

HOUSE OF ASSEMBLY

Thursday, 15 October 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.

Motions

EXPIATION AND FINES ENFORCEMENT

Ms BEDFORD (Florey) (11:01): I move:

1. That, in the opinion of this house, a joint committee be appointed to review and report on the operation of the system of expiations and fines enforcement, having regard to—
 - (a) the proper role of expiations and fines;
 - (b) the effectiveness of expiations and fines as a deterrent;
 - (c) the relationship between expiations, fines and court penalties;
 - (d) the desirability of a system of penalty units for expiations and fines;
 - (e) the interaction of expiations, fines and enforcement policies;
 - (f) qualifications and training of enforcement officers;
 - (g) the exercise of discretion by enforcement officers;
 - (h) the accessibility and effectiveness of review mechanisms for expiations and fines;
 - (i) the need for transparent application of expiation and fines revenue;
 - (j) the interaction of expiations, fines and community education initiatives;
 - (k) the enforcement of expiations and fines;
 - (l) alternatives to expiations and fines;and in conducting its inquiry, the committee must consider principles of fairness and substantive justice, impacts of expiations and fines on members of the public and best practice in other Australian and like jurisdictions.
2. That, in the event of a joint committee being appointed, the House of Assembly be represented thereon by four members, of whom three shall form a quorum of assembly members necessary to be present at all sittings of the committee.
3. That a message be sent to the Legislative Council transmitting the foregoing resolution and requesting concurrence thereto.

Over the course of the past year, I have been increasingly troubled by stories I have heard or been told about the operation of our system of expiations and fines enforcement. For me, it started with a number of concerns about on-the-spot fines being levied on pensioners in my electorate for voluntarily declaring and surrendering fruit at the Yamba quarantine station. Sadly, despite what many would consider are examples where discretion could be exercised, no waivers were granted.

It is clear the zero tolerance policy will continue to remain under scrutiny, with information provided to me suggesting PIRSA has one of the highest backlogs of fines under review of any agency, with something in the order of 240 outstanding reviews. I had hoped there may be room for a reset under a new minister, but to date I have not seen any encouraging signs.

As I have further investigated fines, it has become increasingly apparent the problem is not just in the primary industries portfolio. It is in fact a problem which is allowed to fester across the entire system of expiations and fines enforcement. That is why I bring this motion to the house today.

South Australia's system of expiations and fines enforcement rests on two major pieces of legislation: the Expiation of Offences Act 1996 and the Fines Enforcement and Debt Recovery

Act 2017. The Expiation of Offences Act has been amended only eight times in its 24-year history, with the bulk of these amendments being consequential or technical in nature. In essence, the core workings of the act have been left undisturbed. When former Attorney-General Trevor Griffin introduced this legislation, it marked a seminal point in the development of regulation and law enforcement for South Australia and it is worth quoting from his second reading speech:

In the early 19th century, most crimes were indictable and, therefore, serious and triable by jury. The only question was whether the crime was a felony or a misdemeanour. It had been so for centuries. But the industrial revolution demanded changes in the criminal justice system, and one of the more important changes was the need to enact new regulatory offences. These were not seen as serious but were necessary to regulate the new urban industrial society. The technique used to this end was the creation of what we now call summary offences, triable by justices in a summary way...

He then went on to discuss the methods by which summary jurisdiction was deployed, before returning to his theme:

This Bill recognises and confirms that a similar revolution has been taking place over the past decade. The needs of modern social and economic regulation have produced a new class of offence. These are called expiable offences. The revolution has been—and is—just as significant for the criminal justice system as was the organisation and recognition of summary offences in the last century.

There is much more of interest for members to read in the second reading and committee stage of debate on the Expiation of Offences Bill and its companion bills, but I will not go any further now.

In any event, the point made by the then Attorney-General was this new category of offences, expiable offences, would be a revolutionary transformation of the justice system. I think in the quarter century since this has proven to be an accurate prediction. Oddly, though, it is difficult to find much information about how the system of expiations is now working. This is a theme to which I will return and is one of the principal reasons I have brought this matter to the house today. Simply put, we do not have a single system to monitor what is going on. We do not even know exactly how many expiations are issued in a year, although we have a fair idea it is many hundreds of thousands.

For example, we know in 2018-19 SA Police issued 151,776 traffic expiations and 27,090 expiations for other offences. But of course this does not include other agencies or local councils, and I am advised that at an earlier stage it was even more than this. When you consider the number of police arrests for the same year was 25,624 and the DPP received 1,122 new prosecution briefs, with the balance being police prosecutions, you get a picture of how important the expiation system is.

While we do not know the full extent to which other agencies or local councils use expiations, we do have some idea. As an example, the Adelaide City Council received \$10,457 million in parking and other expiations for the 2018-19 reporting year. Given the normal expiation for a parking overstay is \$56, this equates to some 178,000 expiations being issued. There is likely to be a range of different expiations, so it is probably less fines than that number.

Public data supplied by the Adelaide City Council for financial year 2019-20 indicates there were 100,861 parking expiations paid for that council alone. The City of Adelaide will no doubt have many more expiations than other councils, but this is very suggestive of the extent of the use of the expiation system.

Disturbed as I have been by the effect of the zero tolerance policy undertaken by the government in relation to fruit fly fines, the examples of what I would call unjust or unfair outcomes I found on review of my office files has really astounded me. I would like to give you a few examples of those now:

- a woman who was fined for her car headlights, with automatic dimming features as part of the vehicle, not being fully illuminated when driving in a floodlit area despite clearly operating in accordance with the manufacturer's specifications;
- a diabetic pensioner who carries an apple on long-distance travel in case of a hypoglycaemic episode and declared it immediately at the quarantine station but was unable to have a fine withdrawn on the basis of medical need;

- a driver hauling a two-tonne trailer load along a deserted six-lane arterial road at 2am is issued with an expiation for a red-light camera offence, despite photographs illustrating he was braking safely for the size of the load;
- a driver receives a reminder notice by post for a parking violation for which he claims he never received the original fine. After appealing the matter to the Ombudsman, the council finally agrees to waive the reminder fee;
- a single mum and survivor of domestic violence on her P-plates detected for a minor speeding infringement threatened with loss of licence, which would prevent her from going to work and taking her child to school;
- as is the case for many truck drivers, a man decides the threat to his livelihood and risk of incurring automatic demerit points creates a dilemma which results in nomination of a partner or other person as a driver and paying that fine, rather than electing to be prosecuted and risking the uncertainty of an adverse fining even where there are strong grounds for a defence—all of this in a rigid system;
- a self-funded retiree travelling from Victoria is told he will be cautioned when he declares tomatoes at a quarantine fruit station, voluntarily handed in of course, only to be subsequently sent an expiation notice by mail with no further explanation;
- a cyclist issued with a fine for momentarily having his hands off the handlebars of a bike he is riding while reaching into his pocket. The fine is subsequently withdrawn on the basis it is trifling, but then it is reissued again with no explanation; and, finally
- a home owner fined for parking on the road, partially encroaching on his own driveway, on a temporary basis, in a highly congested suburban street. No waiver and no discretion was exercised by the council in this particular case.

These are only a few examples from the otherwise law-abiding and hardworking people of Florey leading to the crushing fines they have been given, and I am sure members of this house and members in the other place would have many more examples. Reasonable people can agree or disagree on the merits of each particular case. The problem for the many people we see in our electorate officers is navigating the bureaucracy, often unhelpful or even obstructive, assuming everyone who has been given a fine is totally in the wrong.

Once a person has exhausted their review and appeal options, they are then left with only the option of going to court. This is a daunting prospect in anyone's book and one which involves far too much risk for most people to take and so, reluctantly and with resentment, they pay the fine or negotiate a payment plan. How many of those who do so could have succeeded if they had elected to be prosecuted we will never know, but we do know very few people go to court.

On occasion, there have been successful court challenges. Most recently, we have seen a successful challenge to red-light camera offences. In its finding, the court found that South Australia Police had failed to properly calibrate red light cameras in accordance with statutory requirements. I will come back to this point—trusting the validity of an expiation and whether it is raised legally—later.

How many people have paid fines that were founded on what has turned out to be noncompliance by police with legal requirements? We saw similar mistakes made in relation to heavy vehicle fines for the South Eastern Freeway. Ultimately, it turned out that up to one in three fines issued had to be withdrawn. Of course, this parliament acted on the initiative of my colleague in the other place the Hon. Frank Pangallo to amend the drafting inconsistencies in the legislation which gave rise to this unfortunate situation, but was there ever an official apology for this mistake?

Indeed, after the law was changed, a well-known South Australian business person driving a minibus for his niece's birthday was forced to go to court to get a \$1,000 fine withdrawn, along with the threat of an automatic licence disqualification, after it was established the vehicle had been incorrectly recorded as a heavy vehicle on the registration database. These are only some of the more recent examples of poorly administered fines.

Members with longevity in this place may recall the previous similar controversies during the 1990s and the early 2000s prompted by self-appointed watchdog of unfair traffic and parking fines Mr Gordon Howie. This is very similar to our own champion on speeding cameras, our late colleague and former Speaker in this place the Hon. Bob Such.

Mr Howie, described by one former member as a traffic controversialist, was, I am told, a serial letter writer to the transport department, councils and many ministers in his quest to find ways to unpick what he saw as poorly administered traffic fines and laws. He was notable for testing traffic and parking controls whenever he felt they had been unlawfully put in place and succeeded in proving his point in court on more than one occasion.

It should not be up to citizens to ensure the system of fines and expiations is working properly. When we vest enforcement agencies and officers with the power to issue on-the-spot fines for a range of strict liability offences, we expect it to be done responsibly. We expect these people to exercise discretion. We expect them to admit when a mistake has been made and we expect them to recognise a penalty is not an end in itself; it is merely a tool to enforce reasonable compliance.

The inquiry I am calling for will not only permit a review of practice and procedure of our fines system but also present a useful opportunity to explore fine levels and the effectiveness of fines as an enforcement tool.

For the past few budgets, SACOSS has called on the state government to implement a system of income-based fines, similar to the model applying in Finland and a number of other countries. While it has not been rejected totally out of hand, the Treasurer has gently batted away this model by claiming, among other things, that it would be impracticable given the state does not have ready access to income data.

In my view, the inquiry I am proposing could examine this issue more fulsomely because it is not just the practice and procedure of our aged fines system that is in need of review. Fine levels for many common offences have now reached levels that are looking more and more like a tax on the poorest in our community, and that is just not on. We know from the annual report of the Chief Recovery Officer under the Fines Enforcement and Debt Recovery Act that, as of 1 July 2018, the Fines Enforcement Unit in the Attorney-General's Department was managing \$263.9 million in debt as payable from expiation notices, with \$155.3 million of that becoming payable in that year.

A briefing provided to my office indicated the unit manages around 90,000 payment plans, with at least a third of those involving direct deductions managed by Centrelink, with up to half of the plans likely to involve welfare recipients. I will repeat that: at least a third and up to a half of the payment plans being administered by the Fines Enforcement Unit are Centrelink beneficiaries. As I say, this suggests something fundamentally wrong with our fines system.

In a 2016 research paper sponsored by Uniting Communities SA titled 'From Start to Finnish: Reforming South Australia's traffic fine system', The Australia Institute found South Australia had the highest average traffic fines in the nation. This paper examined traffic fines across six jurisdictions: New South Wales, Northern Territory, Queensland, Tasmania and Victoria, with South Australia having by far the highest.

In the financial year 2014-15, South Australia issued \$174 million in traffic fines for 423,000 traffic fines, representing \$103 per capita, 10 times the per capita rate of Tasmania. At \$410, the average traffic fine amount in South Australia was the highest of any of these jurisdictions. This particularly reflects a significant rise in fine levels from 2000 to 2012, and fines rose by up to 160 per cent, or nearly four times the rate of inflation during that period.

No-one denies that road safety is a priority, but whether these fine increases have resulted in improved road safety outcomes compared to other jurisdictions is a fair question to ask, and it is a question which I expect this inquiry to properly examine.

I have elected to bring this motion to the house in the form of a motion for a joint committee of the parliament, but I am more than willing to negotiate an alternative approach should that secure a timely and thorough inquiry. This could be a select committee or a reference to a standing committee. Given that, I am content to let this matter lie on the table to allow the government to consider its response. With those words, I commend the motion to the house.

Debate adjourned on motion of Dr Harvey.

Parliamentary Committees

PUBLIC WORKS COMMITTEE: UNLEY HIGH SCHOOL REDEVELOPMENT

Mr CREGAN (Kavel) (11:16): I move:

That the 70th report of the committee for the Fifty-Fourth Parliament, entitled Unley High School Redevelopment Project, be noted.

As members are aware, Unley High School was allocated project funding as part of the Department for Education's capital works program. The proposed redevelopment at the high school will include the construction of a new three-storey building, which will provide flexible teaching environments, as well as a new outdoor learning area.

The project also includes refurbishment of existing buildings to improve the street presence, and the high school's connectivity with community. In addition, existing transportable buildings on the school site will be relocated, and some aged relocatable buildings will be demolished.

The total project budget for the redevelopment works at Unley High School is \$32.48 million. The works will be staged and construction is expected to be complete in October 2021. When complete, the Unley High School project will deliver a total school enrolment capacity of 1,700 places by 2022, and this provision of additional spaces will support the transition of year 7 students into high school.

The committee examined written evidence from the Department for Education regarding this project and is satisfied that the appropriate consultation in relation to this project has been undertaken. The committee is also satisfied that the project proposal meets the criteria for the examination of projects set out in the Parliamentary Committees Act 1991.

Based on the evidence considered and pursuant to section 12C of the Parliamentary Committees Act 1991, the Public Works Committee reports to parliament that it recommends the scope of the proposed public works.

Mr DULUK (Waite) (11:18): Can I also add a few words to this very important public works program. As the member for Kavel outlined, this is a \$32.5 million all-up project. It is certainly one that has been wanting from the school for many years. I recall when I first became the member for Waite and the school came into my area that funding for Unley High had been neglected for many, many years.

It was only with a change of government and good local advocacy—and it was great to work with the governing council and its chair, Wayne Hobbs, and the school principal, Greg Rolton—that we have been able to see a first load of additional funding of \$12 million coming in, and then an additional \$20 million of public works funding coming in to cater for the transition of year 7s into high school.

It is fantastic that there are going to be new building works. As I jog past the school, as I do every now and then, I can see it developing there at the moment on Kitchener Street. It is fantastic the community is right behind it. Unley High in coming years is going to be one of the biggest schools south of the CBD, catering for students all around our state, especially many coming with the new changes in the zones of Springbank College. It is so important that the school has modern facilities. Part of the buildings that are being removed or refurbished were first put there in the 1960s, so it is a fantastic outcome for the school community.

As many know, Unley High School is a very longstanding school in South Australia—over 107 years old. Former Prime Minister Gillard was an attendee at Unley High. It has fantastic sports programs—rowing, volleyball and basketball—and performing arts. The school has fantastic students who make such a wonderful contribution locally and are involved in so many projects. I know many of the old scholars have gone on to make contributions in public life as well. Of note, recently the school's open girls' badminton team were crowned state champions, so congratulations to them on their efforts, once again excelling in a school known for its outcomes in sport.

I am looking forward to this project being finished in time for the onslaught of additional students in the coming years, and providing fantastic facilities and services to the people of my community for many years to come.

The Hon. J.A.W. GARDNER (Morialta—Minister for Education) (11:21): I am really pleased to be able to reflect on the Public Works Committee's report into the upgrade of Unley High School and indicate my gratitude to the Public Works Committee and its Chair, the member for Kavel, in preparing this report, and to the officers within the education department, the Department for Infrastructure and Transport and at Unley High School who have contributed to it. I also recognise the words from the local MP, the member for Waite.

Unley High School, as I am led to believe, has been on the priority list for infrastructure upgrades for an extraordinarily long period of time, and it is very disappointing that some of these works, which are well and truly overdue, were not done many years ago. We were pleased, as we were for so many other schools, when the former government confirmed they would spend \$20 million on an upgrade of Unley High School. The Liberal Party indeed supported that commitment when it was announced, matched it the same day, and on coming to government in March 2018 we were very pleased to be able to confirm that \$20 million.

When we actually investigated what was necessary to be done at Unley High School to support the appropriate growth in enrolment, to support the year 7s coming into high school and, critically, some of the specialist learning areas that were in existence, a number of them were in existence without change since former Prime Minister Gillard, as the member for Waite mentioned, was at school.

Some of my colleagues I work with in the education department, and who attended Unley High in the 1960s and the 1970s, reported when we went to visit that the facilities seemed to be almost in exactly the same position as they had been back then. The tech studies area at Unley High is a facility to behold for its heritage value to the education system. I cannot tell you how excited the staff and students and Unley High are about the renovations and upgrades to those facilities and also the outstanding new facilities: a new three-storey building that will be built particularly to give some accommodation and special support to some of those junior secondary students who will benefit from having that area.

I know that the member for Unley is a longstanding supporter of the school. I understand his children went there as well. It is certainly a school that has a proud history. The infrastructure it is going to have in the future will enable it to really advance into the 21st century—if only the former government had allowed it to advance into the 21st century earlier in the 21st century.

But I tell you what: it will have been worth the wait—the opportunity it has provided, the additional learning areas, the new three-storey building, as I identified, including home economics, technology, art, science and general learning areas, which are all to be state of the art. In addition, there will be refurbishment and expansion of existing spaces, including a new front of school administration space; the Unley Square, a new outdoor landscaped courtyard with a covered outdoor learning area for formal and informal learning; and, of course, the demolition of ageing infrastructure.

The extra \$12½ million dollars this government announced in February 2019 in addition to that initial \$20 million commitment is what is enabling this to take place so that we are not just building space to enable the students to fit in the school but enabling the school to offer them the learning environment that they deserve, a learning environment that pays dignity and respect to the student journey and a learning environment in which the curriculum can be delivered in the way it is designed to be taught.

I am very pleased to be the Minister for Education in a government that is investing a record \$1.3 billion in education infrastructure. This \$32 million commitment at Unley High School is a really valuable part of that investment. It will support a student capacity of at least 1,700 in 2022 when it is complete and the year 7s move into high school.

I commend Greg Rolton and the governing council. The architects are Thomson Rossi and the builders are Lendlease, and construction has commenced. It was a great pleasure to help the school turn the first sod. I suspect they might have managed the building works without my work on

the shovel that day, but it was a privilege for me to be able to share in that. I look forward to seeing the completed work at the end of next year.

The Hon. D.G. PISONI (Unley—Minister for Innovation and Skills) (11:25): I have quite a long history with Unley High School. My kids went to Unley High School. Certainly, when I first started attending as a parent and as a member of the governing council as a relatively newly elected member of this place, it reminded me very much of how my old school, Salisbury High School, looked, almost exactly down to the decor: the colours, the vinyl floors. Nothing much had happened since the late 1970s in that school. As we know, it is the style of school that went up in the sixties through a large school building program under the Playford government.

I was fortunate when my brother Simon was doing some renos in one of his homes that he had in the north-western suburbs. He pulled the lino up to polish the floorboards, and a whole lot of political ads from newspapers from the 1960s were underneath the lino in perfect condition. He kept the ones that were promoting the Labor Party in that election, and he gave me the ones that were promoting the Liberal Party. I have them framed on the wall in my office amongst my collection of political items.

The list of school building projects and hospital building projects of the Playford government is described as part of the election campaign in that election. Nothing much happened to Unley High School in that time. There were a lot of transportable buildings. I know a major bugbear for the school was that for 25 years there was no state investment in Unley High School. There was a trade centre there that was built with federal funding, but this \$32 million that is being spent is very welcome.

It will bring the school up to date, and it will make room for the grade 7 students who are moving in and, of course, those students who are now eligible to move in with the shifting of the Unley zone further west and south. Those in the member for Elder's electorate can have access, as it is their zoned school. Of course, they also have the opportunity to attend—it has changed its name a few times—

An honourable member: Springbank.

The Hon. D.G. PISONI: —Springbank high school, with the extra investments going on in that school.

One of the terrific programs that has been running has been in conjunction with the Master Plumbers. I was fortunate to introduce that in opposition, introducing the Master Plumbers to the school at that time to bring in a formal plumbing pathway, working with the Master Plumbers. From brief conversations I have had just recently with Greg Rolton, the principal, I know he is very keen to expand the vocational education pathways out of Unley High School.

Unley High School has a very broad demographic; the catchment is very wide. As a matter of fact, we live in Hyde Park and the middle of the road is the school boundary zone for Glenunga High School and Unley High School. We are in the Glenunga High School zone. Fortunately, my kids were very interested in rowing and, as they had a very good rowing program at Unley High, there was room for them to go to Unley High. That is one of the terrific things about the system we have here in South Australia, that there can be a choice for students if there is an ability and the room.

Students at Goodwood Primary have the choice of Adelaide High School or Glenunga, depending on where they live. Those who are in the Goodwood Primary/Unley Primary zone—again, depending on where they live—will have the choice of Unley High School or Glenunga High School; and both schools are receiving enormous upgrades. A similar amount of money is being spent on Glenunga to bring it up to a significant size of about 2,200. It sounds big for a South Australian school, but schools of this size are common in the Eastern States.

Certainly, both schools have been victims of their own success. You never see a house for sale in the Glenunga zone or the Unley zone without it being mentioned that it is in the school zone for Unley or Glenunga High School, as it is very desirable for parents who have school-age children for that to be a consideration when purchasing a home in that area.

The work that is being done will also employ apprentices and trainees as part of the building work, and this is part of our ongoing commitment of course to grow the trades here in South

Australia—the traditional trades, as well as new pathways through vocational education into areas that have not traditionally used vocational education before. They are predominantly in your white-collar area. Many of those are also areas that are heavily populated by women in the workforce.

For some strange reason, for many years they have not been given the option of a paid pathway to learning, and we are working with those industries at the moment to introduce a paid pathway to learning. Of course, that will give women more choice when they want a change of career and also give them career pathways where they can start through a vocational pathway and move on to additional further education afterwards.

I am very pleased, as a former parent of a student and former governing council member of Unley High School, to see this development. I, too, was on the shovel with the minister, the Premier and the principal. I do not think we moved much ground from underneath us, Minister for Education, but the opportunity to be there and to celebrate the fact that there was such substantial work being done after 25 years of neglect of state priorities at Unley High School was terrific.

Mr PICTON (Kaurna) (11:33): I rise to speak in relation to the redevelopment of Unley High School and speak as an old scholar of Unley High School—always supporting the utmost for the highest, as Unley High School does. I was there at the time of the last major redevelopment of Unley High School, which was considerably—

The Hon. J.A.W. Gardner: In 1983?

Mr PICTON: No, I'm not that old, Minister for Education. This was a redevelopment that was considerably pushed forward by a very unfortunate circumstance. When I was at the beginning of year 9, the western campus of Unley High School was largely comprised of a huge number of transportable buildings. Somebody came and set fire to the whole campus and it was pretty much all destroyed during that arson attack.

I am sure there was some delight by some kids at having a day off school the next day; however, it was a pretty shocking event to be at school and have your school burn down while you were there. There was then a process whereby there was a lot of emergency work to try to find some creative ways of making sure that our education could continue. The George Cresswell Hall was split up into a whole range of classrooms, a whole range of PE areas were split up, etc. But they did make sure that they worked out some ways for us to continue our education.

The education department brought in a whole lot of new transportables, but then the new middle campus was built. Certainly, in my memory, it still feels very new; however, this is the 20th year since my graduation from Unley High School. I am sure that in those 20 years, compared to my memory of it as a brand-spanking new building, it has probably degraded somewhat over that time. There was then a new performing arts centre built. There was also a new gymnasium built, in conjunction with 'Life. Be In It' at the time.

Despite the western campus being burnt down at the time, a large percentage of the school was in the quadrangle style of construction with three-storey buildings, which people will be familiar with from many, many high schools across the state. In my own electorate, every time I visit the Marcellin campus of Cardijn College, which is one of the old campuses of Christies Beach, it feels like I am back at Unley High School because it is exactly the same design.

Clearly, in the sixties, when these buildings were built, there was one government architect and one set of designs and they were rolled out. It does sound a bit silly, but it probably was actually quite efficient, in that you could build a whole lot of these buildings for much the same purposes. It does feel strikingly odd whenever I go to Marcellin college that I feel like I am back at Unley High School.

Obviously, there is a need for redevelopment at this school, as there is at so many schools across the state. That is why I was so proud that our previous Labor government, with the member for Port Adelaide, our deputy leader, as the former minister for education, made such a strong commitment to the need for upgrades at schools across the state, and Unley High School was one of those schools to receive an upgrade.

Obviously, now the government have increased that due to their year 7 commitment, but obviously we made the commitment that there needed to be an investment in education facilities

across the state because all kids should get the opportunity for a great education at public schools across the state. Certainly, I believe I did get a great education at Unley High School. You have to acknowledge that a school like Unley is certainly in a privileged position compared to many other schools.

Just look at how many old scholars of Unley High School have ended up in parliament. Julia Gillard is by far the most famous person who was a graduate of Unley High School, but the federal member for Kingston, Amanda Rishworth, was a graduate of Unley High School; Mark Butler, the member for Hindmarsh, was a graduate of Unley High School; and former Attorney-General Michael Atkinson was a graduate of Unley High School. It is a school that has had a strong tradition of turning out Labor members of parliament in particular.

Ms Bedford: It has a lot to answer for.

Mr PICTON: That's right. I think even the Hon. Kelly Vincent, a former member of the other place, was a graduate of Unley High School as well. It is a great school with a great tradition, and I wish it all the best for its redevelopment, as I do all the schools across the state that are beneficiaries of the program that we started to redevelop schools, particularly public schools, across the state.

Mr CREGAN (Kavel) (11:39): I acknowledge and thank the Minister for Education, the member for Unley, the member for Waite and the member for Kaurna for equally contributing. All members in this place are appreciative of the work the Minister for Education is seeing through. It is a very substantial program, a necessary program and a valuable one. There is a very valuable investment of more than \$32 million in this instance being made for Unley High School's future.

It is right to say that the member for Unley has been a determined and very significant figure in bringing forward this program. I was interested to learn that his own children attended the school, and members in this place are of course familiar with his commitment to vocational and technical education. They are matters that he frequently and rightly ventilates here. I also wish to acknowledge and thank Wayne Hobbs and the governing council and principal Greg Rolton for their vision, commitment and determination. It is no easy thing working through a program of this scope and ensuring that it can come to completion. It is a significant and very valuable program of works.

I was also interested to learn of the significant political figures who, in early life, had a connection to the school: names like Butler, Atkinson, Rishworth, Vincent, Gillard and Picton. There must be a special politics program somewhere at the school that is clearly developing leaders for the future. I am sure that with this investment there will be facilities in which future leaders will also benefit from world-class education and world-class facilities. I congratulate the minister, the school community and those who have advocated so strongly—the member for Unley first amongst them, the member for Waite and, of course, the minister himself.

Motion carried.

PUBLIC WORKS COMMITTEE: MAIN NORTH ROAD AND NOTTAGE TERRACE INTERSECTION UPGRADE

Mr CREGAN (Kavel) (11:42): I move:

That the 71st report of the committee for the Fifty-Fourth Parliament, entitled 'Main North Road and Nottage Terrace intersection upgrade', be noted.

Mr Speaker, as you are aware, the project is located approximately three kilometres north of Adelaide's central business district. The Main North Road and Nottage Terrace intersection operates at capacity at present during peak periods, with a signal phasing and traffic lanes fully utilised. This project has been identified to ensure that the congestion and safety risks at the intersection can be appropriately addressed.

The Main North Road and Nottage Terrace intersection forms part of the outer ring route, which is also an identified major traffic route for the City of Adelaide. Main North Road is also a high-frequency public transport corridor, as members will know. The right turn from Main North Road onto Nottage Terrace is a key movement for vehicles traveling from the south and the CBD to the north-eastern suburbs. The existing single right-turn lane can cause difficulties due to the inadequate capacity. It is understood that this often causes long delays, particularly at peak traffic times.

The department has advised of the need for additional capacity on all approaches to this intersection and the need to provide an additional right-turn function from Main North Road onto Nottage Terrace. The approved budget for the Main North Road and Nottage Terrace intersection upgrade is \$19 million, with the Australian government contributing 50 per cent of funding and the South Australian government contributing the remaining 50 per cent portion.

Road widening is a key aspect of the intersection upgrade, and the scope of works includes but of course is not limited to the widening of the western side of Main North Road, the installation of dual right-turn lanes onto Nottage Terrace travelling eastbound, two through lanes on Main North Road travelling northbound and the addition of a priority bus lane through the intersection, also travelling northbound.

The eastern side of Main North Road will be widened to accommodate the left turn onto Nottage Terrace travelling eastbound, and the extension of the bus priority lane at the intersection travelling southbound will also be accommodated. I should add for the benefit of members that the proposed works will also include upgraded pedestrian crossings and extension to the existing northbound bicycle lane and new and upgraded traffic signals and road lighting at the intersection. When complete, the intersection upgrade is expected to improve travel times and safety for all road users, improve network reliability and support economic activity largely arising from freight movement.

The committee examined written evidence in relation to this project, which advised that the appropriate consultation in relation to the project had been undertaken. The committee is satisfied that the proposal has been subject to the appropriate agency consultation and also meets the criteria for the examination of projects described in the Parliamentary Committees Act 1991. Having regard to the evidence considered pursuant to section 12C of the Parliamentary Committees Act 1991, the Public Works Committee reports to parliament that it recommends the proposed scope of the public works I have detailed.

The Hon. R. SANDERSON (Adelaide—Minister for Child Protection) (11:46): I rise to speak on this very exciting project in my electorate, that is, the \$90 million upgrade of the Scotty's Corner intersection at the corner of Main North Road and Nottage Terrace. In 2010, very early on in my political career, I was living in Collinswood, so I am very familiar with this intersection and the effects it has on the local community, and certainly it has been raised many times by my local constituents.

For anyone familiar with this intersection, if you are heading out of the city and turning right onto Nottage Terrace from Main North Road, many of my constituents live on the left side of that, which is Thorngate, have indicated that they cannot get across the traffic to get into that right-hand turn lane. It banks up so far down that, if they want to turn right, they simply cannot access this lane. Having the dual lanes will mean there is a lot better opportunity for them to get out of their suburb, Thorngate, if they are heading over to Walkerville, up North East Road or want to turn right for any reason.

Because they cannot necessarily get into that right-hand turn lane, if they have come up Main North Road and cannot get across, as that banks up very quickly, many people then continue along Main North Road and cut through Harvey Street where Officeworks is. Harvey Street is a very narrow street that has parking on both sides, speed humps and dense living, with lots of apartments and units on the street. I have had lots of residents concerned about the traffic that moves through Harvey Street and the danger of that, because lots of children and elderly people live in that street, and an immense amount of traffic goes through there just to avoid the intersection because it is not usable.

If people do not cut through Harvey Street they will do a U-turn at Harvey Street. When I lived in Collinswood, Harvey Street was one of the exits I came out of every morning and I saw many near misses at that intersection. A lot of them were because people were trying to avoid the Scotty's Corner intersection because it was banked up and not working properly. It will be very good for my local community. If you fix a major intersection, you want the cars on the major roads and not rat-running through all the side streets where there are children, pets, the elderly and parked cars. Really, the streets are not made for the intense amount of traffic, so I welcome this redevelopment.

It is also perfect timing. I have lobbied very hard. Heading north, the property on the left-hand side (the western side) was for sale many years ago and I thought what a great opportunity for the transport department (DPTI as it was back then) to purchase that property. Alas, they did not. However, this new government has seized on that opportunity. There was a proposed development and, whilst it is sad the development did not go ahead, it is actually fortuitous that the land is vacant, so this redevelopment will have minimal disruption.

On the western side, there was already vacant land and DIT was able to purchase the amount they needed to widen this intersection. At the very same time, the north-eastern corner, which was medical suites, is also quite vacant, so there is space available to take extra room there as well without shutting down businesses or causing much damage.

I know that Scotty's Motel had a proposal for an expansion several years ago that did not go ahead because they were uncertain about the intersection and also the development on the western side, so I am hopeful that this will not only stop rat-running and make it better for my constituents living in Thorngate and Collinswood in particular, and Medindie, which is also affected, but also possibly stimulate further development because the intersection will be upgraded and modified and have better safety for pedestrians and better bus lanes.

I am really pleased to be part of a government that has finally got on with the job. I know there will be some disruption in my electorate while this work occurs; however, I think that, in the long run, this will be a very good outcome for the people living in that local area and all the traffic that heads north out of the city or north-east using Nottage Terrace to get onto North East Road. I welcome this federal and state government commitment.

Mr CREGAN (Kavel) (11:51): I acknowledge the very significant contribution of the member for Adelaide, who has been a determined, passionate and effective advocate for this project. She should take considerable pride and satisfaction in seeing this project to approval. She is closely familiar with the difficulties faced by motorists navigating the intersection and also closely familiar with the ancillary traffic movements on local roads that cause very real road safety concerns for local residents.

It is a very significant investment. As has been rightly observed, there will be some disruption to the very busy arterial road in the course of construction. Every effort will, of course, be made to try to minimise disruption. As the member for Adelaide has also rightly observed, the benefits for motorists and local residents when this project achieves completion will be very significant, particularly for residents in Thorngate and Collinswood, residents through the north-eastern suburbs, and anybody seeking a safer and quicker route to pass through the intersection. It is also an intersection that does see some freight movement and, of course, there are very important safety benefits that will be realised for those movements as well.

Motion carried.

PUBLIC WORKS COMMITTEE: BANKSIA PARK INTERNATIONAL HIGH SCHOOL REDEVELOPMENT

Mr CREGAN (Kavel) (11:53): I move:

That the 73rd report of the committee for the Fifty-Fourth Parliament, entitled Banksia Park International High School Redevelopment Project, be noted.

As you are aware, Mr Speaker, Banksia Park International High School is located in the District Council of Tea Tree Gully and is one of five entrepreneurial specialist schools in the state. The high school was allocated funding of \$9 million as part of the Department for Education's capital works program. Banksia Park International High School requires increased accommodation capacity to cater for the transition of year 7 students to high school in 2022. There is also ageing accommodation at the school site requiring replacement with newer facilities that better suit the needs of the school.

The proposed redevelopment will include the construction of a new performing arts and home economics building, as well as the construction of new covered outdoor learning areas. The project will include the refurbishment of existing buildings, which will provide additional general learning areas. The proposed works will also include the demolition of two buildings on the school site and ancillary and necessary landscaping works. When complete, the Banksia Park International

High School project will deliver a total school enrolment capacity of 1,200 places by 2022. The redevelopment project will be staged, and construction is expected to be complete in August 2021.

The committee examined written evidence in relation to the project, which advised that the appropriate consultation in relation to the scope of works had been undertaken. The committee is satisfied that the proposal has been subject to the appropriate agency consultation and meets the criteria for the examination of projects described in the Parliamentary Committees Act 1991.

Based on the evidence considered, and pursuant to section 12C of the Parliamentary Committees Act 1991, the committee reports to parliament that it recommends the scope of the proposed public works that I have described.

Dr HARVEY (Newland) (11:55): It is with great pleasure that I speak on this report on the redevelopment of Banksia Park International High School, a \$9 million project funded by the Marshall Liberal government, part of the billion dollar infrastructure spend right across education facilities in South Australia, which will not only help to deliver world-class education facilities but also create jobs, and in the case of this project, creating around 22 jobs.

This project will do a number of things, including the construction of a new performing arts and home economics building, as well as the construction of some new covered outdoor learning areas. There will be the refurbishment of existing buildings to provide some additional general learning areas, as well as the demolition of two existing buildings on the site and some landscaping works.

It is also worth noting that there will be some air-conditioning upgrades at the school. It has been an issue that has been raised with me quite a number of times early on when I came along as the local member. This will not only provide some new and improved facilities but also increase the capacity of the school which, in a couple of years' time, expects to have about 1,200 students, including additional year 7 students.

This is an exciting project for Banksia Park International High School, which is a wonderful school within my electorate. In particular, I would really like to thank Roley Coulter, the principal of the school, for his excellent leadership, as well as the wonderful staff they have through the school.

This school really has a very large focus on creating global citizens, and its efforts in not only teaching students to take a world view and look at problems from across the world but also developing students to take advantage of new opportunities in the world has made it successful in being one of the five entrepreneurial specialist schools in South Australia, which is part of the Marshall Liberal government's Entrepreneurial Specialist Schools program which aims for students to be able to develop an entrepreneurial mindset, including setting up new businesses and solving problems.

As the local member, I have had the great fortune to be able to attend some of these events where students have identified a problem, they have come up with a solution and they have worked out how to package it, how to brand it and how to sell that solution. It really is a very impressive standard and something that I think the school should be very proud of.

In particular, I would like to commend the assistant principal, Mr Ceri Jones, who is responsible for the entrepreneurial specialist program at that school. Along the lines of successful students coming out of the that school, I would just like to highlight two. Particularly noteworthy is police commissioner Grant Stevens, who is a former student of Banksia Park International High School, and also Tony Clark, who is the managing director of Rising Sun Pictures and who has worked on such movies as *The Lord of the Rings*, the Harry Potter movies, *Batman Begins*, *Blood Diamond* and many others.

Banksia Park International High School is a wonderful school. I am thrilled to see that it is going to get \$9 million in redevelopment. That work is underway right now, and I cannot wait to see it completed.

The Hon. J.A.W. GARDNER (Morialta—Minister for Education) (11:58): I will be extremely brief, given the limited time, but I just want to place on the record the government's excitement and enthusiasm for the \$9 million redevelopment we are funding at Banksia Park International High School.

When I visited the school with the member for Newland, the enthusiasm from the students and the staff at the school about seeing the outstanding plans that have been designed for the school was palpable. We were talking to year 9 students who are actually going to experience this new development at the beginning of 2022. I commend the project, I commend Roley Coulter and his staff and the governing council for their work, and I cannot wait to see the finished design. I thank the member for Newland for highlighting all the other matters that I would have otherwise raised.

Mr CREGAN (Kavel) (11:59): I want to acknowledge the contribution of the minister and the member for Newland. The member for Newland, as is well known in this place, is a highly effective, passionate and determined advocate.

The SPEAKER: Does the member wish to seek leave or put the question?

Mr CREGAN: In just a moment, I will put the question. I am very appreciative of his contribution. He has seen through a very significant project, works to approval, and he should be very proud of his effort in that regard.

Motion carried.

Bills

STATUTES AMENDMENT (NATIONAL ENERGY LAWS) (OMNIBUS) BILL

Introduction and First Reading

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining) (12:00): Obtained leave and introduced a bill for an act to amend the Australian Energy Market Commission Establishment Act 2004, the National Electricity (South Australia) Act 1996, the National Energy Retail Law (South Australia) Act 2011 and the National Gas (South Australia) Act 2008. Read a first time.

Second Reading

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining) (12:01): I move:

That this bill be now read a second time.

I seek leave to have the second reading explanation and explanation of clauses inserted in *Hansard* without my reading them.

Leave granted.

The National Energy Laws, Regulations and Rules form the regulatory framework that allow the National Electricity Market and relevant gas markets to operate.

The *Statutes Amendment (National Energy Laws) (Omnibus) Bill 2020* is the result of policy decisions on various matters by the former COAG Energy Council. The amendments to the National Energy Laws include:

- Removing requirements for the Australian Energy Market Commission, Australian Energy Regulator, Australian Energy Market Operator and the National Competition Council to publish notices in newspapers. This will reduce regulatory costs and recognises changes in stakeholders' preference for how they access information. Minimum notice requirements on these bodies, such as notifications on websites, will continue.
- Removing current limitations in the National Gas Law so that any party (including market participants and user groups) will be able to propose rule changes to the Australian Energy Market Commission on the operation and administration of the Victorian Declared Wholesale Gas Market.
- Removing redundant references to the Limited Merits Review regime in the National Electricity Law and National Gas Law. This is the result of the passing of the Competition and Consumer Amendment (Abolition of Limited Merits Review) Act 2017.
- Addressing constitutional issues raised in *R v Hughes* (2000) 202 CLR 535 which left open whether State legislation can impose duties on a Commonwealth body (such as the Australian Energy Regulator). The Omnibus Bill removes inconsistencies in the National Electricity Law, National Energy Retail Law and National Gas Law and brings relevant provisions in line with current drafting practice.
- Clarification of the meaning of 'participating jurisdiction' to address ambiguity in the context of the participation of non-interconnected jurisdictions. Non-interconnected jurisdictions are jurisdictions that

are not physically connected to the National Electricity Market such as the Northern Territory. For consistency, the meaning of 'Minister' has also been clarified.

- References to a jurisdiction's 'Commercial Arbitration Act' can be prescribed by regulation. This will ensure that relevant references can be easily amended in the future as needs arise.
- The legislative references to the Ministerial Council responsible for energy to operate effectively, no matter whether the name of the Council changes over time.

The Statutes Amendment (National Energy Laws) (Omnibus) Bill 2020 amends the National Electricity (South Australia) Act 1996, National Gas (South Australia) Act 2008, National Energy Retail Law (South Australia) Act 2011 and the Australian Energy Market Commission Establishment Act 2004.

I commend the bill to the Chamber.

EXPLANATION OF CLAUSES

Part 1—Preliminary

1—Short title

2—Commencement

3—Amendment provisions

These clauses are formal.

Part 2—Amendment of Australian Energy Market Commission Establishment Act 2004

4—Amendment of section 3—Interpretation

The definition of *MCE* (Ministerial Council on Energy) is amended. Another amendment is consequential.

Part 3—Amendment of National Electricity Law

5—Amendment of section 2—Definitions

Various definitions are amended for the purposes of the measure.

6—Amendment of section 5—Participating jurisdictions

Technical changes are made to the provision relating to participating jurisdictions.

7—Amendment of section 6—Ministers of participating jurisdictions

Technical changes are made to the provision relating to Ministers of participating jurisdictions.

8—Amendment of section 16—Manner in which AER performs AER economic regulatory functions or powers

These amendments are technical or consequential.

9—Amendment of section 28I—Publication requirements for general regulatory information orders

Section 28I(2) is deleted.

10—Repeal of section 28ZJ

Section 28ZJ is repealed.

11—Amendment of section 43—Notice of MCE directed review

The requirement to publish a notice of a MCE directed review in a newspaper circulating generally throughout Australia is removed.

12—Amendment of section 53A—Making and publication of general market information order

The current requirement in subsection (2) is replaced with a requirement to publish on AEMO's website.

13—Amendment of section 54H—Disclosure of protected information authorised if detriment does not outweigh public benefit

These amendments are technical or consequential.

14—Amendment of section 57A—Functions and powers of Ministers of this participating jurisdiction

This amendment is consequential.

15—Amendment of section 69A—Commercial Arbitration Acts apply to proceedings before Dispute resolution panels

16—Amendment of section 71—Appeals on questions of law from decisions or determinations of Dispute resolution panels

These amendments are technical or consequential.

17—Amendment of section 71A—Definitions

Various definitions are repealed or amended relating to the repeal of Part 6 Division 3A Subdivision 2.

18—Repeal of Part 6 Division 3A Subdivision 2

Part 6 Division 3A Subdivision 2 is repealed.

19—Amendment of section 71X—Costs in a review

20—Amendment of section 71Y—Amount of costs

21—Repeal of sections 71YA and 71Z

These amendments are consequential.

22—Amendment of section 87—Definitions

The requirement to publish in a newspaper circulating generally throughout Australia is removed.

23—Amendment of Schedule 2—Miscellaneous provisions relating to interpretation

This amendment is technical.

24—Amendment of Schedule 3—Savings and transitionals

Transitional provisions relating to the changes to the definition of *MCE* are inserted.

Part 4—Amendment of National Energy Retail Law

25—Amendment of section 2—Interpretation

Amendments that are substantially similar to the amendments to the *National Electricity Law* are made to the *National Energy Retail Law*. However, the amendments relating to the repeal of Part 6 Division 3A Subdivision 2 ('limited merits review') of the *National Electricity Law* are not replicated here as they are not relevant. Likewise, the amendments relating to Commercial Arbitration Acts are not relevant in the *National Energy Retail Law*.

26—Substitution of section 9

9—Participating jurisdictions

27—Amendment of section 10—Ministers of participating jurisdictions

28—Amendment of section 214—Disclosure of confidential information authorised if detriment does not outweigh public benefit

29—Amendment of section 230—Notice of MCE directed review

30—Amendment of section 235—Definitions

31—Amendment of section 320—Law and the Rules to be construed not to exceed legislative power of Legislature

32—Amendment of Schedule 1—Savings and transitionals

Part 5—Amendment of *National Gas Law*

33—Amendment of section 2—Definitions

Amendments that are substantially similar to the amendments to the *National Electricity Law* are made to the *National Gas Law*.

34—Substitution of section 21

21—Participating jurisdictions

35—Amendment of section 22—Ministers of participating jurisdictions

36—Amendment of section 28—Manner in which AER must perform AER economic regulatory functions or powers

37—Amendment of section 51—Publication requirements for general regulatory information orders

38—Repeal of section 68C

39—Amendment of section 81—Notice of MCE directed review

40—Amendment of section 87—Functions and powers of Minister of this participating jurisdiction under this Law

41—Amendment of section 91FA—Making and publication of general market information order

42—Amendment of section 91GH—Disclosure of protected information authorised if detriment does not outweigh public benefit

43—Amendment of section 117—Advice by service provider that light regulation services should cease to be light regulation services

44—Amendment of section 244—Definitions

45—Repeal of Chapter 8 Part 5 Division 2

46—Amendment of section 268—Costs in a review

47—Amendment of section 269—Amount of costs

48—Repeal of sections 269A and 270

49—Repeal of section 270A

50—Substitution of sections 270B

270B—Commercial Arbitration Acts to apply to proceedings before Dispute resolution panels

51—Amendment of section 270C—Appeals on questions of law from decisions or determinations of Dispute resolution panels

52—Amendment of section 290—Definitions

53—Amendment of section 295—Initiation of making of a Rule

54—Amendment of Schedule 2—Miscellaneous provisions relating to interpretation

55—Amendment of Schedule 3—Savings and transitionals

Debate adjourned on motion of Ms Cook.

Parliamentary Procedure

APPROPRIATION BILL 2020

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining)

(12:01): I move:

That on Tuesday 10 November 2020 standing orders be so far suspended as to enable—

- (a) the Premier to have leave to continue his remarks on the Appropriation Bill immediately after moving 'That this bill be read a second time';
- (b) the Treasurer (Hon. R.I. Lucas) to be immediately admitted to the house for the purpose of giving a speech in relation to the Appropriation Bill; and
- (c) the second reading speech on the Appropriation Bill be resumed on motion.

Motion carried.

The Hon. D.C. VAN HOLST PELLEKAAN: I move:

That a message be sent to the Legislative Council requesting that the Treasurer be permitted to attend at the table of the house on Tuesday 10 November 2020 for the purpose of giving a speech in relation to the Appropriation Bill.

Motion carried.

Bills

EVIDENCE (VULNERABLE WITNESSES) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 23 September 2020.)

The Hon. V.A. CHAPMAN: Mr Speaker, I draw your attention to the state of the house.

A quorum having been formed:

Mr PICTON (Kaurua) (12:05): It is good to be here again working with the Attorney on another piece of legislation. It feels like we were here just hours ago.

The ACTING SPEAKER (Mr Cowdrey): Member for Kaurna, can you confirm if you are the lead speaker?

Mr PICTON: I confirm that I am the lead speaker, Acting Speaker. I hope you are getting some extra duties for all this extra work you are having to do.

The ACTING SPEAKER (Mr Cowdrey): It's outrageous, isn't it?

Mr PICTON: It is outrageous. I rise today to speak on the Evidence (Vulnerable Witnesses) Amendment Bill 2020. I also indicate that the opposition will be supporting this legislation. This bill proposes new protections and extends support for vulnerable witnesses who give evidence in court. This includes children and persons with a disability.

This bill extends the earlier work undertaken by the previous Labor government in this area. Labor in government passed the Statutes Amendment (Vulnerable Witnesses) Act 2015, which assisted vulnerable groups in the justice system. It was a very important piece of legislation and something that we worked very hard on and were very proud to support. It was advocated by a number of people—including a former member of parliament, the Hon. Kelly Vincent, who advocated for this—and passed through under the previous Attorney-General, the Hon. John Rau.

The new bill amends the current Evidence Act 1929 in three main areas: bringing in provisions to clarify the canine court companions program, clarifying provisions about pre-trial special hearings for vulnerable witnesses and the admission and admissibility of prerecorded evidence. The bill supports the critically important outcome of making the justice system more equitable for vulnerable witnesses who may need supports to participate in the trial process. In the Evidence Act, vulnerable witnesses are defined as young children or people with a disability that adversely affects their capacity to give coherent accounts of their experiences or respond rationally to questions.

I think we can all acknowledge that for anybody to partake in the justice system or a court process can be very daunting and difficult, and obviously more so if you are a young person or a person with a disability that makes that even harder. That is why this law reform that we have had for the past five years since the previous act passed is so important to make our justice system fairer, to get better outcomes and to make it easier for vulnerable people to be able to provide evidence in the court system.

The first element of this new bill seeks to remove doubt about the use of the canine court companion in the South Australian justice system. The famous face of the canine court companion is a dog called Zero. Zero is the most popular member of the justice system in South Australia, even more so, I dare say, than the Attorney-General herself. I have noticed that whenever the Attorney-General posts a picture of Zero on her social media it gets perhaps a million per cent higher viewership than any of the other photos she posts. I think we can all acknowledge how important animals, particularly canines, can be in a variety of different fields, particularly providing comfort and support to many people who require that assistance. This is yet another way that can happen.

As a dog lover and owner myself, I feel certain companionship and support from my dog. However, I dare say my dog would not be a good participant in the canine companionship program. Zero clearly has a level of training and mastery of instructions and commands that my dog does not have to be able to work in a courtroom. It is important that this program is there to support people, and obviously Zero has excelled in the ability to make sure that it can work within the justice system.

Zero has been trained to assist certain distressed or vulnerable witnesses who are compelled to give evidence. Canine court companions are able to calm and reassure witnesses in court who may have to recount a highly traumatic experience. Other jurisdictions demonstrate how effective canine court companions can be.

The USA and Canada have used dogs in witness boxes since 2003: 37 American states have used service dogs in courtrooms, while six states have legislated to give witnesses the right to have a dog with them while giving evidence. American studies have shown that the use of dogs to assist victims and witnesses has led to more supported witnesses with lower levels of stress. This leads to better evidence, and benefits the entire justice system.

The DPP's pilot canine court companion program allows Zero to attend witness proofings at DPP offices, but he cannot accompany witnesses as they give evidence in court. It is very disappointing that that has not been able to occur. This bill seeks to remove any doubt about the use of a canine court companion, and ensures that courts can make an order that a witness can be accompanied by a dog while giving evidence at a trial. The bill amends section 4 of the act to define a canine court companion as a dog accredited by Guide Dogs SA/NT, or another authority prescribed by regulations. This ensures that canine court companions are certified therapy dogs.

The bill also amends existing provisions under sections 13 and 13A of the act, to permit canine court companions to accompany witnesses who give evidence in court. Under the act, section 13 relates to orders that a court can make to protect witnesses from embarrassment, distress or intimidation in a courtroom. Section 13A covers similar orders a court can make for vulnerable witnesses who give evidence in court. Both sections 13 and 13A currently allow a court to order that a witness can be accompanied by a relative or friend for emotional support.

The bill amends these sections to add that a canine court companion may also accompany a witness. The bill allows for dog handlers to be present when a witness is giving evidence with a canine court companion. To avoid prejudicial effects on a criminal trial, the bill proposes that canine court companions should not be visible to a jury or on video recordings when a witness gives evidence. It will be interesting to see how that is applied in practice to make sure that that can occur. As such, the bill also allows canine court companions like Zero to enter courtrooms and accompany witnesses in a courtroom.

The bill amends section 12AB of the act, relating to pre-trial special hearings. It amends subsection (1)(b) and introduces a new subsection (6a) to expressly allow for canine court companions and their handlers in pre-trial special hearings. More significantly, this bill amends section 12AB of the act to address tensions between section 12AB and section 13BA. Currently, section 12AB permits a court to arrange for a vulnerable witness to give evidence at a pre-trial special hearing for serious offences against the person, or offences like contravening intervention orders.

Pre-trial special hearings must be recorded. Section 13BA enables the court 'in the trial of a charge of an offence' to order that recordings of investigative interviews under the Summary Offences Act 1953 or of evidence given in pre-trial special hearings can be admissible as evidence. However, section 13BA only empowers the court to admit recorded evidence at trial and not in a pre-trial hearing.

Issues can arise after a vulnerable witness gives evidence at a pre-trial special hearing because a court must determine later at trial whether the evidence is admissible. If a court finds the recorded evidence inadmissible later at trial, the vulnerable witness must then be called to re-testify, defeating the purpose of a protective pre-trial hearing provision (section 12AB).

The bill seeks to limit vulnerable witnesses from having to retestify at trial by amending section 12AB(13) in clause 5(9) to state that at a pre-trial special hearing the court may make orders pursuant to section 13BA about recorded evidence at a pre-trial special hearing and/or the admission of recorded evidence of an investigative interview under the Summary Offences Act 1953.

The bill amends section 13BA so that courts can order the admission of an audiovisual record of the witness examination at a pre-trial special hearing while at the special hearing. It also clarifies that recordings of pre-trial special hearings and investigative interviews under the Summary Offences Act 1953 can be admitted by the court if they are satisfied of the witness's capacity and give a respondent a reasonable opportunity to view the recording.

The bill also inserts new section 12AC, which states that orders made by a court at a pre-trial special hearing, under section 13BA, about the admission of a witness's evidence recording are subject to certain conditions. These are:

- section 12AC(2) states that section 13BA orders are not binding if a party applies by citing matters or fact that have arisen after the order was made at a pre-trial special hearing;

- section 12AC(3) states that witnesses cannot be re-examined at trial except where there are further facts or matters after the pre-trial order was made or if it is in the interests of justice; and
- an amendment to section 67H defines 'sensitive material' as recordings or transcripts of evidence given in pre-trial special hearings or investigative interviews under the Summary Offences Act 1953.

If you followed all the intricacies there, which I am sure you have, Mr Acting Speaker, clearly this is an intricate arrangement in terms of the Evidence Act. Some very important changes were made in the 2015 legislation, but this seeks to address a number of details about how that works, particularly in relation to pre-trial proceedings, while also allowing for the canine court companion program.

I think it is worth looking at some of the history of how this came about in terms of the support for vulnerable witnesses. Labor has a history of supporting measures like these. SA Labor passed laws to support vulnerable witnesses in 2015. This bill builds on Labor's earlier work. The Statutes Amendment (Vulnerable Witnesses) Bill was introduced by John Rau, then Attorney-General. At the time, he noted the importance of making the state criminal justice system more accessible and responsive to the needs and interests of victims and witnesses who are children or people with a disability.

Building upon the wider Disability Justice Plan at the time, the 2015 Labor bill sought the consultation and advice of the disability sector to introduce the reforms. Within this reform, the 2015 Labor bill inserted new sections 12AB and 13BA. Though I acknowledge we are now clarifying the operation of sections 12AB and 13BA, introducing these measures was a landmark step at the time. As the Attorney-General now has noted, the then Liberal opposition supported the provisions when they were introduced by Labor.

In summary, Labor supports this bill. We must ensure equity of access for children and people with disability when they interact with the court system. While balancing the rights of defendants to a fair trial, we must also support people who may be vulnerable while they give evidence in criminal proceedings. It is critical that people who are considered vulnerable witnesses receive the support they need to maintain an accessible justice system in South Australia.

In conclusion, having said how important the canine court companion program is in relation to the court process and how Zero has been such an important player now within our courts, DPP and justice system—hopefully that is going to expand, and I would certainly be interested to hear from the Attorney-General whether there are plans and funding for that program to expand beyond Zero—this comes at the same time as the parliament has banned canines within this building. A wonderful dog named Dusty, a survivor of the Kangaroo Island bushfires, was donated to the member for Mawson. From time to time, the member has brought Dusty in to meet with schoolchildren from his electorate. Dusty has now been banned from parliament.

As I think the member for Mawson has said, this is not the biggest issue in the world, and he will obviously comply with the ban. I certainly think it is disappointing for children and other people who come for tours from Kangaroo Island and elsewhere within the Mawson electorate that we are not making this building a similarly accessible place for people to bring canines in the same way that we are now doing in the courts system.

I presume and hope that parliament would allow assistance dogs into the premises, and I have no evidence that this has ever been a problem. Clearly we need to have proper consideration of how animals and humans can interact in government buildings, and we can all gain benefit from the fellowship of animals, particularly canines, that are well trained and supportive of many people. This is where this bill is important and I think it is going to add a lot to our justice system.

I also note from my time as the corrections minister that we had a great program in relation to greyhounds that started in our prisons under the previous Labor government. Sadly, there are a lot of issues in terms of what happens to greyhounds after they have finished life as a racing dog. This great program is being run to make sure that they can be retrained so that they can be adopted and find new homes and new families to look after them.

Starting at the Women's Prison, but now expanding to men's prisons as well, the Greyhound Adoption Program that is run within our prisons has met a number of important objectives. It has helped prisoners in terms of responsibility, in that they manage the program and look after those dogs. This has obviously helped their education and responsibility within the corrections system. We obviously want to make sure that people are rehabilitated and that they have access to education because the vast majority will be released from prison eventually.

The program is also great for the animals because they go through that retraining and then they will be able to find another home. I think the program has also been noted to help the prison environment generally. Having those dogs within the prison has added to a sense of calm, a sense of camaraderie and a sense of care within the prison. There is a great documentary, which I would implore everybody to watch, of the program as it was running in the Adelaide Women's Prison. When I was the corrections minister, I was lucky enough to be there for its expansion to Mobilong Prison on the outskirts of Murray Bridge. Hopefully, we can continue to see that program expand.

It is just another example of how animals and humans within the justice system have been able to work together for everyone's benefit. We are seeing that expand with Zero and, hopefully, more people in our court process and prosecution service, and I think there are more areas in which we can see that expand in the future.

Ms LUETHEN (King) (12:23): I rise to wholeheartedly support the Evidence (Vulnerable Witnesses) Amendment Bill 2020. I thank the Attorney-General once again for her work on this important and compassionate bill. It is excellent to hear that we have support for this bill from the opposition as well.

The bill amends the Evidence Act 1929 to provide for canine court companions to accompany witnesses while they give evidence and to make clearer provisions regarding pre-trial special hearings and the admission of prerecorded evidence. Since May 2018, the Office of the Director of Public Prosecutions has undertaken a canine court companions project as part of its ongoing work in assisting vulnerable witnesses. This project has been developed in conjunction with the Guide Dogs of South Australia and Northern Territory.

The presence of dogs has been shown to provide comfort and support for people dealing with trauma. Having a canine court companion present while recounting traumatic events has been proven to decrease anxiety and heart rate, increasing memory function and mental clarity. This calming effect will help vulnerable witnesses deliver better evidence.

Zero, the first canine court companion to be approved, has received overwhelmingly positive feedback. The next stage will involve using canine court companions to give comfort to witnesses in waiting areas of the courts prior to them giving evidence. The final stage will be the use of canine court companions in the courtroom while witnesses give evidence. If the bill passes parliament, canine court companions will be introduced to court gradually, initially providing comfort throughout the whole court process.

The canine court companions are not to be visible in any visual record of the evidence, or to a jury, to minimise any possible prejudicial effect that the presence of the dog might have. Zero has been expertly trained to be calm and quiet, providing emotional support to victims of crime in the gentlest of ways.

The second part of the bill remedies difficulties relating to the interaction between sections 12AB and 13BA of the Evidence Act. These sections were designed to facilitate the taking of evidence of vulnerable witnesses as early as possible in the criminal process and to minimise the number of times they are required to give evidence. We can all understand how traumatic giving evidence could be to a vulnerable witness.

Section 12AB gives the court power to conduct pre-trial special hearings to take evidence of a child or a person with a disability for the purposes of a trial involving a serious offence against the person, or an offence of contravention or failing to comply with an intervention or restraining order. Section 13BA gives the court power to order that evidence be admitted in the form of an audiovisual record of an investigative interview made pursuant to the Summary Offences Act 1953, or evidence given in a pre-trial special hearing.

Currently, the court only has power to admit the recorded evidence in the trial, meaning that any application relating to the admission of such evidence cannot be determined at the time of the pre-trial special hearings. As a result, vulnerable witnesses may be required to give evidence afresh at the trial if the investigative interview is later ruled inadmissible. These provisions were introduced by the former Labor government and this is yet another example of their defective legislation needing to be fixed by our Marshall Liberal government.

The provisions in the bill will rectify this by enabling the court to make orders, at a pre-trial special hearing, admitting the recorded evidence and enabling such orders to be binding on the trial court. Discretion will be used by the trial court to order that this is not to be the case based on matters arising becoming known between the pre-trial special hearings and the trial. To sum up why we are doing this, the bill aims to reduce the trauma experienced by children, people with disabilities and other vulnerable witnesses when participating in the criminal justice system.

Canine companions are very important. Zero has already helped more than 100 people during meetings since becoming the state's first canine companion in 2018. If someone is scratching, starting to rock with anxiety, starts crying or puts their head in their hand, the dog will pick up on these strong emotions from people and in a kind and gentle way will offer its support in the most challenging of times.

The bill delivers on the Marshall Liberal government's key justice priority to protect South Australians and put care around our most vulnerable witnesses. It is heartwarming to hear the support from across the chamber. I commend the bill to the house.

Ms COOK (Hurtle Vale) (12:29): I also would like to reiterate the support from the opposition's point of view for this very important bill and acknowledge the daily struggle of people living in our community who are sitting under the banner of 'vulnerable'. I remind members that vulnerability often comes because of the policies that are put in place as a consequence of the legislation of the government of the day. This piece of legislation, while it contains the word 'vulnerable', is aiming to strengthen and improve the capacity of people living in our community who are potentially vulnerable or actually vulnerable at the time.

Going through a process of the justice system can often be especially challenging for everybody in our community, but if you have some challenges such as being of a young age, experiencing trauma or having any type of disability, of course it will be even more difficult. I have spoken in support of aspects of court support programs and vulnerable witness programs previously and have drawn on many experiences of working with people in the community in health care and disability over my working life who have a number of varied challenges, which makes this experience all the more difficult for them. I celebrate the introduction of this program to support those types of people.

I think there is a whole range of things that can be done to support people through the justice program. While I applaud the special arrangements that will be in place as a consequence of this legislation, I think it would be remiss of me not to remind members of the cuts that happened earlier this year out of the Attorney-General's own department for a very important program called the Communication Partner Service, which was run out of Uniting Communities.

I have spoken about this very important program which, at a cost of a little over \$300,000 per annum, for four years provided support for well over 300 people to access the justice system in a much more dignified, inclusive and confident way. This program started in late June 2016 and was designed to assist people with a disability to access the court system. It ended in February 2020. There is a report that members might like to access through the Uniting Communities website. If you are not able to, I am very happy to provide all members with a copy of that.

This program, starting in 2016, was a Labor initiative as part of the state's Disability Justice Plan. This plan was established on a statutory basis, under the Statutes Amendment (Vulnerable Witnesses) Act 2015, which I was very pleased to contribute to. The program itself sought referrals from a number of groups such as SAPOL, the DPP, many defence lawyers, court affiliates and some directly from family and support workers in our community.

Those organisations do not all have the direct capacity to support people they love, people they work with and people who are presented as a consequence of an issue with the law to be able to support them. This service, which predominantly had volunteers at its front, was a way of attaching somebody to build that relationship and allow support for the person navigating the court system. There are excellent results and stories to be read in the report, and I thank Sarah Watson and Simon Schrapel and all the amazing volunteers at Uniting Communities who have headed up that program for four years.

In a nutshell, as I understand it, the recommendation out of the Attorney-General's Department was to flip this model of a program, overarchingly funded, to Uniting Communities, which is then operated by the volunteers underneath as a fee-for-service type model, where SAPOL or the DPP or a lawyer and their firm would seek the assistance of these skilled workers from Uniting Communities and pay for that level of support for their client or the person who presented to them.

It is a sad report to deliver to the parliament that not one person has accessed it under that model. I would urge the Attorney-General, who has a great understanding of people with disability and the challenges, to look at a reversal of that decision, along with this great piece of legislation, and a remodelling to a large degree of that fee-for-service type arrangement because it does not seem to have been something that is able to be picked up for whatever reason. I would urge a review and, as part of this process, to look at how that could be reinstated.

We are in a time when disability, mental health and other health matters should all be looked at and we should be making decisions to ensure the community and all the services provided in the community, whether it is from a public or private point of view, are fully accessible. As part of that, the Disability Inclusion Act is currently rolling out a whole range of Disability Access and Inclusion Plans from all authorities, government departments and local government departments as well. We have seen a flurry of these appear lately with two-week consultation periods.

To quote Kelly Vincent in a video that she has made talking about the difficulties in delivering their report from the task force following the death of Annie Smith, I would have to say that people with disability often need a little bit longer to consider things. Consultation on a Disability Access and Inclusion Plan for two weeks for people with a disability trying to look at how to make these departments—behemoths like health and transport and important justice departments like the court system—make decisions about whether or not those access plans are going to be effective in improving access? I just fail to see how that is an appropriate length of time.

But from a broader point of view, there are two things: there is access and how we as leaders in our community ensure access and equity in our community. In terms of justice, \$4.8 million was cut from Legal Aid in the 2018-19 budget. We have a one-off \$2.3 million of funding coming from the commonwealth that we hope will provide some relief, but what is the vision for the long term when you see things like \$1.7 million going from public safety?

We have seen \$780,000 taken out of the Women's Domestic Violence Court Assistance Service. We have seen \$2.3 million slashed from the Victim Support Service in May this year, which has resulted in the closure of critical regional offices. All of these things contribute towards justice and equity for people with disability, young people and people who are living on the breadline or below who do not have access to the funds to be able to self-manage some of this advocacy.

There are two huge, important organisations that I know have been defunded in the last couple of years under the Liberal government, which has made it very difficult for people to seek justice. I refer members to the Welfare Rights Centre and to the Housing Legal Clinic. All these things make for justice. They make for equity and they help with access, and sadly we have seen so many cuts happen that this piece of legislation—while it is welcomed—barely brushes the surface of justice.

We need to see reversal of these other cuts, we need to see reinstatement of communication partner programs, we also need to see more noise being made in terms of the equal opportunity issues that we see in our community. I know that I would not be the only member of parliament who has seen or been told about taxis turning up—mostly Ubers as well—to people with guide dogs and the car scooting off down the road, refusing to pick up a dog.

There are other issues that we need to address as well. I know of people with disability who use wheelchairs for mobility who simply just cannot get into their local hairdresser for a haircut

because the hairdresser cannot afford to do the modification to the building to allow for a ramp to allow access through the door. I think that the government can take some leadership on this. The opposition would certainly support that and work cooperatively around a dive into what is true equal opportunity and true access in our community.

I would like to reiterate that I support this bill wholeheartedly. I thank all people in the community who work very hard to ensure that people who have become vulnerable because of a situation or a policy or legislation are able to access support to get real justice in our community. I urge the government to enhance this capacity to access justice by reversing some of these budget cuts that have happened and that have shut very useful and hardworking organisations where we have lost the capacity to support everyone. I commend the bill.

The SPEAKER: Thank you, member for Hurtle Vale. I apologise—I had Fisher on my mind knowing that was incorrect.

Ms COOK: It is history.

The ACTING SPEAKER (Mr Cowdrey): History that is. If the Attorney speaks, she closes the debate.

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General, Minister for Planning and Local Government) (12:42): I thank all members for the contributions they have made and indications of support for the passage of this bill. I agree with the member for Kaurana that when social media shots include our court companion elect, Zero, in the publication the attention from the public skyrockets. He is extremely popular. It probably just means they are not too interested in me, but nevertheless the significance is that there is overwhelming love and appreciation for animals. Dogs enjoy this, and when they do an extra special thing to assist members of the community who are more vulnerable it has an even greater effect.

The Zero effect is not only one which is seen on social media by the general public but is one which provides a great warmth in his addition as the most-loved employee of the DPP's office, I think. I mention his handler, Darren Evans, and some other supporters who provide supplementary supervision. He never answers back and he is very compliant in his duties.

I understand that, in response to the member's inquiry as to whether this is going to be a service that is expanded, there is still room in his diary for further appointment, but I would hope, of course, that an increased demand certainly would need to be monitored to identify whether there is an extra need for this resource because it has been so demonstrably positive and effective, and therefore we will bear that in mind. At the moment, he still has spots in his diary and we would not be needing to look at others to supplement.

It is fair to say that we have canine support, particularly in the police area of drug supervision and detection, so there are lots of areas where we already have that advice. The Premier, who is the veterans minister in this state, has been very proudly part of the development of Canine Companions support, particularly for those who have returned from service in the forces and are suffering PTS. That has been a remarkable advance for those who have provided testimony of their appreciation for having this support.

Of course it is an expensive procedure, and we rely on the Guide Dogs SA/NT to assist us in this regard. The training of the animals must be at a very high standard. It is an expensive process but it is one which we have found in a number of areas of work, whether it is the detection of drugs, the provision of support, the mental wellbeing of veterans or, in this instance, the taking of evidence from witnesses and victims to support the DPP's role in relation to prosecution of criminal matters.

All of these have great advantage, and I can agree and confirm that in particular the benefit to children has been immeasurable. I always think it is rather sad if children during their general growing up are not exposed to animals and the opportunity to have pets—and not just dogs—because obviously this is a wonderful opportunity for children to learn about not only the value of animals but also the interdependent relationship in providing support, care and shelter for their pet, and this is all part of children's development.

It always saddens me if I walk along the beach and I see a dog frolicking and a child in response, apparently terrified, rushing off to their parent on the beach, clearly indicating to me at least that the child is scared of animals. That may be because they have had no exposure to them, it may be that they have had a negative experience, but it always makes me feel a bit sad that there has not been some way to provide children with a pleasant and beneficial exposure to animals. Nevertheless, even the most disturbed and distressed child can respond to an animal who is trained to approach them gently and help them through to relax and provide reliable and useful evidence then to prosecute cases in which they are either a victim or witness.

It is an invaluable role. I cannot speak highly enough of Darren and Zero, and we will look at how his workload continues and we will of course review those matters. There is another program in Victoria, and I think I have already advised the house on another occasion that the dog that was providing canine support in Victoria has recently retired or its retirement has been announced, so at times we will need to review how these things work and how we can change and enhance them.

At the moment, Zero is a high-rise dog. He is part of the DPP's office, which is in a building of 19 storeys. He has his play area and rest area and, as I say, he is a valuable resource to us. I want to say thank you to the Chief Justice and the judiciary generally, particularly counsel, who of course have been consulted about the access of Zero or an approved canine court companion into the courts to provide this service because they, too, need to provide accommodation for the entry of an animal in these circumstances.

That is something that we can only do with their support. The Sheriff's Officers and court staff will also need to be mindful that he may be present in court hearings or in waiting rooms where people are waiting to give evidence, etc.

In short, he is a valuable asset. We love him. I am deeply distressed that, on inquiry as to whether I could nominate he and Darren for a Public Service Medal, unfortunately canines are not eligible. Apparently, it has to be a human. That is a bit sad; I will have to think about how I might remedy that. In any event, dogs do provide a valuable service in lots of ways. I think that in some way, at some times, we need to recognise that. Certainly, at the commonwealth level they have an extra role in airports, usually for drug detection, illicit imports, food and things of that nature.

They do a great job in lots of ways. I remember the Hon. Amanda Vanstone was a former minister in charge of Customs. I think she used to give an annual award to her canines for their service in relation to detection and customs surveillance for that job. I think the benefits are obvious, so a big thanks to the judiciary and the Courts Administration Authority for their support in allowing this to be facilitated. With the passage of this bill, we can get on with that being advanced.

May I briefly address a response to matters raised by the member for Hurtle Vale. I think she is the only person in the parliament who has an electorate name that includes the geographical basis upon which it was provided. It could have just been Hurtle, which would have recognised the person who is responsible for the naming in the Hurtle Vale area. I am not quite sure even today why she still has 'Vale' in the Hurtle Vale name; nevertheless, unusual as it is, I recognise that.

She raised some concerns about the importance of recognising other services assisting vulnerable witnesses and/or persons with a disability who might be accessing the justice system. We have as a state—I think it was finally the Premier who signed on the state's behalf—a new legal assistance agreement. It has provided a powerful new basis for legal aid to the Aboriginal Legal Rights Movement, the Legal Services Commission and our community legal centres. I am very proud that has been achieved. Yes, it has provided the uplift of the one-off payment that the member has referred to but also an ongoing increased provision of legal services funding.

There has been reference to the court assessment program. I just remind members on the other side of these changes in approach. That is a program that continues between the Commissioner for Victims' Rights and the Legal Services Commission. The Victim Support Service had a contract to provide for a significant legal service, which has been put out to tender, and the Legal Services Commission still provide that. The support in relation to court assistance is now both funded by and under the supervision of the Commissioner for Victims' Rights' office.

I know the member has been concerned about particular agencies losing the funding in relation to these matters, but these services do prevail, and a number of those are now covered by

Relationships Australia, the Legal Services Commission and the Commissioner for Victims' Rights. The member raises another matter, the coordination for the Communication Partner Service. She is quite correct: Uniting Communities did receive funding to employ a coordinator to deal with this matter.

There was a development, after the vulnerable witness legislation was passed under the previous government, to establish a cohort of trained people as volunteers to be able to provide this service. That has occurred. There are a number within the government. It turned out that the principal amount of work that they were called upon to do was from SAPOL, largely when someone who was in a vulnerable circumstance might be called in either as a defendant, as a victim or as a witness.

The police would need assistance to be able to ensure that they got the full picture from the person who was vulnerable. Whether they are being accused of something or whether they have been a victim of something, this is an important initiative, I agree. SAPOL are the biggest users of this, as I understand it.

The funding in relation to that discontinued on the basis of two things. Firstly, there was a significant cohort of people available to undertake this service. Some of those are in government already, and they would continue to be available. I will look into the issue that the member raises that nobody has used this service since because I would be concerned if there has been no utilisation, particularly by SAPOL, because they were the biggest users before. I will have a look at that.

Secondly, in regard to the equal opportunity of persons with a disability, I, too, totally agree with the member for Hurtle Vale. For five years—three years before I came into the job in government—the single-biggest issue identified for people being discriminated against in relation to employment and access to education at schools and universities was disability, not by a little bit, not by a reasonable amount, but by a smashingly high amount. It is beyond my understanding as to why, frankly, more has not been done to deal with this. This is been a priority since I have taken over as Attorney-General. It is the single biggest issue of the level of complaint in relation to this area, and it has to be addressed.

I started to work with the equal opportunity commissioner—as you know, she has just recently taken up a position in Victoria—and with the acting equal opportunity commissioner. This has been on the agenda at our first meeting. So I agree that we need to do more in this area and particularly in relation to employment and access to education, which has demonstrably been a concern in the community and which apparently has not had a lot of attention. I want to assure the member for Hurtle Vale that it is under my watch. I know the Premier is very interested in this area, and it will be something that we will continue to pursue.

In relation to the other matters as to the upgrade in regard to the pre-trial special hearings, nobody else has raised any other questions on those, so I do not propose to revisit them. They are still important initiatives, and we look forward to the passage of the bill.

Bill read a second time.

Committee Stage

In committee.

Clause 1.

Progress reported; committee to sit again.

Sitting suspended from 12:58 to 14:00.

Parliamentary Procedure

ANSWERS TABLED

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

PAPERS

The following papers were laid on the table:

By the Premier (Hon. S.S. Marshall)—

Government Boards and Committees Information, South Australian—Annual Report 2019-20
Mining and Quarrying Occupational Health and Safety Committee—Annual Report 2019-20

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

Attorney-General's Department—Annual Report 2019-20
Club One (SA) Ltd.—Gaming Machine Act 1992: Special Club License Condition 3—
Distribution of Funds among Community, Sporting and Recreational Groups,
Annual Report 2019-20
Commissioner for Victims' Rights—Annual Report 2019-20
Legal Practitioners Education and Admission Council (LPEAC)—Annual Report 2019-20
Professional Standards Councils—Annual Report 2019-20
Surveillance Devices Act 2016—Report from the Attorney-General on Surveillance Device
Warrants issued to Officers, Annual Report 2019-20

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

Essential Services Commission of South Australia—2020 South Australian Rail Access
Regime Review
National Heavy Vehicle Regulator—Annual Report 2019-20
National Rail Safety Regulator, Office of the—Annual Report 2019-20
Non-Metropolitan Railways (Transfer) Act 1997—Approvals to Remove Track Infrastructure
Report for Period 1 July 2019 to 30 June 2020

By the Minister for Primary Industries and Regional Development (Hon. D.K. Basham)—

Advisory Group, SA—
Cattle Annual Report 2019-20
Sheep Annual Report 2019-20
Pastoral Board—Annual Report 2019-20

Question Time

CHRISTMAS PAGEANT

The Hon. L.W.K. BIGNELL (Mawson) (14:03): My question is to the Premier. Why is it the Premier wrote to me on Monday telling me that, 'In fairness to all South Australians, the ticketing for the Christmas Pageant at Adelaide Oval will be managed through a ballot process'? With your leave and that of the house, I will explain.

Leave granted.

The Hon. L.W.K. BIGNELL: On 11 September, I wrote to the Premier asking that he consider giving a ticket allocation to children from Kangaroo Island to recognise that they had lost their homes and their Christmas last year because of the bushfires that devastated the island. How is it fair to all South Australians that some adults have been able to buy their way into the pageant with lavish food, beer and wine packages in corporate suites for \$2,250 and packages in the Ian McLachlan and William Magarey rooms for \$1,150?

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:04): I thank the member for Mawson for his question. He's right: he has written to me with regard to, I think, a very reasonable request. When I made inquires with regard to how ticket allocation was going to occur, I was advised that there was a ballot system, and I felt this was a fair system for the entire state. It is now clear that there has been some additional cost that has been put on to opening up for additional capacity at the Oval with the corporate suites, and the organisers tried to offset some of that additional cost by charging for those areas. I think this was very disappointing—

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: —so I have made it very clear and requested that no further sales like that occur and that those additional seats go into the general pool for the ballot.

CHRISTMAS PAGEANT

The Hon. S.C. MULLIGHAN (Lee) (14:05): I have a supplementary to the Premier: if the Premier has intervened to fix the corporate box scandal at Adelaide Oval, why did he tell the media earlier today that the corporate box seat allocation—

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

The SPEAKER: The member for Lee will resume his seat. The Minister for Energy and Mining has a point of order.

The Hon. D.C. VAN HOLST PELLEKAAN: The member's question offends standing order 97. The assertion of the 'corporate box scandal' is completely inaccurate and inappropriate.

Members interjecting:

The SPEAKER: Order! I uphold the point of order. The characterisation is out of order. The member for Lee might care to—

The Hon. A. Koutsantonis interjecting:

The SPEAKER: Order! The member for West Torrens is called to order. The member for Lee has the call.

CHRISTMAS PAGEANT

The Hon. S.C. MULLIGHAN (Lee) (14:06): If the Premier has intervened to fix the corporate box seat allocation, why did he tell the media earlier this morning that the corporate box seat allocation wouldn't impact on the availability of tickets for children in South Australia?

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:06): As I was outlining to the earlier question that was asked by the member for Mawson, there was, if you like, a certain capacity that would exist for the outdoor ticketed seating arrangements. There was another option to open up some of the corporate facilities there, but there was a cost associated with that. The organisers determined that they would charge for that to defray those costs. When I learnt about it, only a few hours ago, I said, 'I'm not happy with that,' and I am requesting they no longer sell any of those packages and they work towards ways of making those additional seats, even if there is an additional cost, available and to go back into that general ballot.

JOB CREATION

Mrs POWER (Elder) (14:07): My question is for the Premier.

Members interjecting:

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

Mrs POWER: My question is to the Premier. Can the Premier please update the house about how the Marshall Liberal government is driving economic recovery and creating jobs?

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:07): I thank the member for Elder for her excellent question about how we get back onto that road for economic recovery in South Australia. I want to particularly thank her for her advocacy for the revitalisation of the Repat hospital, which was a very important area for employment and amenity in those southern suburbs.

The Hon. S.C. Mullighan interjecting:

The SPEAKER: Order, member for Lee!

The Hon. S.S. MARSHALL: Today, South Australia recorded the largest drop in unemployment in the nation. Our unemployment rate now is down to 7.1 per cent. This is a cause for celebration, but we've also got to realise there is much more work to be done. South Australia now has the second lowest unemployment rate in the nation for the month of September. Since then, we have continued to lean in with our stimulus and support and the careful management of our restrictions to get as many people back into employment as we possibly could.

I was particularly pleased to learn, and certainly we on this side of the house were particularly pleased to learn, that in the month of September there were a further 8,700 jobs created in South Australia. This is a great result. As I said, it's a result that comes through the careful adjustment of the restrictions to get as many people back to work as possible, together with the stimulus and support packages that we have offered in this state since March of this year.

South Australia only has 4,200 fewer people employed now than we had at the start of the year. We won't rest. We want to get back all the jobs that have been lost during this COVID-19 pandemic and then create some more in South Australia. This is really very important work.

One of the things that we are doing to stimulate economic activity and, in particular, jobs in South Australia is the massive investment that we are making in road infrastructure: \$15 million to the Heysen Tunnel refit and \$52 million to the Regional Road Network Package—packages of work that have created jobs and got boots on the ground already.

There is \$186 million paid to small businesses as part of our \$10,000 cash grants program, \$22 million invested in nature-based tourism and local government projects through the Planning and Development Fund. There are 37 projects to be rolled out around South Australia creating more jobs. There is \$15 million for country health facility upgrades at 27 hospitals—

The Hon. A. Piccolo interjecting:

The SPEAKER: Member for Light!

The Hon. S.S. MARSHALL: —in regional South Australia and significant investment in social housing and grassroots sporting facilities. These are all the things that we are doing to create as many jobs as we possibly can, and in the November budget there will be plenty more stimulus and support.

I was really pleased earlier today when we saw massive overwhelming support for the Great State Voucher program, which we launched at 9 o'clock this morning. Within 90 minutes, people had snapped up around 50,000 vouchers.

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: That is 50,000 additional bed nights which will be—

Mr Malinauskas: Come up with your own ideas.

The SPEAKER: Order, the leader!

The Hon. S.S. MARSHALL: —used in South Australia between now and 11 December. What a stimulus. What a stimulus for the tourism operators in our state.

Mr Malinauskas: That's why we suggested it.

The SPEAKER: Order! The leader will cease interjecting.

The Hon. S.S. MARSHALL: There is tourism stimulus for the CBD and tourism stimulus for the suburban and regional economies in South Australia. They hate it, sir. They absolutely hate it that our economy is moving in the right direction—

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: —and that employment—

Members interjecting:

The SPEAKER: The leader!

The Hon. S.S. MARSHALL: —is increasing in South Australia. That is the situation.

Members interjecting:

The SPEAKER: Order! The Premier will resume his seat for a moment. Members on my right and members on my left will cease interjecting. The Premier is entitled to be heard in silence. The Premier has the call.

The Hon. S.S. MARSHALL: The economic recovery is underway in South Australia, supported by strong support and stimulus packages at the state level and at the federal level. We are creating more jobs in South Australia. There is much more work to be done. We are looking forward to bringing down our budget in the second week of November.

The SPEAKER: Before I call the member for Lee, I call to order the deputy leader. I warn the member for West Torrens. I call to order the member for Lee. I call to order the member for Ramsay. I call to order the member for Playford. I call to order the member for Badcoe. I call to order the member for Hurtle Vale. I call to order the member for Light and I call to order the leader. I call to order the Minister for Education.

CHRISTMAS PAGEANT

The Hon. S.C. MULLIGHAN (Lee) (14:12): My question is to the Premier. Does the Premier agree with the Chief Executive of the Stadium Management Authority that Adelaide Oval capacity includes the seats in corporate boxes. With your leave, sir, and that of the house, I will explain.

Leave granted.

The Hon. S.C. MULLIGHAN: Andrew Daniels today told the media, 'We have approval for a 50 per cent capacity, which includes both seated and corporate.'

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:12): I have explained it twice and I am going to explain it again because I think it is really important that we get clarity on this.

Members interjecting:

The SPEAKER: Order, members on my right! There is a capacity within what is commonly referred to as the outdoor ticketed seating capacity of the Adelaide Oval. There is a further capacity within those corporate facilities, but there is a charge to open those and the organisers decided that they would charge for those corporate facilities to offset—

Members interjecting:

The SPEAKER: Order, member for Ramsay!

The Hon. S.S. MARSHALL: —that incremental cost. I have made it clear—very clear—to the organisers that I want that decision reversed and any unsold packages should not be proceeded with and that, in fact, all of those additional tickets should be put back into the general ballot.

CHRISTMAS PAGEANT

The Hon. S.C. MULLIGHAN (Lee) (14:13): My question is again to the Premier. Why aren't the spaces in the corporate boxes being made available to the families who lost everything in the bushfires or the families of healthcare workers who have kept us safe during the pandemic or even the children in the nearby Women's and Children's Hospital?

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:13): I just refer you to my previous answer, sir.

Members interjecting:

The SPEAKER: Order! The member for Lee seeks the call.

CHRISTMAS PAGEANT

The Hon. S.C. MULLIGHAN (Lee) (14:14): My question is to the Premier. If the Premier has intervened to halt the sale of corporate box tickets, why are they still being advertised on the Adelaide Oval website?

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:14): I am happy to make an inquiry with regard to that suggestion by the member for Lee.

Ms Stinson interjecting:

The SPEAKER: The member for Badcoe is warned.

CHRISTMAS PAGEANT

The Hon. S.C. MULLIGHAN (Lee) (14:14): My question is to the Premier. What will happen to the tickets that have already been purchased for the corporate boxes?

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:14): I think I have answered this. I just refer the member back to my previous four answers on this line of questioning. I think there was great clarity with regard to that. Any unsold tickets will go back into the general ballot.

Members interjecting:

The SPEAKER: Order! Before I call the member for Lee, I call to order the member for Elizabeth. I remind members on my left in particular, but also members on my right, that the questioner is entitled to be heard in silence and the answer is entitled to be heard in silence as well.

CHRISTMAS PAGEANT

The Hon. S.C. MULLIGHAN (Lee) (14:15): My question is to the Premier. What will happen to the tickets that have already been sold for the corporate boxes and for the seats in the Ian McLachlan and William Magarey rooms?

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:15): It is interesting, sir, no questions on jobs today, none on employment, none on the coronavirus. We've got seven questions with plenty of information flowing—

Members interjecting:

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

The Hon. S.S. MARSHALL: —from here over to there. We have obviously made it very clear that any unsold tickets will go back—

The Hon. S.C. Mullighan interjecting:

The SPEAKER: The member for Lee is warned for a second time.

The Hon. S.S. MARSHALL: —into that general ballot. That is exactly and precisely where they should be. I have made it clear that we are disappointed with the arrangements to date. We won't be reversing them, but what we will be doing is saying that any unsold tickets will go back into that general ballot. We want to maximise the number of children and young people who are going along.

This is an extraordinary year. Usually there are hundreds and hundreds of thousands of people who line the streets in Adelaide to go along to the National Pharmacies Christmas Pageant—usually hundreds of thousands. And most people were saying, 'Cancel it. Call it off. It can't continue.' We wanted to make sure that it could. A novel approach was put in place to maximise the number of people who could see this. The pageant itself—

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: —will be visiting—

Ms Hildyard: Sell off the seats; that's your novel approach.

The SPEAKER: Member for Reynell!

The Hon. S.S. MARSHALL: —as you know, sir, the Adelaide Oval, but on top of that, there will be a broadcast to maximise the number of people who can go along. We are hopeful that next year we can return to the previous arrangements which have been loved by so many people over such a long period of time.

As I said, any unsold tickets to those facilities will go back into that general ballot so that we can maximise the number of children and young families who are heading along to this very important annual event here in South Australia.

The SPEAKER: Before I call the member for Flinders, I warn the member for Playford. I call to order the member for Reynell. I warn the member for Ramsay.

ELECTRICITY INTERCONNECTOR

Mr TRELOAR (Flinders) (14:17): My question is to the Minister for Energy and Mining. Can the minister advise the house of support, or otherwise, for the proposed interconnector between South Australia and New South Wales? With your leave and that of the house, sir, I will explain.

Leave granted.

Members interjecting:

The SPEAKER: Order!

The Hon. S.C. Mullighan interjecting:

The SPEAKER: Order! The member for Flinders will resume his seat for a moment. I remind the member for Lee that he is on two warnings.

Members interjecting:

The SPEAKER: The member for Lee is on two warnings. The member for Playford will cease interjecting. I call to order the Premier. Members on my left and members on my right will cease interjecting. The member for Flinders has been granted leave. The member for Flinders has the call.

Mr TRELOAR: Thank you, sir. I might just begin my question again. My question is to the Minister for Energy and Mining. Can the minister advise the house of support, or otherwise, for the proposed interconnector between South Australia and New South Wales, and with your leave and that of the house I will explain.

Leave granted.

Mr TRELOAR: On 24 January this year, the member for West Torrens said on ABC radio:

Storage is the key here. If we have storage and we can be self-sufficient, I have no problem with the interconnection.

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining) (14:19): I will put aside the silliness of wanting to be self-sufficient and have an interconnector. I will put that aside for a second and concentrate on a couple of other things. We know the federal Liberal Party, the federal Labor Party, the Climate Council, the Clean Energy Council and many others support the Marshall Liberal government's policy of interconnection with New South Wales.

We know that the member for Lee has stated that the opposition in South Australia believe that it is a terrible idea. They are the only ones out in the cold. We also know that the Labor opposition supported the interconnector in 2016 before the then Liberal opposition made it part of our energy policy in 2017. Then the SA Labor Party flipped its position to oppose the interconnector leading up to the last state election for purely base political reasons.

The Hon. S.S. Marshall interjecting:

The SPEAKER: Order, the Premier!

The Hon. D.C. VAN HOLST PELLEKAAN: This should be no surprise because the SA opposition consistently have put politics over the effective operation of the energy system on behalf of all South Australians.

The Hon. A. KOUTSANTONIS: Point of order.

The SPEAKER: The Minister for Energy and Mining will resume his seat.

Members interjecting:

The SPEAKER: Order! The member for West Torrens is entitled to be heard in silence. The member for West Torrens rises on a point of order.

The Hon. A. KOUTSANTONIS: That was debate, sir: the minister talking about the opposition's view on matters has been previously ruled by Speakers before you as a matter of debate.

Members interjecting:

The Hon. A. KOUTSANTONIS: I'm not asking you; I'm asking the Speaker.

The SPEAKER: Order, members on my left and members on my right! I am listening carefully to the Minister for Energy and Mining's answer. The Minister for Energy and Mining's answer is not contravening the standing order for the time being. I am listening carefully.

The Hon. A. Koutsantonis: Well, talk more about us, then, because it's not contravening anything.

The SPEAKER: The member for West Torrens is warned for a second time. Questions and answers in the course of question time will be heard in silence. The Minister for Energy and Mining has the call.

The Hon. D.C. VAN HOLST PELLEKAAN: Thank you very much, Speaker. The question was about support or otherwise for the interconnector. I have talked about the Climate Council, I have talked about the federal government and the federal opposition. Interestingly, the state Labor opposition provide us support and otherwise, so I think they are quite relevant to this situation. They supported it in 2016, didn't support it in 2017, then in January this year the member for West Torrens supported it again so long as it was accompanied by storage.

We've got news for the member for West Torrens: we have storage in South Australia and we have more in the pipeline. We have the largest per capita uptake of household storage in the world. We have 20,000 household batteries installed, or soon to be installed, driven primarily by our Home Battery Scheme. We have four grid-scale batteries operating and more on the way, including AGL's proposed battery at Torrens Island and, interestingly, Neoen is proposing a 900-megawatt battery near Burra, which is actually dependent upon the interconnector. So, yes, a battery that needs the interconnector as well as an interconnector that needs batteries.

This is beyond those opposite. They flip-flop back and forth, but we will not be deterred. We have massively more storage in South Australia, so the opposition must now support the interconnector. But, no, the member for Lee said only last week they still don't support it. They still think it is a bad idea.

The Hon. A. KOUTSANTONIS: Point of order, sir: surely this is debate now, sir.

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

The Hon. A. KOUTSANTONIS: There's been a longstanding practice in this house: talking about the views and positions of the opposition is debate in question time. It has been ruled often, sir—indeed, even with points of order from the Manager of Government Business.

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

The SPEAKER: Order, Minister for Education! The point of order is raised under standing order 98. I remind the minister that the minister will address the substance of the question. The minister is addressing the substance of the question. The minister has the call.

The Hon. D.C. VAN HOLST PELLEKAAN: Thank you, sir. Yes, substance is support for the interconnector. The member for Lee says they do not support it now. Instead, the member for Lee suggested on radio last week that we should spend \$1.5 billion gold plating the distribution network, which won't save consumers a cent, and I quote—

Members interjecting:

The SPEAKER: Order! The minister will resume his seat. The member for Lee will leave for 30 minutes under 137A.

The honourable member for Lee having withdrawn from the chamber:

Mr Brown interjecting:

The SPEAKER: The member for Playford is warned for a second time.

The Hon. A. Piccolo interjecting:

The SPEAKER: Order, member for Light!

The Hon. D.C. VAN HOLST PELLEKAAN: From the member for Lee, I quote: 'Why don't we spend \$1.5 billion upgrading our 1980s Stobie pole transmission and distribution system?' An astounding statement, I would have to say. Is this a case of incessant flip-flopping or a question of weak leadership? This would be hardly surprising given their dreadful performance on energy while in government, lessons that they clearly have not learnt. For the member for Lee's information, it is not SA Power Networks: it is actually ElectraNet that is the proponent of this project. The opposition is a mess on energy policy. They should stop their flip-flopping and support this nation-building project.

The SPEAKER: The minister's time has expired.

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

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

The Hon. A. KOUTSANTONIS: The minister said 'and I quote' and read from a document that was pre-prepared. I would ask him to table it.

An honourable member: No.

The Hon. A. KOUTSANTONIS: No? Oh.

The Hon. D.C. VAN HOLST PELLEKAAN: Mr Speaker, I am happy to show you the document, which is actually my notes to refer to. I think I represented the member very fairly. I would be more than happy to show you all the information that supports it and, if you think that there is anything inappropriate that I have done, you let me know.

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

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

The Hon. A. KOUTSANTONIS: It is not about the appropriateness or inappropriateness of the statement: it is that the minister was quoting from a document.

The Hon. V.A. Chapman interjecting:

The SPEAKER: Order! The Deputy Premier will cease interjecting.

The Hon. A. KOUTSANTONIS: The minister said 'I quote' and then read out a portion of a transcript or a document that he was quoting from. It is practice that he table everything he was reading from.

The SPEAKER: I have the point of order. The minister has offered to provide to me documents that he might have been referring to in the course of his answer. I am willing to receive

and consider those, so I will do that. I think the minister has concluded his answer. The member for West Torrens is seeking the call.

TRAIN SERVICES

The Hon. A. KOUTSANTONIS (West Torrens) (14:27): My question is to the Minister for Infrastructure. Yesterday, the minister undertook to ask his department whether the government commissioned a report from consultants Ernst and Young and provided it to bidders, advising that the cost of running Adelaide's train network in 2018-19 was \$125.9 million. Has he got an answer from his department?

The Hon. C.L. WINGARD (Gibson—Minister for Infrastructure and Transport, Minister for Recreation, Sport and Racing) (14:27): Could I ask the member to repeat his question? He was just mumbling through that; I couldn't hear him.

The SPEAKER: Is the member for West Torrens willing to repeat the question?

Members interjecting:

The SPEAKER: Order!

The Hon. A. KOUTSANTONIS: My question is to the Minister for Infrastructure. Yesterday, the minister undertook to ask his department whether the government commissioned a report from consultants Ernst and Young and provided it to bidders, advising that the cost of running Adelaide's train network in 2018-19 was \$125.9 million. Has he got an answer from his department?

The Hon. C.L. WINGARD: No, I have asked them for that detail.

Members interjecting:

The SPEAKER: Order, members on both sides!

Mr Malinauskas: What's your chief doing?

The SPEAKER: Order! The leader will cease interjecting.

TRAIN SERVICES

The Hon. A. KOUTSANTONIS (West Torrens) (14:28): My question is to the Minister for Infrastructure. Does the minister deny having received a DPTI report, titled 'Adelaide metropolitan rail network pro forma summary', for the financial year 2018-19 prepared by Ernst and Young?

The Hon. C.L. WINGARD (Gibson—Minister for Infrastructure and Transport, Minister for Recreation, Sport and Racing) (14:28): I think I answered this yesterday. I don't recall receiving that report. It may have been handed to the minister prior to me, but I haven't seen it. I have asked the department to look into it.

TRAIN SERVICES

The Hon. A. KOUTSANTONIS (West Torrens) (14:28): My question is to the Minister for Infrastructure. Will Keolis Downer be responsible for all rolling stock, track, signalling, overhead and maintenance costs?

The Hon. C.L. WINGARD (Gibson—Minister for Infrastructure and Transport, Minister for Recreation, Sport and Racing) (14:29): I thank the member for that question. We have made that abundantly clear. Just to go over this point again, as far as this contract is concerned the government owns all the trains, all the tracks, all the stations, and of course will set the fares and also the scheduling. Of course, Keolis Downer, who have tendered for this contract and won this contract, will be looking after the running of the trains, the operation of the trains and the maintenance. This is a really good operation for South Australia.

I have talked about the success of Keolis Downer, and people here will be very excited to know that in a few hours' time they are in the running for the customer service award for the Australasian Rail Industry Awards. I think it's happening online. It's an online event this year. Unfortunately, we can't go along. That is for the running of the Yarra Trams, which they do in Victoria. I might have pointed out previously, too, that that contract was awarded to them—

Ms Hildyard interjecting:

The SPEAKER: Order, member for Reynell!

The Hon. C.L. WINGARD: —by the Victorian Labor government. Prior to that, the Victorian Labor government also outsourced to Keolis Downer the building, running and construction of their tram network, and they won a service award for that. So this is about better services. This is a transport company that has worldwide experience, and they are bringing that expertise to South Australia. More jobs, lower costs and better services are what we committed to and this is another example of delivering better services to South Australia.

Members interjecting:

The SPEAKER: Order!

The Hon. C.L. WINGARD: Those on the other side don't like better services.

Ms Stinson: You're cutting jobs; you're sacking drivers.

The SPEAKER: Order, member for Badcoe!

The Hon. C.L. WINGARD: This is the contrast: they don't like better services; we want better services for South Australians. As a government that's what we should be providing, and we are very happy to be doing that. So we are providing that for the people of South Australia. We know that—

Mr Brown: You are not doing it.

The SPEAKER: Member for Playford!

The Hon. C.L. WINGARD: —when they left office, 10 years prior there were more people using public transport than when they left government, and that's not good enough. It's not good enough. That is not what we want here in South Australia. We want to be growing patronage here in South Australia, and that's why we have turned to this company that will be running our train service. They have a renowned history of great customer service, and I wish them well in the awards this afternoon. Who knows, they might win another Australasian award, which will be a credit to them.

TRAIN SERVICES

The Hon. A. KOUTSANTONIS (West Torrens) (14:31): My question is to the Minister for Infrastructure. How much will it cost taxpayers per annum for the South Australian Public Transport Authority to manage the Adelaide train contract awarded to Keolis Downer?

The Hon. C.L. WINGARD (Gibson—Minister for Infrastructure and Transport, Minister for Recreation, Sport and Racing) (14:31): I don't have that figure; I would have to take that on notice.

ADELAIDE RAILWAY STATION INFORMATION CENTRE

The Hon. A. KOUTSANTONIS (West Torrens) (14:31): My question is to the Minister for Infrastructure. Will the state government continue to fund and operate the Adelaide information centre located in the Adelaide Railway Station?

The Hon. C.L. WINGARD (Gibson—Minister for Infrastructure and Transport, Minister for Recreation, Sport and Racing) (14:31): Again, I did outline this to the member before. I'm happy to repeat it again. As part of this contract, what we have done is we are keeping control. The government still owns all the trains, all the tracks, all the stations.

Members interjecting:

The Hon. C.L. WINGARD: Listen. Listen! You've just got to listen.

The SPEAKER: Order! The minister will not respond to interjections. The minister has the call. The minister is entitled to be heard in silence.

Members interjecting:

The SPEAKER: The minister will resume his seat for a moment. The minister has the call.

The Hon. C.L. WINGARD: Thank you, sir. Again, to outline the point I was just making—and I can make it to the member again—as far as this contract goes, the government still owns the trains, the tracks, the stations, and the operations of those trains and the train lines is being done by Keolis Downer, along with the maintenance.

Members interjecting:

The SPEAKER: Order!

The Hon. C.L. WINGARD: I can't be any more specific than giving that detail—

Mr Malinauskas interjecting:

The SPEAKER: Order, the leader!

Members interjecting:

The Hon. C.L. WINGARD: Again, they can yell all they like from the other side of the chamber, I do really appreciate that, but the contract is outlined—

Dr Close interjecting:

The SPEAKER: Order, the deputy leader!

The Hon. C.L. WINGARD: —very, very clearly. We are owning the stations, we are owning the rolling stock, we are owning the tracks, we are owning all of those aspects. It is the running of the trains, the maintenance of the trains and the operation of the trains that the new—

Ms Stinson interjecting:

The SPEAKER: Order, member for Badcoe!

The Hon. C.L. WINGARD: —contractor will be delivering. It has been three days of the same question—

Dr Close interjecting:

The SPEAKER: Order, the deputy leader!

The Hon. C.L. WINGARD: —and I can only give you the same answer.

Members interjecting:

The SPEAKER: Order! I will give the leader an opportunity to ask a supplementary question. Before I do that, specifically I call to order the Deputy Premier, I warn for a second time the member for Badcoe, I call to order the member for Kaurana and I warn the deputy leader. The leader, a supplementary question.

ADELAIDE RAILWAY STATION INFORMATION CENTRE

Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:34): Supplementary question to the Minister for Infrastructure and Transport: when the Keolis Downer contract is in effect next year, who will operate the Adelaide information centre located in Adelaide Railway Station—the state government or Keolis Downer—under your contract?

The Hon. C.L. WINGARD (Gibson—Minister for Infrastructure and Transport, Minister for Recreation, Sport and Racing) (14:34): Again, to be clear, the operation will happen through Keolis Downer. The operation of our train network will happen through Keolis Downer.

Members interjecting:

The SPEAKER: Order!

The Hon. C.L. WINGARD: Which element of the information centre are you talking about? What we have here is this situation; it's a bit like if you had a house—

Members interjecting:

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

Mr Malinauskas: If you don't know, just say you don't know.

The SPEAKER: Order! The leader will cease interjecting.

The Hon. A. Koutsantonis: How's your mumble joke going now?

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

Ms Stinson: Sorry, we can't hear; you're mumbling.

The SPEAKER: The member for Badcoe is on two warnings. The minister has the call.

The Hon. C.L. WINGARD: Thank you very much, sir. I would just like to make a point of clarification to the member for West Torrens, who made some snide comment about a mumble joke. It wasn't a mumble joke; I genuinely couldn't hear what you said.

The Hon. A. Koutsantonis: I don't believe you.

The Hon. C.L. WINGARD: Yes, well, I don't believe you a lot of the time either.

The SPEAKER: Order!

The Hon. C.L. WINGARD: And I apologise—

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

The Hon. C.L. WINGARD: It's not the interjection that I am responding to, it's the assertion that the member for West Torrens was making. I genuinely couldn't hear him and I asked him to repeat the question. I would just like that on the record. Again, with this contract, this is a bit like if you own a house and you get someone in to maybe mow your lawns. You actually subcontract them in, and they come in and that's the job that they do. Like that, with these train operations, what will happen—so things like the PSAs, they will be run—

Dr Close interjecting:

The SPEAKER: Order, the deputy leader!

The Hon. C.L. WINGARD: —by Keolis Downer. Those operations—

Ms Hildyard: Is the train going to go on the grass now?

The SPEAKER: Member for Reynell!

The Hon. C.L. WINGARD: —will be done by Keolis Downer. So any of those roles, any of those operational roles will be done by Keolis Downer. That's how it works. It's being outsourced. The operations will be done by Keolis Downer.

Ms Hildyard: It's going to be like a Jim's Mowing—out on the lawns.

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

HIGH-TECH SECTOR

Mr COWDREY (Colton) (14:36): My question is to the Minister for Trade and Investment. Can the minister update the house on how the government is continuing to build the high-tech sector, which is helping to grow the economy and create jobs? With your leave and that of the house, I will explain, sir.

Leave granted.

Mr COWDREY: The government is working to create an ecosystem which attracts investment across our economy, but particularly in the high-tech sector, which has great potential to be a key driver for our economy.

The Hon. S.J.R. PATTERSON (Morphett—Member of the Executive Council, Minister for Trade and Investment) (14:37): Thank you for the question, member for Colton—the very capable Chair of the Economic and Finance Committee. We know he is very interested in how we

are going to grow the economy here in South Australia. It is great to get a question on this in this house. On our side of the house we are always interested to hear how we can grow the economy.

Certainly since coming to government, we have been very focused on growing the economy and also on growing and building the things that matter. Of course, that includes building the economy, creating an investment environment such that industry wants to invest here, grow here and then create jobs. Certainly, how we do that is to try to improve the economy in areas which are future focused and are going to cause growth as well.

We have announced our Growth State plan, which involves nine key sectors, making sure we concentrate not on all areas but on what the competitive strengths of this state are. Of course, one of those nine priority sectors is the high-tech sector, which the member for Colton has asked about. It is a key focus that this government is working on, trying to build out the ecosystem.

You would no doubt know, Mr Speaker, that Lot Fourteen is becoming a real hub for business and start-ups in the area of defence, be it cyber or space. It is certainly very exciting. It was fantastic news just recently, when one of the world's largest technology and consulting firms, Accenture, announced they were going to establish their defence and cyber-innovation centre right here in Adelaide. It is expected to create 2,000 jobs and also inject more than \$1 billion into our economy, really at a time when we need it the most.

It is a massive global company, and during the economic crisis that the coronavirus has brought on it still has the confidence in our state to invest. We are very pleased to have them along here. It's going to be a game changer for the high-tech sector in South Australia and will certainly work towards creating a significant number of jobs and, really importantly, careers as well in those STEM-related fields, which is where a lot of the growth is coming from. Certainly, it is a massive coup for our state on so many levels and it is really going to help strengthen South Australia's reputation as a global leader in the high-tech industry.

As I said, 2,000 jobs are looking to be created here in those STEM-related fields, in fields such as robotics, artificial intelligence, engineering and data analytics, so that is fantastic. It comes from a global firm, as I said, with nearly 500,000 employees, so there is a lot of growth potential there for those roles and those jobs that are going to be created here in Adelaide, to not only skill up here in South Australia but also look where they can improve their skills overseas and internationally. It is really setting up Adelaide and South Australia as that global destination.

In terms of those jobs, they are going to be in three key areas in the national security operations, which deals with cyber and defence. That's going to be really important as we try to grow out the defence sector here and get South Australian industry involved in that. That will help grow them out. The advanced technology centre of excellence is going to be very important, as are also the intelligent operations in the fields of artificial intelligence, machine learning and data analytics.

These roles are going to be from entry level, graduate, postgraduate, even up to skilled and experienced levels, so there is quite a diverse range of jobs available. It is looking to set this up as the ASEAN hub for Accenture here in the region, so choosing South Australia is a fantastic vote of confidence in where we are going. It really shows that here in South Australia the Marshall government is building out that ecosystem, looking to create jobs of the future, which is fantastic not only for our generation but for future generations to come.

TRAIN SERVICES

The Hon. A. KOUTSANTONIS (West Torrens) (14:41): My question is to the Minister for Infrastructure. What incentive payments outside the \$2.14 billion were included in the contract awarded to Keolis Downer to operate Adelaide's train network?

Members interjecting:

The SPEAKER: Order, members on my right!

The Hon. C.L. WINGARD (Gibson—Minister for Infrastructure and Transport, Minister for Recreation, Sport and Racing) (14:41): I have gone through the contract a number of times and there are elements of course in it that are commercial-in-confidence, so I won't be releasing those details, other than to say, as I have mentioned—and I will just clarify the point one more time—

that we are keeping ownership of all those things I have talked about. Keolis Downer will be doing the operational side of the business.

As far as the customer services centre is concerned, that will deliver the same service that it has always delivered. The people of South Australia will get the same service, if not a better service, because we know that Keolis Downer have that history and they have that pedigree of delivering outstanding services, and we want to make sure that we get those same services here in South Australia. So we are going to be delivering better services for South Australia.

As far as that centre is concerned, that will continue to be run by the Public Service as far as operations are concerned. Keolis Downer will be doing the operations of the trains. Rest assured that they will be delivering better services for South Australia. They have a great history of doing that. I have outlined the awards that they have won time and time again. I can't stress the point enough. We want to be delivering better services for South Australia and that's what we're going to be doing.

The SPEAKER: Before I call the member for West Torrens, attention was drawn by the member for West Torrens on a point of order earlier in relation to the Minister for Energy and Mining quoting from a document. I have been provided with notes. The minister was quoting, to the extent that he was, from media precis reports, not a public document, and otherwise his own notes. So there is no further call for tabling.

TRAIN SERVICES

The Hon. A. KOUTSANTONIS (West Torrens) (14:43): My question is to the Minister for Infrastructure. Will the minister reverse his decision not to disclose the Adelaide train network contract awarded to Keolis Downer, given the department has publicly released the bus and tram contracts?

The Hon. C.L. WINGARD (Gibson—Minister for Infrastructure and Transport, Minister for Recreation, Sport and Racing) (14:44): Thank you very much. Again, I was on record when you asked me this question earlier in the week, and I made this really clear: there is a protocol that it has to go through—I think it's a DPC circular—whereby the redacted elements of any contract go online so as to not release the commercial-in-confidence elements of that contract. I think that was the point I made very, very clearly: that the commercial-in-confidence elements of these contracts—

Members interjecting:

The SPEAKER: Order, the Deputy Premier!

The Hon. C.L. WINGARD: —don't allow those elements to be released. Again, to stress the point: in these contracts—and when you look online and see them—there are big black pages, redacted elements of the contracts like that because they are the commercial-in-confidence elements that don't go up online. So again, according to the circular, those documents will be put up on whatever website it is they need to go on with those elements removed, redacted out, like is the case in the bus contracts and like is the case in other contracts.

ROAD SAFETY

Mr McBRIDE (MacKillop) (14:45): My question is to the Minister for Police, Emergency Services and Correctional Services. Can the minister update the house on how the Marshall Liberal government is building a safer road network for South Australia?

Members interjecting:

The SPEAKER: Before the Minister for Police commences—minister, just take a seat for a moment. The minister has the call.

The Hon. V.A. TARZIA (Hartley—Minister for Police, Emergency Services and Correctional Services) (14:45): Thank you, Mr Speaker, and I thank the member for MacKillop for his very important question. I certainly enjoyed spending some time with the member for MacKillop in his electorate, visiting the very hardworking men and women working on the border down there at Bordertown, keeping South Australians safe.

It's a very important question, obviously. We know that every life lost on our roads is certainly a tragedy. We have lost, unfortunately, 68 lives on our roads this year—far too high, much lower than the 85 the year before but nonetheless far too high. We know that—

Mr Odenwalder: Where's your motorbike legislation? Where is it? Two and a half years of waiting.

The SPEAKER: Order, member for Elizabeth!

The Hon. V.A. TARZIA: —every life lost on the road is completely preventable and avoidable, and that's why we're doing all we can as a government to make sure that we keep those lives lost the lowest number possible. We know that there's no single quick fix that will reduce our road toll to zero; however, the Marshall Liberal government is certainly taking a multipronged approach to improve road safety for South Australians.

As we have heard time and time again, we are upgrading roads as part of our massive \$12.9 billion investment in the state's infrastructure. Obviously that not only reduces congestion but will also have positive benefits for road safety. Some of these upgrades include, of course, the upgrade of the Goodwood Road, Springbank Road and also the Daws Road intersections, with extra lanes of realignment on Springbank and Daws roads, improved pedestrian crossings and dedicated bike lanes. That will certainly make a huge difference to the thousands of South Australians who use intersections each day.

Ms Stinson interjecting:

The SPEAKER: Member for Badcoe!

The Hon. V.A. TARZIA: The member for Elder, a hardworking local member, has been a tireless and fierce advocate for this \$60 million—

Members interjecting:

The SPEAKER: The member for Badcoe will cease interjecting!

The Hon. V.A. TARZIA: —long overdue upgrade that will also create over 40 jobs each year for the life of the project, I'm informed. Of course there's also the \$19 million upgrade of the Main North Road and Nottage Terrace intersection, something I know the member for Adelaide has fought hard about for some time. She has been calling for that for a number of years, ignored by the previous government, unfortunately. Additional turning lanes and priority bus lanes will improve conditions for not only the member for Adelaide's constituents but also people coming from the northern areas—for example, Tea Tree Gully and Golden Grove. I know that the member for Newland and the member for King are also very, very excited for this upgrade.

As I said, not only focusing on one aspect to improve road safety we also know that driver behaviour plays an enormous role in road safety. Recently, Mr Speaker, you may have seen it if you caught the evening news that night—I know you're a busy man, but if you did—I was able help launch SAPOL's latest road safety campaign with the police commissioner, Mr Stevens. Isn't he doing a fantastic job at the moment? The police are doing an absolutely superb job keeping us safe.

The latest features in that campaign, Mr Speaker, which you may have seen, are quite graphic and confronting. They focus on the attitudinal aspects of driver behaviour and they highlight how speeding even just a little bit over the limit can lead to tragedy, so it's an excellent campaign. Unfortunately, over the past five years, 97 lives have been cut short tragically as a direct result of excessive speed. This latest campaign really pushes the message that speeding can have tragic consequences.

With the Towards Zero Together road safety strategy set to end this year, we have also been busy this year helping to get community consultation to inform our next 10-year road safety strategy. I encourage members opposite to get online and pass it on to constituents because the new strategy will focus on helping to make our roads, whether regional, remote or metropolitan, safer overall so that South Australians can get to and from their work, school and shops with peace of mind. In order to develop a successful strategy, input from communities and stakeholders is crucial. The Marshall Liberal government is certainly building a safer road network. We are building what matters for South Australians.

TRAIN SERVICES

The Hon. A. KOUTSANTONIS (West Torrens) (14:49): My question is to the Minister for Infrastructure and Transport. Will there be additional cost to taxpayers, above the \$2.14 billion contract price to Keolis Downer, for special event services like the Footy Express?

The Hon. C.L. WINGARD (Gibson—Minister for Infrastructure and Transport, Minister for Recreation, Sport and Racing) (14:49): No. To my recollection of the contract, and I am happy to go back and check 100 per cent for the member, again, to stress the point of the way this has been set up—and I need to go over it again one more time just to be clear—the operations are being run by Keolis Downer—

Members interjecting:

The SPEAKER: Order, the deputy leader!

The Hon. C.L. WINGARD: —the operation and the maintenance, and that includes the PSAs of course, who do a great job. We are going to make sure that they are more outward facing and more customer focused as well. The customer service centre that he talks about will be run by the department, but the PSAs will be actually doing that outward facing work that they do on the trains and they do so well, again with that bigger customer focus.

What we need to do here is have a look at the better services that we are delivering and that's what this is all about. It's about electrifying the Gawler rail line to make sure that we can deliver better services to the people of South Australia. We are investing and we are investing heavily in that—hundreds of millions of dollars—which is creating jobs for South Australians.

We know those opposite ignored those services for a long, long time. They didn't want to do that for the people in the north, but we are delivering it.

Members interjecting:

The SPEAKER: Order!

The Hon. C.L. WINGARD: We are electrifying that line so that the people out there get the better services. Those opposite don't care for the people in the north. They don't care to deliver them better services. We will tell the people in Gawler that because we are delivering better services. They were ignored—

Members interjecting:

The SPEAKER: Order!

The Hon. C.L. WINGARD: —for a long, long time. The member for Light did not care for the people of Gawler. He let that project—

Mr Malinauskas interjecting:

The SPEAKER: The leader is warned.

The Hon. C.L. WINGARD: —go on again, off again, on again, off again. We are delivering it.

Members interjecting:

The SPEAKER: Order! The minister will resume his seat. The deputy leader is warned for a second time. Interjections on both sides will cease. The minister has the call.

The Hon. C.L. WINGARD: As I was saying, that will be delivering the electrified line out to Gawler, one that was ignored by those opposite for a long, long time. I know the people of Gawler will really appreciate it when this project is done. It's going to take some work to get there and we are working with them every step of the way. There will be some inconvenience, but they will know that we are generating jobs and building them the infrastructure they need. We are building what matters.

Conversely to that, \$141 million is going into the Flinders Link line. This is again an element of the better services that we are talking about that are going—

Mr PICTON: Point of order.

The SPEAKER: The minister will resume his seat.

Mr Malinauskas interjecting:

The SPEAKER: Order, the leader! The member for Kaurana on a point of order.

Mr PICTON: Standing order 98: debate. There was a very specific question in relation to payments under the contract or in addition to the contract, nothing to do with the Flinders Link extension.

The SPEAKER: I have the point of order. The minister is reminded of the specific nature of the question. The minister is also reminded that in responding he is to address the substance of the question. The minister has the call.

The Hon. C.L. WINGARD: Thank you, sir, and I appreciate that. The substance of the question was pointing to the better services that are going to be delivered by Keolis Downer. I can go again into the history—

Members interjecting:

The SPEAKER: Order!

The Hon. C.L. WINGARD: —of the better services that they deliver. In concert with that, as far as those better services are concerned, we are delivering—

Members interjecting:

The SPEAKER: The member for Reynell is warned for a second time.

The Hon. C.L. WINGARD: The Leader of the Opposition doesn't think the electrified rail line to Gawler is a good idea. Now I've got news for him: I think it's going to be outstanding.

Mr Malinauskas interjecting:

The SPEAKER: Order, the leader!

The Hon. C.L. WINGARD: Keolis Downer deliver a great service, exceptional services. I have talked about Queensland, I have talked about what they have done in Melbourne and now they will be delivering it to South Australia as well. We are supplementing that with the improved trains running out to Gawler, the electrified trains which are going to be longer and better—

Members interjecting:

The SPEAKER: Order, members on my left!

The Hon. C.L. WINGARD: —and they will be able to transfer more passengers. I then talk about the Flinders Link line and they don't want to hear about that either. This is a \$141 million investment. The member for Reynell doesn't want to know about this investment. She doesn't care about the jobs, but this is a time when jobs are incredibly important, so we are delivering those with a \$141 million investment and the extra services. We talk about extra services and better services. Of course, we know that some 44 extra services are going to be running across the course of the week. That rolls out to something like nearly 12,000 extra trips on the Tonsley line.

When they were in government, the Tonsley line didn't even run in the evening on weekdays and didn't run on weekends. We are running it up to midnight on weekdays and then again on weekends. We are putting services back on that line because the people of that electorate, the member for Elder's electorate in particular, will truly appreciate the better services. We've got a contract that is delivering these services with Keolis Downer, who have an absolutely outstanding history. We as a government are investing money in the system to make sure we electrify the Gawler line, we extend the Flinders Link line so that it goes up to Flinders Hospital and to Flinders University as well—

Members interjecting:

The SPEAKER: Order!

The Hon. C.L. WINGARD: —and the university students are over the moon. This is going to make it easier for Flinders University to connect with the city for students to be able to get to their lectures and the like and for nurses and doctors to get to Flinders University to do the great work that they do.

TRAIN SERVICES

The Hon. A. KOUTSANTONIS (West Torrens) (14:54): My question is to the Minister for Infrastructure and Transport. Can the minister detail to the house the extra services Keolis Downer will deliver to train commuters above what they are already receiving now?

The Hon. C.L. WINGARD (Gibson—Minister for Infrastructure and Transport, Minister for Recreation, Sport and Racing) (14:55): I thank the member very much for his question to talk about the services at the end of the year that we are going to bring online that Keolis Downer will be delivering. I just outlined them, in fact. Nearly 12,000 extra trips—

Members interjecting:

The SPEAKER: Order!

The Hon. C.L. WINGARD: —are going to come online. Keolis Downer are going to deliver them for us and we are very appreciative of that. Again, their history of customer service is second to none.

Members interjecting:

The SPEAKER: Order! The minister will resume his seat. The member for Reynell will leave for 20 minutes under 137A.

The honourable member for Reynell having withdrawn from the chamber:

Members interjecting:

The SPEAKER: The leader is warned for a second time. The member for Kaurana is warned. The minister has the call.

The Hon. C.L. WINGARD: We are talking about the extra services that are going to be rolled out on the Flinders Link line—nearly 12,000 extra trips that are going to be there for the people of that community. I talked about the evening services that were ignored under the previous government. If you work a little bit late, forget getting the train home under these guys—you couldn't do it. The train didn't run in the evening. That will happen going forward under us, and Keolis Downer will deliver that service for us. It will be weekends as well. You want to get a train on the Tonsley line, now the Flinders line—

The Hon. A. Piccolo interjecting:

The SPEAKER: The member for Light is warned.

The Hon. C.L. WINGARD: —on the weekend? Forget about it. It can't happen. It can't happen under their watch, but we are going to be doing that. We are putting those services back in place and the people of Gawler are going to love the new electric trains. They have had diesel trains for so long. We are going to be rolling them out and Keolis Downer are going to be delivering that service. They have a history and I have talked—

Members interjecting:

The Hon. C.L. WINGARD: They keep wanting me to talk about it—

Mr Malinauskas interjecting:

The SPEAKER: Order, the leader!

The Hon. C.L. WINGARD: —is all I can presume because I talk about their great history. Have I mentioned about how well they are doing up in Queensland with the Gold Coast line, and also in Melbourne? You don't have long to wait. They could be an award winner again in a few hours' time in the Australasian Rail Industry Awards. Get online and watch because it's exciting; and, if not, if they are just a finalist, that is a pretty good effort as well, so I dip my lid to them.

An honourable member interjecting:

The SPEAKER: Order!

The Hon. C.L. WINGARD: They are providing really good services and they will be providing those good services to us as well. They bring great ingenuity and great innovation in the way they operate. They've got experience from all over the world and they will be bringing that to delivering the services here for South Australia, and I point to that fact. Part of the discussions with them is very much focused around service delivery to the customer and making sure that interface is better than ever. We are going to be delivering extra services. We are going to be delivering more services. Do I need to mention it again? Maybe I do, maybe just so that it gets through. The people on that Tonsley—

Members interjecting:

The SPEAKER: Order! The member for Badcoe will leave for 20 minutes under 137A.

The honourable member for Badcoe having withdrawn from the chamber:

The SPEAKER: The minister has the call.

The Hon. C.L. WINGARD: I don't know what the member for West Torrens has against an extra 12,000 services on the Tonsley line, but he is really agitated by this and we are delivering it. We are building the infrastructure—\$141 million worth of new infrastructure on that Flinders line—and that means jobs. There are jobs that are happening right here, right now.

The Hon. V.A. Chapman: The new Tonsley station.

The Hon. C.L. WINGARD: There is the new Tonsley station as well that the Attorney points out. This is great infrastructure. We are investing dollars into this infrastructure so we can generate these jobs. How can you have the money to do that?

Members interjecting:

The SPEAKER: Order!

The Hon. C.L. WINGARD: How can you be investing in the schools that the Minister for Education talks about and the hospitals that the Minister for Health talks about? What you do is you get a better service and you get a contractor that is actually going to save the government money. We can save \$118 million over the course of this contract.

Mr Malinauskas interjecting:

The SPEAKER: The leader!

The Hon. C.L. WINGARD: What will be saved is \$118 million for this state government over the course of this contract, and that goes into delivering better services, be they education, be they health or be they the Gawler electrification of that train line that the Leader of the Opposition hates so much. He hates it. I can't work out why he does that. The member for Light would be very, very interested in that because he was in government for a long, long time and did he electrify the Gawler line? No, he didn't. But guess what? We are doing it. We are delivering.

Like with Flinders, with the extra services running there, and like with the Gawler electrification, we will be running better services for the people of South Australia. Again, I stress the point: those opposite don't like it, we are delivering it, we are just getting on with the job, creating jobs for South Australians along the way.

EXCITE STRATEGY

Dr HARVEY (Newland) (14:59): My question is to the Minister for Innovation and Skills. Can the minister update the house on how the Marshall Liberal government is supporting science and the innovation industry, as well as research and development in South Australia?

The Hon. D.G. PISONI (Unley—Minister for Innovation and Skills) (14:59): Yes, I can, and I thank the member for Newland for not only his interest in science but also his practice in

science. He was a practising scientist before entering this place. Affectionately, we call him Dr Harvey. Last Friday—

Members interjecting:

The SPEAKER: Order!

The Hon. D.G. PISONI: —I had the pleasure of launching the EXCITE Strategy.

Members interjecting:

The SPEAKER: Order!

The Hon. D.G. PISONI: The Marshall Liberal government's 10-year science strategy and innovation strategy is designed to attract research and investment and to take South Australian products and services to the world, making South Australia the state of science.

The Hon. A. Koutsantonis interjecting:

The SPEAKER: Order, member for West Torrens!

The Hon. D.G. PISONI: The EXCITE Strategy is a result of extensive consultation across our research industry and innovation ecosystems. EXCITE has been led by our Chief Scientist for South Australia, Professor Caroline McMillen, in consultation with business and research leaders in industry, education providers, regional community leaders and the commonwealth government.

The strategy was developed around five key pillars: excellence, collaboration, innovation, translation and an enabled future workforce. The strategy complements the state government's growth initiative and the Future Industries eXchange for Entrepreneurship, our FIXE strategy. Hosted by Professor McMillen, the EXCITE Strategy launch event included a panel discussion with key research and industry leaders from priority growth sectors.

The EXCITE Strategy has a clear goal to place South Australia in the top 25 per cent of OECD nations for key measures of performance in the research and innovation value chain over the next 10 years. The EXCITE strategy is key to economic growth, employment and increased productivity, as well as delivering better health and climate outcomes. The strategy aims to transform Adelaide into a vibrant, magnetic city, attracting young wealth creators and global innovators committed to building a healthy economy, environment and community.

It is focused on bringing together leaders from industry, government and education ensuring that our brightest South Australians can access pathways to successful careers, and those careers right here in South Australia. It is about containing the brain drain—bringing more people here to South Australia with those sorts of skills so that the economy can grow.

The strategy will connect South Australian businesses with major research infrastructure and game-changing ideas, leading to the creation of new products, services and processes. The establishment of the mask testing facility at Flinders University and the University of South Australia enabled Detmold and other manufacturers to develop personal protective equipment (what we know as PPE), and it is just one example of the EXCITE strategy in action.

This benefits the community, and it created, of course, long-term jobs again right here in South Australia, creating a product that had never been created here before. The global impact of COVID-19 has demonstrated the importance of the role of science innovation in society. The Marshall Liberal government is committed to harnessing the state's science, technology, engineering, maths and medicine (STEMM), a research and innovation value chain.

The Marshall Liberal government had made an initial investment of \$8 million from the Economic and Business Growth Fund to implement the EXCITE Strategy through two initiatives: \$7 million for the Innovative and Translation Intermediaries Program, creating stronger links between industry and research within our innovation districts; and a \$1 million budget for the South Australian Innovation Challenge, which aims to pose a global challenge to solve major problems, harnessing disruptive technologies that will accelerate industry growth and development in South Australia. The EXCITE Strategy is crucial to supporting South Australia's economy.

*Grievance Debate***UNITED STATES PRESIDENTIAL ELECTION**

Mr MALINAUSKAS (Croydon—Leader of the Opposition) (15:04): The next time we get together in this house the United States of America will have chosen who their leader will be for the next four years. That, of course, is an incredibly important decision not just for those good citizens of the United States of America but for everyone around the world.

The interest in this US presidential election extends well beyond the shores of the United States of America, particularly right here at home in Australia, and the reason is that the United States has a proud history of being the leader of the free world, the great liberal democracy of a modern civilised nation that has all too often had to bear the burden of being a great leader of this cause of freedom throughout the globe.

I think it would be reasonable for a citizen of the United States of America to feel as though that somehow is a burden, a burden that they are left to bear, to carry the mantle of taking upon all the responsibility that is associated with being part of a country that wears the crown of leadership. But it is a responsibility, in my view, that sits well with this great nation of 330 million people, a GDP that is well and truly the largest in the world to the tune of \$20½ trillion, a nation that is full of innovation—indeed, four of the top five universities anywhere in the world are in the United States of America. This is a country with whom leadership sits well.

To any casual observer, democracy around the world, including here at home and also in the United States, has been tested in recent years. This election presents yet another test for the people of the United States to choose a leader who will guide the globe through an increasingly tumultuous period and an unstable world. I have confidence that the people of the United States will form a good judgement about who will lead them during this time of need, during the world's time of need.

I draw that confidence from the people of the United States. Any of us who have had the opportunity to travel to the United States extensively will quickly attest to the extraordinary warmth and generosity of spirit that comes across from the citizens of the US. But there is one story that sits rather deeply with me that, as I said, gives me confidence in the decision that is coming up.

My grandmother was a displaced person during World War II. She found herself working as forced labour within the Nazi labour camps in a munitions factory. Upon being released from that, as a widow she was trying to get back to her daughter she had been separated from in Hungary, and she was making the journey across continental Europe. She managed to get her hands on a bike and was making her way and making substantial progress, and during that journey she suffered the full horror of war.

On more than one occasion, she had interactions with people from other lands that were not of a positive nature. I remember her recalling one of her hardest days was when the Russians took the bike away from her that was allowing her to get closer to her daughter, but I remember her reflecting that it was the Americans who gave her cigarettes and it was the Americans who gave her chocolate. It struck me that it was never about the cigarettes or the chocolate; it was the act of decency, humanity and compassion that she received from those American soldiers who gave her a sense of hope and inspiration to persevere in what was a very substantial struggle for her at the time.

I hope that when we gather here after the first Tuesday in November it is those characteristics that inform the people of the United States of America about the judgement they make so that the United States can continue to be the leader that it is and the source of hope and inspiration for so many freedom-loving people around the world. The people of the United States should be in all our thoughts, and prayers if appropriate, so that they cast that judgement with the compassion and humanity for which they are famous.

CHAFFEY ELECTORATE, INFRASTRUCTURE PROJECTS

Mr WHETSTONE (Chaffey) (15:09): I rise to speak about some of the investment that is coming into the great electorate of Chaffey. We are in unprecedented times and, while we are in those unprecedented times, it is about jobs. It is about creating jobs, particularly in the regions. It has never been more important. With a \$12.9 billion infrastructure spend, we are seeing a huge amount

of growth in buildings and the repair of roads that were endured and neglected for 16 years of a state Labor government.

To highlight some of the investment in Chaffey, in particular the schools, the Minister for Education was up visiting in recent times and he called in to the secondary schools. He called in to Waikerie to open the STEM facility there. We visited the amalgamation of the middle and senior campuses at Glossop High School at Berri. It is a great investment. That investment is \$17.2 million, creating 28 jobs. It is an outstanding achievement. It is something for which I have worked long and hard for almost 10 years with three principals, governing councils and many hours of meetings. To bring this together is a great outcome for not only the students but the teachers. They can consolidate into one learning area rather than having to travel between the two campuses.

Loxton High School has seen 12 jobs created, with a \$5 million investment providing a new agriculture studies area and a covered outdoor learning area. It is also demolishing the old transportable buildings and replacing them with new contemporary learning areas. It is a great opportunity for Loxton High School to have an upgraded agriculture sector. Agriculture and horticulture is the bread and butter of South Australia's economy, and it is nowhere more important than to the local economy of Chaffey, the Riverland and the Mallee.

It is very important that as a government we continue to grow, support and build all this investment into infrastructure so that we can have better opportunities for our young and for the future and so that we can continue to grow that sector. Renmark High School saw 12 jobs created with a \$5 million investment, which is a facility under construction currently. That is the replacement of air conditioning and a number of buildings and also new student services and reception facilities at the offices.

I must also say that, last month when I visited Loxton High School, it was great to tour around the school. It is an immaculate school, highly regarded in every way—the academia, the sport—and the town is very proud of it. David Garrett is the principal, and I cannot forget to mention Justine Fogden, who has been instrumental in guiding the school and the build of the ag centre so that it is fitting for that area.

In recent times, there was an announcement at the Riverland General Hospital of a \$3.8 million investment in installing a new MRI facility. That building is currently under construction. As of Sunday, I will be there with the cranes, lowering that machine into the building. It will be a great day for health services in the Riverland to have that MRI facility there so that people do not have to travel and do not have to have that extra burden when they are having medical procedures. It is a great outcome.

In relation to roads, I had the Minister for Infrastructure and Transport up last weekend. We toured around a number of sporting facilities that have received grants for upgrades to bring those facilities in line so that we can host larger events and bring bigger teams and bigger codes into the Riverland. It will give those Riverlanders the opportunity to see some of those codes in the grandeur of those particular sports. That \$70 million package includes the upgrade of the Browns Well Highway as part of the eight regional road upgrades so that we can reinstate speed limits. We all know that the previous government continued to drop speed limits rather than fix the road, so that is great news.

The \$87½ million for the upgrade of the Sturt Highway from Renmark down to Gawler is all about shoulder sealing, surfaces, tactile marking and road signage, making our roads safer but also giving productivity gains, particularly with heavy transport. Those trucks now have upgraded configurations, with road trains and B-triples. It is great to see. This is about investing in the electorate of Chaffey. It is a Marshall Liberal government initiative, and it is great for regional South Australia.

MEMBER'S REMARKS

The Hon. S.C. MULLIGHAN (Lee) (15:14): Once again this week, I have to use an opportunity to speak in this place to correct a deliberately misleading false statement which has been made about me by the member for Stuart in this place. You will recall, Mr Speaker, we went through this only yesterday.

First thing yesterday, I sought to make a personal explanation to correct the record after I was deliberately misrepresented by the member for Stuart. In the course of doing so, you will also

recall that my remarks were subject to repeated points of order from both the Deputy Premier and the member for Stuart in an effort to interrupt my efforts to correct the record. To the partial credit of the member for Stuart, after I was finally allowed after your rulings to say my piece (as the standing orders afford me the opportunity to) and correct the record, the member for Stuart said, 'I think I said the right thing, but if it turns out I said the wrong thing I will come in here and correct the record.'

The member for Stuart, not two hours later, did come into this place and did correct the record. In fact, it was less than an hour later that he came in and corrected the record. He said at that time, 'I am advised by my office that the transcript I was given and based my answer on was inaccurate', and he admitted he had misrepresented me in this place in the comments. Remarkably, less than an hour ago again today, the member for Stuart did exactly the same thing again, remarkably about the same interview which I gave on the same radio station on the same day.

Mr Speaker, something is going on here. Either the member for Stuart has not read the transcript himself which he is basing two different contributions to parliament on, on which he has now misrepresented me twice, and it is a genuine mistake made out of his ignorance, or it is a deliberate attempt to smear me and misrepresent my comments in this place. If his explanation yesterday in correcting the record is to be relied upon for this misleading statement he has made about me, that he was reading from a document that was given to him by his office, it is getting to the point where taxpayers need to know who it is in his office who is deliberately providing him this incorrect information. Is it his Chief of Staff, Dominic Kelly? Is it his two ministerial advisers?

Who is repeatedly making sure that the wrong information is getting out into this place?—because it needs to stop. I am a member of parliament, one of 47. I have limited opportunities to speak in this place and represent those views of my constituency that seek to be aired in this place. I should not have to take opportunity after opportunity to clean up after the member for Stuart and his deliberately misleading statements. I would ask that he come in here—

The SPEAKER: Order! The member for Lee will resume his seat. Mr Clerk, please stop the clock for the benefit of the member for Lee and I will make sure that he has ample time to complete his grievance. I have listened now to several references to 'deliberate' or 'deliberately', and I indicate to the member for Lee that, if he is making an allegation as to deliberate misconduct by a member, then he ought to do that by substantive motion.

If he is referring to the technical matter of the deliberate handing to the member of material to which the member has then faithfully referred, then that may be another matter, but I will be listening very carefully, member for Lee. I indicate that there is another means available should the member for Lee indeed pursue the first of those meanings. The member for Lee has the call.

The Hon. S.C. MULLIGHAN: Mr Speaker, we went through this yesterday. Yesterday, I was advised that a personal explanation is not the forum to be raising these matters; the forum is during a grievance contribution—and here we are in a grievance contribution and once again I am being told that this is not the forum for it. It is getting to the point now where we on this side feel that there is nothing we can do, nothing we can say in this place which will not raise your ire, which will not cause us either to be silenced or counselled or removed from the chamber.

I appreciate that we have had an election in this place that has caused you to be in the position of Speaker. Mr Speaker, I would urge you to reflect seriously on the responsibilities that you have to be fair and impartial in this place. It is not just the government that relies on your role as Speaker; it is the rest of the chamber as well, whether it is opposition or crossbench. These rules that we have—these standing orders, these little green books—apply to all of us equally. There are not those who are placed first before others.

When it means that we cannot ask questions in question time because points of order are repeatedly raised, which you uphold, which cause us to have to change our questions, yet when we raise the same point of order about government questions which are being asked in question time no points of order are upheld, it starts to feel like there is one rule for some and another rule for the opposition. That means that we cannot do our job.

Mr Speaker, you would know as well as I that people have fought and even died for the rights we enjoy in this parliament. I would hate to see or hate to feel that you in your adjudication of this chamber are wiping your feet all over those traditions, rights and privileges that should be upheld.

Time expired.

CORONAVIRUS, TRAVEL

Mr BELL (Mount Gambier) (15:20): I would like to rise to speak on cross-border travel and the difficulties those of us who live in cross-border areas are facing with extended delays from the state government in granting exemptions or indeed granting refusals. I would also like to thank my office staff, Denise, Travis, Sophie and Kate, because the majority of my office work this year has centred around assisting our community, and those from Victoria who live close to our border, in seeking answers from the state government. It is not that I am complaining that we need to go through a process. I am quite happy with the process. What I am saying is the delay is totally unacceptable. I am going to raise a couple of specific examples if I have time.

On 22 September, Jack Harrison applied for an exemption to return permanently to South Australia from Victoria. Like so many people, he had lost his job due to the pandemic and had to go on JobSeeker. In June, he made plans to relocate back to South Australia, where his partner lives, but his plans were put on hold because of the border closure between South Australia and Victoria. After applying for jobs, he was offered a good position in Mount Gambier, which he was looking forward to starting.

Like so many others, Jack went through the extensive application process in plenty of time to be granted an exemption to move. He sent letters from his new employer, rental agreements and personal details. He told them he was happy to isolate at home or at the medi-hotel at his own cost. He put in dates for his move and he hit 'send'. Over the next three weeks, Jack was shuffled from agency to hotline to person. He was told there had been server errors and had to resubmit his application. One day he was told that his application had been escalated, the next that it had been delayed and then the next that it was being reviewed by a panel.

His moving date, 6 October, came and went with no answer from SA Health or even a time line as to when his application would be assessed. At all times, Jack has been respectful, considerate and waiting patiently for a decision to restart his life. Finally, Jack wrote to the South Australian Ombudsman requesting a decision. In this letter, he spoke out about the ongoing impact on his mental health, his precarious living and financial situation and also the frustration at not even getting a response from SA Health.

Unfortunately, Jack's story is not unique. Time after time, this story repeats itself in my electorate office. We are aware of one young woman who has been waiting for five weeks for her exemption to be approved. This situation is simply not good enough. It is completely unacceptable that South Australians are living their lives in limbo and it is completely unacceptable that decisions that impact their lives are made by people far removed from their situation. It is completely unacceptable that regional South Australians living near a border feel they are being treated like numbers by government agencies.

Since March, members have been dealing with this at unprecedented levels. I would like to reiterate an important point made recently by my colleague Nick McBride, whose MacKillop electorate has also been dealing with a large number of cross-border issues. He pointed out there is no regional representation on the Transition Committee and no cross-border representation. I completely agree with this statement. These decisions are impacting regional people and being decided by people based in metropolitan areas with no concept of the challenges of living regionally or, in particular, in a border community.

Many stories are very difficult. There are people who have been referred to homeless services, lost businesses and relationships and missed family funerals and the passing of loved ones. I want to raise this point today as this week is Mental Health Week, a time when we all need to look out for each other and be aware of ongoing mental health implications from this pandemic. The theme is 'Every person, every community', which I interpret to mean that we should all have some empathy for the situations of others. If this pandemic has taught us anything, it is that a little bit of kindness and respect go a long way.

ENGLISH LANGUAGE PROFICIENCY

Mr SZAKACS (Cheltenham) (15:25): I rise to address a matter causing significant anxiety to members of our multicultural community here in South Australia. In last week's federal budget, the Morrison Liberal government announced that from next year (2021) they will be imposing a newer and harsher English language test requirement for partner visa applications and their permanent resident sponsors.

As a demonstration of some of these new requirements, the federal government has provided one of the following examples: the completion of 500 hours of free English language classes through the Adult Migrant English Program. Most partner visas are a provisional visa of two years before becoming eligible for a permanent visa. The requirement will have to be met at the time of the granting of the permanent visa, that is, the English language requirement at the time of the granting of the permanent visa. Minister Tudge, the acting Minister for Immigration, says the following:

English is our national language and is critical to getting a job, fully participating in our democracy and for social cohesion.

I do not think that anyone in this chamber would disagree with that, but I do say this: when my father arrived in 1956 as a migrant from Hungary, he would have failed and, had he failed, I certainly would not be standing here today. To say that this change has gone down like a lead balloon is a huge understatement. The Chair of the Ethnic Communities Council of New South Wales, Peter Doukas, has described the new requirement as 'an added burden which will undermine rather than bolster local families'.

My federal colleague, Labor's spokesperson for home affairs, Senator Kristina Keneally, says the changes smack of racism and resemble something from the White Australia Policy, and I must say it is hard to disagree. Of course, we encourage anyone hoping to make Australia home to become proficient in English so they can participate fully in the community and social life of this amazing nation of ours, but do we do this by using threats of refusing their application? Do we do this by threatening the livelihood of families and of relationships? Do we do this by denying our local community the immense benefits that multiculturalism brings?

Let's cast our minds back to the 1950s and that great wave of postwar migration to Australia. Is the federal government seriously arguing that those tens of thousands of migrants were unable to make a significant contribution to our cultural, social and economic life because of their lack of proficiency in English? Again, Mr Peter Doukas from the New South Wales Ethnic Communities Council says that telling a partner they cannot stay if they do not reach a certain standard of English proficiency will only make it harder for willing prospective citizens to acclimatise to life in Australia.

The federal government believes that without sufficient English language skills migrants are particularly vulnerable to family violence and other exploitation and less likely to know how and where to seek assistance. I have news for anyone with a concern in this regard: family and domestic violence and abuse happens in households, families and relationships in which both people speak perfectly good English. It is not the lack of English language proficiency that makes women vulnerable; it is men's violence and controlling behaviour and the critical lack of places for women to go when they do escape.

Statistics show that women seeking partner visas often came to Australia already married or with children, and the requirements could push them onto other visitor or temporary visas with no support. Visa status is used as leverage by perpetrators of this insidious domestic violence, and locking women out of their partner visa actually just enables perpetrators to have and continue this control. We should never force women into any situation where they are forced to stay with their perpetrator.

The devil is always in the detail, and I for one will be looking for it when details of the implementation of this policy and measures will be announced in the coming months. To those members of our community who stand to be adversely and unfairly impacted by these cynical changes, may you rest assured that we hear you, and I assure you that we stand with you.

EARLY CHILDHOOD EDUCATION

The Hon. J.A.W. GARDNER (Morialta—Minister for Education) (15:30): I am pleased to have the opportunity to speak about the support the government is providing to early childhood education, particularly through grants to our preschools, but first I want to talk about *Grug*. The Windmill Theatre is an outstanding company with a great history of performing arts particularly designed for young South Australians, and in *Grug* they have a show that for 10 years has been providing a spectacular introduction to theatre for many young South Australians.

This is *Grug's* 10th anniversary performance. It has been touring around 33 cities and six countries, and its 400th performance is on this season at the Dunstan Playhouse. Because of the arrangements the government has made whereby Windmill Theatre is now intrinsically linked with the education department, we are also very pleased that 130 tickets free of charge and 200 discounted tickets have been provided to schools in lower socio-economic areas.

It is a spectacular body of work. Congratulations to Matthew Crook, who has performed 250 individual performances. This season, he has been joined by Tim Overton and Zoe Dunwoodie. To everybody at Windmill Theatre and to everyone involved in this production, can I say that my two year old gives it her seal of approval. It was indeed the first theatre performance she has seen. Congratulations to Windmill and thank you for the work that you are doing, in particular with all of our schools around South Australia.

I want to take the opportunity to reflect on some of the great advances we have provided to South Australian preschools. This year, for the first time, a \$20,000 grant was provided to every preschool in South Australia as part of the Marshall Liberal government's stimulus measures. Preschools, which have historically been overlooked in a number of these school building projects and education building projects, were each provided with \$20,000 to do urgent maintenance work.

There is not a preschool that I have visited in the past few months that has not had a great project front of mind, and they have been very grateful for this work. Some of them are doing painting, others are doing tiling, roofing and gardening. There is a range of different things that have been done. Having a \$20,000 grant available in order to do the work that they see as a priority has not only assisted the preschools to lift their look or to deal with urgent tasks, but it has also provided many jobs for local tradies, local small business and other people in the workforce around South Australia. This has come at a time when employment has never been more important.

Of the \$7.6 million program (380 grants) 62 have already been completed and the other 300 are either currently underway or will be underway before the end of the year. There is a wide range: from Tintinara Preschool, where there is a large solid gazebo, to the Morphett Vale East Kindergarten, which has a kindy painting in the interior, a new sandpit cover and exhaust fans in the toilet.

At the Fairview Park Child Parent Centre, the member for Newland and I were able to see the mural that has been created with the artist. They also have nature play equipment and undertook kitchen upgrades with new cabinets and flooring. There is a wide range of programs. At Seaton Children's Centre in the west, they have repaired a roof, repaired the outdoor environment, fixed plumbing and repaired the lawn.

At Ocean View College, in the member for Port Adelaide's area, they have a new kitchen. On Kangaroo Island, the Parndana Campus—the preschool is on the site where the Deputy Premier went to school for 11 of her years of schooling—have provided outdoor paving and undergone outdoor kitchen repairs, landscaping and internal painting.

There are some very innovative and different projects. At the Margaret Lohmeyer Kindergarten in the seat of Elder, they have relandscaped their outdoor environment, including a new mud kitchen and fairy garden. The Salisbury Park Kindergarten in the member for King's electorate have clear sheeting applied to a shed, they have put a ceiling on the storeroom, replaced the back gate and provided external painting to the building.

In my own electorate—and if the redistribution committee has its way part of the electorate will be going to your electorate, sir, in Heyesen—at the Uraidla kindergarten, James Sadler and his team have done a great job installing a hot water service under the art sink, a wall fan, a speaker

system, a shade umbrella and outdoor table setting, particularly useful in that community because as with so many other communities around the state the preschool has been able to source these supplies from local suppliers.

At North Ingle, they have built a bike track. At Darlington, they have extended the verandah and improved the playground. At Aldgate, they have the Kurna garden completed and a Kurna mural and pergola extension. Sir, if you have not had a chance to look at those already, I am sure you will. At Morgan, they have replaced air-conditioning units. This is just some of the work that has been done in preschools around South Australia.

As Minister for Education with a focus, as the Marshall Liberal government has, on improving early childhood education and opportunities for children's development, these grants are small but really important and have provided a big boost to our preschools right around South Australia.

Parliamentary Procedure

SITTINGS AND BUSINESS

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General, Minister for Planning and Local Government) (15:36): I move:

That the house at its rising adjourn until Tuesday 10 November 2020 at 11am.

Motion carried.

Bills

EVIDENCE (VULNERABLE WITNESSES) AMENDMENT BILL

Committee Stage

In committee (resumed on motion).

Clause 1.

Mr PICTON: Here we are again. Attorney, who was consulted on the bill and did any authorities or agencies raise any particular difficulties in applying the current act?

The Hon. V.A. CHAPMAN: I am advised firstly of the good news, that is that no particular difficulties were raised in the response to submissions. Those who were consulted were the Director of Public Prosecutions, who, of course, the member would be aware is very much involved in relation to the prosecution of matters and is of course the employer of Zero; Guide Dogs SA/NT Incorporated, the Dog and Cat Management Board, the Law Society of South Australia, the Legal Services Commission of South Australia, the Commissioner of Police, the Acting Chief Justice, the Chief Magistrate, the Commissioner for Children and Young People, the Guardian for Children and Young People, the Courts Administration Authority, the SA Bar Association, the Aboriginal Legal Rights Movement, the Chief Judge of the District Court—I do not know why he is in a different order—the Commissioner for Victims' Rights and the Victim Support Service.

Ms COOK: Was anybody from the disability community or with lived experience of disability consulted in relation to this bill?

The Hon. V.A. CHAPMAN: Some of these have an involvement with and have the support of people with lived experience; of course, the Victim Support Service, which the member is familiar with. The Commissioner for Victims' Rights is clearly someone who has responsibility both as a commissioner and a provider of a number of services. The Commissioner for Children and Young People and the Guardian for Children and Young People have a similar role.

Mr Picton: There were no disability groups.

The Hon. V.A. CHAPMAN: I have already indicated the list of people and organisations that have been consulted and identified four that have an active working relationship with people with lived experience and/or representatives on their boards and administration.

Ms COOK: Did the Attorney and her team seek to consult specifically with people with lived experience of disability and challenges faced in the justice system because of disabilities of a sensory or communication, behavioural or mental health nature, which is really the crux of the impediment of

accessing justice within our system? If she has not or they have not, will the Attorney and her team commit to doing real consultation about the consequences of this bill and whether or not it actually meets their needs?

The Hon. V.A. CHAPMAN: It is a fairly broad question, but I have indicated those who have been consulted. I contend that a number of these are directly involved in the provision of service for people with disability. In the context of that question on access to justice, if ever there were a party that would be relevant to having real lived daily experience in managing these issues, it would be the Legal Services Commission of South Australia and the Office of the Director of Public Prosecutions, which provide support in relation to those going through court action. Similarly, there is the Commissioner of Police and the involvement there in relation to investigation and prosecutions.

In an earlier part of this debate, the member raised the question, for example, of assistance during the investigative stage and the use of SAPOL for a particular service, which, as I have explained to the parliament, is now more in-house and not dealt with via a coordinator with Uniting Communities. In answer to the question, yes, I consider there has been, and our government will continue to have meaningful consultation with those who have an interest in advancing access to justice generally in the community but, in particular, with those with a disability.

If there were any matters that had come to the attention of any of these organisations that have not been brought to our attention, I would invite all members to advise me of the same, but I have not had an indication of any accommodation of further reform outside what is being presented in this bill in relation to the two aspects that are covered, which is from an evidentiary point of view and also the availability of Zero in the courtroom. If there are other aspects where there has been an exclusion or incapacity of access, I can certainly have a look at those.

I would also perhaps add at this point that the Supreme Court precinct has had significant redevelopment physically, which has, in the whole time I have been in parliament, really suffered the indignity of being one of our most prestigious heritage sites that has offended in many ways the obligations we impose on owners to provide access for those with a disability. The building codes we have, and obligations in that regard for new builds and developments, are very strict and have been for a long time, but the uplift of our heritage infrastructure, including our Supreme Court facility at 1 Gouger Street, has suffered from inaccessibility to many people for a long time—almost appallingly so.

The only real attention that was ever given to the plight of those who could not get in or out of an access or courtrooms that could not be used because any number of parties had a disability and could not get in and out of these facilities, and therefore were left unable to be used on occasion, was the circumstance when the former Chief Justice had been injured overseas, returned, had to use a wheelchair for some time and had to undertake his own duties in the courtroom. There were areas he could not get access to in his own building. That is how draconian that was. The Chief Justice we have now has, under his stewardship, developed significant improvements and extra courtroom space with major upgrades, including accessibility for those with a physical disability, which I think has been the best we have seen in 50 years.

In any event, apart from that aspect, which has been relatively new, I am pleased to say that that project is completed at the Supreme Court precinct. Realistically, though, these agencies—police, legal aid lawyers, prosecutors—are the people who see the day-to-day examples of where someone either is deprived of an opportunity to access or has limited access to our justice we need to look at. At the moment, we are looking at these areas in relation to access of court companions and also to deal with some evidentiary matters.

Court infrastructure, legal representation and advice of rights are all just myriad types of issues which are all the more difficult often for people with a disability—not just physical but, obviously, intellectual disability. If the member is aware of some impediment to access of a group within the disability community we have not been made aware of or has not come through to me via the equal opportunity commissioner—who is someone I meet with fairly regularly, both the former one and the acting one now—then I would invite her to forward that detail to me.

Mr PICTON: I think it is pretty incredible to me that the Attorney has introduced this legislation regarding vulnerable witnesses and has read out a whole list of agencies and bodies,

largely within her own portfolio, but without mentioning anybody she has consulted with or anybody her department has consulted with specifically in the disability sector.

There is no body, such as Autism SA or the Brain Injury Network, or not even, as I understood from the list that she mentioned, the guide dogs association, even though the guide dogs association is specifically mentioned in this legislation.

The Hon. V.A. Chapman: They are. I just read them out, the guide dogs association of SA.

Mr PICTON: Okay, so they are the one body that has some connection with the disability sector that you have consulted with. The government has its own Disability Advocate within the government, Mr David Cawdrey, and he has not even been consulted in regard to this bill.

Obviously the Attorney has a lot of things to consider. She cannot be on top of everything that is happening in her portfolio. Will she make sure, between the houses, that her department consults with people in the disability sector and, importantly, people specifically who have lived experience of disabilities before the debate occurs in the next month in the Legislative Council?

The Hon. V.A. CHAPMAN: I will make inquiry—and I will certainly undertake to do this—as to whether there have been any matters within the submissions, and it is difficult to go through these now in detail, to identify whether there are particular aspects that have been brought to the attention of any of these organisations as examples of a problem.

I think two matters were raised by the member for Hurtle Vale that were identified as areas she felt were under equal opportunity reference: taxis refusing to pick up guide dogs and also no ramps at a hairdresser. Whilst they are not directly relevant to access to justice, if somebody cannot get transport, for example, to get access to advice or to get to court or things of that nature, then they are the sorts of things we need to know about. I am not sure about the hairdressing impediment to access to justice, but there may be others.

I make this point: if there are aspects that have been raised, what I think is completely reasonable is the suggestion by the member for Kaurua that a copy of the material be sent to the Disability Advocate to alert them to the fact that this legislation is in the parliament. I am happy to do that. Again, I invite all members, if they have issues in relation to this matter, to please let me know.

Mr PICTON: I ask the Attorney what the status is of the Disability Justice Plan. The Disability Justice Plan 2014-17 currently on the website was devised under her predecessor, the Hon. John Rau SC, so that plan is now three years out of date. Why has the Attorney not updated and produced a new plan for disability justice in that time? What is the status of that? Is there something in the works or has this issue been ignored?

The Hon. V.A. CHAPMAN: There were some matters that were initiated under the plan by the former Attorney-General, and that is noted. I have canvassed this since I have been in government, in relation to what initiatives there are and what has or has not happened, so I will get correspondence to the member for Kaurua as to the updates in relation to that.

Ms COOK: Before lunch, the Attorney in her concluding remarks on the second reading was talking about Hurtle Vale and why the word 'vale' was in there. I have not had a chance to respond, so I will very quickly. Obviously Hurtle Vale is named after James Hurtle Fisher, as was Fisher.

In around 1837, as I understand it, there was a posse of very early intrepid explorers: Morphett, Fisher, Light and some marines who headed from what we know as Glenelg to Encounter Bay and stopped and camped overnight in a rather beautiful valley. It was around the Woodcroft, Morphett Vale, Hallett Cove, Sheidow Park, Trott Park, O'Halloran Hill area and they named it Hurtle Vale. They did not do it geographically on the map; they did so as a reference and it has been used commonly. If you go to the Crown Inn hotel in Old Reynella, which is a beautiful pub, straight opposite is a park where there is a storyboard and you can read all about it. So that is why it still has the word 'vale' in it: it is an historical connection. There is your little history lesson.

I will come back to the topic. Thank you very much for your indulgence, sir; you are very kind. Could the Attorney give some indication when the disability inclusion reference group, which is to be established by the Courts Administration Authority, will be established and operational?

The Hon. V.A. CHAPMAN: I think I am meeting with the Courts Administration Authority next week, but obviously I regularly meet with the Chief Justice. I cannot recall him providing me with information about that, but I will make that inquiry and provide that information.

The CHAIR: We will move on, member for Hurtle Vale, but thank you for that little bit of local history. I always find it fascinating and it is good to know. It is recorded now in *Hansard*, so there you go.

Clause passed.

Clause 2.

Mr PICTON: What is the Attorney's expectation or plan in terms of when she hopes this legislation will come into operation?

The Hon. V.A. CHAPMAN: Subject to the matter being able to get through this house today, which I am hopeful will occur, then it will be a matter for the Legislative Council to consider it. I imagine in the time of parliament, it would not be before the week of 10 November because that is the next sitting week. If there is some hope that that can be dealt with as expeditiously as possible after that, that will be great.

At the moment, any initiative that assists somebody who is a vulnerable witness is important. They do not always have a disability, but within that cohort we have to understand that children are a large component. We think this has been an impressive initiative in relation to Zero. The sooner we can get him into active court service the better, but he cannot get into the courtroom until we pass this, so we are trying to have this dealt with in this session.

Clause passed.

Clause 3 passed.

Clause 4.

Mr PICTON: Why has the government not included the Royal Society for the Blind as one of the bodies specified in legislation for dog accreditation, particularly considering that the RSB, I understand, trains more guide dogs, apparently, than the guide dogs association of South Australia?

The Hon. V.A. CHAPMAN: Firstly, as I understand it, the initiative in relation to Zero has been developed between the DPP's office and the guide dogs association. That is the first thing. That has been a project as the organisation has a training program that meets with international standards. I do not know, but I am pretty sure they are involved also in the programs available for returned veterans, for PTS particularly.

Mr Picton: PTSD.

The Hon. V.A. CHAPMAN: PTS, actually. As a former adviser to a health minister, I am sure you would appreciate the new contemporary description of that condition. It is PTS as it is no longer considered a disorder. With respect to that, I keep trying to remind myself that PTS is the description for post-traumatic stress.

In any event, if I can move on, the provision here is therefore that, whilst they are the body currently in this working arrangement with the DPP, the bill will provide for a person or body prescribed by regulation, so this is in no way to suggest that the Royal Society for the Blind would not be equally qualified. I do not know the answer to that. It may be that they are a group that would be considered or may apply to be considered for prescription at some other time. I am simply saying that this initial matter was with the guide dogs association.

Ms COOK: In relation to other persons or bodies that would be prescribed by regulations, can you give the chamber some idea about who these people might be, and have you consulted with them already?

The Hon. V.A. CHAPMAN: There has been no-one else consulted because there has been no-one else considered. The current project is with the agreement between the DPP and the guide dogs association. What we think is reasonable in the provision for this is that, if ever this idea is

expanded, for example, it may be that there will be others who are very interested in providing the service of training the dogs or whatever, but I do not know who they would be yet.

One has been raised, namely the Royal Society for the Blind. I do not know what training facilities they have in relation to companion animals. They may be very good, but I am simply making the point that we are making provision to futureproof this legislation because it may well be that there are a number of different organisations in the future that will present themselves for consideration to be eligible to undertake this work in partnership with an agency of the government.

Mr PICTON: Can the Attorney outline the total budget for the current canine court companions project and whether that funding comes from within the DPP's existing budget, or whether there has had to be additional funding provided to the DPP for that purpose?

The Hon. V.A. CHAPMAN: I do not have particulars of the total cost of the program, but I am happy to make that inquiry of the DPP's office. I also indicate that by virtue of this role—of Zero being available to going into courtrooms—there will not be any extra cost for that. We pay for him, his handler and those who provide the support to him, irrespective of where he does his work.

Ms COOK: What advice has been sought regarding the best practices needed to support the presence of one or multiple canines within the court building at any given time, and what has been established as the necessary human and material resources required to support this program?

The Hon. V.A. CHAPMAN: As I have indicated, our understanding is there will not be an extra financial cost as to where he does his work. I imagine already that there would be a process in place for the courts to deal with guide dogs who are already coming there for someone who is a blind witness, for example. There would have to be some accommodation of that. I cannot imagine that in the history of our courts there has not been a situation where someone has attended with an animal most likely for someone who is sight-impaired, but the details of that I do not have.

That would be a matter that, if the parliament were to pass this, which is with the blessing of the council headed by the Chief Justice, then that accommodation would be considered and whether anything else was necessary. Nothing has been brought to my attention. We do not have to build kennels in every courtroom or courthouse, or anything of that nature, so I cannot assist you further in that regard. But nothing has been brought to my attention that would indicate to the Chief Justice that there should be some condition set or precedent to the implementation of this program if it were to pass the parliament.

Mr PICTON: I ask the Attorney: are there any plans to further expand the canine court companions project in the future? Has there been any funding allocated to do that? Are there any plans in place to do that and, if so, what are they?

The Hon. V.A. CHAPMAN: As I indicated earlier in the debate, there are no plans to do any expansion. Zero is not fully booked at this stage. He apparently has other time available in his schedule when he could undertake work, so therefore the demand is not there, but that may change. It may be that, depending on what extra time in his schedule is spent supporting the vulnerable party in the courtroom, that may in fact eat into that significantly, whether he is waiting with a vulnerable person or in the courtroom while evidence is being given, or there for support during interviews by the DPP or police prosecution, or otherwise. We are yet to see how that uptake is done.

I would imagine that existing clients, and parties or witnesses in proceedings with the DPP's office who currently avail themselves of this service for interview, would be the logical ones to extend the use to in the court facility if it is necessary for them to go to court. As the member might appreciate, irrespective of whether the victim or a witness is a vulnerable person, many cases do settle and it is not necessary, ultimately, for witnesses to be called to prove the case if there is a plea of guilty at an earlier stage. In short, we will see how that goes.

Personally, I think this is a very meritorious project already. It may prove to be even more useful to the courts and we may have even more supporters for the expansion of the program. At the moment, Zero is not fully booked, so when his diary is booked or at least considered as likely, then we will get started on Zero 2.

Mr PICTON: I move:

Between 'Inc.:' and 'or' insert:

(aa) the Royal Society for the Blind (South Australia);

This is to add the Royal Society for the Blind as one of the organisations for accreditation of these animals. I think it is unfortunate, as we have discovered during this debate, the lack of consultation the Attorney and her department have undertaken in regard to this bill with organisations in the disability sector, including no consultation with the Royal Society for the Blind (RSB).

Clearly, the RSB is a major player in South Australia in terms of training assistance dogs, whether they be guide dogs, autism assistance dogs or assistance also for veterans in the community. In looking at the information they provide, it states:

The RSB Assistance Dog program changes the lives of people in need every day. The service changes the lives of people who are blind or vision impaired, children with Autism and people with Post Traumatic Stress Syndrome (PTSD).

RSB Assistance Dogs accompany their owners everywhere, including on public transport and in shopping centres, cinemas and restaurants. They are trained to carry out a range of tasks aimed at reducing anxiety as well as being a friend and companion while participating in daily activities.

They have their guide dog service, and they have an autism assistance dog, and they also have Operation K9, where Operation K9 dogs are provided to veterans of the Australian Defence Force who have been diagnosed with post-traumatic stress disorder (PTSD). They use PTSD, despite the Attorney's mention of that term.

This is a major organisation in South Australia. I was very surprised that this was not something the Attorney thought about. I was racking my brain because there have been so many opportunities since I have been a member of parliament to interact with the RSB and to learn about the great work they have done. They have been into parliament a number of times, I have met them in my electorate a number of times and I have been to events with them a number of times. I thought it must be strange that the Attorney has not also had the opportunity to do so, but it turns out she has. I did find on her Facebook, from 11 October 2018, a photo of her with a dog from the RSB that was being trained. It said:

Shaking the adorable Xenia's paw tonight! Celebrating the fantastic work of the Royal Society for the Blind...with Pip and many other volunteers. (I already asked. I couldn't take her home!)

Clearly, the Attorney had awareness of the work of the Royal Society for the Blind. They were not contacted in relation to being consulted about this legislation. I think this is an opportunity to make sure that they can be included in the law. They should be recognised for the tremendous work they do for South Australians each and every day.

Ms COOK: I would like to rise to support the really good amendment from the member for Kurna, supporting the insertion of the Royal Society for the Blind within the bill as it stands, rather than leaving it subject to addition in regulation. They have a magnificent track record, as do Guide Dogs SA/NT, in training dogs for a whole range of purposes—sensory impairment, behavioural issues, mental health. I think it is eminently sensible to include this amazing organisation now at a time while the bill is being passed through this house.

The Hon. V.A. CHAPMAN: I thank the member for bringing the matter to our attention via the amendment and indicate that the Royal Society for the Blind, as I have indicated, is a worthy organisation and may well have qualifications to be able to provide the service. In fact, I think I outlined during the course of this debate all sorts of other services where canines can be helpful, including PTS that has been referred to with veterans in particular, in giving access to those who have the benefit of canine support.

The Royal Society for the Blind has indeed visited Parliament House. It is a very worthy organisation. I do not know its current qualification obligations in relation to court assistance work. Nevertheless, that is a matter for them. My question to the mover of the amendment is: has the mover consulted with the Royal Society for the Blind to seek their request or consent to be incorporated in this bill?

Mr PICTON: Thank you very much for the question. I have consulted with them the exact same amount that the Attorney-General has consulted them in relation to the drafting of this bill. The

Attorney-General's consultation in relation to this bill has been absolutely dismal. To not consult anybody with lived experience, to not consult any of the major disability bodies in South Australia, to not consult the Royal Society for the Blind, to not consult even her own government's Disability Advocate, with all the resources of government and all the departmental resources available to her leading up to this legislation, I think has been absolutely despicable.

The Hon. L.W.K. Bignell: They named the dog after her consultation process.

Mr PICTON: That's right. The dog has been named after how many disability organisations have been consulted in relation to this bill, as the member for Mawson points out. I have been consulting with the RSB many, many times since my election to parliament. I continue to talk to them. In fact, I believe I was at the same event with the Attorney in October 2018. I believe it was at the Central Market, if I recall correctly. I believe the Governor was there. It was a very good event and we learned lots about the great work that the RSB do. The RSB were the chosen charity of the night.

The RSB have been here at parliament, I have met them in their electorate and I have seen what they have done. For the Attorney to suggest in her discussion earlier that they were somehow potentially not accredited in terms of assistance dogs I think is very insulting to the RSB. Clearly, they are the other major organisation in South Australia. Clearly, they should be recognised in this legislation, and it is only due to a failure on her behalf that they have not been included and they have not been consulted today.

The Hon. V.A. CHAPMAN: I will take that as a no, they have not been asked. They might wake up tomorrow and be very surprised that they are suddenly in the legislation. Let me make this very clear: the reason other parties, including the Royal Society for the Blind, are not scheduled here is that the existing contract is with the Guide Dogs and the DPP. It is an existing program.

We are seeking to change the law so that under an existing program the relevant party, namely Zero, can go into a court room. But to futureproof it, especially if it expands and other providers are there and other canine supporters are in this process, we are making that available. Having outlined all the attributes of the Royal Society for the Blind and probably others that are out there in the community that may or may not become interested in this option, let me say that the government does not put people or organisations into legislation just by reading about the attributes on a website.

The concept of actually preparing a handwritten amendment to try to present this as an inclusion of someone who has been somehow or other deliberately excluded is utterly absurd. I utterly reject the assertion that in some way this is some indication of discrimination against another worthy party that may or may not be interested in joining in on this program. I have given an indication that, if this program is considered to be approved and is worthwhile, there is more advocacy for its expansion and/or Zero's diary is full, we will look at whether this can be expanded.

Indeed, it may be an opportunity where we review whether other parties who are trainers in this area and/or providers of a service supplementary to this would become part of it. In those circumstances, I indicate that this hastily handwritten amendment that has been presented will not be supported by the government.

Mr PICTON: I am very pleased to inform the Attorney-General that during this debate, without the resources of government, the opposition has been able to consult with the Royal Society for the Blind and we have talked to the CEO. The Royal Society for the Blind very much appreciates the amendment that we are proposing to insert them into the legislation.

Since we learned a few minutes ago, during this debate, that the Attorney did not consult with them in the drafting of this legislation, we have now consulted with them. They agree and appreciate us inserting them into the legislation. We hope that this house will back the Royal Society for the Blind against the neglect of the Attorney-General in not consulting with them in the lead-up to this legislation.

The Hon. V.A. CHAPMAN: I assume the fresh text-based consultation has occurred—I have no reason to say it has not—and I note that. I look forward to receiving a proposal by the Royal Society for the Blind for their consideration and we can have a look at that. In the meantime, I cannot accept that website assessment on this. I will be indicating to the Royal Society for the Blind that

they can present something to me in writing as to why they should be prescribed for the purpose of this legislation or indeed any project. I would be happy to hear from them.

Ms COOK: Just to confirm, I have now received a response from the RSB regarding this proposal to insert them into clause 4 to enable them to be part of this right from the start. I will certainly be speaking to them in regard to that submission. I thank the Attorney-General for her kind suggestion and wonder if she would consider further consultation and a review of her decision regarding this amendment between the houses in order to get this to happen sooner rather than later?

The Hon. V.A. CHAPMAN: As I have indicated, it will not be a matter for me to assess the submission; it will go through the normal courses. I am happy to receive any proposal that they want to put to me; it will go through the normal processes. I would suggest that if it does, subject to how this matter progresses in the parliament, there is provision for prescription by regulation if that is to be included.

The CHAIR: I will put the amendment. The amendment is to clause 4 standing in the name of the member for Kaurna. I am working my way through your handwriting, member for Kaurna. It reads, I think, that between the words 'Inc.;' and 'or', add '(aa) the Royal Society for the Blind (South Australia);'. Is that correct?

Mr PICTON: Yes.

Amendment negated; clause passed.

Clause 5.

Mr PICTON: It is amazing how proud the Attorney is, despite her lack of consultation with the relevant bodies. In relation to clause 5, how will AGD ensure correct checks and balances on the power to support vulnerable witnesses and also maintain defendants' rights?

The Hon. V.A. CHAPMAN: I am not quite sure what the member is referring to, but if he can be a bit more specific that will help me to be able to give him an answer.

Mr PICTON: Clearly, there is a balance that needs to be in place, and it was the attempt in the original legislation to make sure that there was a balance in providing additional access and additional support in relation to vulnerable witnesses, but we obviously want to make sure that defendants have their rights as well. In relation to this amendment to 12AB, how are they balancing in these amendments the rights of the vulnerable witness and the support that they will get and also maintaining the defendant's rights?

The Hon. V.A. CHAPMAN: I still do not understand the question. Could you point me to what part of the change to the pre-trial special hearing service where there is some kind of change of balance that is being asserted because I do not see anything immediately, that these changes here are in some way going to tip the balance between the relative parties. I do not even understand the question.

Mr PICTON: I think if the Attorney-General is suggesting that her changes to this are doing nothing, then maybe that is her answer. Clearly, there is a whole series of amendments as to how evidence is going to be provided, how obligations to give sworn or unsworn evidence or cross-examination are provided, and for all those there is a balance between making sure that we can add additional benefits, additional support for vulnerable witnesses and also make sure that defendants have their rights in terms of cross-examination and being able to scrutinise evidence that has been provided.

I think that was certainly the balance they were trying to strike in the original legislation that passed. Clearly, there is now a whole series of changes being made to pre-trial steps and special hearings. If the Attorney's response is that she does not think any of it really changes whatsoever, maybe that is her answer. I would have thought that this is a pretty fundamental question that she would have in mind.

The Hon. V.A. CHAPMAN: I will just ascertain exactly what we are talking about here. There are two situations where I think there can be some prejudice: in relation to dogs or in pre-trial

hearings. I have not identified from here in relation to clause 5 how that specifically would be prejudice, but I will go back to the original explanation of clauses and see if that can make it a little bit easier.

As I understand it, in relation to pre-hearings there is no change that would affect the right of cross-examination, the matters that have been raised. What this has the effect of doing is to allow the introduction of the evidence at an earlier stage. Do you want to know about the dogs as well, or do you want to wait until later on in the bill?

Mr PICTON: We can do that later on.

Ms COOK: Just in relation to how this whole amendment and process interface with access and inclusion around people with disability who will be experiencing this process, is this interfacing with the development of the Disability Access and Inclusion Plan and what is the time frame for consultation on that plan? Does it take into consideration vulnerable witnesses, vulnerable people before the court as an interface with this particular bill?

The Hon. V.A. CHAPMAN: I think I have this clear. This process will assist vulnerable people, if they are a party to proceedings, by allowing for certain evidence to be introduced at an earlier stage. That seemed to be a potential beneficial aspect for them. Is it consistent with the social inclusion plan? I am assuming you are referring to the 2014-17—

Ms Cook: No, the Disability Access and Inclusion Plan.

The Hon. V.A. CHAPMAN: I beg your pardon. I certainly do not see anything inconsistent with it.

Ms COOK: I know we canvassed this before but, again, is the Attorney at peace with the fact that there has not been consultation with people with lived experience in relation to the construction of this process, bearing in mind the requirements of the Disability Access and Inclusion Plan to seek consultation with people with disability in order to inform the outcomes of the plan?

The Hon. V.A. CHAPMAN: I am very happy with the consultation, and I have identified four of the parties consulted as to their direct access and understanding of the needs in this regard. In any event, yes, I am satisfied with that consultation.

Ms COOK: In relation to the delivery on this amendment bill in the future, has the Attorney's department already sought to undertake any awareness training for staff and volunteers in the court system that may then raise awareness and promote the rights of vulnerable people and persons with disability accessing justice?

The Hon. V.A. CHAPMAN: Certainly not yet and, as the member may be aware, the implementation arrangements will be under discussion with the CAA once this has occurred because obviously they are a somewhat independent body, although they account to me for the purpose of getting their money from the Treasurer, etc. There are certain aspects of the independence of that entity and so that will be a matter for continued discussion with the CAA and, of course, the Chief Justice, who has the heads of jurisdiction in his council, as to how this will specifically operate.

We would not presume to go ahead with any of that until the parliament has approved this. All I can indicate to the parliament is that this proposal has been discussed. It has the approval of the Chief Justice, on behalf of the Courts Administration Authority, and we can undertake those matters if it is successful. We certainly hope it will be.

I have just alerted myself to the matter of the pre-trial special hearings in clause 5, by virtue of allowing the canine court companion to come in at the pre-trial stage, so I do not think I can leave that until later in the bill. I am happy to advise the committee on this issue because in the second reading I pointed out the importance of minimising the prejudicial effect that might arise from the dog's presence. Again, I think I need to place this on the record.

Where practicable, Zero is not to be visible in any audiovisual record of the evidence or, if the evidence is given before a jury, the jury. This is directed at minimising any possibility that the presence of the dog might evoke sympathy and/or distract the jury. The dog's handler is to be subject to the same rules that will apply to a person accompanying a witness for emotional support or

communication assistance. In particular, I point out that the accompanying person must be visible to the judge while the witness is giving evidence.

If the defendant is prevented from seeing the accompanying person directly while the witness is giving evidence, the court must ensure that the defendant is able to observe that person by direct transmission of images of the witness together with that person while the witness is giving evidence. The audiovisual record of the evidence must show the accompanying person throughout the taking of the evidence. I further advise the committee that, if it is not practicable for the dog not to be visible to the jury, the court is obliged to give an appropriate warning to the jury (i.e. the jury must not draw out any inference adverse to the defendant or to allow the arrangements—

Ms Cook: That's in clause 7.

The Hon. V.A. CHAPMAN: I am just letting you know. I am letting you know because at the pre-trial stage—we are talking about pre-trial special hearings—the question was in relation to prejudicial effect, and I am indicating where it would be in relation to the dog. To deal with that, as the interjection comes, there has been some provision for that later in the bill, and that is the judicial warning. I am happy to answer any further questions about that aspect in that later clause if you want me to.

Mr PICTON: In relation to clause 5, has there been any advice or receipt of information in relation to these changes from anybody in South Australia with lived experience of disability?

The Hon. V.A. CHAPMAN: I don't think I can add anything in relation to the consultation arrangements that have been made.

Clause passed.

Clause 6.

Ms COOK: My question relates to the processes and the capacity of people to access justice within what would be for somebody with a whole range of disabilities a very worrying time, particularly people who have difficulties with communication. I think I flagged the communication partners program in my speech as a program which had been cut and which had provided assistance to, I think, about 340 people over four years through Uniting Communities.

While the notion was that that would then be given some capacity through a fee for service, this had not actually happened. Part of this could be because there is no money to coordinate the program. Was there any discussion around the use of such programs or any intention to review the communication partners program under its current form as it would interface and support vulnerable witnesses accessing a trial or a pre-trial hearing of any kind?

The Hon. V.A. CHAPMAN: The program that the member refers to I think we canvassed in her earlier contribution, and in reply I indicated the process that is currently in place to be available for agencies such as SAPOL, which is the biggest user of the Communication Partner Service and which was coordinated by a coordinator at Uniting Communities when this matter transitioned to the services that I have indicated, that is, a cohort of trained people all ready and available for referral within government.

I had a meeting with Uniting Communities and explained how that would work. What the member has raised with me is that, on her understanding, nobody has since used this service apparently at all. I have indicated that I am happy to look into that, but in any event there is no limitation on the provisions of that service to only pre-trial special hearings of vulnerable witnesses. In fact, on my understanding, it was most commonly used for assistance in police interviews, that is, before it ever got to court.

Ms COOK: And it is available for the whole gamut?

The Hon. V.A. CHAPMAN: Absolutely. I am just making the point that apparently it was at the police interview stage that it was most commonly used. In any event I have indicated I will make inquiry on that, but otherwise I don't think it really has any effect in relation to clause 6.

Clause passed.

Clause 7.

Mr PICTON: This clause covers more of the canine section, and particularly in relation to restrictions in terms of the criminal trial whereby if evidence has been given before a jury the dog should not be visible while the evidence is being given and should not be visible in any audiovisual record of the evidence.

Why has the government taken that path if that is necessary, whether there are any examples of the many jurisdictions around the world that have canine companions where that is in place and how logistically is it going to be possible in a courtroom to be able to hide the dog? Zero looks like a pretty big dog to me from your Facebook.

The Hon. V.A. CHAPMAN: I am advised that, in developing this option, consideration was given to how it operates in Victoria. My understanding is—for the reasons I have previously outlined as to why it is not appropriate where possible to have the dog on display—it is because that could cause some prejudice or impression that the witness may have some disability and that that may affect the assessment by the parties, that is, a jury, and so they accommodate the dog in the witness box and/or presumably the dock, which is another possibility, to ensure that they are out of sight.

Members could, of course, inspect the fabulous new improvements down at the Supreme Court and see the modifications that have been made, especially during COVID, to accommodate all sorts of new things that we are having to deal with, including the spacing out of jurors and where else they might sit in a courtroom.

In a COVID situation, it may be more difficult to conceal Zero or any other court companion dog easily, given that a number of jurors at present are being spread out in a courtroom. That would be a matter to be considered. All the detail of how that would be dealt with would be worked out with the Courts Administration Authority, but the development of this has come on the information and the valuable support and advice we have had from Victoria's experience.

I will see whether there is anything further from the DPP that might assist. Really, that is in relation to the contention that it is potentially prejudicial as distinct from not, rather than where Zero might sit in the courtroom, so he is not able to help me with the geography of where Zero might sit or lay or provide his support from, so we will be leaving that matter to the Courts Administration Authority.

Just like we have at the moment, courts have to take into account factors such as if a party has a significant disability or they might have wheelchair access requirements, etc. They choose a courtroom that is going to be able to accommodate that. Those sorts of things are common to identify for a vulnerable witness and also for a number of other people who provide ongoing services as staff members of the Courts Administration Authority or, indeed, it may be members of the jury. Again, this is not a new aspect that needs to be considered for courts, but this particular aspect would be a matter for courts to work out with the Courts Administration Authority.

Ms COOK: In relation to clause 7, we pay a lot of attention to our language and being inclusive in the community and it strikes me that the use of the word 'embarrassment' around people who have a different appearance or something different about what they are doing is to me a little bit—I am searching for the proper word. It is not demeaning but it is just the use of language that I am not sure really strikes resilience and strength into the hearts of the people that the bill is intending to support. I am wondering whether that particular clause and its intent is taken just purely from the Victorian experience or whether there was any actual questioning or checking in with people with lived experience, in terms of the use of that language?

The Hon. V.A. CHAPMAN: This language is not new. It is repeated throughout the Evidence Act. There has not been any conscious attempt to review all the act to contemporise or modernise the language, but I take the point. If it is a matter that can be looked at at the time when we refresh legislation, that can be attended to, but this is the usual practice for the language throughout the act.

Clause passed.

Remaining clauses (8 to 10) and title passed.

Bill reported without amendment.

Third Reading

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General, Minister for Planning and Local Government) (16:41): I move:

That this bill be now read a third time.

I wish to speak on the matter to thank members for the contributions made, particularly the member for Kaurna and the member for Hurtle Vale. Some of the aspects that they have brought to my attention I have undertaken to follow up, and I certainly will do so. I appreciate their interest in this issue and indication of support.

I wish to thank Mr Andrew Rodriguez, who has been a very helpful assistant today and of course in the development of this legislation so that we might have the best, most senior of our team in relation to this matter. I thank him for that. It is probably the last time he will be sitting here in the parliament with me in this role, not because I am going anywhere, you might be disappointed to know but because Mr Rodriguez has accepted another position. We will miss him in the Attorney-General's Department. We wish him well in his future endeavours. He has been a stellar performer in the advice he has provided to me and in services to the department, and I wish to place on record my appreciation for the same.

The Hon. L.W.K. BIGNELL (Mawson) (16:42): I would like to add my support for this bill. What a wonderful idea to bring dogs into the court system to help support vulnerable witnesses. As someone who took on a dog this year, I have to say to see the interaction they have with people, particularly kids, has been extraordinary.

Like the Attorney, my dog was born on Kangaroo Island. Like the Attorney, my dog Dusty was affected by the bushfires. When he was allowed into parliament—I know he was recently kicked out, banned from parliament—he was here in March, and we had a group of schoolkids over from Kangaroo Island. I took them on an excursion and a tour of Parliament House. Little Dusty was there. Two of the 30-odd kids who were on that tour had brothers or sisters of Dusty, and they immediately felt right at home.

A lot of these kids had gone through huge trauma with the bushfires. Many of them had lost their homes and were living with friends and relatives or not in their homes because they had been destroyed. It was their first trip away from the island since the fires and, in some cases, it was the first time they were not with their parents. I just saw the way they took hold of Dusty and were giving him cuddles and how it softened everything for them, and their reaction was priceless.

I am sure that Zero, the dog who is being trained up to be a companion animal for these vulnerable witnesses, will do an extraordinary job. If his dance card gets too full too soon, and you are looking for a backup dog, I am sure Dusty the Kangaroo Island kelpie would only be too pleased to come along to court and help out. Well done; this is a great move forward for vulnerable witnesses in our justice system.

Bill read a third time and passed.

FREEDOM OF INFORMATION (MISCELLANEOUS) AMENDMENT BILL*Committee Stage*

In committee.

(Continued from 24 September 2020.)

Clause 8.

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

A quorum having been formed:

The CHAIR: Attorney, we are now at the point where you will move amendment No. 1 on schedule 4 standing in your name. It will be an amendment to clause 8.

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

Amendment No 1 [AG-2]—

Page 8, lines 4 to 12 [clause 8, inserted section 8B]—Delete inserted section 8B and substitute:

8B—Proactive disclosure policies

The regulations may, consistently with the proactive disclosure principles, prescribe 1 or more *proactive disclosure policies* requiring specified agencies, or agencies of a specified class, to publish information relating to, or held by, them.

The Hon. G.G. BROCK: A point of clarification: is this amendment from the Attorney's 35(4)?

The CHAIR: Yes.

The Hon. G.G. BROCK: Well, I have No. 35(3). This is clause 8, amendment No. 1: 8B—Proactive disclosure policies. Is this the one we are on?

The CHAIR: So you have an amendment in your name as well?

The Hon. G.G. BROCK: Yes, Mr Chairman. Mine was submitted on 2 July and the Attorney's was filed on 20 July. It is similar, but it is page 8, clause 8, lines 4 to 12, but she has two of my suggested amendments excluded from her amendments.

The Hon. V.A. CHAPMAN: I am happy with that. I will just resume my copy of it, but I am happy for amendment No. 1 of the member for Frome on his schedule—again, I do not have a No. 1. Is your amendment 35(1)?

The CHAIR: While you are talking amongst yourselves, this is what I think we will do. We will run with the Attorney's amendment. We will move that. Member for Frome, before you go, what we will do is go with the Attorney's amendment, and if that passes you can then move to amend that amendment.

The Hon. G.G. BROCK: When you file it, I would have thought it takes precedence. My amendment is 35(3) of bill No. 35. The Attorney's is 35(4); it is exactly the same issue. It is about proactive disclosure policies, 8B. I have 1, 2, 3 and 4 sections there. The Attorney has hers, but there is just one section there. Her amendment is to try to get this in front of mine with 2, 3 and 4 excluded, and then I have to try to add mine in.

The Hon. V.A. CHAPMAN: Not for the reasons the member for Frome has said, nevertheless, I agree that amendment No. 1 as scheduled in the member for Frome's document 35(3) should precede the first amendment in my name as Attorney-General on 35(4). I am happy for amendment No. 1—not the rest—standing in the name of the member for Frome, filed on 2 July 2020, to be put first.

The CHAIR: It is possible and feasible, I am advised. What you will have to do first, Attorney, is withdraw the amendment you have moved.

The Hon. V.A. CHAPMAN: I seek leave to withdraw my motion for amendment No. 1 standing in my name on schedule 35(4).

Leave granted; amendment withdrawn.

The CHAIR: Thank you. We will go to the member for Frome. Apologies for any confusion.

The Hon. G.G. BROCK: It is coincidental that it is the same clause 8, etc., but just excluding a couple of parts. I move:

Amendment No 1 [Brock-1]—

Page 8, lines 4 to 12 [clause 8, inserted section 8B]—Delete inserted section 8B and substitute:

8B—Proactive disclosure policies

- (1) The regulations may, consistently with the proactive disclosure principles, prescribe 1 or more *proactive disclosure policies* requiring specified agencies, or agencies of a specified class, to publish information relating to, or held by, them (other than personal information of a person).
- (2) Regulations may not be made under this section in relation to any local government agencies unless the Minister—

- (a) has undertaken consultation on the proposed regulations with the Local Government Association; and
 - (b) has certified that the Minister is satisfied that the proposed regulations, as far as is practicable, avoid duplication with other statutory duties imposed on the local government agencies and do not impose unnecessary or unreasonable costs on the local government agencies.
- (3) A copy of the Minister's certificate under subsection (2)(b) must be provided to the Legislative Review Committee of the Parliament as soon as practicable after the making of the regulations.
- (4) In this section—
- local government agency* means a council or an assessment panel under the *Planning, Development and Infrastructure Act 2016*.

Like other members here, I fully support the need for open, transparent government based upon proactive disclosure to the fullest practical extent of public expenditure. I am glad to see that the government is proceeding to entrench this policy into the legislative framework. However, concerns have been raised with me about the precise manner in which it has been done.

Under new section 8B, to be inserted into the Freedom of Information Act by this bill, the Premier is empowered to prepare and publish a proactive disclosure policy consistent with the proactive disclosure principles set out in new section 8A, which have a direct effect on agencies within the meaning of the act.

To remind members, under section 3 of the Freedom of Information Act an agency is defined to include a local council. The government's good intentions are not doubted in moving these provisions which reflect current public sector practice. However, extending the proactive disclosure regime to local government sets up a conundrum. It puts local councils in a situation where they are subject to the direction of the Premier despite the reality that they exist beyond the normal bounds of the public sector as conventionally understood.

Indeed, I note the general view that councils are not part of the Crown in right of the state. Section 136 of the Local Government Act, for example, makes it clear the Crown is not liable for any debts or liabilities of a council. There are similar bodies which, through established or given powers by statute, are excluded from being regarded as part of the Crown. Universities such as Torrens, Flinders and Adelaide, the Uniting Church Property Trust, the Stadium Management Authority and the National Trust are some examples.

It is not suggested that it is inappropriate for councils to be subject to a proactive disclosure regime, but I do suggest that councils are in quite a different category to other public sector agencies, such as the mere direction by the Premier, which is not disallowable by this parliament and is sufficient basis to bind them. However, it may be a direction from the Premier is not enough in any event.

Proactive disclosure should be entrenched in law, a breach should be a breach of the law and parliament should have a direct stake in scrutinising the proactive disclosure policy when it is made, when it is updated and when it is reviewed. For these reasons, this amendment changes the nature of the proactive disclosure policy. Instead of a premier's direction, the policy is a regulation made by the Governor, subject to parliamentary scrutiny and more amenable to binding non-public sector entities such as local councils.

Additionally, the amendment includes a requirement for the responsible minister to consult with the Local Government Association and have regard to the need to avoid duplication of council obligations under other laws prior to a regulation being made which would then impact upon council proactive disclosure obligations.

This amendment comes after discussions with the Local Government Association, who raised this issue with myself and my colleagues of the crossbench, as well as discussions with individual councils and my own experiences as a former local government minister and a mayor. I commend this amendment to the house and ask that it be dealt with. I think it is common sense to be able to have sections 8B(1), (2), (3) and (4) as part of the process.

The Hon. V.A. CHAPMAN: I indicate that the government opposes the amendment in its current form and I move an amendment to the amendment:

Delete all words after 'them' in new subsection (1)

The effect of the member for Frome's amendment is to put the details of the proactive disclosure requirements to be imposed by a new section 8B into regulations and legislate a requirement for the minister—in this case it is me as Attorney-General—to consult with the Local Government Association before imposing proactive disclosure requirements on councils.

I would then be required to certify that the regulations do not duplicate other statutory disclosure requirements imposed on councils and 'do not impose unnecessary or unreasonable costs on' councils. I have previously written to the LGA to assure them that it is intended to consult with councils in developing the proactive disclosure policy and to avoid duplication with other disclosure obligations imposed on councils, including under the forthcoming local council reforms, which are still actually in the parliament but our house has already dealt with them.

It is recognised that, for some small regional councils that may receive very few FOI applications, the proactive disclosure requirements may need to be tailored to ensure the impost on them does not exceed the public benefits. I am concerned that a requirement to certify that disclosure requirements 'do not impose unnecessary or unreasonable costs' on councils is problematic and unworkable.

'Unnecessary' and 'unreasonable' are imprecise terms and any such certification is prone to dispute and challenge. However, I do acknowledge the interest in having these proactive disclosure requirements amenable to scrutiny by parliament by prescribing them in regulations. Accordingly, I will be moving to amend the member's amendment to the bill in the form I have indicated to replace the gazetted policy approach with the prescription by regulation.

In indicating this position, I thank the member for Frome for having the matter brought to my specific attention. I appreciate that it had been raised by the LGA. Since that time, I now have a new job as the Minister for Local Government, so I get fully refreshed of these matters. I suppose it is a process where I would end up advising myself as Attorney-General; nevertheless, I am fully informed as to the perspective from the size of the parties.

I thank the member for Frome for bringing their potential plight to my attention. That is the whole reason why we have the opportunity in committee to identify where there might be improvement. Frequently, that arises from the direct implication or impact it is going to have on the very bodies we are seeking to regulate. It is an important one. The nature of the remedy offered by the member for Frome in its fulsome application is not agreed to. For the reasons I have outlined, we will be seeking to delete the words from the word 'them' as I have indicated.

The Hon. S.C. MULLIGHAN: I support the amendment in its original form from the member for Frome and hence not what the Attorney proposes: essentially, deleting what would be a reasonable regime to ensure that those concerns the Attorney raised in earlier discussion on my amendment No. 16 are not realised.

When we were discussing amendment No. 16, the Attorney said that the burdens which the proactive disclosure regime, at least insofar as the amendments that I am proposing—amendments Nos. 16, 17 and 18, with regard to 8B and a new 8C, which I am seeking to insert—may be okay for government agencies but not necessarily for councils or, at least, for smaller councils, and that it is excessively onerous and burdensome on those public authorities.

The member for Frome, in his amendment, is basically charting a course through this. He is aligning his concerns with those of the opposition that there are more specific and greater proactive disclosure requirements, which are set out in the member for Frome's sense, via regulation. In my subsequent amendments, I would prefer it to be in legislation; nonetheless, there are specified proactive disclosure requirements on these entities.

In addition, if there is any concern about duplication between what an amended Freedom of Information Act provides and other prescriptions on local government authorities, then that is able to be mediated in a process whereby the responsible minister would consult with local government before the making of those regulations and any duplication is removed. That is entirely reasonable.

This is not something that is going to happen on a monthly or even an annual basis. These regulations, should they be made in the way in which the member for Frome envisages, will hopefully be made once. The mediation that would need to occur between the minister and any councils or the Local Government Association that might seek to change or amend some of those regulations so as not to see any of that duplication would only need to happen once.

That is not onerous; that is just good governance. That is just making sure that, by dialling this up to make sure that there is more disclosure from councils—and we see regular media reports on concerns about council spending and also council revenue-raising to facilitate that spending—that information is published on a very regular basis. Of course, the benefit of this transparency is that it ensures that there are second thoughts about whether to incur that expenditure in the first place. Is that not the whole benefit of a freedom of information regime?

If there are to be activities of government, whether it is local or state, which by their own nature incur the making of documents that can be released to the public, then those activities are carefully considered before they are undertaken, that the threat of exposure through a release of documents from a freedom of information request—the benefit of transparency, if I could perhaps refer to that threat of exposure a bit more generously—is that we try to ensure that activities that do not meet public expectations are minimised.

I support what the member for Frome is doing. I do not believe that what the Deputy Premier seeks to do by eviscerating his amendment is necessary. In fact, I think it would be a good compromise between what the house is trying to achieve here in ensuring that there is a greater proactive disclosure regime. I will be supporting the member for Frome and the opposition will be opposing the Deputy Premier.

The committee divided on the amendment to the amendment:

Ayes 21
Noes 21
Majority 0

AYES

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

NOES

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

PAIRS

Marshall, S.S.	Gee, J.P.	Whetstone, T.J.
Michaels, A.		

The CHAIR: Here we go again. There being 21 ayes and 21 noes, the vote is tied. I give my casting vote with the ayes.

Amendment to the amendment thus carried.

Progress reported; committee to sit again.

ASSISTED REPRODUCTIVE TREATMENT (REVIEW RECOMMENDATIONS) AMENDMENT BILL

Introduction and First Reading

Received from the Legislative Council and read a first time.

TEACHERS REGISTRATION AND STANDARDS (MISCELLANEOUS) AMENDMENT BILL

Final Stages

The Legislative Council does not insist on its amendments Nos 4 to 10 to which the House of Assembly has disagreed, does not insist on its amendments Nos. 1 and 3, and agrees to the amendments made by the House of Assembly in lieu thereof.

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

Final Stages

The Legislative Council agreed to the bill without any amendment.

RADIATION PROTECTION AND CONTROL BILL

Final Stages

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

No. 1. Clause 12, page 14, after line 7—

After subclause (7) insert:

- (7a) Subject to subsection (7b), the Committee must publish the minutes of its meetings on a website determined by the Minister that is accessible by the public free of charge.
- (7b) The Committee may omit, redact or delete, from minutes published under subsection (7a), any information that would make the minutes an exempt document under the *Freedom of Information Act 1991*.

No. 2. Clause 28, page 21, lines 15 to 18 [Clause 28(2) and (3)]—Delete subclauses (2) and (3)

No. 3. Clause 49, page 35, lines 30 and 31—Delete 'more stringent than the most stringent of all the limits, or'

No. 4. Clause 65, page 47, lines 17 and 18 [Clause 65(16)]—

Delete 'subsection (15), in determining whether to make any order in relation to costs' and substitute:

subsections (12), (13) and (15), in determining whether to make any order under those subsections

No. 5. Clause 77, page 57, after line 9—After subclause (1) insert:

- (1a) The Minister must ensure that information relating to the grant, renewal, variation, suspension, cancellation or revocation of any accreditation, authorisation, exemption or permit is entered on the register within 30 days after the grant, renewal, variation, suspension, cancellation or revocation takes effect.

No. 6. Clause 77, page 57, lines 13 to 17 [Clause 77(3) and (4)]—Delete subclauses (3) and (4) and substitute:

- (3) Subject to subsection (5), the Minister must ensure that the register is kept publicly available for inspection without fee—

- (a) on a web site determined by the Minister; and
 - (b) during ordinary office hours at a public office, or public offices, determined by the Minister.
- (4) Subject to subsection (5), a member of the public may, on payment of the prescribed fee, obtain a copy of any part of the register.
- No. 7. Clause 78, page 57, lines 28 to 30 [Clause 78(2)]—Delete subclause (2) and substitute:
- (2) The Minister must ensure that a document adopted under this section is kept publicly available for inspection without fee—
 - (a) on a web site determined by the Minister; and
 - (b) during ordinary office hours at a public office, or public offices, determined by the Minister.

AUTOMATED EXTERNAL DEFIBRILLATORS (PUBLIC ACCESS) BILL

Introduction and First Reading

Received from the Legislative Council and read a first time.

Parliamentary Procedure

APPROPRIATION BILL 2020

The Legislative Council granted leave to the Treasurer (Hon. R.I. Lucas) to attend at the table in the House of Assembly on Tuesday 10 November 2020 for the purpose of giving a speech in relation to the Appropriation Bill, if he thinks fit.

Bills

FREEDOM OF INFORMATION (MISCELLANEOUS) AMENDMENT BILL

Committee Stage

In committee (resumed on motion).

Clause 8.

The Hon. S.C. MULLIGHAN: I move:

Amendment No 17 [Mullighan–1]—

Page 8, lines 5 and 6 [clause 8, inserted section 8B(1)]—Delete 'proactive disclosure principles' and substitute 'principles and objects of this Act and with the minimum requirements specified in section 8C'

Amendment No. 17 is the second of three amendments which seeks to introduce into the Freedom of Information Act a detailed disclosure regime. As we have discussed previously in considering the Attorney's bill and earlier amendments, the bill from the Attorney merely seeks to require that the Premier of the day cause a proactive disclosure policy to be in place and that the details of that policy, whatever they may be, will determine what information needs to be proactively disclosed by those agencies.

Certainly, as we have seen earlier from the member for Frome and those who supported his amendment, there is a desire that there be more prescriptive requirements with regard to a proactive disclosure regime. I am indebted to honourable member of the other place Mark Parnell because his strident advocacy over the years for reform of freedom of information laws has informed what is to follow this amendment in amendment No. 18 with the minimum requirements of a proactive disclosure regime. However, some say the anticipation in life is better than the moment, so in order to drag that anticipation out I will focus my remarks on the amendment at hand rather than amendment No. 18 which follows.

The amendment at hand merely seeks to delete the words 'proactive disclosure principles' and substitute instead 'principles and objects of this Act with the minimum requirements in section 8C'. There are two things proposed there: one, of course, in the second part of that is foreshadowing the new 8C, which I will be moving as amendment No. 18. But it also goes back to something we discussed earlier in the course of considering this bill, and that is that the proactive disclosure

principles are important enough that they should find themselves in the part of the Freedom of Information Act which relates to the objects and principles of the act, not merely just banded in as one of many clauses after the principles and objects of the act.

We think it should be a key part of the act. We think the proactive disclosure regime should be given full import and it be made clear that the act seeks to ensure not only that the public has a right to access government documents but also that governments are in addition required to publish certain information from time to time.

Of course, there is a tremendous benefit in this. It means that for those people who take an interest in the regular activities of government, even the regular activities of ministers, their staff, chief executives, the executive cohorts of government agencies and also, as we have only recently been discussing, local government entities as well, rather than require the public to submit applications under the Freedom of Information Act and chance their arm at seeing whether documents will be released to satisfy their curiosity, government agencies and other authorities should just be required to publish this information.

Amendment No 17 seeks to set up that detailed disclosure regime. It gives it a greater weight and greater standing in the act by making sure that proactive disclosure finds its voice in the objects and principles of the act, and I encourage all members to support this amendment in my name.

The CHAIR: So this, member for Lee, becomes a further amendment to the amendment?

The Hon. V.A. CHAPMAN: I indicate that the government opposes this amendment to the amendment for the reasons outlined in relation to amendment No 16 in respect of the member for Lee's previous schedule.

Amendment to the amendment negated.

New section 8C.

The Hon. S.C. MULLIGHAN: I hope your anticipation has reached the crescendo I was hoping for when it comes to amendment No. 18. It seeks to insert a new section 8C and these are the minimum requirements of a proactive disclosure regime. I said in my earlier remarks that I owe a debt here to the honourable member of the other place, Mark Parnell, because he has proposed previously many of these minimum requirements.

What we thought we would do to assist the committee is capture all those minima and include them in this amendment and if any of it offends the Attorney, rather than just saying a blanket no, she could pluck out the eyes which offend her most and we would be left with a robust proactive disclosure regime. I suspect that may not eventuate but one lives in hope. Until that hope is either founded or extinguished, I move the amendment and will read in the minimum requirements:

Amendment No 18 [Mullighan-1]—

Page 8, after line 12 [clause 8]—After inserted section 8B insert:

8C—Minimum requirements

- (1) Subject to the regulations, the proactive disclosure policy must require each agency to publish the following information relating to the agency at a frequency specified in the policy (but at least annually):
 - (a) details of credit card expenditure for all cards held by the principal officer of the agency and, in the case of an agency constituted of a minister, all ministerial staff;
 - (b) details of overseas travel arrangements for the principal officer of the agency (including the number of travellers, the destination, the reason for travel, the outcome of travel, the cost (excluding salary) of travel paid for out of the agency budget);
 - (c) if the agency includes any public sector employees (within the meaning of the *Public Sector Act 2009*)—details of overseas travel arrangements for those employees (including the number of travellers, the destination, the reason for travel and the total cost (excluding salary) of travel paid for out of the agency budget);

- (d) details of domestic (including regional) travel arrangements of the principal officer, where costs are incurred by the agency (including the number of travellers, the destination, the reason for travel, the total cost (excluding salary and vehicles included within employment package arrangements) paid for out of the agency budget);
 - (e) government expenditure relating to the mobile phone usage of the principal officer of the agency and, in the case of an agency constituted of a minister, all ministerial staff (except where release of information would breach contractual obligations);
 - (f) government expenditure (including but not limited to food and beverage expenditure) on functions or events hosted or attended by the principal officer of the agency or, in the case of an agency constituted of a minister, ministerial staff (including a description of the function or event, the location and the items of expenditure);
 - (g) details of consultants and contractors engaged and the cost to the agency;
 - (h) the gift register of the agency;
 - (i) details of procurement practices of the agency;
 - (j) government expenditure relating to the capital works projects of the agency;
 - (k) details of the agency's staff (including staffing costs, the number and type of staff by classification and individual reference to the title, level and area of responsibility of each executive of the agency);
 - (l) de-identified data sets that are used for existing reporting and monitoring of agency activity and performance;
 - (m) any other information prescribed by regulation.
- (2) Subject to the regulations, the proactive disclosure policy must require each agency to publish the following information in a quarterly report relating to the agency's performance of functions under this act during the preceding quarter:
- (a) the number of applications for access to documents received;
 - (b) the number of extensions of time requested by the agency under section 14A;
 - (c) the number of extensions of time granted to the agency under section 14A;
 - (d) the number of extensions of time that occurred with the agreement of the applicant (both under section 14A and otherwise);
 - (e) the number of applications for access to documents determined by the agency including the number where—
 - (i) access was granted to all in scope documents in full;
 - (ii) access was refused to some in scope documents or access was provided to an in scope document with some material removed or redacted;
 - (iii) access to all documents was refused;
 - (iv) the application was determined within the time limit required by section 14 (i.e. without any extension);
 - (v) the application was determined within an extended time limit (under section 14A or with the consent of the applicant);
 - (vi) the agency was taken to have determined the application under section 19(2);
 - (f) the number of internal reviews completed including—
 - (i) internal reviews resulting in changes to the original determination; and
 - (ii) internal reviews resulting in no changes to the original determination;
 - (g) the number of external reviews completed in relation to determinations of the agency including—

- (i) external reviews resulting in changes to the determination the subject of the review; and
 - (ii) external reviews resulting in no changes to the determination the subject of the review;
 - (h) the number and classification of staff dedicated to exercising functions under this act (as accredited FOI officers or otherwise).
- (3) The minister must cause a report to be published (on at least an annual basis) providing information compiled from the quarterly reports published by agencies under subsection (2) in a way that enables the performance of different agencies to be compared.

As you will see, the bare minimum of reporting is required under those minimum requirements. The Attorney would have you know that this is all unnecessary because there is an annual report about FOI performance and a lot of this information is captured in that annual report about an agency's performance under FOI. In that regard, the Attorney would have you believe that it would duplicate that report. I argue to the contrary.

The reason is—and I will give you some real-life examples here—that in my experience, particularly over the last 2½ years, in making applications to the Treasurer, not only do we have the egregious situation where the principal officer of the agency (which happens to be the minister, the Treasurer) is responding to those but he is choosing to give himself vast amounts of additional time to respond to these applications, to the point where I am having to go through the process of taking that determination, that is, the Treasurer's granting of extra time, to external review to see if that is reasonable. I stand in hope that the Ombudsman will try to stop this practice by the Treasurer because, believe you me, it is nothing more than an attempt to frustrate my legal right to access documents under the act.

Having this behaviour reported on quarterly, as I was saying in my earlier remarks, means sometimes the knowledge that this transparency will be required about these activities actually shapes the judgement about whether these activities are undertaken in the first place. I do not think people would look very favourably on a minister who was not making freedom of information determinations, releasing documents—some documents or no documents, whatever the case may be—except to say, 'I don't have the time or the resources to deal with your FOI application, so I am going to do it in another six or nine months' time.' That is not transparency. That is not the openness and accountability that the Deputy Premier and her colleagues promised South Australians at the last election. I think having that level of public reporting would greatly enhance the freedom of information regime we have.

Those comments relate to the second part of the proactive disclosure regime that I spoke about. The first part sought to capture that information that the media and other people, including members of parliament, seek to retrieve from government agencies, including ministers: details of ministerial travel, details of ministerial spending, details of ministerial or chief executive credit card use and details of other expenses that are incurred by those categories of people I have just mentioned with regard to, for example, mobile phone use and so on.

Requiring that that information is published just as a matter of course—that when, for example, the monthly mobile phone bill goes in for reimbursement, it is going to find its way to publication by the agency—obviates a whole ream of freedom of information applications that would otherwise be made. There is nothing wrong with this regime. Members of parliament, of course, are subject to exactly that regime. The amount of money that we spend, for example, in our global allowances is reported on very frequently.

This is something that has evolved over the last 10 to 15 years. Perhaps the Attorney and the member for West Torrens could speak with a bit more detail about this, but that level of proactive disclosure did not occur many years ago when those two members first came into this parliament. As community standards and expectations have grown and evolved around access to information, so has the level of disclosure and reporting. I do not see that there is anything wrong with ensuring that a member of parliament's disclosure—

The CHAIR: Member for Lee, there is a point of order from the Attorney.

The Hon. V.A. CHAPMAN: I was hoping to get to a point before the member for Lee starts his litany of examples that he wants to outline in his grievance against the Treasurer, so at this point I will move that the committee report progress.

The CHAIR: The Attorney has moved—

The Hon. V.A. CHAPMAN: He can extend the list if he wants to.

The CHAIR: —and I will accept the motion that the committee report progress.

Progress reported; committee to sit again.

At 17:38 the house adjourned until Tuesday 10 November 2020 at 11:00.

*Answers to Questions***NATIONAL TOURISM ICONS PROGRAM**

218 The Hon. Z.L. BETTISON (Ramsay) (15 October 2020). Are there any South Australian projects funded by the commonwealth's National Tourism Icons Program? If so, what is the project, commencement date and funding commitment?

The Hon. S.S. MARSHALL (Dunstan—Premier): I have been advised:

No South Australian projects were funded under the commonwealth's National Tourism Icons Program.

TASTING AUSTRALIA

220 The Hon. Z.L. BETTISON (Ramsay) (15 October 2020). How many tickets were sold for Tasting Australia 2019?

The Hon. S.S. MARSHALL (Dunstan—Premier): I have been advised:

The 2019 event saw 9,400 ticket sales across the festival and an estimated 64,000 people visit the event hub, Town Square, in Victoria Square.