margin as hard as he could from 24 or 25 per cent to try to get it up to 26, 27 or 28 per cent. That effort was repeated across several safe Liberal electorates in regional South Australia.

Then the Liberals suddenly think, 'I can't understand why we won the two-party preferred vote statewide, yet we failed to win a majority of seats. I can't understand why at one point we nearly had 15 seats, an over 10 per cent margin, compared with the Labor Party's only 5 per cent. I can't understand it.' Well, 16 years in a row might start spelling it out to those opposite. You do not need to try to fundamentally rewrite our electoral laws to enshrine your incumbency. You just need to understand what the remainder of political parties in the remainder of jurisdictions around Australia understand about political campaigning in the modern age.

The member for Morialta says you need to go out and talk to people. I realise that might be an anathema to some, but that is actually quite important. It is actually quite important that you go out and speak with people. It does not matter if they identify as a Labor voter, a Liberal voter, a small business owner or, God forbid, a trade unionist, someone who puts at heart the interests of the nearly 840,000 South Australians who are workers. It does not matter what their interests are. Be willing to engage with them and be willing to have a fair comparison and a fair battle of ideas in the lead-up to an election, and enter the contest on election day with both parties as well as Independents and minor parties having put their best case forward for the people to decide.

What is wrong with it? That is the system we have at the moment, but that is something so egregious to the member for Bragg, so egregious to the Deputy Premier, that she seeks to fundamentally change our voting system here in South Australia. Even though I may not agree with them, even though I may not like their politics and even though most likely they do not like mine, I think those people who are motivated to go to vote on election day who only have an interest in voting for a minor party—perhaps because they are a member of that party, or they are familiar with that political party and they follow what they are interested in and what they advocate for, or they know the individual standing for that minor party or even just as a purely Independent candidate—deserve to have their votes respected.

I think those people have a right to have their say and have their say carried through for the entirety of the electoral count. I do not think, like the Deputy Premier thinks, that as soon as they have voted their vote can be counted once or maybe twice, but certainly less than the number of candidates on the ballot paper, and then dispensed with. Every vote does count in this state. Every vote does count and should count to make sure that everybody gets their say, not just those people who might be prepared to vote in a way that puts sufficient support behind the Liberal Party of South Australia to maintain them in the manner to which they have become accustomed.

It is an outrageous abuse of power that the Deputy Premier and the government would spend so much time and so much effort, when our state is crying out for economic leadership, to put all those working hours into a bill to try to enshrine their incumbency. This is not just a threat to parties other than the Liberal Party, it is a threat to any individual who might seek to stand for election on their own merits. It is a threat to all of those people who are not a member of a major party, who at some point at the next election or in the future might want to put their hand up and seek election either to the House of Assembly or to the other place.

Remember what happened in 1997: we had a single individual running on a single issue, who just ran their candidacy up the flagpole because they were so passionate about a particular issue. That person was Nick Xenophon. It is clear, under what is being proposed here by the Deputy Premier, that had Mr Xenophon stood in a lower house election for one of the 47 seats he would have had no chance—absolutely no chance whatsoever—and that is exactly the way the Deputy Premier and the Liberals want it. It is their way or the highway when it comes to electoral law. They will continue to push this and they will do anything they possibly can to get this bill passed.

We should all remember the closing words of the member for Morialta who said, 'I support this bill in its current form.' Well, I wonder what gymnastics, I wonder what other allowances and I wonder what other negotiations this government will be tempted to force their way through in order to get this bill through. It is a disgrace and it should be opposed.

The Hon. D.G. PISONI (Unley—Minister for Innovation and Skills) (17:26): I am very pleased to contribute to the bill and support the bill. I note the member for Lee's description of the inclusive nature of Liberal Party campaigning where we believe every vote is important and so we do visit our base and we do support our base. Yes, it is harder work when you are inclusive as a political party because it is much easier just to focus on the marginal seats and forget about your base. But that is Labor's model and that is why compulsory preferential voting is important for their model: they have forgotten about their base.

Their only way of keeping the base with them is to force them to vote second, third and fourth preferences if they decide, 'This year, I am sick of being ignored by my local member. I am sick of my local member, the member for Wright, running around in King,' for example. 'I want my member for Wright working for me in Wright. I am going to not give the member for Wright my first preference this election.'

But Labor knows that they will get the preference back because of compulsory preferential voting, because their base is always going to put Labor ahead of the Liberal Party in compulsory preferential voting. Consequently, they know that they can give the bird to their base to campaign in marginal seats, ignore their base because they know that even if those voters drift they are forced to come back by law if they want to have a formal vote. That is the basis of the Labor Party's entire campaign strategy.

The member for Lee let the cat out of the bag. For Labor, their base does not matter. They are just a vehicle for them in their pyramid of power that they set up through the union movement to get themselves into parliament. They are disdainful of their base; they just use them. That is the evidence that we heard from the member for Lee.

I also found it very amusing to hear how Labor candidates—I suspect the member was speaking for the Labor Party—actually need posters around for people to know who they are. I wonder why that is. It is because they are always blow-ins. They are not locals. That is why they need the posters: no-one knows who they are. No-one knows who they are, so that is why Labor say they need posters. That is why they say they need posters. That is why they need posters. It is just so obvious. The political motivation of those opposite is coming out in droves during this debate. Politics for them is all about them; it is not for the people of South Australia.

We encourage people to participate in the electoral system; that is why we want to make it easier to vote. We want people who want to vote for their own candidate but do not give a damn about anybody else to be able to do that and still have that as a counted formal vote. That is democratic. It is not democratic to say, 'If you want that person, you must vote for others in order for us to count that vote for your first preference.' That is the system that Labor is supporting. What is democratic about that?

Compulsory preferential voting makes political parties and members of parliament lazy because it is so easy to do what Labor does and take advantage of the fact that, if people want to have a formal vote, they must have every square filled out. How outrageous is it that they would prefer, even though someone's intention is clear on a voting ballot, that their vote is not counted because they left two squares blank? That is their choice. That is what they are proposing is a fair system.

They do not know the personal circumstances of that person who voted. Maybe they made a mistake, but under Labor's preferred option they deserve to be punished if they have made a mistake: 'If they are too stupid to fill out all the squares and the vote is not one of ours, then they should be punished.' That is all you can read about in the speeches coming from the other side of the chamber. Every single vote counts only if it represents the wishes of the voter.

Mr ELLIS (Narungga) (17:32): I rise to offer my emphatic support for the electoral reform that is proposed and recognise the significant work undertaken by the Electoral Commission of South Australia informing the many recommendations before us.

I would like to start by focusing perhaps on something that has not received as much attention throughout the commencement of this debate, although I acknowledge that the Minister for Education did touch on it, and that is that this state has failed to keep pace with the electoral modernisation that has occurred in other jurisdictions. They are the words of the commissioner. It is now well overdue for South Australia to modernise its electoral act and allow voting services to evolve in order to meet changing community expectations.

As the commissioner stated in his report, our electoral system must adapt and integrate technology to better reflect the digitally connected environment we live in in the 21st century. Thus, in the government's bill before us, there is welcome reform to allow for alternative ways to lodge information with the Electoral Commission.

Sensible changes, such as enabling candidates to lodge nomination forms online instead of paper and manual data entry, will significantly reduce time and resources for processing nominations, how-to-vote cards, voting tickets and other candidate-related information. As well as that, it will enhance accuracy and streamline quality assurance.

There are sensible changes contained in this bill before us that include enabling voters to apply for postal ballots by phone or online with extended application deadlines. The majority of inquiries to the electoral office in the lead-up to the 2018 election were reportedly from alarmed visitors, travellers and those who were going to be away from their homes on election day, out of their state or overseas. All were worried they were not going to get their postal vote in time.

After the election, there were electors fearing fines due to uncertainties as to whether their vote had been received in time, etc. What happens to a grey nomad with no fixed address—and I can tell you that the Narungga electorate attracts a fair proportion of those—with regard to postal votes or the like? Thus, I welcome the reform offered in this legislation to better cater for such people as itinerant electors.

Amendments proposed are that if an itinerant elector fails to vote, or is outside South Australia for more than one month, they will not lose their status. There is proposed exemption from compulsory voting for such itinerant electors so such voters as the homeless or the travelling retiree can avoid unfair hardship due to stringent electoral legislation. A lack of a permanent residential address should not disenfranchise people from voting.

After much consultation, concerns have been recognised around existing rules for itinerant electors. While under the act enrolment is not compulsory for itinerant electors, voting is compulsory, which has proved problematic when a homeless person, who is enrolled but does not vote on the day for whatever reason, is issued with a failure to vote notice, which they will unlikely receive, given their lack of a fixed address. Failure to respond then becomes a fine and, if left unpaid, a bigger fine and potentially a court action.

Reform is clearly needed to improve such pointless endeavours that do nothing to connect homeless people with the democratic process but instead just add stress and fear. Thus, I welcome the amendments to provide that itinerant electors who fail to vote at a state election, or who remain outside South Australia for a continuous period of more than one month, continue to be entitled to be enrolled as itinerant electors. Modernising our voting services to better accommodate the realities of modern society was a clear direction of the commissioner to ensure that all electors, including those unable to access a polling booth, those living in remote areas of the state or travelling, have more flexibility.

In the reform before us is the capacity for the Electoral Commissioner to establish pre-poll booths as he deems appropriate anywhere in the state, up to 12 days before the election, not just in remote locations but in rural areas or at declared institutions, such as nursing homes or hospitals, which is currently the case. This, too, offers vital reform.

It is recognised that more and more people want to vote early, and this has tried to be accommodated with the expansion of pre-poll voting services, removing the eligibility requirements for voting early. Pre-polling went up for the 2018 election. There were over 120,000 pre-poll votes in 2018, which was almost 11 per cent of the overall vote. This was significantly up from the 2014 election, when there were just over 80,000 pre-poll votes, being just 7.5 per cent of the votes.

Clearly, it is time for improvements to better cater for these voters. I especially welcome the reform to recognise pre-poll votes as ordinary votes so that they can be counted sooner and not wait until all other ordinary votes are counted before they start working on them. This will speed up declarations significantly, making the counting process far less drawn out.

Postal voting is also another important area requiring reform. It is a popular method of voting, and in the 2018 election there were over 95,000 postal votes, which is roughly 8.5 per cent of the vote. This was up from just over 84,000 in the 2014 election, which was only 7.8 per cent of the vote, so it is increasing in popularity as well. At the last election, almost 103,000 applications for postal voting were processed—a 14.8 per cent rise from 2014—and, interestingly, of those 7,756 postal vote applications were rejected for simple things such as missing signatures or applying twice.

There is an obvious need for clarity. Of the 95,191 voting packs posted to electors, 73,982 were completed correctly and returned on time to be admitted to the count. There has been work done already to improve this process. A new innovation for the 2018 election was having the form required to apply for the postal voting available for downloading from the Electoral Commission SA website and then electors could print off the form, sign it, scan it and email it back.

That was seen as an improvement and one that alleviated widespread concern from electors around the reliability of Australia Post delivery times, especially for electors in rural, interstate and overseas places. We are the only electoral commission in Australia not to offer electors the option of applying for postal votes online, so this proposed reform is welcome and will bring our state in line with other jurisdictions.

Some other changes noted in Commissioner Sherry's report that do not require legislative change, but I welcome them nonetheless because they offer improvements to a dated system, include the rollout of full electronic roll-marking at every booth to reduce queue waiting times, the potential for multiple voting and the incidence of polling official error. Several electoral commissions around Australia have made the move to full electronic roll mark off with success, including the ACT, NT, Queensland and Tasmania. Every other commission is currently working on it.

Using technology for mark-off not only speeds up voter identification processes but reduces errors and reduces costs and waste that comes from the longstanding practice of printing excess quantities of all 47 House of Assembly ballot papers—just in case they are needed to cater for those who vote out of district. It will also ensure capacity for the desired early counting of pre-poll votes to count those votes as ordinary votes. It will be a costly exercise to roll out, but one that I see as vital.

The proposal for pre-poll centres is also welcomed—potentially one in every House of Assembly district—and expanding opening hours to accommodate electors who work or whose commitments prevent them from voting during normal business hours is another good idea. All such innovations are already adopted in other jurisdictions, and I welcome them. Commissioner Sherry also spoke at length in his report about the need for more education for young people and new electors to keep them engaged and informed to ensure their vote counts.

It was disturbing to read the declining rate of enrolment of younger electors and the increasing number of non-voters. That is not just a matter of concern for South Australia; it is a trend forming across Australia, New Zealand and beyond. A solution offered elsewhere is more flexibility and enrolling rules, such as allowing people to enrol after the roll has closed, even on the same day as voting enrolment, if that is what it takes to engage young new voters with democracy in our society.

We do not want thousands of people turning up to polling booths on election day and being told they are not on the roll and cannot vote.

Reportedly, there were over 7,000 people who went to vote, who were not on the roll but who voted anyway believing there was a mistake in the records. In the commissioner's report, of those 7,318 people unfortunately just 153 of them had their House of Assembly vote counted, and 852 had their Legislative Council vote counted, so any improvements that can be made to prevent this are very important. New South Wales has permitted enrolment up to and including on polling day since 2011, and since 2010 in Victoria. Whilst not recommended in the current reforms, I would welcome this change as well, which is potentially one that will naturally follow once electronic marking is instigated.

Finally—and it has been well ventilated already this afternoon—perhaps the two reform points in the bill before us that have sparked the most public interest are the reform of optional preferential voting for lower house candidates and the banning of corflutes on public roads. Of the former, a major change introduced before the 2018 state election was optional preferential voting for the Legislative Council and in his report the commissioner deemed it to have been successful. Thus, now the government seeks to expand this option into the House of Assembly voting.

Put simply, this system allows electors the option of marking their preference above the line instead of having to number all boxes in order of preference. It does not preclude candidates—Independent, minor, major or otherwise—from standing successfully and contesting the election. It just means that all candidates have to convince the majority of electors that they should vote for them. It puts the onus on the candidate to convince the elector of their merit. Voters who still wish to number every box will be able to do so. The change is that they will now have another option. So it is the case that if optional preferential voting works for the Legislative Council there is no reason why it cannot work in the House of Assembly.

I welcome this reform and see it as a change that frees up the voter to make up their own mind about who and how many candidates they vote for instead of having to vote for candidates they do not want. This reform rightly provides transparency of where votes and preferences go and is an initiative I firmly believe the community will welcome.

The proposal to ban the use of corflutes on public roads is perhaps my favourite of the reforms proposed. I note that the Minister for Education made the comment that they were unsightly and should be banned for that particular reason, with which the member for Lee disagreed, but I hope, in the effort to find some bipartisan support in what has been a contentious debate, that we can all agree that the electors of Narungga were subjected to an unsightly proposition at the last election and that we can give consideration to alleviating their concerns for the 2022 election. It certainly was a pretty brutal thing for them to see on a Stobie pole when they were driving around. I am, of course, referring to myself and not the opposition.

I do not believe that corflutes offer any value for voters. I believe they are outdated and are an eyesore and a distraction for motorists. They cost a lot of money and only end up in landfill. As a parliament that just voted to ban single-use plastics, these pose a serious environmental risk and as a parliament we should resolve in the same with regard to this plastic. Other states have gone down this path and it is time South Australia did as well. They are an outdated method of promoting candidates to the public and do little to educate voters about a candidate or their platform.

Specifically, the bill before us will prevent electoral advertising posts on public roads, including any structure, fixture or vegetation on a public road but will, rightly, not prevent display of corflutes at polling booths or on private property. No longer will we see ridiculous jostling for Stobie pole positions, removing, shifting or defacing corflutes, or notices issued for putting them up too early or taking them down too late. This change cannot come soon enough in my view, and I am looking forward to its speedy passage through both houses.

In closing, as publicly stated back in July when I welcomed the release of the Electoral Commissioner of South Australia's report on the 2018 state election and the subsequent reform bill introduced by Attorney-General, this electoral reform bill importantly incorporates recommendations from the Electoral Commissioner and from government that improve administration, streamline voting processes and modernise the Electoral Act. I commend the bill to the house.

Ms LUETHEN (King) (17:46): I rise to support the Electoral (Miscellaneous) Amendment Bill 2020, which is designed to modernise South Australia's electoral laws for the benefit of South Australians. I commend the Attorney-General again for her hard work to bring this bill to parliament.

Expanded pre-poll voting options, a ban on election corflutes on public roads and optional preferential voting for House of Assembly candidates are reforms being introduced to state parliament by our Marshall Liberal government. Every election cycle, the Electoral Commissioner of South Australia reviews the previous election. The government of the day then considers these findings to determine whether any changes are needed to the Electoral Act for the benefit of South Australians.

The 2018 report was tabled in parliament on 28 February 2019. After considering the commissioner's report, the government is proposing a number of reforms, many of which directly meet recommendations of the commissioner and others which have been initiated by government. Under this bill, the Electoral Commissioner will be able to establish pre-poll booths anywhere in South Australia up to 12 days before the election.

The bill provides that voters who attend a pre-polling booth established for their district will have the convenience of being able to cast an ordinary vote. The counting of ordinary votes made at pre-poll booths will be able to occur before the close of polls in prescribed circumstances. This will help to ensure that the results of the election are known as soon as possible after the close of polls. These changes are possible because each voter will be marked off on an electronic electoral roll on a computer at each issuing point in every polling place. Electronic roll mark-off will ensure that there is no risk of any person voting multiple times.

Previously in this parliament, we have seen amendments to curb the availability of pre-polling. Many more people are making themselves available for pre-poll voting and they do so because it is convenient for them. We need to adapt to changes that South Australians are asking us for. We have seen a clear shift in both recent federal and state elections in 2019 and 2018 respectively. Why should South Australians not be able to vote when they want to and when it is convenient to them, especially in the weeks prior to an election?

This flexibility is consistent with the right to have a choice about when you vote and your entitlement to be able to vote, which this bill is strengthening. Voting is a democratic right and if you want to vote early, you should be able to do so. I am pleased that this bill enables greater access to voting early and ensures that those votes, given their high numbers, can be counted on polling day.

To further reduce red tape, the bill contains amendments so that both voters and candidates will have flexible options for lodging information with the Electoral Commission. The Electoral Commissioner will be able to allow candidates to lodge nomination information and how-to-vote tickets online. Regulations can be made, allowing voters to apply for postal ballots by phone or online.

Amendments have also been made to the date of the close of rolls and to the deadline to apply for postal votes. This allows for earlier issue of voting papers and will maximise the opportunities for postal voters to return postal votes in time for their vote to be counted in the election; however, as in the current act, voters will still be required to vote in person if not lodging a postal vote.

I distinctly remember King constituents who told me they did not get to cast their vote in the 2018 election due to difficulties they faced with the postal voting process. In particular, persons who could not physically get to the polling booths on the day due to their disabilities, who rang the Electoral Commission as they did not receive their postal vote packs, were told, 'That's okay, we'll mark you off for trying to submit a postal vote.' This was not fair, as these people told me they wanted to execute their right to vote but were prevented from doing so by the inefficiencies of the current postal vote system. This is what we are looking to fix.

The time frame for postal votes is always a consideration, to ensure voters have every opportunity to vote despite their inability to attend a pre-poll or election day polling booth. In addition, the bill provides that both election information and public notices will be published on the internet, rather than a newspaper, in the first instance. This is really just getting up to date with technology.

The bill will keep it open to the Electoral Commissioner to consider which additional advertising should be used beyond the internet. The act already provides voting options for a class of voters who do not have a fixed address and this bill includes new protections for these itinerant electors. A number of the amendments are drafted to allow regulations or the Electoral Commissioner to set out the detail of proposed processes and this will enable further changes to be made in the future as technology evolves.

One major aspect of the bill is it includes a ban on the use of corflutes on public roads. Corflute is the name given to the corrugated polypropylene, a fluted plastic that is lightweight yet rigid. Through election periods across the state, we see corflutes posted on Stobie poles, advertising election candidates, and being used as A-frames at shopping centres and the like.

Corflutes are without doubt detrimental to the environment, as there are limited recycling options for them, as acknowledged by the Australian Greens on their website. Polypropylene is not widely recycled, with only two main recycling methods: mechanical recycling, which is complicated due to concerns around food contact and separating types of plastic, and recycling through chemical methods to break down the corflute. While all political parties encourage their candidates to reuse and recycle corflutes or to repurpose or donate them, this is often difficult and sees a continual cycle of new corflutes being printed for each election.

When I asked my King constituents for their thoughts through social media and through phone canvassing them recently, the vast majority of constituents supported the ban for many reasons. Last week, I also visited one of our local high schools and, again, they were completely in support of banning them. One resident, Sandy O'Keeffe, said she totally agrees they have no benefit at all. Katelyn Normington said, 'Having had one fly onto my windshield on a windy day driving along Main North Road, mid lane change, ban them. It could have ended very badly.' Mia Mac said, 'My thoughts are they need to go. They have never swayed my vote. They are so bad for the environment.'

As well as over 200 King constituents saying corflutes are not necessary, and the fact that corflutes themselves are difficult to dispose of, beyond the environmental impact, local councils have further raised concerns about diminished roadside safety, distracting drivers and making our areas look unsightly. As the member for Unley just said, it was outrageous to hear the Labor Party telling us that they need to put up posters; otherwise, people will not know who they are and who to vote for.

Corflutes are, finally, without a doubt costly to parties and do little to educate voters about a candidate or their platform beyond their name ID. The government appreciates that not all voters will have access to the internet or, particularly, social media, where great sums of political communication occur about candidates and the policies of political parties on the day.

In regard to the cost and magnitude of these posters, I estimated corflute numbers in King in 2018. We had six candidates, each with approximately 800 corflutes, which would add up to approximately 4,800 corflutes. Times this by 47 House of Assembly candidates, and it means 225,600 corflutes just for one state election of House of Assembly candidates. If these corflutes are worth approximately $10 each, then this is over $2.2 million spent on corflutes. I am sure there are many more worthwhile activities which could be supported in our community rather than plastering our faces on light poles.

Importantly, this government appreciates that people may need to be reminded of election day and polling booth locations and, as such, the bill provides that exceptions to this ban are permitted by regulation. It may potentially be used to allow limited numbers of corflutes to be displayed adjacent to polling booths on election day and near polling places within the current advertising and electoral display guidelines in the act. Finally, the bill provides optional preferential voting in the House of Assembly. This is a purely optional system, and voters wishing to cast a more comprehensive ballot will still be able to do so.

The reasons for this amendment are clear: South Australian voters deserve to understand where their votes are going and, should they wish, simply vote for one party or one candidate without the backdoor deals diminishing their vote. In *The Advertiser*, South Australians were polled on their views around optional preferential voting in response to the question: should ballot papers allow you

to vote for just one box? At the time I read the article, 76 per cent had said, yes, they should be able to do so. On that poll at least there is overwhelming support. What is more overwhelming is the support on the same poll for the banning of corflutes. Ninety per cent of people voted, yes, that political posters or corflutes should be banned.

This bill makes a number of sweeping changes. It acts on the recommendations not only from the 2018 election report but also some from the 2014 election report, which the former government failed to implement. For voters, the changes are simple. There is less environmental impact through the production of corflutes, greater voter choice through being able to vote for the political party or the candidate they desire, the abolition of backdoor deals and more freedom to vote early.

These changes modernise current electoral laws in South Australia and give South Australians the greatest flexibility and voter power they have ever had. I commend the bill to members.

Debate adjourned on motion of Dr Harvey.

At 17:58 the house adjourned until Wednesday 23 September 2020 at 10:30.

Answers to Questions

MAIN SOUTH ROAD DUPLICATION

86 Mr PICTON (Kaurna) (3 June 2020). With regard to the Main South Road duplication announced in 2017, how much has been spent to date and what is the breakdown of the remaining unspent elements of the project across financial years?

The Hon. C.L. WINGARD (Gibson—Minister for Infrastructure and Transport, Minister for Recreation, Sport and Racing): I have been advised:

Expenditure to 3 June 2020 is $2.8 million.

The remaining funding has been allocated across the forward estimates until 2022-23.

MAIN SOUTH ROAD DUPLICATION

87 Mr PICTON (Kaurna) (3 June 2020). With regards to the Main South Road duplication announced in 2017:

(a) When is the planning study for stages 1 and 2 estimated to be complete?

(b) When is the concept design for stage 1 estimated to be released?

(c) When is construction on stage 1 estimated to commence?

(d) When is construction of stage 1 estimated to be complete?

(e) What treatment is being planned for the Maslin Beach Road-Tatachilla Road intersection?

The Hon. C.L. WINGARD (Gibson—Minister for Infrastructure and Transport, Minister for Recreation, Sport and Racing): I have been advised:

(a) The planning study for stage 1 and stage 2 is expected to be completed by late 2020.

(b) The concept design for stage 1 is expected to be released for further consultation in late 2020.

(c) Construction time lines will be confirmed following the award of the tender.

(d) Construction time lines will be confirmed following the award of the tender.

(e) The preferred treatment and design is being finalised for this intersection.

VOLUNTARY SEPARATION PACKAGES

191 Mr PICTON (Kaurna) (2 July 2020). During the 2018-19 financial year how many voluntary separation packages were accepted for each of the following categories of health portfolio employees:

(a) Medical officers?

(b) Nurses?

(c) Midwives?

(d) Allied health professionals?

(e) Scientists?

(f) Other health portfolio staff?

The Hon. S.S. MARSHALL (Dunstan—Premier): I have been advised:

During the 2018-19 financial year, employees who accepted voluntary separation packages, were as follows:

Medical officers	0
Nurses (including midwives)	4
Allied health professionals	2
Scientists	0
Other health portfolio staff	13

VOLUNTARY SEPARATION PACKAGES

192 Mr PICTON (Kaurna) (2 July 2020). During the 2019-20 financial year how many voluntary separation packages were accepted for each of the following categories of health portfolio employees:

(a) Medical officers?

(b) Nurses?

(c) Midwives?

(d) Allied health professionals?

(e) Scientists?

(f) Other health portfolio staff?

The Hon. S.S. MARSHALL (Dunstan—Premier): I have been advised:

During the 2019-20 financial year, health portfolio employees who accepted voluntary separation packages and separated from employment, were as follows:

Medical officers	4
Nurses (including midwives)	65
Allied health professionals	6
Scientists	46
Other health portfolio staff	128

In addition, the following health portfolio employees accepted voluntary separation packages. However, as they are yet to separate from employment these numbers are subject to change:

Medical officers	0
Nurses (including midwives)	49
Allied health professionals	1
Scientists	0
Other health portfolio staff	22

ROYAL ADELAIDE HOSPITAL, WARD 9F

197 Mr PICTON (Kaurna) (2 July 2020). When was the Minister for Health first notified about a patient absconding from secure Ward 9F at the Royal Adelaide Hospital on Friday 18 October 2019?

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

Ward 9F is a medical ward and is not a secure ward. No absconding incidents in relation to Ward 9F were reported in the safety learning system on the date in question.

ROYAL ADELAIDE HOSPITAL, WARD 9F

198 Mr PICTON (Kaurna) (2 July 2020). Was an independent investigation undertaken to investigate how a patient absconded from secure Ward 9F at the Royal Adelaide Hospital on Friday 18 October 2019 and, if so, who conducted the investigation?

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

Ward 9F is a medical ward and is not a secure ward. No absconding incidents in relation to Ward 9F were reported in the safety learning system on the date in question.

ROYAL ADELAIDE HOSPITAL, WARD 9F

200 Mr PICTON (Kaurna) (2 July 2020). Was any explanation provided to the patient's family as to how a patient passed three sets of secure doors in between the patient's room and the first possible exit point when a patient absconding from secure Ward 9F at the Royal Adelaide Hospital on Friday 18 October 2019?

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

Ward 9F is a medical ward and is not a secure ward. No absconding incidents in relation to Ward 9F were reported in the safety learning system on the date in question.

ROYAL ADELAIDE HOSPITAL, WARD 9F

201 Mr PICTON (Kaurna) (2 July 2020). In the 2019-20 year, how many patients absconded from secure Ward 9F at the Royal Adelaide Hospital?

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

Ward 9F is a medical ward and is not a secure ward. From July 2019—30 June 2020, there were three absconding incidents reported.

ROYAL ADELAIDE HOSPITAL, WARD 9F

202 Mr PICTON (Kaurna) (2 July 2020). How many safety learning system events have been recorded regarding secure Ward 9F at the Royal Adelaide Hospital?

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

Ward 9F is a medical ward and is not a secure ward. From 1 July 2019—30 June 2020, there were 294 total incidents reported related to Ward 9F in Central Adelaide Local Health Network's safety learning system.

ROYAL ADELAIDE HOSPITAL, WARD 9F

203 **Mr PICTON (Kaurna)** (2 July 2020). Has the minister or SA Health offered an apology to the family of the absconding patient from secure Ward 9F at the Royal Adelaide Hospital on Friday 18 October 2019?

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

Ward 9F is a medical ward and is not a secure ward. No absconding incidents in relation to Ward 9F were reported in the safety learning system on the date in question.