

HOUSE OF ASSEMBLY

Thursday, 1 April 2021

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

GOVERNMENT PRIVACY PRINCIPLES, CONTINGENT NOTICE

The Hon. A. KOUTSANTONIS (West Torrens) (11:02): I move the contingent motion standing in my name, in order to establish a select committee to inquire into and report upon any breaches of the South Australian government's privacy principles, appearing on the *Notice Paper*. I move:

That all Private Members Business, Committees and Subordinate Legislation, Notices of Motion, be postponed and taken into consideration after the notice of motion appearing on the *Notice Paper* to establish a select committee to inquire into and report upon any breaches of the South Australian government's privacy principles.

The motion that this contingent motion gives precedence for above other matters is as follows:

That the house establish a select committee to investigate and inquire into and report on—

- any breaches of the South Australian government's privacy principles, published by the Department of the Premier and Cabinet, or any other code of conduct or public-sector principle;
- the use of IT platforms or domains licensed or owned by an organisation external to the state government by public officers;
- the effectiveness of the South Australian government protocols in place to protect the privacy of South Australians accessing official South Australian government websites;
- any abuses of public office by public officers in relation to privacy, data harvesting and any other relevant matter;
- the use of NationBuilder and the stateliberalleader domain to harvest data from official South Australian government websites;
- any transfer of information or data from the South Australian government to the South Australian Liberal Party, or any affiliated entity of the Liberal Party, or Steven Marshall, or the state Liberal leader website, or NationBuilder, or other non-government entity;
- any breaches of any commonwealth or state laws, regulations, policies or protocols by public officers, or any political party, official or any other individual in relation to data harvesting or privacy breaches; and, of course,
- any intentional misleading statements to the House of Assembly by any member on this matter.

Private members' motions are often very difficult to get to. Private members put them on the *Notice Paper* in anticipation of debate and they often find it very difficult to have their committees debated or discussed. That is why it is not a regular occurrence to have these contingent motions moved. I know it is not the natural progression here, but we are faced with an extraordinary circumstance. The extraordinary circumstance is the overwhelming evidence that someone is harvesting data from government websites and handing it to the Liberal Party.

The only way we can uncover that is through a parliamentary inquiry. I will not canvass the merits of that inquiry, but if this contingent motion is not successful the house will not have an opportunity to debate this motion for months, if at all, until the next election. The South Australian public would expect us to put this ahead of any other business. This is the business of this house

today: is there corruption at the highest levels of the South Australian government? We need to get to the bottom of it and the way to do that is for this house to investigate it.

Without going into the merits of it, the house has an order for what we debate and discuss in this place. It is done so that we give precedence to government ministers in government time, but private members' business and committees time is very important. That is why the opposition do this rarely and not lightly. We would not normally do this because we would have expected an independent inquiry by now by an independent office or instituted by the Attorney-General. That has not occurred. So the only option we have is to give precedence to the motion that this contingent motion flags.

I know that there are members who may be disappointed to see debate on other matters delayed, but the threshold question for this parliament is the delay of those matters over corruption at the highest levels of the South Australian government. That is a threshold question for the people of South Australia: how is it that people are getting unsolicited emails from the Liberal Party? How is it that stevenmarshall.com is sending out emails? That is a Liberal Party domain sending out emails to people who have registered only on government websites.

How is it that NationBuilder and stateliberalleader.com are depositing cookies on people who have only gone to government websites and having their browsers monitored and having that information given to the Liberal Party? We do not know who is responsible for this, we do not know who has organised it and we do not know who implemented it. All we know is who the beneficiaries are and what has occurred.

If there is corruption at the highest levels of government, surely it is incumbent on us to push away those other motions for now and bring this select committee motion forward. Surely, this is a better use of the time of the house than anything else. Surely, if the government has nothing to fear and has done nothing wrong, then this inquiry will uncover nothing.

However, if people have something to hide, if people think that this inquiry could uncover maladministration, misconduct and, unfortunately, potentially corruption, the likes of which we have never seen before in this state on an industrial scale, then the house should and must change the order and at least allow a debate on this motion.

I ask the government: whatever they think of the merits of the select committee or otherwise, let's have the debate. The people of South Australia deserve to have the debate. They deserve to hear the arguments thrashed out and they deserve to have their house work in their interests. There is time for us to do the other matters that are on the *Notice Paper* at other times. There is no reason why this contingent motion should not be agreed to.

I hope the government can see fit to allow a debate on this regardless of how they vote on the merits of the select committee, which is not up for grabs now. Now we are talking about the contingent motion. The contingent motion will allow a debate on the select committee. I say to government members: you can still support the government if you do not believe a select committee is warranted, but surely you do not fear a debate.

Surely, you do not fear to have the contest of ideas in the people's chamber about whether or not there is corruption at the highest levels of the South Australian government and that public officers have abused their public office in breach of a number of acts, including the ICAC Act and the Criminal Law Consolidation Act, including potentially the Electoral Act.

If that corruption is occurring, let's have the debate. If members opposite do not think it is occurring, they will vote accordingly on the select committee; that is their prerogative. But stifling even the debate I think sends a message to the people of South Australia, by not accepting this contingent motion, that perhaps there is something to hide. Perhaps they do fear scrutiny. The old saying is that the best disinfectant is sunlight, so they bring down the shades to make sure there is no light shone upon this issue.

Looking at the *Notice Paper*, I accept that there are a number of motions ahead of the establishment of this select committee. A lot of those motions do good work, and I understand that it is not disorderly but unprecedented to do this at this time. That is why again I say the opposition does not do it lightly. I would ask members to consider whether or not we cannot do more of this. The

opposition is prepared to sit longer after the Easter break and have more sitting days if necessary to complete—

Members interjecting:

The SPEAKER: Order, members on my right! The member for West Torrens has the call.

The Hon. A. KOUTSANTONIS: I just point out to the Manager of Government Business that he adjourned the house, not me.

The SPEAKER: The member for West Torrens will not respond to interjection.

The Hon. A. KOUTSANTONIS: I just point out to members opposite that this contingent motion does not establish the select committee: it is the motion that comes afterwards. This simply allows a debate on a select committee.

Those terms of reference I read out I think are very important for the people to know that their government is not corrupt, that their government is not stealing data, that their government is not using public resources on South Australian government sites to populate the database of the South Australian Liberal Party. That crime would go unmatched in the history of corruption within the South Australian public sector. People who potentially have perpetrated that could be facing serious legal jeopardy—serious legal jeopardy.

We are not the only body that can investigate this. There are other bodies that can investigate this. The contingent motion is important, but I do point out to members that there are other independent statutory officers who can investigate this. The Independent Commissioner Against Corruption can investigate this, the Ombudsman can investigate this, the Auditor-General can investigate this; indeed, all three could do it at once. The South Australian Anti-Corruption Branch could investigate this. All four could do it at once.

Of course, finally, the parliament: the ultimate accountability for the executive of the government of South Australia. This is the place, in this floor, that keeps the executive accountable. The people who established this adversarial system of government designed it in a way to give this parliament extraordinary powers to compel people, to make laws and to investigate through select committees.

Let's have the debate about exercising those powers to uncover potential overreach of the executive, potential corruption within the executive, potential maladministration within the executive, misconduct, abuse of public office, breaches of the Electoral Act, and on and on and on. There are not that many votes that define you in parliament. Integrity measures are one of them. In former parliaments, the now government and then opposition pushed very hard to establish an independent integrity agency in the ICAC.

In the end, they were right—and now we are right about this. This is the right thing to do. People who are potentially perpetrating this answer to people in this chamber. We are the ones who should be investigating it. We are the ones who should be holding a light to this. We are the ones who should be shining lights in dark places to find out what is going on because the public's trust has been rocked by these accusations—rocked.

Right now, we need people trusting our institutions. We need them trusting SA Health, we need them trusting the government of South Australia, we need them trusting QR codes and we need them trusting that, when they go to sources of information that are trusted and accurate, their data is not being stolen.

One of the worst things that has occurred with the breakdown of our media as we know it through social media is the rise of what people have termed 'fake news', the spread of disinformation and conspiracy theories online. We have trusted sources of news in this state. We have our independent broadcaster, the ABC. We have *The Advertiser* here in South Australia, which is the bedrock of news here in South Australia. We have other media outlets, and of course government information—independent government information—guaranteed its independence by statute, by the Public Sector Act so that public officers are independent and offer fearless and independent advice to the executive of the day.

If that has been compromised it rocks the foundations of the information that people gather every day, and that is why this contingent motion is so important to allow us to at least debate it. I

say to the government: what is more important today than having a debate about whether this parliament should inquire into the facts of what is going on?

The government told us that people were not being redirected to NationBuilder and stateliberalleader. That is not true: they were. That has been proved by Mimecast. That has been proved. That statement by the government was incorrect. We know that through that redirection cookies are installed on browsers. We know that now. That is what NationBuilder does. It is on its web page.

People have gone to state government sites and have had their browsers implanted with cookies from NationBuilder on behalf of the Liberal Party. That should not be allowed to occur. The government says that it is inadvertent. First, they said it did not happen—has not happened. As recently as yesterday the Premier said that it had not happened, and today we know it is happening.

I say that the contingent motion now is probably the most important thing we are going to vote on today in this section allocated under standing orders. I would ask members opposite to consult their conscience on this. I am sure that most members opposite are completely unaware of what is going on at the highest levels of government and are not part of this conspiracy, but it is never the act that gets you; it is always the cover-up. It is always the cover-up.

This scandal has all the hallmarks of those other scandals, where the act may be inadvertent but the attempts to cover it up and conceal it are the crimes. Do not participate. Let's see whether those Liberal values of voting with your conscience on all matters really stands, or whether there will be a collective movement today to stop an inquiry and not support this contingent motion to allow a debate on a matter of the highest importance to the people of South Australia—the integrity of their government—because if you cannot trust the government with your data what can you trust it with? That is the fundamental question.

If data has been stolen, people will go to gaol. If data has been stolen and harvested, people's careers will end. Let's get to the bottom of this. If you have done nothing wrong, you have nothing to worry about, and we will know by this vote whether the Liberal Party is worried.

The SPEAKER: Before I call the Minister for Energy and Mining, I just indicate for the benefit of members and indeed for myself that the contingent notice of motion is contingent upon two things: first, that the relevant notice of motion is appearing on the *Notice Paper*, and I indicate that the relevant notice of motion is Notice of Motion No. 60 in the name of the member for West Torrens; and, secondly, that Private Members Business, Committees and Subordinate Legislation, has been called on. It is in those circumstances that the contingent notice of motion is brought.,

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining) (11:18): The member for West Torrens is a particular type of person. Not many of us could have kept a straight face through all of that, including what he said at the very end, which was: 'If you don't support this motion, then you must have something to hide.' I refute that. It is entirely unfair, inaccurate and deliberately misleading. Let me be very clear and say the government does not support this contingent motion. It is an issue that the opposition is trying to confect. It is an issue that—

The Hon. L.W.K. Bignell: Did you hear the *Spin Cycle* this morning? It's not us.

The SPEAKER: Order, the member for Mawson! The member for Mawson will cease interjecting.

The Hon. S.C. Mullighan: Everybody is talking about it. Everybody knows.

The SPEAKER: Member for Lee! The minister has the call.

The Hon. D.C. VAN HOLST PELLEKAAN: There is nothing to hide on this side of the chamber. SAPOL could look into this, the Auditor-General could look into this, the Privacy Committee could look into this, the Ombudsman could look into this and, perhaps most importantly, if there is actually any suggestion of corruption, ICAC could look into this. There are various ways that this alleged misconduct could be considered quite appropriately without going through this contingent motion, which is really just an attempt by the opposition to try to draw attention to what they allege to be true.

I also heard from the member opposite his assertions that these are extraordinary circumstances, that there is overwhelming evidence that there is a conspiracy going on within the government. It would seem that those opposite do not even need a committee. They have made up their minds. They have already said that there is overwhelming evidence. It cannot be taken seriously that the people on the other side of this chamber are doing what they are doing this morning with regard to this contingent motion for any reason other than just to cause mischief.

The member opposite had the temerity to start talking about fake news. Everything that the opposition is doing on this issue is about fake news. We have nothing to hide. There are many ways that the opposition and the relevant bodies can pursue this if they want to. So for the member for West Torrens to use the term 'fake news' is just extraordinary.

To the point of moving one person's motion up ahead of 59 other motions, that would be an extraordinarily dangerous thing to do. The idea that a government that usually has a majority in the house could, any time it wanted to, just use its numbers to bring a motion that it would like to bring forward and jump ahead of 59 other motions would set a dreadful precedent.

The Hon. S.C. Mullighan: A precedent you set yesterday!

The SPEAKER: Member for Lee! The minister has the call. The minister is entitled to be heard in silence.

The Hon. D.C. VAN HOLST PELLEKAAN: This is just the opposition trying to whip up a storm in a teacup. There are opportunities for other organisations. Perhaps they are already doing it. Perhaps they are already looking into these things if they choose to.

The Hon. A. Koutsantonis interjecting:

The SPEAKER: Order, member for West Torrens! The minister has the call.

The Hon. D.C. VAN HOLST PELLEKAAN: SAPOL, the Privacy Committee, the Auditor-General, the Ombudsman, ICAC—any one of those organisations is welcome to look into what those opposite allege. Perhaps they already are; that would be their business. If they are, they will let us know in time. I think the Attorney-General has said the secrecy committee—

The Hon. V.A. Chapman: Privacy.

The Hon. D.C. VAN HOLST PELLEKAAN: —the Privacy Committee is already doing that. That is as it should be. But the suggestion that one member of parliament can come in here and move a motion and then try to jump ahead of all the other motions is completely inappropriate. The idea of trying to establish a select committee and simultaneously saying all the things that were said with regard to there already being overwhelming evidence, there already being a conspiracy, there already being extraordinary circumstances, etc., invalidates the proposal that the member also made, which was that it would be a clean, fair and decent way to look into it.

The opposition is just trying to make an enormous fuss about something that can be dealt with, if it is necessary, in many other ways. To suggest, as the member opposite did, that it would be okay at any time to have a select committee to inquire into any topic—just because there is nothing going on you have nothing to hide, so we will have an inquiry—is also absolutely ridiculous logic.

So is the idea that those on our side of the chamber should accept a select committee if we think we have nothing to hide. That would be an excuse to have a select committee at any time on any topic that the member opposite chose. We earnestly oppose this mischievous and dangerous contingency motion.

The Hon. S.C. MULLIGHAN (Lee) (11:25): Member for Stuart, that was perhaps not the best line of reasoning in seeking to outline why this motion should not be supported. He says it would be completely inappropriate for a member to come before this house and prioritise a motion at short notice above all other motions on the *Notice Paper*. Has he forgotten exactly what his Deputy Premier and deputy leader did in this very same place less than 24 hours ago?

It is just extraordinary. So it is okay for the government, which sometimes enjoys a majority in this place, but it is not okay for other private members to do the same thing. It is one rule for the Tories and another rule for everybody else in the community. Absolutely extraordinary! He also tries to continue on this bogus line of argument that has been put over the last four days by the Premier which is, 'There is nothing to see here. There is nothing wrong that has happened here.'

We know, of course, that that is not the case. We know, of course, that when South Australians are clicking on official government websites, including the SA Health website, they are being redirected through a South Australian Liberal Party-sponsored nationbuilder.com domain. That is not appropriate. That may be illegal. It may well be very corrupt.

That data is being harvested and is being used for purposes which are not official government purposes, because some people who have done that have been sent political emails from party political addresses, including from the member for Dunstan as the state Liberal leader. These are all facts. They have been well canvassed and established out in the public and they need to be investigated.

The SPEAKER: Member for Lee, I hesitate to interrupt the member for Lee's flow.

The Hon. S.C. MULLIGHAN: Well, don't feel obliged then, sir.

The SPEAKER: But I do. I am moved to remind the member for Lee that matters that might well be the subject of debate pursuant to Notice of Motion No. 60, in case the house is inclined to move in that direction, are properly canvassed at that time. A certain amount of latitude has been given and I am conscious of that. I do remind the member for Lee of the narrow bounds of debate within the context of the contingent notice of motion. The member for Lee has the call.

The Hon. S.C. MULLIGHAN: Thank you, sir. I am grateful as always for your guidance. So we have had three days in the media of the Premier's refutation that there is nothing to see here. It is clear that there is and it is clear that it needs investigating and it is clear that it needs investigating now. It is clear that this needs to happen right away. This is a matter of urgency.

It needs to be established how deep, how far and how extensive this problem lies throughout the myriad government websites so that the public can be given some assurance as to the extent of what data is being harvested from the people of South Australia for party political purposes by the Liberal Party. The proposal is that this should not be No. 1 out of 59 motions, according to the member for Stuart, but it should be No. 59 or later, that it should wait hopefully never to see the light of day so that this practice can continue, so that the South Australian public will have no idea at any point in the future about to what extent this practice is occurring. That is unsatisfactory.

It has never been the case by any government that this sort of practice has occurred, except under this one. There has not been any cogent refutation that this practice has been occurring. If so, why has the practice been changed? If so, why has the story consistently changed from the government? These are the sorts of things that need to be investigated by an urgent parliamentary inquiry, even urged by the editorial pages of the state's daily newspaper. We need to get to the bottom of this.

If it is okay for those opposite to rush in here, drop everything else and as a matter of urgency bring a motion in yesterday afternoon to investigate something they deem as being urgent—which as we well canvassed yesterday indeed is not; in fact, it is seven years old—then why can this matter not be treated with the same accord by those opposite? It is a double standard. It is a clear double standard. This should be investigated.

The Premier says that there is the potential for South Australians to have their confidence rocked in official sources of government information. Well, let's take the Premier at his word about that, shall we? If that is the case, then why not clear this up? Why not get this sorted? Why not expose this to some sunlight and get it thoroughly investigated and do it quickly?

We see that this pandemic is not over, we see that restrictions are being imposed elsewhere around the country, we know what the risk is to our community, and with all of that will come the requirement that South Australians have access to accurate timely information in particular from sources that are made available online. They deserve to have confidence on an ongoing basis, including from right now, that when they click on these sources of information their data is not being harvested for political, let alone nefarious purposes, by the South Australian Liberal Party.

Why will those opposite not seek to provide the opportunity to give South Australians that assurance? Why are they trying to hide this? Why are they trying to sweep it under the mat? It is quite clear, is it not? They do not want this to see the light of day because they have something to

hide. They know that something has been done that is clearly wrong. The assertion has been made, including from our side, that this conduct may well be corrupt and it possibly could be.

I would have thought that if I were the first law officer of this state, I would want to put that beyond doubt. I would want the opportunity to clear my political party's name of that—not according to those opposite: let's try to bury this, according to the rationale of the member for Stuart in his contribution; let's try to bury this down to No. 59 or 60 on the *Notice Paper* so it never sees the light of day, so it never gets ventilated, it never gets investigated.

The rationale of the Attorney-General is that 'the hitherto unheard of Privacy Committee which directly reports to me as Attorney-General will investigate this at some point with no determinate outcome or time period'. Here we have the executive investigating itself, and let's all guess what finding will be there: I am sure an exoneration of course. Would we expect anything else? Do you think we might have heard this rationale before about why this parliament should not quickly move to investigate something? I am trying to think.

When have we heard this rationale recently from the Liberal Party? Was it about the events of the Christmas party in December 2019? Was it about the use of the country members' travel allowance? It is the same rationale time and again from the Liberal Party whenever they are in trouble: 'Nothing to see here. We'll use our numbers to defeat any possible chance that the people of South Australia may be able to shed some sunlight on what is actually going on in the South Australian Liberal Party.' It is just an outrage. What is good for the Deputy Premier and the Liberals yesterday is no longer good for the South Australian parliament today.

The member for Stuart says that, listening to the member for West Torrens' contribution, we should be trying to cover up a smile, or we all must be struggling, or the member for West Torrens must be struggling to keep a straight face. I tell you what: it is not the member for West Torrens' contribution that puts us in that position; it is the member for Stuart's and the contributions that have been made in the place previously by the member for Bragg—an outrageous double standard designed to purely protect the political interests of this government and of the South Australian Liberal Party. Shame on all of you for seeking to sweep this under the mat.

You know that there is something wrong, it is clear to the people of South Australia that there is something wrong, it is clear to media outlets after media outlet that there is something wrong, and you do all you can in this place to bury it, to sweep it under the rug so it will not be exposed. Well, it will be exposed. As we all know, the South Australian Liberal Party will be found out and caught out for outrageously, if not illegally, harvesting South Australians' personal data including the installation of cookies on their web browsers to track South Australians' internet usage.

What an outrage! 'Oh no, nothing to see here,' or, as the Premier so aptly says, 'I know nothing, I haven't been briefed, I'm not aware, I don't have the details.' Are those opposite aware now that, rather than get what Dan Andrews got over in Victoria, a dance remix of *Get on the Beers*, there is a remix of the South Australian Premier not knowing anything at any time? It is extraordinary. How embarrassed you must be about the fog of ignorance the South Australian Premier seems to walk through day in, day out in the conduct of his job. It is just extraordinary.

This needs to be supported. It needs to be supported in the same way that the Liberal Party saw fit to support yesterday's urgent motion from the Deputy Premier. If they do not support it, despite doing that yesterday, it will be clear to the people of South Australia how two-faced those opposite are and the hypocrisy of the South Australian Liberal Party.

Parliamentary Procedure

VISITORS

The SPEAKER: Before I call the Deputy Premier, I draw to honourable members' attention the presence in the Speaker's gallery now of Molly Byrne OAM, many members of her family, and Bob Downs. Molly, welcome back—the member for Barossa from 1965, for Tea Tree Gully from 1970 and for Todd from 1977 until 1979. You are here today for the unveiling of your portrait. I was proud to be in attendance this morning and I welcome you to this chamber.

*Motions***GOVERNMENT PRIVACY PRINCIPLES, CONTINGENT NOTICE**

Debate resumed.

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General, Minister for Planning and Local Government) (11:36): I also welcome Mrs Byrne's attendance here today. Can I speak to two issues. On the issue of the contingency motion and the urgency to hear this matter, the first question really relates to whether in fact the convention of seeking the agreement of the 58 before it has been made. I suspect not. All conventions seem to have completely gone out the window with the opposition, particularly the member for West Torrens.

The two that struck me as being particularly important were the member for Florey's motion in relation to the COVID-19 pandemic and the inquiry in relation to that. Of course, they appear to have no care as to whether that should have any priority. Maybe she is quite happy to put it off—that it is not a matter that is important to her any further—but it certainly canvasses a very important issue.

The second motion is one from Ms Hildyard, which seeks to have a select committee in relation to consent to sexual activity. Perhaps that is not important. Perhaps she has not been asked. Perhaps she is just happy to just say that is less important in priority. In considering that assessment of whether the other 57 have even been asked at all, I do not know. But it is disappointing that the member for West Torrens has not even had the courtesy to advise the house as to whether there is an indication of support.

The threshold next question is: has there been a circumstance which justifies the urgent hearing of this matter to take precedence over all other business, and that relates to two things. The arguments are, firstly, that it is a matter of urgency that is to be investigated by this house and, secondly, that some precedent is set by virtue of the government's initiative of a select committee into the scandalous conduct at the 2014 election.

Can I just indicate firstly on the latter. The revelations seven years after the circumstances surrounding the distribution of the pamphlet, 'Can you trust Habib?', formalised in a select committee yesterday—

The Hon. A. Koutsantonis interjecting:

The Hon. V.A. CHAPMAN: I am identifying, Mr Speaker—

The SPEAKER: Order!

The Hon. V.A. CHAPMAN: He does not want to know about it.

The SPEAKER: The Deputy Premier will resume her seat. The member for Lee on a point of order.

The Hon. S.C. MULLIGHAN: I rise on the very same matter you raised with me during the course of my contribution, and that is of direct relevance to the urgency of the motion. Perhaps you could consider, after some level of hesitation, providing the same counsel to the member for Bragg that you provided me.

The SPEAKER: I will rule on the point of order. There is a distinct difference. The matter upon which I addressed my remarks to the member for Lee in the course of his contribution related to aspects of entering into debate on the substance of Notice of Motion No. 60. The matter that the Deputy Premier is for the moment traversing, as I hear it for the time being, is in response to the characterisation of the context and relevant priority of the contingency motion. I will be listening carefully, but for the time being there is no point of order and I do not uphold the point of order on those grounds. The Deputy Premier has the call.

The Hon. V.A. CHAPMAN: To be clear, my understanding of one of the legs of the argument of the member for Lee is that some precedent had been set by the government in relation to the select committee motion debated yesterday that justifies this being applied for urgent consideration of this motion today. I completely reject that. I simply place on the record that in terms of the government's motion in relation to a historical action in a campaign, I do not have to go into the facts of it. We debated that matter yesterday and I will not reflect on the vote.

What I will say is entirely distinguishable from what we are dealing with today. That related to a matter that occurred seven years ago, which no longer has access to other forms of inquiry, electoral acts, the Court of Disputed Returns, aspects of whether it goes to Equal Opportunity. They are gone. They are well and truly gone. What we have is an allegation that has been made and we need to clear that up for the election. On the other hand, the situation here is that an allegation has been made by the ALP in relation to—

The Hon. S.C. Mullighan: And substantiated.

The Hon. V.A. CHAPMAN: Members keep interjecting to say 'and substantiated'.

Members interjecting:

The SPEAKER: Order! The member for Playford is called to order and the member for Mawson is called to order. The interjections on my left will cease. The Deputy Premier has the call.

The Hon. V.A. CHAPMAN: The allegation that is the basis of the head of the argument for having to urgently deal with this is that the government in some way, in some conspiratorial or corrupt manner with public servants, has (a) been harvesting information and (b) misusing it and, further, that there is proof of this by emails going from a member of the government to a person, notwithstanding even calls by the media for the ALP to produce this information, if they have such documentation, that it be provided—if not provided to the government, because they clearly do not trust the government, that it be provided to such an integrity body as the Ombudsman. But they do not want even to do that.

The Hon. S.C. Mullighan: No, we want an independent inquiry of the parliament.

The Hon. V.A. CHAPMAN: Suggesting that the Ombudsman is not independent is another matter, but it seems to me that the textbook Tom approach—

Members interjecting:

The SPEAKER: Order!

The Hon. V.A. CHAPMAN: —to these things is to cast an allegation, provide no evidence, ask questions in the parliament—no problem with that—present them to any body that he wishes to. Of course, the Minister for Energy has listed a number of people, depending on what the allegation might be, for people to inquire into this. If indeed there is work to be done by any integrity body or the police, if there are allegations of corruption, which is what is being asserted, then let them attend to that.

Obviously, any inquiry by the parliament and a select committee is going to have to take into account matters that have been dealt with in these other forums. But so far the ALP have thrown out the allegations, refused to produce the evidence, have not apparently even referred it to bodies such as the Ombudsman; if they want to, they can do that.

The Hon. A. Koutsantonis: How do you know?

The Hon. V.A. CHAPMAN: I heard your transcript yesterday on radio, member for West Torrens.

Members interjecting:

The SPEAKER: Order!

The Hon. A. Koutsantonis interjecting:

The Hon. V.A. CHAPMAN: Here we go: 'English'.

The SPEAKER: Order!

The Hon. V.A. CHAPMAN: Is that a problem?

The SPEAKER: Order! The Deputy Premier will not respond to interjections.

The Hon. A. Koutsantonis interjecting:

The SPEAKER: The member for West Torrens is called to order.

The Hon. V.A. CHAPMAN: What I will just bring to the attention of the house is that the government has at all times said—and the Premier has made this very clear in the house—that if there has been any assertion in relation to these matters, of which the public sector has control as public servants have acted, or there has been any improper process in relation to this matter, or there has been any harvesting, to the government's knowledge there has been no harvesting, there has been no collection of data and there has been no retention of data. Therefore there has been nothing to misuse. That is our position.

If there is evidence that a public servant has done that in any way, or an agency has had access to this, or there has been any breach in relation to privacy principles, there are other forums that need to deal with it: firstly, the Privacy Committee. Members might be aware that the chair of the Privacy Committee, Simon Froude, who—

Members interjecting:

The SPEAKER: Order!

The Hon. V.A. CHAPMAN: —is the Presiding Member of the Privacy Committee—

Mr Picton interjecting:

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

The Hon. V.A. CHAPMAN: —is the director of the state archives and State Records. That committee provides an annual report each year not to me but to the parliament. I suggest members have a look at it and read it, and see what the work of that is—

The Hon. S.C. Mullighan interjecting:

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

The Hon. V.A. CHAPMAN: The Privacy Committee obviously have to have a minister responsible for them, and everyone knows that the Attorney-General is in that position. My job is to make sure that they carry out their function, and have the resources to do that, and to provide their annual report to parliament. I urge members to have a look at it.

Mr Froude has given a public statement that he has forwarded correspondence to the Department of the Premier and Cabinet to seek information in relation to this assertion that has been made. The Premier has stood in this house and made it clear that he will, of course, do anything to support that occurring. I understand the Ombudsman has also made a statement that he is expecting to receive, from the Privacy Committee, copies of any of that material.

If the opposition have any material that needs to be presented for consideration by the committee, I encourage them to provide it to either of those bodies or to such other body as they want to present it. All these options are open to them. There is a current inquiry underway in relation to this matter to make some assessment about whether there is any deficiency in relation to the privacy principles, which is the subject of the matter the opposition is seeking to hasten to be heard this morning. There are those inquiries being undertaken, and I urge them to cooperate and provide that data.

They simply keep saying that there is a need to have an inquiry because there is, they say, evidence to support that there has been some harvesting of data, some collection of data, and furthermore, now that there is a cookie component to it, that in some way this is some other heightened capacity that, they claim, supports their evidence to do this.

The government, the Premier, have no question about any of these inquiries taking place. Let's get on with the inquiry that is to take place. I remind members that if they have a look at the annual report they will see that there is also a cyber specialist on this committee, and that is the forum that should be given the opportunity to complete that task.

Members interjecting:

The SPEAKER: Order! The Deputy Premier's time has expired. Before I call the member for West Torrens—who, if he speaks, will close debate—I remind members of the importance of giving the member who is on their feet and has the call the opportunity be heard in silence. The

debate is just that, and the opportunity afforded to members who are responsive to debate is that they are not to engage in interjection in the course of a member's contribution. All of that is well known. It is important for the purposes of the productive disposition of business in the chamber, so I just remind members.

The Hon. A. KOUTSANTONIS (West Torrens) (11:49): It is obvious the government will not be supporting this contingent motion. The cover-up has begun. In my experience, it is the cover-up that gets you, never the act. If there has been an inadvertent harvesting of data, that is a crime and people will face the full extent of the law if we can get to the bottom of it. The government is working to scrub clean websites. Documents are probably being shredded. You can hear the shredders in the morning.

An old saying from the 1920s in Louisiana, when the Longs ran that state like a corrupt organised crime family, is that the key to a good committee is to make sure that the president of that committee is so amenable that if the window is open and a leaf blows in the chair of the committee will sign it. That is the sign of a good committee.

The Attorney-General told this parliament that a committee that answers to her—she used the words 'answers to her'—is investigating this. The government want us to believe that they can exonerate themselves. That is not how justice works; it is not how it works in the Westminster system of government.

The government told this house, the House of Assembly, that no redirection occurs. That is false and it has been proven to be false and that is not true. The government did not make an accurate statement on that matter. People are being redirected to NationBuilder and stateliberalleader. That is occurring and the government are working to rid their servers of that.

The question is: who put it there, who benefits and who organised it? I note that Mr James Stevens was here in the parliament yesterday. Why be in a room when you can make a phone call, speak in person? Parliament House is a pretty good place to come. I have to say there is a lot of smoke around the stench of this scandal—a lot of stench.

We know that Mr Stevens was sent to the United States to recruit NationBuilder. We know that the leader of the then opposition's budget was used for it and we know that the leader of the then opposition's Chief of Staff was a signatory to MPs' levy accounts. We know that that money was used to build a data campaign capability within the leader of the then opposition's office that has carried into government. We know that. Do you know how I know that? Members opposite are pulling hamstrings to cross the street to tell me all about it.

Something is rotten in the government. We have to get to the bottom of it. As the Leader of Government Business said, ICAC might be investigating this; he seems to know more than me. And, yes, we will fully cooperate with any ICAC investigation, any Ombudsman's investigation and any police investigation. The idea that the Deputy Premier can investigate herself and then declare herself innocent is laughable. The idea that the Premier can exonerate himself is laughable.

Either this parliament takes what people say to it seriously or it does not. If a premier can tell this parliament that no redirection occurs and that statement is patently false and gets away with it, then nothing that is said in this parliament matters ever again. Again, the institution and the conventions of this place matter. I commend the contingent motion to the house for its consideration.

The house divided on the motion:

Ayes21
 Noes23
 Majority2

AYES

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

AYES

Stinson, J.M. Szakacs, J.K. Wortley, D.

NOES

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

PAIRS

Piccolo, A. Pederick, A.S.

Motion thus negatived.

*Bills***CHILDREN AND YOUNG PEOPLE (SAFETY) (MISCELLANEOUS) AMENDMENT BILL***Committee Stage*

In committee.

(Continued from 31 March 2021.)

Clause 6.

The CHAIR: The house is in committee, the member for Reynell had moved amendment No. 7 on schedule 3 standing in her name and we were about to vote on it.

The committee divided on the amendment:

Ayes 20
 Noes 22
 Majority 2

AYES

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

NOES

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.
 Marshall, S.S. McBride, N. Murray, S.
 Patterson, S.J.R. Pisoni, D.G. Power, C.
 Sanderson, R. Speirs, D.J. Tarzia, V.A.

NOES

Teague, J.B.
Wingard, C.L.

van Holst Pellekaan, D.C.

Whetstone, T.J.

PAIRS

Piccolo, A.

Pederick, A.S.

Amendment thus negated.

Ms HILDYARD: I move:

Amendment No 8 [Hildyard-1]—

Page 6, lines 2 to 4 [clause 6, inserted section 12C(2)(d)]—Delete 'their parents and family members have a right to participate, and be enabled to participate, in the making of significant decisions about the child or young person' insert:

their family and community, have a right to participate in (and must be enabled to do so) an independent Aboriginal and Torres Strait Islander community facilitated family-led decision making process in the making of significant decisions about the child or young person

Far too many Aboriginal and Torres Strait Islander children are being placed into state care and the number of Aboriginal and Torres Strait Islander children going into care is increasing. In his recent report delivered in this house, Dr Roger Thomas, the South Australian Commissioner for Aboriginal Engagement, drew attention to more work needing to be done in relation to child protection. He called out the need for targeted action on child protection to be included in any future Aboriginal affairs action plan.

There are deep concerns that Aboriginal and Torres Strait Islander children, young people, families and communities are not always being adequately consulted with; very importantly, they are not given the opportunity to lead discussion, as they should be enabled to do, about what can be done to prevent the removal of children, what supports are needed to strengthen families and what will ensure the best outcomes for Aboriginal and Torres Strait Islander children, young people, communities and families.

The amendment I am proposing is similar to others I have put forward. It is about moving away from simply enabling Aboriginal and Torres Strait Islander children, young people, their families and communities to participate in discussions about the care and protection of their children to a regime where they lead the decision-making process. The second paragraph of amendment No. 8 certainly sets out exactly how that leadership in that decision-making should occur.

As I have said previously, these concerns have been raised with me directly and publicly by a number of Aboriginal and Torres Strait Islander organisations. South Australia's Commissioner for Aboriginal Children and Young People raised concerns about consultation when Aboriginal babies deemed to be at risk by the Department for Child Protection were removed from their mothers, often shortly after birth. Those comments were raised publicly.

The commissioner told InDaily last year that she was aware of five separate instances of Aboriginal babies being removed from their mothers shortly after birth, and that is on the public record that it has been raised publicly. In these and other cases, it seems that there was a lack of consultation with mothers, grandmothers and other family who could provide the love and support to successfully raise these children.

It is absolutely imperative that Aboriginal and Torres Strait Islander people lead discussions about these most crucial circumstances and that we ensure that, in order to enable them to do that, Aboriginal children, young people, their families and communities are not just consulted but absolutely empowered to lead solutions. That is what this amendment is about.

The Hon. R. SANDERSON: This is an important topic and I agree with the member for Reynell that more work needs to be done. I absolutely agree. That is why this government, the Liberal government, for the first time has committed through my department (DCP) \$200,000 for scoping

and to set up a peak body that will represent Aboriginal children and young people. We believe that is expected to be ready in the 2022-23 financial year. That would be the peak body that should be part of a full and transparent consultation for any changes that are to be made.

As I have already committed on two separate occasions, we are having a full review, as required by legislation, in 2022. So this is a very important topic. Any changes that are to be made should require, must require, full Aboriginal community consultation. We cannot just change words willy-nilly on the basis of, 'We do not even know who the consultation was from.' My department did targeted consultation, including with Aboriginal experts on a national committee, which included our Commissioner for Aboriginal Children and Young People, April Lawrie, and we are certainly open to improving it.

We have no problem with improving this further, but it should be part of a very important extensive full consultation that will be part of the legislative required review next year in 2022. I will state, however, as to the exact cases that were just mentioned then about children being removed at birth, for the first time ever the Liberal government has funded family group conferencing. It was announced by the former government, never funded and never implemented. This has also recently been extended to include pregnant mothers.

Rather than waiting until a baby is born and then working on how we support the family after the baby is removed, which is too late, we are now investing that money and opening that up so that when a pregnant mother is known to be struggling or needing more help, we can instigate the family group conferencing at that point, which I am sure will help many mothers and future mothers as well as Aboriginal future mothers.

Ms HILDYARD: I will just say a couple of things. I certainly agree that it is incredibly important to work at the first opportunity with women who are pregnant to ensure that they have all the support they need. Again, I am very glad to hear that the minister has committed to progressing the development of a peak body.

Just to make the point again, as I did a couple of times yesterday, there are a number of various organisations and individuals who have spoken with me about the need for these changes. It is difficult for me to elaborate on exactly who those organisations and individuals are here in this place, but people and organisations have certainly made those representations to me. I bring them forward based on those representations and with the intent of absolutely improving, not just the participation of Aboriginal and Torres Strait Islander people in decision-making but with a view to empowering their ability to lead and shape decision-making. That is the purpose of this amendment.

Again—and I know we continue to have this conversation—I think that that is a really important principle that could be changed, notwithstanding that there will be ongoing discussions and potentially a peak body set up into the future.

The committee divided on the amendment:

Ayes	20
Noes	23
Majority	3

AYES

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

NOES

Basham, D.K.B.	Chapman, V.A.	Cowdrey, M.J.
Cregan, D.	Duluk, S.	Ellis, F.J.

NOES

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

PAIRS

Piccolo, A.	Pederick, A.S.
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Amendment thus negatived.

Ms HILDYARD: I move:

Amendment No 9 [Hildyard-1]—

Page 6, after line 30 [clause 6, inserted section 12C]—Insert:

- (4a) Without limiting subsection (4), before placing an Aboriginal or Torres Strait Islander child or young person under this Act with a person who is not an Aboriginal or Torres Strait Islander person, the Chief Executive must give proper consideration of the extent to which the person is committed to—
- (a) facilitating contact between the child or young person and their family and community; and
 - (b) helping the child or young person maintain contact with their community and language group; and
 - (c) helping the child or young person maintain a connection with their Aboriginal or Torres Strait Islander culture; and
 - (d) preserving and enhancing the child or young person's sense of Aboriginal or Torres Strait Islander identity.

This is an amendment that has come about through similar consultation and with a desire—as has been the case with other amendments—to ensure that Aboriginal and Torres Strait Islander children, young people, their families and communities can lead decision-making in relation to every issue that impacts an Aboriginal or Torres Strait Islander child or young person, and not just placement but all issues. This amendment particularly goes to what happens when the chief executive makes a decision about where an Aboriginal or a Torres Strait Islander child or young person may be placed.

The changes that I am proposing with this amendment will make sure that the chief executive absolutely considers very deeply and properly the facilitation of contact between the Aboriginal child or young person and their family and community, that the chief executive helps in every way possible the Aboriginal child or young person to maintain the best possible and most robust contact with their community and with their language group, that the chief executive does all that they can to help the Aboriginal or Torres Strait Islander child or young person to maintain a connection with their Aboriginal or Torres Strait Islander culture and that they have the best possible opportunity to preserve and enhance the Aboriginal or Torres Strait Islander child or young person's sense of identity.

As I said, the principle that sits behind this particular amendment is similar to the principle that I have spoken about before in relation to previous amendments. However, this particular use of the principle in relation to this clause is about the circumstance, the process and the consideration that are given or engaged in by the chief executive when they are considering the placement and what supports, processes and connections can sit around that particular decision to ensure all those things happen in the way that I have just described to the house.

I absolutely recommend this amendment and again say, perhaps in anticipation of what the minister may say as she has spoken about in relation to other clauses, that yes, I do understand her work to develop the peak body, but again I seek to make changes as a result of representations that

have been made to me and as a result of the desire to make sure that we do implement that principle that I have spoken about at length in relation to other amendments.

The Hon. R. SANDERSON: The member for Reynell and I are both on the record stating that this is an important topic. We both furiously agree that this is important, and Aboriginal voices and Aboriginal leadership are incredibly important in the Aboriginal placement principle. However, what we disagree on is a timing issue. I have committed to—and it is legislated—a full review in 2022 on this bill, and I see that as the ideal opportunity to have broad-ranging consultation where all Aboriginal voices can be heard on this topic, and get it refined.

I believe we have a good piece of legislation that has been consulted on. I think to make any changes now would be the wrong way to go about it. I think we should do full and extensive consultation, and that would be next year, and then we can make further changes. I am more than happy to make changes but they need to be done after full consultation, so I will be opposing the amendment.

Ms HILDYARD: I will again make the point that I made yesterday. I know that this particular review of the act that brings us to debating this bill has taken some time. I think it is a little over a year overdue. I note that in the minister's comments yesterday she spoke about the fact that a future review would happen over a period of time, which would mean that it would conclude around October 2022. I think it would then take some time, as it has in this case, to develop a bill.

If we are looking at 18 months to two years, I think these principles are too important not to include in this particular bill in this particular discussion. Notwithstanding that, of course I support ongoing discussion and consultation, but I do think that these particular principles that I have put forward, based on representations made to me, are incredibly important to progress sooner than in that time frame that the minister outlined yesterday.

The Hon. R. SANDERSON: I put on the record—because I was the shadow minister in 2017 when the former Labor government brought this original legislation to parliament—that the stakeholders wanted broader representation and greater importance for the Aboriginal placement principle. The Labor government completely ignored that. We have taken the opportunity to expand it. We have significantly expanded and increased the importance of the Aboriginal placement principle, despite that the government that brought this bill in ignoring those calls.

We have made a very, very good attempt here, with consultation, at expanding that and increasing the importance of the Aboriginal placement principle. It is ironic now that Labor in opposition want to change certain words when they did not even put them in originally, because the same people who are telling them this now were the same people who told me in opposition and were completely ignored by Labor.

As I have stated, we will do a full consultation. We will do a proper consultation where we will actually listen and we will respond to that consultation. That is due, by legislation, next year in 2022. I will be opposing this and all the other amendments to this clause, and I have clearly stated my reasons why.

Ms HILDYARD: I will make a couple of points and say again, as I did yesterday, that I certainly am very keen for us to continue to engage in a respectful discussion around these particular clauses. There has been no attempt by me not to listen to particular groups; in fact, quite the opposite. I have listened to particular organisations and particular individuals, and I take what they have said to me incredibly seriously. What they have raised is incredibly important, hence why I have developed these amendments. There is certainly no sense of not listening to anyone, but quite the opposite. That is exactly why I have brought these amendments.

I will say again that I think these are incredibly important principles to enshrine in the legislation now. I also look forward to ongoing discussion about other improvements that we can make in due course. But I do think that it is urgent that we make changes that we can when we have this bill in front of us now.

The committee divided on the amendment:

Ayes	20
Noes	23

Majority 3

AYES

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

NOES

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

PAIRS

Piccolo, A.	Pederick, A.S.
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Amendment thus negated.

Ms HILDYARD: I move:

Amendment No 10 [Hildyard–1]—

Page 7, line 2 [clause 6, inserted section 12C(7)]—Delete 'the placement of' and substitute:
decisions involving, affecting or relating to

Amendment No. 10 has a similar principle to the other amendments I have moved—that is, to ensure that Aboriginal and Torres Strait Islander children, young people, their families and communities are involved in decisions involving, affecting or relating to Aboriginal and Torres Strait Islander children and young people rather than simply decisions in relation to the placement of Aboriginal and Torres Strait Islander children and young people.

Amendment negated.

New sections 12D and 12E.

Ms HILDYARD: I move:

Amendment No 11 [Hildyard–1]—

Page 7, after line 18 [clause 6, after inserted section 12C]—Insert:

12D—Aboriginal Cultural Identity Support Tool and Aboriginal Life Story Book

- (1) The Chief Executive must ensure that an Aboriginal Cultural Identity Support Tool and an Aboriginal Life Story Work is prepared and maintained in accordance with this section in respect of each Aboriginal or Torres Strait Islander child or young person placed under the guardianship the Chief Executive for a period of 6 months or more.
- (2) The preparation (including determination of the contents) of an Aboriginal Cultural Identity Support Tool and an Aboriginal Life Story Work—
 - (a) must be led by the Aboriginal or Torres Strait Islander child or young person to whom it relates, their family and community; and

- (b) must be undertaken having regard to the provisions of this Part (in particular the partnership and participation elements of the Aboriginal and Torres Strait Islander Child Placement Principle) and the principles of partnership decision-making.
- (3) The regulations may make further provisions in relation to Aboriginal Cultural Identity Support Tools and Aboriginal Life Story Works.

- (4) In this section—

Aboriginal Cultural Identity Support Tool, in respect of an Aboriginal or Torres Strait Islander child or young person, means a personalised tool or plan (however described) of a kind determined by the Chief Executive for the purpose of ensuring that the cultural needs of the child or young person are met;

Aboriginal Life Story Work, in respect of an Aboriginal or Torres Strait Islander child or young person, means a book—

- (a) setting out (having regard to subsection (2)) such of the following information as may be known to the Chief Executive:
 - (i) any cultural and kinship groups relevant to the Aboriginal or Torres Strait Islander child or young person;
 - (ii) such other information as may be prescribed by the regulations; and
- (b) containing (having regard to subsection (2)) a copy of such of the following as may be available to the Chief Executive:
 - (i) the Aboriginal or Torres Strait Islander child or young person's birth certificate;
 - (ii) letters and artworks from the Aboriginal or Torres Strait Islander child or young person's families and carers;
 - (iii) the Aboriginal or Torres Strait Islander child or young person's family tree, or genogram information about their cultural background;
 - (iv) photographs recording significant events in the Aboriginal or Torres Strait Islander child or young person's life;
 - (v) such other documents as may be prescribed by the regulations.

12E—Family group conferencing

- (1) Subject to this section, the Chief Executive, before making a significant decision under this Act involving, affecting or relating to an Aboriginal or Torres Strait Islander child or young person—
 - (a) must, if it is reasonably practicable to do so, convene a family group conference under Chapter 4 Part 2 in respect of the Aboriginal or Torres Strait Islander child or young person; and
 - (b) must, if it is reasonably practicable to do so, attempt to make voluntary arrangements for the care of the Aboriginal or Torres Strait Islander child or young person with the people present at the family group conference; and
 - (c) if it is not possible to make such voluntary arrangements, must have regard to any submissions made at the family group conference in the course of making decisions of the relevant kind in respect of the Aboriginal or Torres Strait Islander child or young person.
- (2) Subsection (1) does not apply in relation to a particular decision if a family group conference has previously been convened in respect of the child or young person, and arrangements in relation to decisions of the relevant kind have made at that conference.
- (3) Nothing in this section limits the circumstances in which the Chief Executive or the Court can convene a family group conference under Chapter 4 Part 2.
- (4) To avoid doubt, the Aboriginal and Torres Strait Islander child or young person, their family and community should lead decision-making in a family group conference.
- (5) This section does not displace, and cannot be used to justify the displacement of, section 7 or 12B.

There are different elements in this amendment, but the principle that I am trying to uphold and ensure is in the bill is the same as has been the case for other amendments. This particular amendment is about a particular issue.

Members will be able to see the definition at new subsection (4)—Aboriginal Cultural Identity Support Tool and Aboriginal Life Story Work. This amendment is about making sure that the chief executive ensures that an Aboriginal Cultural Identity Support Tool and an Aboriginal Life Story Work are prepared and maintained in accordance with this section in respect of every Aboriginal or Torres Strait Islander child or young person who is placed in the guardianship of the chief executive for a period of six months or more.

Similarly, the preparation and a determination about the contents of an Aboriginal Cultural Identity Support Tool and Aboriginal Life Story Work, as I have spoken about in relation to other amendments, must be led by the Aboriginal or Torres Strait Islander child or young person to whom that particular Aboriginal Life Story Work or Aboriginal Cultural Identity Support Tool relates and their family and community.

Whilst this amendment talks about the particular tools as they are defined in this amendment, again the principle is the same, that this amendment is about ensuring that the preparation and what is in each of those tools is determined by the Aboriginal or Torres Strait Islander child or young person and their family and community. As I said, the definition is there in the amendment.

The Aboriginal Life Story Book is an individualised book that explains and records an Aboriginal or Torres Strait Islander child's cultural and kinship groups, elders and family tree, amongst other things. I think that it is an incredibly important tool, maintained and used to correctly identify a child's cultural group, which really assists or is designed to assist in helping that child to engage with their culture.

Amendment No. 11 ensures that the compilation of the book, as I said, is led by the Aboriginal or Torres Strait Islander child or young person to whom it relates, their family and community. Again, this amendment is all about ensuring that Aboriginal and Torres Strait Islander families, in partnership with state authorities, are the driving force in the care and protection of an Aboriginal or Torres Strait Islander child or young person. The regulations may make further provisions in relation to the Aboriginal Cultural Identity Support Tool and Aboriginal Life Story Work, regulations on which I am sure Aboriginal and Torres Strait Islander community members can provide input, advice and information going forward.

I recommend this incredibly important amendment to the committee. As I said, it sets out two particular tools to be used, but it also sets out the way they are to be used. The way they are to be used is in accordance with the principle that I have outlined previously in this house—that is, that Aboriginal and Torres Strait Islander children, young people, their families and communities are the leaders, the driving force, as those tools are developed, maintained and prepared and as the contents in those particular tools are determined. I recommend the amendment to the committee.

The Hon. R. SANDERSON: Again, I agree with the member for Reynell. These are both very, very important tools. They are exactly that: they are tools. The Aboriginal Cultural Identity Support Tool and the life books are already being used, and I have seen many copies of these. They are being used. They are a practice piece. They are practice tools, which means they are subject to change. They are not suited to be in legislation because they are operational.

Whilst I agree and we are already using these Aboriginal life story books, we are also using family group conferencing, as I have already stated. The former Labor government announced it, did not fund it and did not implement it—we are. We are aiming to roll that out even further and more extensively over time because I do believe family group conferencing is a wonderful tool—and it is exactly that. They are tools. They are practice tools. This is operational and they are not required in legislation, so I will be opposing this.

Ms HILDYARD: Thank you, minister. You reminded me that I also have a few words to say about family group conferencing, which I did not mention before. The minister is right: family group conferencing is really important. It is a proven method of resolving issues in the best possible way in relation to child protection and, importantly, to child wellbeing.

As the minister and others in the house would know, a conference involves the family and community of the child in determining how best to protect that child and to ensure they are given

every opportunity to be safe, well and enabled to mentally, emotionally, physically and culturally thrive.

If a family group conference is not practicable, efforts must be made to receive submissions from the family. In either case, it is incredibly important—it is crucial—that Aboriginal and Torres Strait Islander children and young people, their families and communities again lead decision-making in those family group conferences and also lead in terms of decisions that are made about who participates in those conferences, how they take place and how they are structured. That is what this amendment is focusing on.

The Hon. R. SANDERSON: Just to confirm, I believe family group conferencing is already in the legislation. I believe and our government believes it should be available to both Aboriginal and non-Aboriginal people. It is already in the act and it is available. As I have stated already several times, the Liberal government is the first government to fund family group conferencing, and we have recently expanded that to include pregnant mothers to also have access to family group conferencing. Wherever there is money available, I most certainly will continue to expand the use of family group conferencing. I do agree it is a wonderful tool and we continue to use it.

The committee divided on the new sections:

Ayes 18
Noes 23
Majority 5

AYES

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

NOES

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

PAIRS

Piccolo, A.	Pederick, A.S.
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New sections thus negatived.

The CHAIR: The question before the Chair is that clause 6 stand as printed. All those in favour say aye.

Ms HILDYARD: Can we ask questions about the substance of clause 6?

The CHAIR: You can. I have not put the question yet, or called the question at least. We are dealing with clause 6 as printed, so you are welcome to ask questions on clause 6 as it is.

Ms HILDYARD: Minister, in relation to clause 6, could you please advise whether consultation has occurred with Nunga Babies Watch about any aspect of this clause, and, if you did

consult them, what their feedback was in relation to the changes that you have made in the bill in relation to clause 6? If it is the case that you did not consult them, could you please outline why they were not consulted?

The Hon. R. SANDERSON: As I have outlined previously, we had a targeted consultation and I have read into *Hansard* the list of people who were consulted. I am more than happy to include everybody, including putting it on the YourSAy website next year when we do a full consultation process. This was an interim consultation. We know there is a legislative full review required in 2022. This was a targeted approach and, no, they were not included in that. However, when we do a full review next year, I am more than happy for everybody who wants to be heard to be included in that.

Ms HILDYARD: Minister, could you please explain specifically how you think the changes you have made to the bill at clause 6 will reduce the incidence of Aboriginal and Torres Strait Islander babies being removed at birth? How do you think this clause and your changes to it will actually assist with that absolutely crucial issue?

The Hon. R. SANDERSON: The challenges of Aboriginal over-representation have been longstanding, as we know, and are very important for government to turn its mind to, and we certainly are. This requires a generational commitment. This Liberal government has made significant progress already. Clause 6, regarding the Aboriginal and Torres Strait Islander children and young people placement principle, is one of those steps.

As I stated earlier, we have also committed \$200,000 from my department to scope, organise and consult on an Aboriginal peak body to represent Aboriginal children and young people. This is something that has been called for by the Aboriginal community for several decades, I am told, and nothing was done. This government is acting on that.

Through our whole-practice approach, we are listening to the voice of the Aboriginal people. We have an Aboriginal consultant, Tracy Rigney, who looks at all our policy and practice through the lens of an Aboriginal person to ensure that it is culturally safe and culturally appropriate for Aboriginal children. We have the Reconciliation Action Plan. We have the Aboriginal Employment Strategy. We have over 5.2 per cent Aboriginal employment in our department—that is one of the highest in all the state government departments—and we have a goal of 10 per cent.

We have a commitment to Aboriginal community-controlled organisations. We almost doubled our commitment. We had a commitment of 3 per cent. It was somewhere around 5.2 per cent of procurement through Aboriginal community-controlled organisations. We continue to aspire to do more. We are continuing to engage with Aboriginal community-controlled organisations to help them build capacity so that we can have more community-led decision-making.

This government is absolutely committed to ensuring that Aboriginal people have self-determination over their children, their future, the community, and we are doing that in a measured, sensible approach and we continue to do that. As I have said, the peak body is another area that we are working on currently. There is a lot more. However, I do not have all of the things we are doing but we are doing a lot in this area and this is just part of our commitment.

Ms BEDFORD: Minister, I am sorry, I was not in the room for the last division. Prior to that, one of the things you mentioned this morning was working with Aboriginal women who are pregnant so that the supports are going into place beforehand. Could you elaborate more on that because that is really to the heart of the member for Reynell's question? What other initiatives are embedded in this strategy around this bill?

The Hon. R. SANDERSON: I thank the member for her question. We have invested in the family group conferencing. That was expanded. That is currently with Relationships Australia (South Australia) and expanding with Aboriginal Family Support Services (AFSS) as well. That has expanded to include pregnant mothers. We also, through DHS, have our Intensive Family Support Services, particularly in the west which is with KWY, working with families to prevent that removal.

We know that keeping children with their families is the best outcome, wherever that is safe to do so, so this government is investing in Intensive Family Support Services to prevent the removal. We are also working with family group conferencing to support and get the structures around the family and we are also investing in reunification. We announced late last year the Newpin reunification model which will be pivotal to supporting families to reunify.

Progress reported; committee to sit again.

Sitting suspended from 13:00 to 14:00.

Petitions

VOLUNTARY ASSISTED DYING BILL

Mr WHETSTONE (Chaffey): Presented a petition signed by 431 residents of South Australia requesting the house to urge the government to pass the Voluntary Assisted Dying Bill.

BRIGHTON ROAD

The Hon. A. KOUTSANTONIS (West Torrens): Presented a petition signed by 121 residents of South Australia requesting the government to provide the community with a comprehensive business case for proposed roadworks on Brighton Road.

Members interjecting:

The SPEAKER: Order! If the minister and the member for West Torrens wish to undertake a private conversation, they are welcome to do so but not here.

Parliamentary Procedure

PAPERS

The following papers were laid on the table:

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

Children and Young People, Office of the Guardian for—South Australian Child Protection Expenditure (from the Productivity Commission's Report on Government Services 2021)—Report March 2021

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

Industry Fund—

Adelaide Hills Wine Annual Report 2019-20
 Apiary Annual Report 2019-20
 Barossa Wine Annual Report 2019-20
 Cattle Annual Report 2019-20
 Citrus Annual Report 2019-20
 Clare Valley Wine Annual Report 2019-20
 Eyre Peninsula Grain Growers Rail Annual Report 2019-20
 Grain Annual Report 2019-20
 Grain Industry Research and Development Annual Report 2019-20
 Langhorne Creek Wine Annual Report 2019-20
 McLaren Vale Wine Annual Report 2019-20
 Pig Annual Report 2019-20
 Riverland Wine Annual Report 2019-20
 SA Grape Growers Annual Report 2019-20
 Sheep Annual Report 2019-20

Parliamentary Committees

PUBLIC WORKS COMMITTEE

Mr CREGAN (Kavel) (14:03): I bring up the 145th report of the committee, entitled Leigh Creek Water Main Mine Diversion Project.

Report received and ordered to be published.

Mr CREGAN: I bring up the 146th report of the committee, entitled Coopers Stadium Upgrade Project.

Report received and ordered to be published.

LEGISLATIVE REVIEW COMMITTEE

Mr TRELOAR (Flinders) (14:04): I bring up the 33rd report of the committee.

Report received and read.

Mr TRELOAR: I bring up the 34th report of the committee.

Report received and read.

*Question Time***AMBULANCE RAMPING**

Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:07): My question is to the Premier. How many more South Australians must die waiting for an ambulance before the Premier personally steps in and resolves this ambulance ramping and shortage crisis?

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:07): I note that the continuation of the negotiation is going to occur in the South Australian Employment Tribunal. I think it resumes next Wednesday.

AMBULANCE RAMPING

Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:08): My question is to the Premier. When is your government going to stop treating the ambulance ramping crisis as an industrial dispute and start treating this as the serious public health risk that it is, including your acknowledging the problem, accepting the problem and doing something about it?

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:08): I can tell you I do acknowledge the problem, and I also acknowledge who caused the problem—and they are the people who are sitting opposite.

Members interjecting:

The Hon. S.S. MARSHALL: I'm not going to be lectured by the Leader of the Opposition—

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: —who was the health minister in South Australia—the minister who closed the Repat. They over there, with Transforming Health, downgraded hospitals right across South Australia. They downgraded Modbury Hospital, they downgraded The Queen Elizabeth Hospital—

Members interjecting:

The SPEAKER: Member for Playford!

The Hon. S.S. MARSHALL: —they downgraded Noarlunga Hospital, and of course they closed the Repat Hospital, yet now they say, 'This wasn't our problem. This was somebody else's problem.' Well, let me tell you what we have been doing.

Since we came into government, we have been unwinding the Transforming Health mess that we inherited from those opposite. I tell you, one of the biggest problems in terms of medical crises in South Australia at the moment is amnesia. They have completely forgotten what happened under their government. They comprehensively blew up the health system in South Australia.

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: By contrast, since we have been in government we have put more than \$2.2 billion worth of new money into the health system, and we are currently embarking on more than a billion dollars worth of upgrades to the hospitals in South Australia. I can tell you now that not all the work is done. There is a lot more work to be done. It is going to take some time to unwind the mess that we inherited from those opposite. We agree and we acknowledge that there is work to be done.

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: We have committed money. We have committed resources. We are fixing up the mess that we inherited. Can I say that I am very proud of some of the work that is currently happening in our hospitals in South Australia. In fact, we are significantly upgrading the emergency department capacity at the Lyell McEwin Hospital, and I visited that recently.

We are now upgrading the Flinders Medical Centre emergency department. This will be the largest emergency department in South Australia. Of course, it needed to happen a long time ago, but those opposite, instead of expanding the capacity within our emergency departments, what did they do? Downgraded and closed! Yet they have the temerity to come in here and ask us what we are doing about fixing their mess.

Let me tell you what we are doing. We are working every single day. You were the health minister. Take responsibility for the mess. I have not heard one of them talk about Transforming Health. Has anybody heard them talk about Transforming Health? A few years ago, they were walking around holding the brochure proudly. We've got to dig out those photographs and remind people of the mess that you created—you, sir. You were the Minister for Health.

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: He doesn't put that on his CV.

Members interjecting:

The SPEAKER: Order! The Premier will—

The Hon. S.S. MARSHALL: He doesn't put that on the CV—that he flogged off the Repat.

The SPEAKER: The Premier will address his remarks through the Chair.

The Hon. S.S. MARSHALL: We had to reverse that.

Members interjecting:

The SPEAKER: Order! The Premier will address his remarks through the Chair. The Premier has the call.

The Hon. S.S. MARSHALL: Thank you for reminding me that we need to summarise in the next minute the work that has been done over the last three years. I've got to say, SA Health should be acknowledged for the great work they have been doing keeping the people of South Australia safe during an extraordinarily difficult year for South Australia, Australia and the globe. But even in the midst of doing all that fantastic work they have been working tirelessly to undo the mess we inherited from those opposite.

The issues to do with ramping will not be solved with a silver bullet. There are a number of projects which are working at the moment in terms of increasing patient flow—diversion, increasing ambulance resources and, of course, expanding the overall emergency department capacity and capability in South Australia. It is a comprehensive plan. We've got a comprehensive plan. We're not just throwing grenades. We've got a comprehensive plan to unwind the mess that those opposite created.

Members interjecting:

The SPEAKER: Order! Before I call the leader, I call to order and warn the member for Chaffey. I call to order the member for Colton, I call to order the member for Elder and I call to order the member for Hurtle Vale. I call to order the Minister for Police, Emergency Services and Correctional Services and I warn the member for Playford.

I indicate to all honourable members that I have just observed what might reasonably be described as an unusual degree of uproar in the house, and I just indicate a general warning with respect to that. I will give the call to the leader in a moment, and the leader will be entitled to be heard

in silence and, to whichever minister he might direct his question, that minister will be entitled to be heard in silence. The leader is seeking the call.

AMBULANCE EMPLOYEES ASSOCIATION

Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:13): My question is again to the Premier. Has the Premier taken the time to personally meet with leaders and members of the Ambulance Employees Association to hear their concerns, as members of the opposition did on the steps today, about the ongoing ambulance crisis that is putting the health and lives of South Australians at risk right now?

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:14): I thank the leader for his question. He asked exactly the same question about three weeks ago and I am happy to repeat that now. I have actually spoken to many members who work as brave South Australian ambulance officers in South Australia, and I thank them for their service to our state.

Mr Szakacs interjecting:

The SPEAKER: The member for Cheltenham is warned.

The Hon. S.S. MARSHALL: Of course there is a negotiation which is going on at the moment. I am pleased that people are at the table, and I reiterate the facts—that since coming to government we have significantly increased the budget for the South Australian Ambulance Service, we have provided new, refurbished equipment for South Australian ambulance officers, and in our first two years an additional 187 ambulance officers in South Australia. The current budget provides for a further 76 in South Australia. More than that, the Treasurer, who is responsible for industrial relations in South Australia, has—

Mr Malinauskas interjecting:

The SPEAKER: Order! The leader will cease interjecting.

Mr Brown interjecting:

The SPEAKER: The member for Playford will cease interjecting. The Premier has the call.

The Hon. S.S. MARSHALL: There are a few anger management issues on the other side of the chamber again today. We see this a lot. People are watching this at home and they get scared.

The reality is that we are in the South Australian Employment Tribunal at the moment. We have an offer on the table for additional people, ambulance officers, in South Australia, but we do need to see reform. We don't think it's acceptable that ambulance officers in South Australia are working 12-hour shifts. This is not our position and we would like to negotiate that as part of this overall negotiation.

But I make the points that we have increased the budget, we have upgraded the equipment, we have put 187 new ambulance officers on in the first two years, 76 in the current budget and 50 that are on the table at the moment, and we are in the South Australian Employment Tribunal as we speak.

As I said in my answer to the previous question—and the leader alluded to this in his question—this is a health matter as well as an industrial matter, but to solve the health matter we do need greater flexibility in our budget to better serve the people—

Ms Cook interjecting:

The Hon. S.S. MARSHALL: I would have thought you would be the last person speaking today.

Members interjecting:

The SPEAKER: Order!

Members interjecting:

The Hon. A. KOUTSANTONIS: Point of order.

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

The Hon. A. KOUTSANTONIS: Sir, that was an appalling reference to the member for Hurtle Vale by the Premier. He should withdraw and apologise immediately.

An honourable member: Oh, come on!

The SPEAKER: Order!

Members interjecting:

The SPEAKER: Order! The matter that is the subject of the member for West Torrens' point of order is a matter that might properly be raised by the member for Hurtle Vale should she wish to raise it. I will give her an opportunity to do so.

Ms COOK: Sir, I take offence at the remarks made by the Premier that I should be the last person to comment on this matter. I take deep offence at his inference, and I ask him to apologise and withdraw.

Members interjecting:

The SPEAKER: Order!

Members interjecting:

The SPEAKER: Order, the member for Elder!

Members interjecting:

The SPEAKER: Order, members on my left!

Members interjecting:

The SPEAKER: Order! The member for Hurtle Vale raises a point of order; she has taken offence. In the circumstances, I invite the Premier to withdraw the remarks to which the member for Hurtle Vale has taken offence.

The Hon. S.S. MARSHALL: I have no idea what the basis for the offence is. I am happy to apologise—

Members interjecting:

The SPEAKER: Order! It is important to note that the relevant test is a subjective one. The member for Hurtle Vale has indicated that she has taken offence. In the circumstances, I invite the Premier to withdraw.

The Hon. S.S. MARSHALL: As directed by you, sir, I withdraw the remark and apologise. But I will go on to say—and I think it is important to say—that, going forward, in this parliament we need to provide some reason, otherwise what we are going to have is a series of people standing up one after the other saying, 'I take offence.' The member for Hurtle Vale came into this parliament as a nurse—

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: She then stood idly by while the Repat was closed, while services in her own local area were closed down—

Members interjecting:

The SPEAKER: Order! The Premier has the—

The Hon. S.S. MARSHALL: —and then she stands up here in this parliament—

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: —having a go at us for putting more resources in.

The SPEAKER: The Premier will resume his seat.

The Hon. L.W.K. Bignell interjecting:

The SPEAKER: Order! The member for Mawson will cease interjecting. The member for West Torrens on a point of order.

The Hon. A. KOUTSANTONIS: Sir, the Premier is debating the answer. I ask that you bring him back to the substance of the question.

The SPEAKER: I uphold the point of order. The Premier was, and in a way that was beyond the matter that was the subject of the point of order, addressing the circumstances. It is relevant only that the Premier withdraws and apologises, which he has done. The Premier has the call.

The Hon. S.S. MARSHALL: The central part of the question was really about health versus industrial. I addressed the industrial issues at the start of my answer and, of course, I address now the health issues. But it is hard to take constant questioning from those opposite, especially those who come from a background in the medical area, who come in and ask us what we are doing while they sat idly by with Transforming Health. Now we are addressing the health concerns.

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

The Hon. A. KOUTSANTONIS: That is clearly debate, sir.

Members interjecting:

The SPEAKER: Order, members on my right! I have the point of order. For the moment—

Members interjecting:

The SPEAKER: Order! The member for Wright is warned. The Minister for Infrastructure and Transport is warned.

Members interjecting:

The SPEAKER: Order! I am in the course of dealing with the member for West Torrens' point of order. I have the member for West Torrens' point of order. For the moment, in the circumstances of the question, I am listening carefully, but the provision of context to a certain degree in this regard I regard as within the scope of standing order 98. The Premier has the call.

The Hon. S.S. MARSHALL: They absolutely hate their past. They're embarrassed by their past: their hopeless and failed Transforming Health. Every single day that we have been in power we have been restoring services, restoring the budget—\$2.2 billion worth of new money into the health budget and \$1.1 billion going into capital upgrades, all to fix the mess that we inherited from those opposite, so it's about time you took some responsibility for the mess that you created.

SA AMBULANCE SERVICE

Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:22): Supplementary question to the Premier: has the Premier met with leaders of the union who are concerned about what is going on in the health crisis at the moment? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mr MALINAUSKAS: In the Premier's most recent answer he said he has met with ambulance officers but didn't explain whether or not he has met with leaders of the union. Leaders of the union are themselves paramedics and I would have thought paramedics, along with former nurses, are the first people who should be making comment on this and the first people the Premier should be listening to.

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:23): As part of questions, the Leader of the Opposition can now make speeches. But there we go, he is really struggling at the moment. That's why he's got the Meet Pete program, the campaign that's being rolled out so he can make little speeches like this. They are not appropriate in question time, but we will take this question anyway. It's the same question you asked just a few moments ago and it's the same one you asked a couple of weeks ago.

Mr Malinauskas interjecting:

The SPEAKER: Order, leader!

The Hon. S.S. MARSHALL: And I make the point, two clear points, that I do meet with ambulance officers. They do a great job in South Australia. They are under enormous pressure because of the situation—

The Hon. S.C. Mullighan interjecting:

The SPEAKER: Member for Lee!

The Hon. S.S. MARSHALL: —that we inherited from the previous government and we are working to address those issues. We are working to address those issues which do relate to the South Australian Ambulance Service's resources, they do relate to the patient flow within our hospitals and they do relate to other services where people can be diverted from emergency departments—for example, the urgent mental health care facilities or crisis care facilities, which only opened earlier this month and, of course, the expansion of the emergency departments.

With regard to the specific issue about meeting with leadership, it has happened in the past, but we are in the midst of an industrial dispute at the moment. The best way for that to occur is through a single point of contact within the government—which is, within our cabinet arrangement, the Treasurer of South Australia, the Hon. Rob Lucas in the other place—and also continuing the negotiations that are—

Mr Malinauskas: Ice in his veins.

The Hon. S.S. MARSHALL: Really classy comments.

The SPEAKER: Order! The leader will cease interjecting. The Premier will not respond to interjections. The Premier has the call.

The Hon. S.S. MARSHALL: Grubby, grubby, grubby. The reality is we hope that all parties can reach an agreement. We have made it very clear that there are things we are seeking. The South Australian ambulance association have made it clear that there are things they are seeking. We have put things on the table. We are pleased that the South Australian ambulance union are at the table. They are at the table at the moment. I hope we can get this resolved because we do value the work that our ambulance officers, our paramedics, in South Australia do.

They do an outstanding job, and that is one of the reasons why we have significantly increased the budget to the South Australian Ambulance Service since we came to government. You cannot deny that. You cannot deny that ambulances have been upgraded, replaced, since we came to government three years ago. You cannot deny that, in our first two years, 187 additional ambulance officers and paramedics were put into the system, and there are 76 in the current budget.

The Hon. L.W.K. Bignell: You cannot deny hundreds that were on the front steps today at lunchtime because they're not happy.

The SPEAKER: Member for Mawson!

The Hon. S.S. MARSHALL: You can't deny, when you look at some of those statistics, that per capita we have the second highest level of funding in the country, but we do need to look at some fundamental reforms, not just to the rostering arrangements but to other things that are happening in our hospitals. There is no silver bullet to the situation that we inherited from those opposite, and we are fixing it, but we are being realistic about the reasons why we find ourselves in the current situation.

We are taking action. We are putting dollars behind it, but we are also looking at it from a total systems perspective. If that had been the consideration three, four, five or six years ago when they were designing the new Royal Adelaide Hospital, we wouldn't have the current situation. If they were actually thinking from a total systems perspective, if they were thinking from that perspective when they were designing Transforming Health, they would have run for the hills. How would anybody logically think that closing down metropolitan services was going to improve the situation in South Australia?

We are working diligently. Nothing can be done overnight, but what I will say is that, even in the midst of the coronavirus, where our health professionals have worked so well, we are continuing

to move ahead with this very important reform. We will not be taken off course just because people over there shout at us here in this parliament.

The SPEAKER: Before I call the member for West Torrens, I warn the member for Mawson, I warn the member for Elder, I warn for a second time the member for Playford, I warn the member for Lee, I call to order the Deputy Premier and I call to order the leader.

NATIONBUILDER

The Hon. A. KOUTSANTONIS (West Torrens) (14:27): My question is to the Premier. Has the Premier now discovered that data has been collected through Liberal Party links on government websites? With your leave, sir, and that of the house, I will explain.

Leave granted.

The Hon. A. KOUTSANTONIS: At a news conference today, the Premier changed his language about data harvesting to now saying there has been no deliberate collection or retention of data.

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:28): No.

FIFA WOMEN'S WORLD CUP

Ms LUETHEN (King) (14:28): My question is to the Premier. Can the Premier please advise the house how the Marshall Liberal government is building what matters and delivering key sporting events? With the leave of the house, I will explain.

Leave granted.

Ms LUETHEN: This morning we learned that, after a competitive process, Adelaide will become one of the host cities for the women's soccer World Cup.

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:28): I thank the member for King for her excellent question. I think every South Australian—well, nearly every South Australian—woke to the fantastic news this morning that South Australia, in fact Adelaide—

Ms Hildyard: You weren't even going to participate.

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

The Hon. S.S. MARSHALL: —will host games in the 2023 FIFA Women's World Cup, and what an outstanding coup this is for our state. I must say that I was absolutely delighted with this news. Why the long face over there? Why the long face with such a great story for our state? It's almost impossible to believe because this is a great day. It's a great day for football, it's a great day for women's sport but, more than that, it's a great day for South Australia, and it would not have happened unless we really did craft our response to focus on the sporting legacy here in South Australia.

Part of that, of course, is infrastructure, but part of that is the ongoing legacy for the great game, and I do want to single out and thank the Minister for Sport, Rec and Racing in South Australia. He did an outstanding job, but he is a modest man. He enjoyed working with the Football Federation South Australia (FFSA) here in South Australia—Sam Ciccarello, its president, and, of course, Michael Carter, its chief executive officer—and also the Football Federation Australia (FFA) and James Johnson, Mark Falvo and Jane Fernandez. Everybody worked together.

We had a fantastic bid team on behalf of the country. We had two South Australians on that: Natasha Stott Despoja and Moya Dodd. We worked with Adelaide United, we worked with clubs in South Australia, we worked with EventsSA and we put in a compelling bid, and the good news is that the Women's World Cup is coming to Australia. It is going to be held in five cities in Australia and we are one of them.

When I spoke to James Johnson about this, he said that one of the critical reasons that it came to South Australia was our focus on legacy. What we are building at the moment down at Coopers Stadium, Hindmarsh, will transform that area. People love going to Hindmarsh and they love going to Coopers Stadium, but it is tired. As part of the oval's \$212 million upgrade to the sporting infrastructure, presided over by the Minister for Sport, Rec and Racing, they will get a major transformation of that site, not only with money that we are putting in. I learnt recently through the

work that we are doing in terms of our Local Government Partnership Program that there is also an upgrade happening outside Coopers Stadium, Hindmarsh, with the Charles Sturt council.

This takes it to around \$56 million or \$57 million of transformation there, and \$24 million is going out to Gepps Cross. This is really important because we want to bring in as many people from interstate and overseas to watch the games, but we also want to bring teams in from overseas to train and spend money right here in our economy.

We know that sporting infrastructure is absolutely crucial to improving the opportunities for young people in South Australia to get out from behind their screens, get out onto the pitch and get out onto an oval and enjoy life, but we also know that it cannot happen just at the elite level. That is why I was really pleased to be with the member for King only last week when we were out at the Golden Grove Tennis Club.

I've got to say that they have been without clubrooms for a long period of time. It's absolutely extraordinary that those sitting opposite left them operating out of somebody else's shed. Well, by contrast now, the members there are absolutely delighted. I met with Craig Mousley—what a great president and also a great coach. I said, 'We have delivered for you, Craig; now you've got to deliver some future tennis champions for us here through the Golden Grove Tennis Club.' Elite, grassroots, putting the people of South Australia first. Building what matters.

Members interjecting:

The SPEAKER: Order! Before I call the member for West Torrens, I call to order the member for Florey. I warn the member for Reynell and warn for a second time the member for Lee.

NATIONBUILDER

The Hon. A. KOUTSANTONIS (West Torrens) (14:33): My question is to the Premier. Can the Premier confirm that NationBuilder links were embedded in an education department website seeking community suggestions for the name of a new birth-12 school in Aldinga in September last year?

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:33): That is a matter for the education department. We don't control those websites. That would be a matter for the education department.

Members interjecting:

The SPEAKER: Order!

NATIONBUILDER

The Hon. A. KOUTSANTONIS (West Torrens) (14:33): Supplementary question, sir: my question is to the Premier. Can the Premier explain to the house why the Department for Education is responsible for a Liberal Party NationBuilder site being embedded in the Department for Education's website for a school survey?

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:34): Well, the member makes these allegations, but again, as per yesterday and the day before, it is really good to throw these accusations out against the hardworking men and women who reside within our departments. I think yesterday it was health, today it's education. Who else are they going to have a fight with?

The Hon. V.A. Chapman interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: I have made it very clear on this issue right since the time that it was raised with me. I have made it very clear that this all came about because we were using the NationBuilder platform to send out press releases to the media in South Australia. We did it in opposition. Of course, we transferred—

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: —that over when we came into government. We know that there were members operating within the Public Service who copied and pasted the text. They put it onto government websites, but this was completely—

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: —and utterly—

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

The SPEAKER: The Minister for Education!

The Hon. S.S. MARSHALL: —unintentional, as I have pointed out consistently in this house.

Yet, even despite these assurances, those continue to raise these issues, but they don't provide evidence. When are they going to provide evidence? They are very good at manufacturing accusations. I think the dream factory is now an accusation factory and working overtime up there at the moment, but there is no evidence which has been supplied. We went and checked the situation with NationBuilder. They operate the platform.

Mr Malinauskas: What about Mimecast?

The SPEAKER: Order, the leader!

The Hon. S.S. MARSHALL: They should be in a perfectly good position to determine whether or not there was redirection going to Liberal Party domains and platforms and websites, and they said no. Then we asked the question, 'Has there been data collection or data retention?' and the answer to that again was no. I think it's interesting that those opposite always jump to the misuse of government data, people's data. What does that say about them?

We have seen some very interesting examples. Only recently, the member for West Torrens was out in the public domain telling people that the Labor Party had never used NationBuilder. He only has to go a couple of seats down. They are still using NationBuilder. In answer to my question yesterday, he said, 'Oh, no, that was in government,' and even though I pointed out to him that that wasn't the question, I went and checked. It was—they were using NationBuilder when they were in government. So even the explanation that he provided wasn't accurate. This person has really got trouble with his arguments here. He needs to provide that evidence. I understand that the Privacy Committee is looking at this issue. We will fully cooperate with this issue.

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: We have made our position very clear on this matter since it was raised with us.

The Hon. D.G. Pisoni: It's a conspiracy! It's a conspiracy! That's what Donald Trump would say: it's a conspiracy!

The SPEAKER: Minister!

The Hon. S.S. MARSHALL: I did have a large number of questions yesterday on cookies. I am still not 100 per cent sure what recipe they are using. The reality is that in this situation I have made it very clear—crystal clear, in fact—the way that this occurred. I have made it crystal clear that NationBuilder have done their own analysis and they have found that there was no redirection to Liberal Party websites, domains or platforms, and they made it also crystal clear that there was no collection or retention of the data.

Members interjecting:

The SPEAKER: Order! Before I call the member for Newland, I warn the member for Mawson for a second time, I call to order and warn the member for Wright and I call to order and warn the Minister for Innovation and Skills. I call to order the Minister for Education and the Minister for Energy and Mining, and I warn the Deputy Premier.

MODBURY HOSPITAL

Dr HARVEY (Newland) (14:37): My question is to the Minister for Education, representing the Minister for Health. Can the minister update the house on providing better health services closer to home for residents of Adelaide's north-east?

The Hon. J.A.W. GARDNER (Morialta—Minister for Education) (14:37): I thank the member for Newland for this question. I know that he is a passionate advocate for residents in his electorate.

As I was saying yesterday about the member for King, who I hear regularly from on education matters and also the health minister on health matters, the same is definitely true of the member for Newland. His advocacy for Modbury Hospital throughout his entire time in politics is heartfelt, it is sincere and it is on behalf of his constituents and, indeed of course, as residents of the north-eastern suburbs, which the member for King, the member for Newland, myself and the member for Hartley are all very passionate about our areas.

Modbury Hospital is a key health facility, providing important infrastructure for residents in our areas. It was just a couple of months ago when my own family had very good cause to be very grateful to the terrific staff, the doctors and the nurses at Modbury Hospital who were able to provide outstanding, quick, responsive and high-quality care for our family, as they have done so many times in the past and as they have done over the years for many residents in our areas of Newland, of Morialta, of King, of Hartley and, of course, of the broader north-east.

But things were not perfect when we came to government just three and a little years ago. We were elected with a passionate commitment to supporting residents of the north-east to receive better services closer to home, to turn around Labor's Transforming Health experiment, which saw such significant downgrades to our hospital and health services throughout South Australia over an extended period of time, a period of time presided over by Labor frontbenchers serving as health ministers, serving as assistant health ministers and now purporting to be on Labor's front bench.

Adelaide's north was particularly badly hit by Transforming Health. We saw the Lyell McEwin neglected and services downgraded at Modbury Hospital. A key part of our response was to introduce our commitment to establish a four-bed high dependency unit at Modbury Hospital, which I am very pleased to advise was opened last week.

The HDU will have a number of flow-on effects for Modbury Hospital. It will ease the pressure on the busy emergency department and allow locals with more complex conditions to be admitted to the hospital. It will also support the delivery of multiday surgery, up to 72 hours, as well as the increase of low to medium complexity surgery in the new surgical suite, which is currently undergoing an upgrade.

The HDU will enable patients requiring a higher level of monitoring and management of their clinical condition to be cared for at Modbury and increase the ability to manage patients both medically and post surgery. This means that residents of Adelaide's north-east can get more of the care they need closer to their homes, rather than having to travel to a hospital further away from the support of their families and their loved ones.

The contrast is stark. The opposition, when they were in government, downgraded Modbury. We have upgraded. They closed its HDU. We have opened an HDU. They left the residents of the north-east with impoverished health services. We are restoring health services to Adelaide's north-east. Indeed, a \$96 million upgrade to Modbury Hospital is currently underway and, I tell you what, it's a long time since there has been such optimism in the north-east for that outstanding facility and its future.

We have opened the HDU, ensuring clinically safe support for hospital services to local patients, delivering on our commitment to support access to better health services in the north-east, closer to their homes.

NATIONBUILDER

The Hon. A. KOUTSANTONIS (West Torrens) (14:41): My question is to the Minister for Education. Were the name, email address or phone numbers of any respondents to a South

Australian government survey, conducted by the Department for Education, shared with the Liberal Party via its NationBuilder platform?

The Hon. J.A.W. GARDNER (Morialta—Minister for Education) (14:42): I am not sure exactly which survey the member is referring to. I am not aware of any example.

NATIONBUILDER

The Hon. A. KOUTSANTONIS (West Torrens) (14:42): My question is to the Minister for Education. Were the name, email address or phone number of any respondent to a South Australian government survey, conducted by the Department for Education, shared with the Liberal Party via its NationBuilder platform? With your leave, sir, and that of the house, I will explain.

Leave granted.

Members interjecting:

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

The Hon. A. KOUTSANTONIS: The Department for Education ran a government survey on its website asking for respondents to enrol in a survey about the naming of a school in Aldinga from R-12.

The Hon. J.A.W. GARDNER (Morialta—Minister for Education) (14:43): The survey to which the member refers is about the new significant school that is being built at Aldinga. It's a school which is an investment of well over \$100 million by this government and it will indeed support the education of 1,675 students from birth to 12 in the Aldinga area and more broadly. It's a very popular new build and a very exciting development for people in that area.

The government is very committed to seeing that community engaged in the naming of that school and, indeed, through that community consultation there were a number of suggestions put forward. There were I think a couple of options put forward. It was a very close run thing.

Through both the survey responses directly—tick a box—and the written feedback that came through, we came up with a name that represented the best of all those responses. We are very pleased that the Aldinga Payinthe College will be open in term 1 next year.

The construction of that survey, the delivery of it to the community, as I understand it—certainly, to the best of my knowledge—was done by the communications unit within the education department. That communications unit is run by a set of experienced public servants in whom I certainly have confidence. I have no reason to think they acted in any way inappropriately at any time and I certainly have regard for their professionalism.

They are headed by an outstanding public servant whose name is Leah Manuel. I have no reason to think anything except the best—the most professional service provider to successive education ministers over a period of years. I think to cast aspersions on someone like Ms Manuel is very much inappropriate. The fact is—

Members interjecting:

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

The Hon. S.C. MULLIGHAN: The member for Morialta is clearly debating in providing his answer.

Members interjecting:

The SPEAKER: Order, members on my right!

The Hon. S.C. MULLIGHAN: It was a very specific question about whether the names, email addresses or other details were shared with the Liberal Party from people who responded to the survey on the education website. No reference at all was made to the people who may work in a communications unit in the department.

Members interjecting:

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

The Hon. A. Koutsantonis: Either me or ICAC is going to ask the same question.

The SPEAKER: The member for West Torrens will cease interjecting.

Members interjecting:

The SPEAKER: The member for Lee—

Members interjecting:

The SPEAKER: The member for West Torrens will leave for 20 minutes in accordance with standing order 137A.

The Hon. A. Koutsantonis: I am asking these questions; of course you're throwing me out.

Mr Whetstone: Sooky la la!

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

The SPEAKER: The member for Chaffey is warned for a second time. The member for Lee has raised a point of order under what I understand to be standing order 98(a). The question addressed itself to a survey and to the department's undertaking of the survey. The minister in addressing the question is addressing both the survey and the relevant responsibilities within the department, so I don't uphold the point of order. I am listening carefully to the minister. The minister has the call.

The Hon. J.A.W. GARDNER: It is extremely unlikely that the outstanding public servants in the education department in question would share such information with the Liberal Party. I think that is an unfathomable suggestion. It's preposterous. In relation to the people who work in that team who, as I understand it, constructed this survey, I don't think anybody has ever suggested previously that they have been a Liberal Party-affiliated group of people. They are public servants; they deserve our respect not innuendo.

If the opposition is concerned that people who might have participated in a survey who live in that area have received information from the Liberal Party about this outstanding facility, I can advise the opposition that to my understanding the Liberal Party in the local area and its candidate, Amy Williams, are out talking about the Aldinga Payinthe school every single week and of course they would be sharing information with the whole community there. It is not a matter of capturing data: it is a matter of us talking about the Aldinga Payinthe school.

I am absolutely confident that there will be many occasions between now and the next election when the Liberal candidate and the Liberal Party will be talking to the residents of Aldinga about the outstanding educational facilities that this Liberal government is installing in the southern suburbs, the outstanding support that we are delivering as part of a broader world-class education system for people in Adelaide's south, the Fleurieu Peninsula and right around South Australia.

I'm aware of no such suggestion as has been raised by the member for West Torrens and I am very disappointed in the way the Labor Party is casting aspersions on this outstanding group of public servants.

NATIONBUILDER

Mr BOYER (Wright) (14:48): My question is to the Premier. How does the embedding of a NationBuilder link in an education department survey square with the Premier's description earlier this week of NationBuilder links in government media releases being an inadvertent cut-and-paste from the Liberal Party's mail distribution system?

The SPEAKER: The member for Wright will resume his seat. The Minister for Energy and Mining rises on a point of order.

The Hon. D.C. VAN HOLST PELLEKAAN: Standing order 97. I can't even accept that was a mistake. It was a blatant, deliberate transgression.

The SPEAKER: The point of order is pursuant to standing order 97. Without reflecting beyond what was uttered, I will indicate that the member for Wright might require leave in order to frame a question in line with what I have heard so far. I will give the member for Wright an opportunity to do so, should he wish. Does the member for Wright seek the call?

Mr BOYER: Thank you, Speaker. My question is to the Premier. Given the Premier's description earlier this week of NationBuilder links in government media releases being an inadvertent cut-and-paste from the Liberal Party's mail distribution system, how does the embedding of a NationBuilder link in the education department's—

Members interjecting:

The SPEAKER: I will hear the question. The member for Wright has the call.

Mr BOYER: Thank you, Speaker. My question is to the Premier. Given the Premier's description earlier this week of NationBuilder links in government media releases being an inadvertent cut-and-paste from the Liberal Party's mail distribution system, how does the embedding of a NationBuilder link in an education department survey square with that description provided by the Premier?

The Hon. J.A.W. GARDNER (Morialta—Minister for Education) (14:50): The opposition continue to make allegations without providing evidence. I invite them to provide the evidence.

Members interjecting:

The SPEAKER: Does the leader rise on the point of order? No.

Members interjecting:

The SPEAKER: Order, members on my right!

Members interjecting:

The SPEAKER: Order! The question, as it was framed on the second occasion, to my observation includes at least two matters that are premised upon fact or argument. The Minister for Education has provided a response going potentially to a point of order but also potentially to a response. I will give the Minister for Education an opportunity to respond further, should he wish. The Minister for Education does not wish to respond further.

NATIONBUILDER

Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:52): My question is to the Minister for Education. Can the minister categorically deny that any NationBuilder links were embedded in the Aldinga school survey—yes or no?

The Hon. J.A.W. GARDNER (Morialta—Minister for Education) (14:52): The first I was made aware of this allegation was about six minutes ago by the member for West Torrens. I was then provided with further allegation without evidence by the member for Wright about a minute and a half ago and I am now advised that the member for Croydon also has some interest in the matter.

Rather than cast aspersions on public servants who have done their job with diligence, as far as I understand, within the education department for many years under both Liberal and Labor governments—and certainly no aspersions have previously been cast on this group of public servants that they might be Liberal Party affiliated—I continue to invite and I certainly would prefer it if the Labor Party would provide some skerrick of evidence to back up their allegations, rather than undermine the important work that is done in community engagement for this very exciting project, which I think is going to provide an outstanding educational service for the people of Adelaide's southern suburbs and near regions.

NATIONBUILDER

Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:53): My question is to the Minister for Education. Why can't the minister rule out NationBuilder links being embedded in the survey?

The Hon. V.A. Chapman interjecting:

The SPEAKER: Order, Deputy Premier!

The Hon. J.A.W. GARDNER (Morialta—Minister for Education) (14:53): The Leader of the Opposition asks me to rule out something that was brought to my attention in a question about eight minutes ago now—

Members interjecting:

The SPEAKER: Order!

The Hon. J.A.W. GARDNER: —with no evidence presented. The Leader of the Opposition in this house just two days ago—

Members interjecting:

The SPEAKER: Order, the Premier!

The Hon. J.A.W. GARDNER: —gave a speech in which he described it as a vast conspiracy. The conspiracy theorist who purports to lead the opposition asks us to rule in and rule out things that have just been brought to our attention that in some cases have quite possibly been made up, but we don't know because they haven't actually presented the information.

Members interjecting:

The SPEAKER: Order!

The Hon. J.A.W. GARDNER: What I do know is that it is not a conspiracy theory to say that the Labor Party has form in putting out flyers purporting to go to Liberal politicians and having mailing addresses going to Labor Party offices. This is something that has been going on for more than a decade in the Labor Party, and it continues. If you are concerned about misleading members of the public about what they are signing up to when they provide information and capturing people's data—

Members interjecting:

The SPEAKER: Member for Playford!

The Hon. J.A.W. GARDNER: —I invite the Leader of the Opposition to ask his frontbench members—I am sorry, also now backbench members—whether they have ever put out material purporting to go to a Liberal Party member of parliament or a Liberal Party minister but actually having a Labor Party member's address on it.

Members interjecting:

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

The Hon. S.C. MULLIGHAN: Standing order 98: this is clearly debate. It was a specific question about whether information from an education department website had been provided to the Liberal Party, and now the response has descended into—

Members interjecting:

The SPEAKER: Order, members on my right!

The Hon. S.C. MULLIGHAN: —a series of allegations about party political campaigning.

Members interjecting:

The SPEAKER: Order! The member for Lee will resume his seat for a moment. Members on my right will cease interjecting. I am endeavouring to listen to the member for Lee. The member for Lee has the call.

The Hon. S.C. MULLIGHAN: Again raising a point of order: standing order 98. The question was quite specific about information being transferred from survey responses on the education department website to the Liberal Party, and the member for Morialta's response has descended into a series of allegations about party political campaigning.

Members interjecting:

The SPEAKER: Order! The question related to subject matter that has been traversed at some length. There is, in the circumstances, scope for the provision of some relevant context. The minister has traversed that, in my view, to its fullest extent. I uphold the point of order and I direct the minister more particularly to the specific subject matter of the question. The Minister for Education.

The Hon. J.A.W. GARDNER: Sir, I have answered that.

The SPEAKER: Before I call the member for Elder, I warn the member for Colton, I warn for a second time the Minister for Innovation and Skills, I warn the Premier and I call to order the deputy leader.

HERITAGE PROTECTION

Mrs POWER (Elder) (14:57): My question is to the Minister for Planning and Local Government. Can the minister update the house on the next steps the Marshall Liberal government is taking to ensure the preservation of South Australia's built heritage?

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General, Minister for Planning and Local Government) (14:58): I would be very pleased to answer this question and advise new information to the house. I thank the member for Elder for her strong advocacy and interest in heritage matters. She has, of course, the very famous Colonel Light Gardens in her electorate, which I think now for 100 years has been under a state heritage area, one of 17 in South Australia, as a garden suburb area, and very proud of it she is.

Shortly, there will be updated heritage standards that will come into effect, which is a statutory instrument under our new Planning and Design Code. But today I just want to tell you about a matter that the Minister for Environment and Water and I are very proud of, and that is to confirm to the house that a new group will be appointed to respond to the Environment, Resources and Development Committee's inquiry into heritage reform in South Australia.

We finished the Planning and Design Code phase 3. That is all locked and loaded and off it is going, and we are very pleased about that, and now the minister and I have agreed to a critically important group of people to ensure that the heritage places, areas and buildings that are affected are afforded the protection they deserve and that there is more consistent guidance as to how our heritage is identified.

It is fair to say that the ERD Committee's ambition, in their consideration of this matter, was to ensure that our heritage protection is both transparent and streamlined, and furthermore that it be as responsive and accountable as possible. We have agreed that the report, which was tabled on 30 April 2019, will be considered and that the membership of a panel will comprise qualified representatives from the State Planning Commission, the SA Heritage Council, the National Trust of South Australia and the state government.

The members invited to be on the panel who have accepted are Ms Helen Dyer, the Chair of the State Planning Commission, who will chair the panel; Ms Deborah Morgan, President of the National Trust of South Australia; Mr Keith Conlon, Chair of the South Australian Heritage Council; Mr Jason Schulz, an architect from DASH Architects and a member of the South Australian Heritage Council; Ms Cate Hart, Executive Director of Environment, Heritage and Sustainability from the minister's department; and Ms Anita Allen, Director of Planning and Development in my department.

Importantly, we think the invitation to participate in this needed to consider recognition of the important roles they play in heritage preservation and their advocacy, together with a detailed understanding of the current heritage system, their local government experience and their understanding of the new planning system and how it pertains to heritage. I can particularly say that Ms Anita Allen, who is a director in planning and development in my own department, has been very much in a leadership role in rolling out the new planning and development code. She is very familiar with the operation of this, and I have valued her advice with all stakeholders as we have developed that new code.

We are very grateful for the commitment of the members to assist the government to reform the current approach to the preservation and management of heritage so that we can address all the frustrations and shortcomings we see in the current approach. It has been raised by the ERD Committee, and there were many, many submissions that went to that inquiry, and we thank

those who made a contribution. The terms of reference for this panel are (1) to consider those recommendations and report—

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

NATIONBUILDER

The Hon. S.C. MULLIGHAN (Lee) (15:02): My question is to the Premier. Can the Premier advise the house whether the Liberal Party has tracked or collected any personal data by any means from any state government website, including by clicking links or when people submit their details to a government site?

The Hon. S.S. MARSHALL (Dunstan—Premier) (15:02): As I have said previously, not that I am aware of, but if those opposite have evidence they would like to provide, rather than just continuing to make what I believe are these baseless allegations, then we would be happy to consider them.

Members interjecting:

The SPEAKER: Order!

NATIONBUILDER

The Hon. S.C. MULLIGHAN (Lee) (15:03): My supplementary to the Premier is: is it the Premier's view that all the concerns that have been put to him over the past few days stemming from media requests last Friday are baseless?

Members interjecting:

The SPEAKER: I indicate to all members that there is no formal status so far as any supplementary question is concerned. I will treat the question as in order. Does the Premier seek the call?

The Hon. S.S. MARSHALL (Dunstan—Premier) (15:03): I refer the member to my previous answers, which I have provided in this house all week.

GOLDEN GROVE TENNIS CLUB

Ms HILDYARD (Reynell) (15:03): My question is to the member for King. Has the member for King apologised to the subcontractor and its employees who were terminated from the Tea Tree Gully council civil works at Golden Grove Tennis Club? With your leave, and that of the house, I will explain.

The SPEAKER: Order! The member for Reynell will resume her seat. The Minister for Energy and Mining rises on a point of order.

The Hon. D.C. VAN HOLST PELLEKAAN: Point of order, sir: that question is out of order for several reasons and I ask you to rule it so.

The SPEAKER: I uphold the point of order. The question clearly does not relate to relevant responsibilities. The member for Reynell is warned for a second time and I will move on.

The Hon. S.C. MULLIGHAN: Mr Speaker, I rise on a point of order.

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

The Hon. S.C. MULLIGHAN: Under standing order 97, the conduct of the member for Reynell was wholly within standing orders. She had got to the point of seeking the house's leave to provide further detail about her question and she was denied that opportunity—firstly, by the member for Stuart and, secondly, by your ruling. She did nothing more than any other member has done in providing a question to the house and seeking the leave of the house to provide further detail about that question.

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

The SPEAKER: The Deputy Premier on a point of order.

The Hon. V.A. CHAPMAN: Mr Speaker, you have ruled on this matter. If the member wants to complain about that, he has to move dissent to your decision.

The SPEAKER: I have ruled on the question. I do not uphold the member for Lee's subsequent point of order and I will move on. Is the member for Florey seeking the call?

Ms BEDFORD: Indeed, sir.

REAL-TIME FUEL PRICING

Ms BEDFORD (Florey) (15:05): My question is to the Attorney-General. How will the government determine if South Australian motorists have saved money following the introduction of its 30-minute real-time petrol pricing reporting system and app? With your leave, sir, and that of the house, I will explain.

Leave granted.

Ms BEDFORD: The government response to the Productivity Commission report into fuel pricing stated, and I quote:

No policy of fuel price monitoring will have its [that's the government's] support if it is found it tended to increase fuel prices.

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General, Minister for Planning and Local Government) (15:06): I thank the member for her question. In fact, I have quite a lot of comprehensive information about this, so I really do thank her for that. I was hoping to make sure that she was kept full bottle on this because I know it's an area of interest to her and she has contributed to the development of the legislation to introduce the mandatory disclosure of material by the retailer.

Yes, all the app providers are now able to access, through informed sources, the data of the mandatory disclosure within 30 minutes of all fuel prices and all change of fuel prices in the state. As we are coming into Easter, obviously that is particularly critical, and I am sure people even today are searching for the cheapest petrol price.

As the member will recall perhaps more than others, there's a \$3 million to \$8 million potential saving, according to the Productivity Commission, in relation to the introduction of a model that enables the consumer to choose the cheapest price. This new aggregation of data model enables all the app operators—and there are a number of them that are already out there and now even more are lining up—to access this data and provide this service.

The most recent was the Royal Automobile Association of South Australia (RAA). They have now launched their app. I think they had about 80,000 followers before, and when we announced it they had another 16,000 followers that weekend. They are out there and there are a number of different agencies that are available. They include Fuel Map Australia, MotorMouth, Pumped, the RAA, which I have referred to, Petrol Spy and other companies that are planning to release.

I urge everyone to ensure that, at the very least, their constituents are aware of the opportunity to keep this very significant part of a family and household budget, a cost of living, to enable them to be able to secure the cheapest possible price. It's available for the 91 or 98 rating, which I think is the super model for unleaded fuel. That is also an important option that is available. It's out there and it's working.

I am also advised by the Commissioner for Consumer and Business Services, Mr Soulio, that they are satisfied that the retailers are doing the right thing, but he reminded me to remind us here in the parliament of the significance of being able to report inaccurate fuel prices or report any petrol stations—that is available on the CBS website—for them to be able to further their spot checks and follow up any complaints.

But the two-year trial, which the member is well aware of and which is to operate here, will clearly need to be assessed to see whether there has been any demonstrable benefit in a cost saving overall to the consumers, which has been estimated by the Productivity Commission. I absolutely can stand by the fact that, if we have, firstly, a positive response to that, then it would be an indicator of a continuation of this model, but there is a change of technology in this area almost on a daily basis.

As the member knows, and I have advised her before, if there is an improved model or there is an opportunity for us to update the aggregate data mandatory reporting system that we've got, then clearly we will look at it at the end of the two-year trial.

REAL-TIME FUEL PRICING

Ms BEDFORD (Florey) (15:10): My question is again to the Attorney-General. What processes are in place to ensure retailer compliance now your 30-minute real-time fuel pricing app is live, and how will your government ensure prices listed on the app are the same as the prices displayed on the pump? With your leave, sir, and that of the house, I will explain.

Leave granted.

Ms BEDFORD: Australian fuel prices, particularly here in South Australia, are volatile and change frequently, often several times a day, unlike in Western Australia, which has an assured 24-hour daily price. What are the government's processes for confirming any price discrepancy, and how will it be determined which expiation or penalty you will impose?

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General, Minister for Planning and Local Government) (15:11): Firstly, in relation to the monitoring, there is the invitation by CBS for the community to be involved and, as I indicated, to be able to report inaccurate fuel prices through their website. Secondly, as I just indicated in the previous answer, they have a rollout of their own spot checks that they are undertaking. Thirdly, they have inspectors already on the road undertaking that work.

In relation to the model that was referred to in Western Australia, we dealt with that in the debate. Whilst they have a fixed 24-hour system, of course they have a fixed high price, if in fact there is an opportunity to reduce it. I think we debated that and the parliament determined that we would go to the model that is currently being applied. In relation to the volatility of prices, I think we will always have that.

What this whole program does, member for Florey, is enable the consumer to choose—whether it is on their next street, whether it is on their way to pick up their children from school, whether it is on a visit to a country town—the cheapest possible price for them to keep to their household budget as best they can. I am not sure whether the member for Florey is exasperated by that response, but I just want to reassure her that it is very important for the government that we offer this issue as a reduction-of-cost measure for households and we are committed to it.

I am satisfied, in discussing it with Mr Soulio throughout this process—he was of course involved in the supervision of the tender, the contract in the obligation for retailers, having them sign up, and he is satisfied in that regard—and in his program of inspectors in relation to the monitoring of this. Should the community want to help, they are welcome to make a contribution in that regard, and we have given them access via the website to be able to do that.

REAL-TIME FUEL PRICING

Ms BEDFORD (Florey) (15:13): Supplementary to the Attorney: have Mr Soulio's inspectors found any discrepancies and, if this system is so good, why did it take you three years to bring it to the parliament?

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General, Minister for Planning and Local Government) (15:13): Firstly, it's Mr Soulio who has had responsibility for the implementation of this program. I have explained it to the parliament before, in the long passage of the development of this legislation through the parliament. I have been very grateful for the member for Florey's contribution. That contribution was very long, so it did somewhat extend it, but that is the parliamentary process. I am very pleased to have had that contribution, but it did extend it.

Unfortunately, the member for Florey's contribution included criticism of the appropriateness of the appointment of Informed Sources as the agent to actually do this reporting. Her criticism, as I have explained to the parliament, resulted in the commissioner taking the view that, in view of the allegations made in respect of the ACCC, it was appropriate that there be a full tender process, which of course took the matter out another six months. That delay is unfortunate, but I am very pleased to confirm that, for the people of South Australia, this is in place, it is operational and it is effective.

ANZAC DAY COMMEMORATION SERVICES

Mr DULUK (Waite) (15:15): My question is to the Premier. Can the Premier please update the house on how the state government is committed to ensuring that our veterans are honoured for their service to our nation by supporting local RSL clubs in their efforts to host ANZAC Day services this year? With your leave, sir, and that of the house, I will further explain.

Leave granted.

Mr DULUK: Local ANZAC Day services in Mitcham and Coromandel Valley are not going ahead this year, and my local Blackwood RSL is having difficulty attempting to organise their service. Due to COVID-19 safety requirements, the Blackwood RSL is required to hire fencing to restrict the number of people attending, and many may require other costs, such as security. To ensure that this dawn service goes ahead, Premier, and is COVID safe, will you commit to funding any additional costs that COVID-19 restrictions bear on 2021 ANZAC Day services?

The Hon. S.S. MARSHALL (Dunstan—Premier) (15:15): I thank the member for Waite for his question. Of course, we all know that ANZAC Day is our most solemn day of commemoration as a nation—a day when we honour those people who have served our nation. We particularly honour those people who paid the ultimate sacrifice to protect our freedoms here in Australia. ANZAC Day last year was severely interrupted and changed quite substantially due to the stage that we were at with regard to the—

The Hon. S.C. Mullighan: How come you could go shopping on ANZAC Day? You could go shopping but not to your RSL—how come?

The SPEAKER: Order! The Premier has the call. The member for Lee will cease interjecting. The Premier has the call.

The Hon. S.S. MARSHALL: Of course, last year that solemn commemoration was interrupted by the coronavirus, and I think that the RSL had a very novel approach to making sure that every single South Australian could continue to commemorate this important observance with the Light up the Dawn initiative.

I am delighted that this is going to continue this year as well because, although we are doing extraordinarily well as a state, we are still very concerned about mass gatherings, especially those mass gatherings that might involve some of our older, more vulnerable, more frail citizens, and so we do take a prudent position with regard to this. For those gatherings that we think are going to be over 1,000 people, they do need to get a COVID management plan in place.

There are some clubs that have expressed some anxiety about managing those events, and so what we have seen in South Australia in the lead-up to and the years subsequent to the centenary of ANZAC is that quite small gatherings grow almost exponentially each year to the situation that we have now where there are often thousands and thousands—and in some cases tens of thousands—of people who want to make that solemn observance at dawn on ANZAC Day.

The RSL, of course, are their own organisation. We don't direct them, but we are here to support them. There were some RSL sub-branches here in South Australia that said that they were very concerned that, within their own volunteer capacity, they wouldn't have the ability to run the large-scale events that had previously been offered. We know that many local governments have stepped in to help, and for that we are very grateful. The government also stands ready to help.

You might recall, sir, back several years ago we were informed that, in fact, the RSL wouldn't be hosting the barbecue immediately after the dawn service, and Veterans SA stepped in with many people from the RSL, the sub-branches here in South Australia, to make sure that that went ahead. Similarly in this instance, we want to do everything we can to make sure that this is a very well-attended commemoration but one that is done in accordance with the coronavirus restrictions that we have in South Australia.

I would just encourage the member and in fact any members who have a sub-branch that is concerned about their ability to manage these events and don't have the support of their local government to assist in this instance, to make contact with Catherine Walsh at Veterans SA; I am sure they will find a very willing ear and someone ready to lend a hand.

HOVE LEVEL CROSSING

Dr CLOSE (Port Adelaide—Deputy Leader of the Opposition) (15:20): A supplementary to the Premier: can the Premier confirm whether the pine trees close to the Hove crossing were planted during the Second World War commemorating South Australian soldiers?

The Hon. C.L. WINGARD (Gibson—Minister for Infrastructure and Transport, Minister for Recreation, Sport and Racing) (15:20): I am not sure if it is a question around infrastructure or as a local member, but the trees that you refer to, of course, are alongside the Hove crossing in my community. They are greatly valued. I don't have or know the dates when there were planted. If you are referring to the Hove crossing intersection that is being looked at by the Department of Planning, Transport and Infrastructure, I made it very clear in the public that from my perspective, as far as that piece of infrastructure is concerned, impacting the minimal number of homes has always been my preference.

The department has actually gone away and done a lot of work. I need to put on record that the Labor Party when they were in government committed to doing this in 2018 but never actually did the works or the planning works to determine whether they would go rail over or rail under. So in looking at those trees, the Labor Party—

Members interjecting:

The SPEAKER: Order!

The Hon. C.L. WINGARD: —when they were in government didn't make any commitment and/or, from my recollection, budgeted under \$200 million for the project, which would mean they were set to put rail over. I know the—

Members interjecting:

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

The Hon. S.C. MULLIGHAN: Standing order 98: the question was—

Members interjecting:

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

Mr Malinauskas: Where are you working this Christmas?

The SPEAKER: Order, the leader! The member for Lee.

The Hon. S.C. MULLIGHAN: The question was very specific, about the origins of the planting of those pine trees in that location, and the minister is doing everything but address the substance of the question.

The SPEAKER: I have the point of order. I direct the minister to the substance of the question. The minister has the call.

Members interjecting:

The SPEAKER: Interjections will cease.

The Hon. C.L. WINGARD: Thank you, sir, and I do appreciate it because in referring to those trees that are at this intersection I do make the point that when in government they actually didn't do the work to determine (1) how old the trees are, because clearly they don't know, and (2) the impact that any infrastructure build would have on those trees. They committed to doing this project and they don't know the impact it would have. We went away and we did that work—

Members interjecting:

The SPEAKER: Order!

The Hon. C.L. WINGARD: —to have a look at what impact it would have on the local community. Again, I haven't been asked a question by the member for West Torrens, the shadow minister in the space, as much as he has been out in the community agitating around this project.

The fact is that we have gone and done the work and had a look at all four options and the impact they would have on things like the trees there and the local community. We have obviously been made aware through the department's work and what they have done that, if rail is to go under, it would take some 46 homes—between 25 and 46 homes depending on the configuration—and rail over we know would only impact five properties. Road over and road under I think would impact some 50-odd properties as well.

Ms Cook: How many properties are at No. 14? There are 16 properties at No.14.

The Hon. C.L. WINGARD: Again, the member for Hurtle Vale, who thinks she is an engineer now, isn't listening to that engineering advice.

Members interjecting:

The SPEAKER: Order! The minister will resume his seat. The member for Hurtle Vale will cease interjecting. The member for Lee rises on a point of order.

The Hon. S.C. MULLIGHAN: Once again, standing order 98. Are you still comfortable that the minister is addressing the origin of the planting of those trees?

The SPEAKER: The member for Lee raises a point of order as to relevance. I have been listening to the minister's answer. The minister has addressed the trees that are the subject of the question. The question was quite specific. I will give the minister one further opportunity to address himself specifically to the subject matter of the question. The minister has the call.

The Hon. C.L. WINGARD: Thank you, sir. Again, at your last point, I did refer back to the trees and the intersection that is in discussion. What happens at that intersection will obviously impact the trees—

Members interjecting:

The SPEAKER: Order!

The Hon. C.L. WINGARD: —and that is what needs to be considered. The member for Hurtle Vale talks about the Housing Trust property that is there with a number Housing Trust homes on it. Again, when they planned to do this project, they would have been impacted. We did the work and we found out that if they did that work—

Members interjecting:

The SPEAKER: Order!

The Hon. C.L. WINGARD: —they would have impacted the trees and the properties. So again, the fact that we have gone and done the work and found out what Labor would have done had they gone ahead with their project is really important that we do take that to the community.

The SPEAKER: The minister will resume his seat. The time for questions has expired.

Ms BEDFORD: A point of order, Mr Speaker.

The SPEAKER: The member for Florey rises on a point of order.

Ms BEDFORD: Yes, under 127, sir. I believe the Attorney-General has made a personal reflection on me today in question time, and it is unfortunately not the first time she has done it, in relation to the introduction of her real-time petrol pricing scheme. She obviously feels I should not have insisted on full probity in the tender process and, if it was not necessary, then why on earth did she do it? So I would ask her to think about withdrawing the remarks.

The SPEAKER: The point of order is raised pursuant to standing order 127, that is in circumstances in which the member for Florey indicates objection to the Deputy Premier having made a personal reflection. In the circumstances, I accept the point of order and I invite the Deputy Premier to withdraw those remarks in the context in which they were made.

The Hon. V.A. CHAPMAN: Firstly, can I just clarify the nature of the concern that has been raised by the member and certainly if she has taken offence. But to be absolutely clear, her statement suggests that I had asserted that I had made a decision—

The Hon. S.C. MULLIGHAN: Point of order.

The SPEAKER: The Deputy Premier will resume her seat for a moment.

The Hon. S.C. MULLIGHAN: This is not an opportunity for some other form of contribution from the member for Bragg. We have traversed this frequently over recent days in this place and she is merely seeking to take some objection to the point the member for Florey has made.

The Hon. D.G. PISONI: Point of order.

The SPEAKER: Order! The member for Lee will resume his seat. The Minister for Innovation and Skills on a point of order.

The Hon. D.G. PISONI: This is not an opportunity for the member for Lee to give a speech.

The SPEAKER: Order! The Minister for Innovation and Skills will resume his seat. I have invited the Deputy Premier to withdraw remarks to which the member for Florey has taken as a personal reflection in accordance with standing order 127(3). I invite the Deputy Premier to do that succinctly.

The Hon. V.A. CHAPMAN: My understanding of the offence taken relates to an assertion purported to be made that I had made a decision in respect of the need to tender as a result of matters raised by the member on Informed Sources. She takes offence at that. If I had said that, I think that is fair. What I had said was that the—

The SPEAKER: It is a matter of personal reflection rather than offence. The Deputy Premier I invite to withdraw those personal reflections.

The Hon. V.A. CHAPMAN: So if the member has taken offence at that, I am happy to withdraw that concern but I would like to inform her that it is the commissioner for business services who made that decision and not me.

The SPEAKER: The Deputy Premier has withdrawn. The Deputy Premier will resume her seat. The member for Lee will resume his seat. The question before the house is that the house note grievances.

Ms BEDFORD: Mr Speaker—

The SPEAKER: The member for Florey on a point of order?

Ms BEDFORD: Before we continue, I do not think that that is actually satisfactory, in that the Attorney has asserted on more than one occasion that it is actually my fault her 30-minute real-time fuel pricing petrol app was delayed and that it was my fault because I insisted on a tendering process which, if it was not necessary, she did not have to perform. So I am not certain how it is my fault it is delayed, and you have said it more than once.

The SPEAKER: Order! That is the context in which I understand the point of order.

Ms Bedford: Well, that's the context in which I heard her apology.

The SPEAKER: I accept the observation, member for Florey. That is the context in which I understand the remarks have been interpreted and, very particularly, the point of order is raised pursuant to standing order 127(3), as distinct from standing order 125. To the extent that the Deputy Premier has not already withdrawn those remarks by reference to what the member for Florey has now more particularly described, I invite the Deputy Premier to do so and to do so succinctly.

The Hon. V.A. CHAPMAN: I apologise for any concern that has been raised by the member if she feels there is a reflection on her in respect of the tendering process. I confirm the statements I have made in respect of the delay as a result of the period in the lead-up to the establishment of this mandatory service.

Grievance Debate

STATE LIBERAL GOVERNMENT

Mr MALINAUSKAS (Croydon—Leader of the Opposition) (15:30): We have been in this term of parliament now for approximately three years, and I think it is fair to say that this has been one of the more extraordinary weeks I have witnessed in this parliament. What we have seen is

rather exemplary in terms of this government's priorities and how completely detached the government is from the real-world concerns that South Australians are experiencing at the moment.

What we have seen the government put the most effort into this week is the establishment of a parliamentary select committee investigating a flyer that was distributed seven years ago, where the government has focused all its effort to use its majority to investigate the minority—truly unprecedented and something this parliament will note for a very long time to come.

The second thing we have seen a lot of effort put into on behalf of the government is trying to explain how it is possible that Liberal Party links, NationBuilder links, are embedded in government websites so that when an innocent South Australian simply trying to access COVID-19 information clicks on a link to go to a SA Health website they are somehow redirected between these.

The government, of course, asserts that this is somehow an innocent error. That seems somewhat unbelievable, particularly considering the inconsistency we have seen evolve throughout the course of the last three days in the Premier's language, other evidence emerging, contradictions from independent sources like Mimecast, let alone revelations about links now being embedded in other government websites within the education department.

That is what is going on in here: an inquiry from the majority into the minority, breaking precedent, and then, secondly, an inexplicable, unacceptable lack of information about very substantial issues going to the probity of government information, going to the heart of the trust that the people of this state have invested in this Premier and in this government during a time of emergency. That is what is going on here.

But the question is: what is going on out in the South Australian community right now? What are people seeing and what are they generally concerned about? We have seen a growing body of independent statistics emerge speaking to the fact that South Australia is at the back of the pack when it comes to addressing the economic crisis in our midst right now—worst labour market in the country by a long way, worst GDP growth figures and state final demand figures by a very long way. What does the government say? 'No problem.' That is the economic lay of the land as we go into the post-COVID economic recovery phase.

But what we also have on our hands is something far more immediate and even more concerning than we are seeing occur economically—that is, a health crisis, a health crisis that is resulting in people losing their lives. Today, on the steps of parliament we saw hundreds if not thousands of frontline emergency services workers, particularly ambulance officers, explaining in raw detail their firsthand experience of not being able to look after the people their training and their God-given talents have given them the ability to do.

They are not able to look after those people because of decisions this Premier has made: decisions to cut nurses, decisions to cut \$11 million from the Ambulance Service over the last two years according to the Report on Government Services, an independent figure—real-world decisions that are having extraordinary consequences, including people losing their lives.

When we hear those calls from real people who want to do nothing more than save the lives of others, what does this Premier do? He dismisses it as an IR dispute and rolls out the Treasurer, Rob Lucas, who said himself that he addresses these problems with ice in his veins. That is this government's response. That is their attitude towards the real-world problems that are going on out in the community right now.

When we ask legitimate questions on behalf of the Premier regarding this health crisis in the very presence of the ambulance officers who are trying to do this work on the front line, what do we get from the Premier? A hyperbolic, hyperpolitical response that is completely at odds with the legitimate concerns that South Australians have right now.

As we go into this Easter break, I desperately hope that we do not see other hundreds of calls going to our Ambulance Service unanswered, other hundreds of calls from desperate people waiting for an ambulance to roll up unanswered, but that instead we start having a government sitting down with ambulance officers and fireys, hearing their concerns and responding accordingly. If they fail to do that, we will fix it at the next election.

Time expired.

The SPEAKER: Before I call the member for Elder, I just remind all members of standing order 81A: I will exercise discretion in relation to the conclusion of remarks by members in the course of the grievance debate.

ELDER ELECTORATE SPORTING CLUBS

Mrs POWER (Elder) (15:36): I rise to recognise the outstanding efforts and passion of those who run our local sporting clubs. Sport has the power to inspire and unite us, it brings people together and it can also bring out the best in individuals. As a government, we are leading South Australia into a sporting golden era with the allocation of \$35 million in the 2020-21 state budget for new community sporting and recreational infrastructure. We have also increased the Sports Vouchers program from \$50 to \$100, with a huge uptake by families and lots of positive feedback from local residents in my area who appreciate that extra voucher.

Within my local area, there are so many fantastic sporting clubs, each of which greatly enrich our local community. I would like to acknowledge just a few that I was lucky enough to visit on the weekend, starting with the Goodwood Saints. The club has 10 junior boys teams and five girls sides and has recently been named the sports junior club of the year at the Good Sports Awards. These are annual awards to celebrate passionate clubs and people who inspire healthy sporting communities.

Goodwood Saints were up against 10,000 other clubs from different sports across the nation, yet they were recognised with the top gong for their outstanding dedication to inspiring positive change and building a healthier, more family friendly club environment—what a massive achievement. A huge congratulations to the whole team: the volunteers, the committee, the supporters, the friends, the players, the coaches at the Goodwood Saints for this impressive accolade.

On Sunday, the Minister for Recreation, Sport and Racing and I visited Cumberland United Football Club, affectionately known as the Foxes. Cumberland United Football Club provides high-quality football training and development within a family friendly environment. With 71 sports vouchers used for the club in 2020, and nearly 40 vouchers already used for this season, the enthusiasm that local school-age children have for the club is particularly evident.

The minister and I also visited Clarence Gardens Bowling Club. The club was founded in 1951 and is located at the A.A. Bailey Recreational Ground. It was an absolute delight to meet with the incredible volunteers and committee members of this club and to see the retro fit-out inside the club with its green chairs. If you are a female, I encourage you to go into the ladies powder room because it will transport you to a bygone era with the way it is decorated.

Around the corner from them is the Adelaide Table Tennis Club, where we were treated to some very impressive games and skills from its members. It was fantastic to watch them and see how quickly they could respond. Their eye-hand coordination was next level. I also had the privilege of visiting the SA Masters Squash Association. They are a not-for-profit organisation founded to provide recreational sport for participants over 30 years of age in a friendly, competitive environment. They have an incredible group of volunteers, committee members and staff there doing great things in our local area.

Also in Edwardstown is the Edwardstown Football Club, which celebrated its 100th anniversary in 2019. This club has a new sports clubhouse. I know that there are some challenges down there and I look forward to working with them. They have an incredible group of committee members, coaches, supporters and volunteers, and they boast a great inclusive culture. Well done to everybody at that club.

These clubs are a huge asset to our local area, enriching our suburbs by bringing people together in a healthy and active way. Unfortunately, I can see the clock is running out, otherwise I could continue to name so many other amazing clubs in my local area, like the Hawks, the Colonel Light Gardens Football Club, the Mitchell Park Football Club—so many. I will certainly continue to support them in the great work they do.

I sincerely thank each and every one of them in all our clubs across our local area. The people behind them—the players, the volunteers, the committee members, the supporters—their

strength, energy, commitment and dedication to their club and our local community are absolutely outstanding.

EDWARDSTOWN OVAL

Ms STINSON (Badcoe) (15:41): I rise today to discuss the future of sporting clubs at Edwardstown oval. Edwardstown memorial oval has long been the home of the mighty Towns, that is, the 102-year-old Edwardstown Football Club. It is also the home of the awesome bunch at the Edwardstown Bowls Club, whose women's team are pennant champions this year; the Meteors triathlon squad; the South Coast Cycling Club; and the long-established South Road Cricket Club.

But now the home of these clubs, and the hundreds or maybe thousands of local families who enjoy sport and recreation at this hub, is fracturing. I have been hearing the worries of these clubs steadily growing in volume over the past year. I have worked behind the scenes to address these issues, but it is now time that the situation is called out if we are going to get progress and a resolution. The clubs are concerned for their financial futures due to the operating models that the City of Marion has imposed, and it is not just one funding model; they are now up to the third incarnation.

The clubs at the site were promised several years ago that if they agreed to the destruction of their long-held separate clubhouses, which they built themselves, and they agreed to the construction of a new facility with federal and council funds, which was opened in 2019, they would be no worse off and would actually have more prosperous clubs. That is what they were promised; that simply has not happened.

The clubs have explained to me repeatedly and in great detail how they are owed tens of thousands of dollars from the council from prior agreements, money that has been owed for more than a year. This has been repeatedly raised with the council and discussed at length, yet it has still not been resolved. The council now wants the clubs to sign up to yet another funding arrangement, a profit share agreement, which the clubs believe will leave them liable for more running costs but with less certainty of income.

The Marion council's arrangements have already proved untenable for three of the clubs at the site, which several weeks ago opted out of the affiliation arrangement and intend now to simply pay site fees. This means their members will not use the Edwardstown club, including the bar, canteen and kitchen, and they may not supply volunteers anymore, and you cannot blame them. They have to look after what is best for their members and their financial viability.

That leaves two clubs: footy and bowls. The bowls club has started looking at other bowls clubs to merge with because they are so concerned about their future at the site. This situation cannot continue. It is damaging the capacity of these volunteer-run clubs to grow their sports and it is putting at risk vital recreational facilities in our area. I am particularly concerned about the heavy stress of the ongoing, complex and stressful situation on people who are voluntarily giving up their time to lead these clubs.

They did not sign up for this. They did not sign up for the constant calls and emails to try to sort out this mess, they did not sign up for endless meetings where promises are made but not delivered and they did not sign up for the burden of rescuing their beloved sports clubs from poor decisions. They did not sign up for navigating complex accounting and legal problems. This is all risking the morale of these great clubs, especially as they enter the next competitive season.

So far this is what I have done: I have facilitated several meetings between the clubs and council officials, and each time promises have been made and not delivered on; I have spent countless hours talking with the clubs to understand the detail of their concerns; and a fortnight ago I wrote to every City of Marion councillor and the CEO highlighting the issues and urging them to act to bring the situation to a close. I have also had phone conversations with many of those councillors.

These are proud clubs. They form part of the fabric of our neighbourhood right in the heart of Badcoe. This is a sporting hub where we go to cheer on our friends and family, but it is also a place where children learn teamwork. It is a place where we gather socially and enjoy each other's company. It is a place where we will soon meet to commemorate ANZAC Day.

This facility means nothing without the clubs that inhabit it and give it life. We cannot let those clubs down. It is time the council realises that it alone has the power to fix this mess and to act to

protect the sporting, cultural and social legacy of these valuable clubs. That may cost money, but that is money that ratepayers expect the council to responsibly expend in order to provide amenity.

In the meantime, I will continue to use the avenues I have available to me to raise this increasingly worrying situation. I stand ready to assist in any way I can, but resolving the situation will require leadership from the council. If that leadership is forthcoming, and if a resolution is forthcoming quickly, my community will thank them.

CHAFFEY ELECTORATE

Mr WHETSTONE (Chaffey) (15:46): I rise to talk about some windfalls that have come to Chaffey, both public and private, and some of the investment into the region that has been widely applauded. The recently announced local government partnership program is going to boost five of my councils to the tune of over \$4.7 million. In Chaffey we have received five of those 57 funded statewide projects, injecting \$106.9 million in stimulus right around the state.

The program will see funding matched dollar for dollar, and some of those projects in the Riverland and Mallee have included the Renmark Paringa Council receiving \$1 million for a \$2 million program to reinforce some of the riverfront where, sadly, some of the houseboats have rammed into that beautiful riverfront and it now needs repairing. The District Council of Loxton Waikerie will now see \$1.5 million invested into a community hub right on the riverfront, which will be the home of the Waikerie Magpies football club.

The Berri Barmera Council will also see almost \$362,000 of funding for the upgrade of the multisport change rooms and a lighting upgrade at the Barmera Oval. That has been a long-awaited project. The Mid Murray Council also used \$1.5 million towards eight kilometres of road between Blanchetown and Morgan; there are a number of chicken farms being built out there, so that is a great complement to an economy that continues to grow in the Riverland and Murraylands. The Karoonda East Murray council will also receive \$300,000 towards the Knights Well Road upgrade.

It is great to see that we are now putting stimulus into some of these regional projects that will not only help the local economies with efficiency gains, particularly with the cessation of rail, as we all know, but also create local jobs, and upgrade infrastructure.

That is a segue to acknowledge some private investment into the region. We know that young Mark Yates and his team at Yates Electrical Services have just begun building five five-megawatt solar farms around regional South Australia, and I was at the turning of the sod at Renmark North, where those projects will generate 20 new jobs in the Riverland plus other jobs that will be provided through civil and mechanical contractors.

This partnership, with the Adelaide company Sustainable Energy Infrastructure, will see a \$36 million build across regional South Australia over the next 18 months. Mark Yates and his team are a great success story. He is a young fellow having a crack. He has secured finance and funding for these projects. It is about creating jobs, creating wealth for South Australia and it is also about creating opportunity.

How could I not talk about Easter? Easter in the Riverland is one of the great institutions for many people right around not only South Australia but New South Wales and Victoria. People come from far and wide to enjoy the river and to enjoy the beautiful aspects of what the Riverland has to offer. We know that accommodation in the region is almost fully booked. Our national parks are almost fully booked as well. That is a stark difference from 12 months ago, when I stood in this very chamber and asked people not to travel to the Riverland due to COVID.

This Easter, we welcome everyone travelling into the region to enjoy the festivities and to enjoy the hospitality that the Riverland continues to offer. However, we are asking people not to move fruit in or out of the Riverland. If you are visiting the region over Easter, do not move fruit in or out, please. Go and enjoy some of the beautiful fresh produce that is in many of the outlets around the Riverland, whether it is a roadside stall or one of the established shops in our beautiful Riverland towns.

The Riverland is the premium food bowl of South Australia and some would say nationally. We have our citrus season coming up, we have the tail end of the stone fruit season, we are almost at the end of vintage, table grapes continue to grow, and avocados and mangoes are currently on

the market. I urge everyone to come to the Riverland, drive safely, have a great time, enjoy the Riverland's hospitality and have a happy Easter.

GOVERNMENT FUNDING RALLY

Mr ODENWALDER (Elizabeth) (15:51): Today, on the steps of Parliament House we saw the unusual and incredible sight of hundreds of hardworking public servants gathered to express their anger and dismay at the actions and inactions of this Premier.

Of course, the leader in this grievance debate has already mentioned the ambos and it is worth traversing that ground again. They were there in their hundreds. They were there because they were angry, because they were upset they cannot do their jobs and because they were dismayed that people are dying on their watch and there is nothing they can do about it.

It was sobering to stand in that crowd, that silent crowd, and hear the words of Paul, an ambo some of you may have heard speak before. He was in tears speaking to the silent crowd. He was in tears talking about the fact that he spoke to people who were in distress, who were dying and could not get the help they needed from him and his colleagues.

They know that this government has cut funding to the Ambulance Service. They know that this government has cut funding to nurses and cut nurse numbers. They know that emergency departments are under increasing and unprecedented pressure. They know that police officers and police crews are being called off their own important duties to take patients to hospital when ambulances are not available. This is all down to the actions or inactions of one man—and that is Steven Marshall.

As we have noted, he sends in the gatekeeper, Rob Lucas from the other place, to solve these problems. He does not solve them, he brushes them under the carpet. He acts as a gatekeeper and in some cases he makes it worse because he is not the person making the decisions. He knows he is out of here in a year's time. He is not the person who will be responsible for these decisions and meanwhile people are dying.

Of course, it was not just the ambos who were out today. The Metropolitan Fire Service and the United Firefighters Union were out in their hundreds today, complaining about resourcing and about this government's lack of action in terms of resourcing and listening to them. They came despite warnings that their pay would be docked for turning up at this demonstration. They came despite warnings that they would be reprimanded if they brought equipment and appliances to this demonstration, but still they came and they came in many numbers.

To most of us, particularly on this side of the house, their complaints were not new. I will start with appliances. We know that the Keelty review identified a severe lack of appliances within the metropolitan service following last summer's devastating bushfires. The bushfires were arguably the harshest and worst this state has seen in decades. In many cases, communities were unprepared for the ferocity, the speed and the intensity of these bushfires. I know there are members here with much more direct experience of that.

What is little appreciated sometimes is the role that the MFS play in bushfires. They act particularly in our peri-urban areas and in the regional centres as important parts of the bushfire response. It is not just the CFS, although they have their grumbles with this government too. The MFS need support. They need support now. It is identified by Keelty clearly, and not only in terms of turnover protection. I do not have time to go into the problems with turnover protection and the rollout of that, but I will alert the house once again to the words of Mick Keelty.

He said there is an urgent need to review the age and appropriateness of the fleet, and he said of the MFS particularly that fleet reserve capability is only being met 30 per cent of the time rather than the targeted 80 per cent. The minister's response to this was to accept it. Asked in estimates about the age of the appliances, he said there are 33 appliances under 10 years old, there are 53 appliances between the ages of 10 and 20 years old and there are 19 appliances over 20 years old. We know that some of those are over 30 years old, and those appliances exist largely in rural and regional areas.

Of course, there are other resourcing issues, particularly around engineering, but essentially they have two asks of this government, and those asks are falling on deaf ears. The first is to have long-term recurrent funding so that they do not have to go to the Treasurer—and this particular

Treasurer is particularly difficult—every year or every four years, cap in hand, asking for funding for appliances. The second is an asset management plan. But the Premier will not even meet with them. The core of this problem is not resourcing: the core of this problem is the fact that this government simply will not listen.

Time expired.

STUDENT DIVERSITY ADVISORY COUNCIL

The Hon. J.A.W. GARDNER (Morialta—Minister for Education) (15:57): I rise today to advise the house of some tremendously important work being done by some terrific young South Australians in the Enabled Youth Disability Network and, in my view, a really exciting announcement of some support that I am very pleased to be providing that group for the establishment of a new Student Diversity Advisory Council. It will assist the education department and me as the Minister for Education in ensuring that the work we do in our South Australian schools, as we seek to provide every student with a world-class education, is meeting the needs and supporting the aspirations, outcomes and pathways for every student.

A bit over a year ago, education ministers from around Australia came together to sign the Alice Springs (Mparntwe) Education Declaration. It is a joint statement of mission and purpose for education systems around the country, including our commonwealth and every state and territory. At its heart, it has two goals. I want to focus briefly on the first goal.

The first goal of the Alice Springs (Mparntwe) Education Declaration is that we will strive for all Australian education systems to provide excellence and equity for our students—excellence and equity. Sometimes, these two projects have been set up in opposition to each other, but they are inextricably linked. We cannot provide excellence in our education system without equity, and we cannot provide equity without excellence.

Excellence means excellence for every single student, and equity means that we are striving for excellence for every single student, but we know that the experience for some students in our education system over many years has not always reflected that ambition. That is why we have this as our central goal. The experience for students with disability, students in care and students with other needs has not always had the same opportunity as other students, Aboriginal students as well.

One of the things which the government has done and which I announced earlier this week is \$15 million to support a response to the Graham report into exclusionary discipline. That work, as I said, will be a very important body of work, particularly over the next 12 months as we design the systemic response and then work on the operationalisation by 2023.

This group, which I have raised today, the Student Diversity Advisory Council, will become one of the key stakeholders who we want to provide information about what we are proposing and get their feedback along the way. We know that this is a group of young people who will be able to help us in that, and in so many other responses, as we seek to give students a voice in their future and in reflecting their experiences so that we can better support them and other students with diverse needs and students with disability going forward.

I want to commend particularly the current board members of the Enabled Youth Disability Network: Dominic Brain and Angus Fowler, with whom I met in this building just moments ago; Kathryn Mills, the chair; James Beaumont, the secretary; Brad Bettany; Ruby Nankivell; and indeed a number of other young South Australians who have served in this network since it was established. It was formerly known, and perhaps some members might know it better, as Julia Farr Youth.

Their vision of the organisation is for young people living with a disability to live fulfilling lives and to live them with purpose. Their mission is to influence positive outcomes and provide initiatives to young people living with disability, supporting them to connect, learn and increase their capacity so that they can contribute to society.

Contributions come in many ways, and I think the Student Diversity Advisory Council, which is being formed as we speak and its composition being determined in the coming weeks and months, will play a really important role in that. When I was at school, the student voice was not necessarily something that was really understood, but it is clear that having ownership, or at least the opportunity to participate in ownership of decisions that are made in a student's education, has significant value.

I am particularly interested and concerned that students with a disability have their voice heard and amplified, and this committee will assist in that. We are seeking to deliver a world-class education for all South Australian students. It is our mission. It is our purpose. The Marshall Liberal government since coming to office has invested record amounts in school infrastructure, and we have invested amounts in recurrent funding. That continues, but we also want to make sure that money is well spent.

We see improvements in early learning and we see improvements in pathways, but those improvements have to reach every student. I am really excited by this announcement today, and I think it will help us achieve that very important aspiration.

UNITED FIREFIGHTERS UNION OF SOUTH AUSTRALIA

Mr ELLIS (Narungga) (16:02): I rise today to speak about the unfortunate news that appeared on the front page of last Friday's *Tiser* regarding the fireys union and the union bosses who were recorded on tape intentionally delaying the purchase of new trucks and refusing to spend allocated money on equipment that could well help brigades keep the community safe. With the rally on the steps today, which has been mentioned already, what a convenient time for me to rise.

It has come to my attention that at least one of the senior firefighters caught on the hot mic is responsible for the administration of regional firefighting, which of course means that it encompasses my electorate of Narungga. The article that appeared in *The Tiser* stated that a transcript exists that reveals officers laughing and not using the nearly \$2 million of funding for new appliances so as not to 'undermine a union campaign for more resources'.

If that is accurate, what an utter shame that the United Firefighters Union (UFU) has allowed partisanship to interrupt the supply of important equipment to local regional brigades. My understanding is that the \$1.8 million referenced in that article was earmarked for regional brigades, which means it very well could have been used at one of the needy MFS stations in my electorate so sorely seeking the benefits of funding.

MFS stations in Moonta, Kadina and Wallaroo are all in need of upgrades to their firehouses, as well as to their equipment, and the local boots-on-the-ground firefighters would have been horrified to know the equipment they need in order to do their job properly is being withheld by the union that is ostensibly there to represent them—all in the name of politics. In fact, I know for a fact that they are horrified because I have been talking to them this week.

We in regional SA often feel as though we are treated like the poor cousins of our metropolitan colleagues, and now it emerges that is very much the case with respect to these unions. Justifiably, of course, an investigation has been launched into the incident, and I am looking forward to seeing the results. Speaking of poor cousins, I also happen to know that our wonderful CFS volunteers are most aggrieved that the metropolitan-based UFU is taking industrial action, considering the privileged position in which they are so comparatively well placed. Regional volunteer firefighters are always desperate for improved equipment, which thankfully in my electorate over the past three years has been more than forthcoming, yet these full-time, well-paid unionists are whingeing about their conditions.

I recently visited a number of CFS stations—more than I can mention in the five minutes allowed to me now—but I would like to point to a few examples of where that \$1.8 million could have been used in the CFS system. I recently visited Moonta Mines to chat to Elizabeth and Malcolm Shultz and Julie Davey at Moonta Bay about blocked, unusable fire hydrants and a recent incident that had no closer water tanker than was available at Bute, some 50 kilometres away, to help when the fire hydrants were found to be obstructed and unusable.

I visited both the Yorketown and Ardrossan brigades recently and chatted with the volunteers there, both of which would like an extension to their facilities, to cater for increased volunteerism, and separate change rooms for both male and female volunteers. I popped past Port Broughton recently, which are outgrowing their facility and would like a new one, preferably one that would be co-located with the SES that are currently sharing a shed at the council depot, with one side of the shed taken up by lawnmowers and the like and the other with valuable SES equipment—a most peculiar arrangement indeed.

I know that the Maitland CFS is preparing and planning for a new improved facility, which will be a very welcome upgrade of their current unwieldy arrangement. It would be an absolute shame if

the unions were withholding this allocated funding in the name of partisan politics. My electorate so desperately needs it, as has been articulated here. MFS stations and the retained fireys are disappointed that the union is playing games, as the CFS stations desperately need funding, as I have just said.

I look forward to supporting all emergency services in my electorate to improve their facilities and equipment. We in regional SA know that there are far more important things than petty politics and hopefully all parties figure it out soon.

HUMAN APPEAL

Ms BEDFORD (Florey) (16:06): Today, I would like to speak about Human Appeal, which is a worldwide non-profit Muslim organisation that has now worked for about 30 years to strengthen humanity's fight against poverty, social injustice and natural disasters. It values human life and dignity, and its work has deservedly received many acknowledgements.

Here in South Australia, Human Appeal and its volunteers have supported the community in fires and during COVID-19, and now a new initiative in conjunction with the City of Adelaide and Mitcham councils is helping more people stay at home by the donation of a thousand care packages. Donations to this really good cause can be made via the website.

Through Human Appeal's dynamic state director, Mr Ali Kadir, and PR officer, Mr Faisal Khan, I am able to place on record today details of a recent function I attended along with Minister Patterson and the members for Ramsay and Davenport. It was Human Appeal's 14th annual year 12 Muslim achievement dinner. Last year's event was hard to beat, but, despite COVID, the 2020 results were absolutely amazing.

Students with ATARs above 90 were, at 99.9, Mr Abdullah Rizwan; Ms Raihanah Nurl Jannah Pranggono had an ATAR of 99.75; Ms Amaima Faisal had 99.6; Mr Muhammad Yahya Malick had 99.55; and Ms Kabisha Emad had 99.55. Achieving an ATAR of 97 and below, which is still a very good score, were Ms Hafsa Adnan, Ms Safa Osman, Ms Petnia Rawa Hamdan, Ms Javeria Ali, Ms Nurnatasha Liyana Noor Ismail, Ms Zuha Faisal, Mr Yahya Alim, Mr Fares Mohamed Elkordy, Ms Hend Mohammednour, Ms Rafia Devda Sajid, Ms Masanbu Conneh and Ms Qayyimah Zamri—all above 90.

It was staggering to see such a positive potential in the room and so many wonderful young people who intend to make such a big difference to their communities both here in South Australia and also nationally and internationally.

The event was sponsored by Aussie Discount Chemist Group and TWCM Cumberland. They are great supporters of the Human Appeal groups. Other sponsors were IQRA College, the Islamic Information Centre of South Australia, the Islamic Society of South Australia, Livability Australia, the Australian Islamic College and Muslim Australian Connections of South Australia (MACSA), through their wonderful president, Mr Nasir Hussain.

I cannot really put on the record too much more about how much I admire the work of Human Appeal and all they do for us here in South Australia in making sure the Muslim community is well represented in everything they do.

The work of the students through colleges such as Pinnacle College (formerly Birch College), in my area and also at Elizabeth, has produced such amazing results over so many years. It is wonderful to see the work the parents have put into these colleges to make sure their students have every opportunity. From very humble beginnings, they have grown to be very big and important schools in our area.

The work of Human Appeal will continue, I know, through the good work and donations of the Muslim community in South Australia. There were open days at mosques recently, and I hope some of the members took advantage of going to visit some of the people in the local communities who are attached to Human Appeal. The work they do is inspiring.

Through the Muslim Australian Connections of South Australia (the MACSA group) and Nasir Hussain, I have been able to learn an awful lot more about the things they are doing in the community. So it is my very great pleasure to acknowledge them today and to thank them for all they do here for

us, both locally in my area in the north-east and more widely in the South Australian and Australian communities. Their work is very much appreciated and I look forward to attending the 15th Annual Year 12 Muslim Achievement Awards later this year.

Parliamentary Procedure

SITTINGS AND BUSINESS

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining)
(16:11): I move:

That the house at its rising today adjourn until Tuesday 4 May 2021 at 11am.

Motion carried.

Bills

CHILDREN AND YOUNG PEOPLE (SAFETY) (MISCELLANEOUS) AMENDMENT BILL

Committee Stage

In committee (resumed on motion).

Clause 6.

Mr PICTON: In relation to clause 6, can the minister outline what feedback the minister has received from the Commissioner for Aboriginal Children and Young People about the bill that she is proposing?

The Hon. R. SANDERSON: We had a written submission by April Lawrie, the Commissioner for Aboriginal Children and Young People.

Mr PICTON: That was enlightening. Perhaps the minister might elaborate on exactly what feedback was provided by the commissioner in the submission of which she spoke. What feedback did she receive from the Aboriginal Family Support Services about the bill as well and perhaps elaborate on more of the detail rather than just, 'We got a submission.'

The Hon. R. SANDERSON: The Commissioner for Aboriginal Children and Young People as far as a brief overview—obviously, she may send you a copy if you want the full version, but the dot points are:

- seeks judicial oversight, placement and contract decisions (that will be considered in the full review);
- seeks extension of the placement principle to ensure engagement with Aboriginal entities to facilitate involvement in decision-making (that will also be reviewed in the full review);
- seeks legislative establishment of Aboriginal family care panels to provide EI (that will also be in the full review);
- concern about the definition of an Aboriginal child;
- seeks extension to changes to reverse the onus to include long-term guardianship;
- seeks changes to penalties for children and young people (that was changed);
- seeks clarification if the placement principle applies to placement only (that was changed);
- seeks inclusion of self-determination (note that this exists in another section);
- seeks placement principle to apply to the courts (that will be considered in the full review); and
- supports direction of placement principle and supports the best interest, but said should be equal to safety and placement principle (again, that will be considered at the full review).

Mr PICTON: Thank you, minister, in relation to that. Clearly, the member for Reynell has moved amendments on some of those issues, and the government has opposed those amendments.

Can the minister outline which Aboriginal and Torres Strait Islander communities the minister or her department have consulted with, and what feedback was received from those communities?

The Hon. R. SANDERSON: As I am already on record stating, this was an interim review and it was a targeted consultation. It did include an Aboriginal expert advisory committee, which was made up of experts from around Australia, including April Lawrie, the Commissioner for Aboriginal Children and Young People. I believe it also included Sharron Williams, the CEO of Aboriginal Family Support Services, who were involved in that consultation.

Ms HILDYARD: In relation to new section 12A(a), can you please explain what steps the department currently takes to maintain connection and what may change in relation to efforts to maintain connection with the changes to this clause? Also, in relation to new section 12B(2), can you please describe what would be considered 'active and timely steps'?

The CHAIR: There are two questions there, minister, both relating to 12A. Correct?

Ms HILDYARD: To 12A and 12B.

The Hon. R. SANDERSON: I am advised that this will further strengthen our practice. As the member for Reynell would be aware, the Aboriginal placement principle is already practised by our department, and in the original bill introduced by Labor there was an Aboriginal placement principle. What we have sought to do is expand it, clarify it and make it stronger and more important in response to the feedback that we received. As I mentioned earlier, we will be reviewing this in full and will go out to full and open transparent consultation in 2022, as required by legislation.

Mr SZAKACS: Minister, my question is on clause 6, new section 12A—Objects of Part, and subsection (b) 'enabling'. I assume 'enabling' is a deliberate choice of word in drafting that section. Would you please advise the difference, from a technical perspective or from a drafting perspective, if there is any, between 'enabling' and 'empowering'?

The Hon. R. SANDERSON: I am advised there is no hard and fast difference. This is simply the wording that was used in the Queensland legislation, so that filtered through to ours.

Mr SZAKACS: On the same subsection, minister, can you advise who specifically will be charged with or responsible for enabling Aboriginal and Torres Strait Islander people to participate in the care and protection of their children and young people?

The Hon. R. SANDERSON: It is everybody who was involved in the child's life—everyone in the department, right from the caseworkers at the front line to everyone who is involved in the case and working with the child.

Mr SZAKACS: Minister, I take you to the new section 12C(2)(d). Could you please advise what would be considered a 'significant decision'?

The Hon. R. SANDERSON: Decisions such as the placement of the child and the contact arrangements would be considered 'significant decisions', as examples.

Mr SZAKACS: As an example, could you provide—even if it is on notice—any matters that would not be considered to be significant decisions?

The Hon. R. SANDERSON: Some of the decisions we clarified. When I was in opposition, some of the decisions that carers would complain about having to seek permission for were things like school excursions and haircuts. We have clarified that on our carer portal to say that they are decisions that the carer can make, they are not considered a significant decision, so that would be an example.

Clause passed.

New clause 6A.

The Hon. R. SANDERSON: I move:

Amendment No 1 [ChildPro-1]—

Page 7, after line 18—Insert:

6A—Insertion of section 15A

After section 15 insert:

15A—Minister may require report from Chief Executive

- (1) The Minister may, by notice in writing, require the Chief Executive to prepare and provide a report to the Minister in relation to a matter or matters specified in the notice.
- (2) A report—
 - (a) must be provided within the period specified in the notice; and
 - (b) must contain the information specified in the notice; and
 - (c) must comply with any requirements set out in the notice.

Ms HILDYARD: I note that the minister has made an amendment to her own bill and that that amendment is identical to the one that I also put forward, so I will simply ask questions about the new clause in its entirety, or would you like me to ask questions about the amendment, given I put forward the same amendment?

The CHAIR: Yes, I think we are dealing with the amendment specifically now, which will insert new clause 6A.

Ms HILDYARD: I might just have a couple of questions on that. I do appreciate that we had an identical amendment, but I will ask a couple of questions. I am sure there will then be other questions on the clause as a whole. First of all, minister, can you provide some examples of the sorts of circumstances in which you envisage the court would make an order under section 53(1)(ba)?

The CHAIR: I was momentarily distracted as Chair, and I do apologise. Are you happy to take that question, minister?

The Hon. R. SANDERSON: My understanding is that we are discussing amendment No. 1 standing in my name, which is the insertion of new clause 6A.

The CHAIR: That is correct.

The Hon. R. SANDERSON: That is that the minister may require a report from the chief executive, so I am not sure what the 53(1) is in regard to, but this is where we are proposing to insert new section 15A, and we both have the same legislation.

The CHAIR: Yes, that is what we are dealing with at the moment, member for Reynell: the amendment that you and the minister had the same wording for, which will in fact insert a new clause. I do apologise because I was distracted, as I said, and I did not catch all of your question.

Mr PICTON: My understanding of this is that this clause will enable the minister to ask the chief executive to provide a report in relation to matters specified in the notice. I guess my question to the minister is: did the minister not already have the ability to do that; has the minister had difficulty in asking for reports from the chief executive; and how many times has the chief executive been asked for reports in relation to these matters since the minister has been in her current position?

The Hon. R. SANDERSON: This was in response to the Rice review. I felt that it was necessary to clarify and make very plain that that was available and to put that in legislation. The member is correct: I have that power already but I think, in response to the Rice review, it is better to have that in legislation so it is very plainly clear.

Mr PICTON: In the three years almost—in fact, more than three years now—that the minister has been in office, how many times has she requested or required a report from the chief executive in a way that would be envisaged by the proposed new section 15A?

The Hon. R. SANDERSON: As I have stated in this house many times, I have regular meetings with my CE, so I have not needed to request something in writing. However, in response to the Rice review, I think it was important to put that ability into legislation.

Mr PICTON: I think the understanding of that is that in three years there have been zero requests from the chief executive for a report in relation to this matter. Can the minister outline whether this a specific recommendation from the Rice review, or is this in addition to what the Rice review has recommended that she is now suggesting that this clause be added into her own bill?

The Hon. R. SANDERSON: In response to the Rice review, I felt it was important to clarify, and that is what we have done. Clearly, the opposition felt the same way because they have the identical amendment.

Ms HILDYARD: First of all, Mr Chair, I apologise. I misheard what you said before in terms of where we were heading. Thank you.

The CHAIR: That's okay.

Ms HILDYARD: Minister, why did you not include this clause in your own bill? Why are you amending your own bill to insert this clause? Why did you not include it in the first draft?

The Hon. R. SANDERSON: As the member for Reynell would be aware, I tabled and spoke to this bill in November last year. Since then, we have had the Rice review and the recommendations. I read them and decided and determined that it was better to clarify that power, which, as is noted, already exists, and which, as you have noted, you also felt necessary to include.

Ms HILDYARD: On what sorts of reports, if any, do you seek a report from the chief executive currently? What sorts of reports, if any, would you envisage you might ask the chief executive for? In relation to what matters would you envisage that you would ask the chief executive for a report?

The Hon. R. SANDERSON: Currently, as I have stated many times, I get regular reports and updates. They are not always in writing; they are not needed and not necessary to be in writing. To predict the future—I do not know. We have this ability here. I felt it was important in response to the Rice review, and the opposition clearly felt the same thing: we both have the same amendment. Given that I can also question somebody with the same amendment, I would ask the member for Reynell why she put it in and what instances she has in mind for this inclusion that she also added?

Ms HILDYARD: I do not know if it is appropriate for me to be asked a question when we are discussing that amendment, but I am very, very happy to outline what I would have asked for a report on.

The CHAIR: No, I do not think there is any need to do that, member for Reynell. You have both come up with the same amendment, as it turns out. So I think we will leave it there. I am going to put the question.

Ms HILDYARD: I have only had two questions. I have not had three.

The CHAIR: Are you sure?

Ms HILDYARD: Yes, I am absolutely sure. Minister, would having had this clause in the act prior to your bill—if the clause was already in existence in the current act—have changed anything at all in terms of your lack of awareness about the sexual abuse of two girls in state care? What will the consequence be, going forward, now that this will be in the act, should the chief executive not comply with any requirements set out in the notice?

The Hon. R. SANDERSON: There are many questions there, so I will do my best. As we know from the Rice review, the significant incident reporting already existed. The issue was that the staff were unaware and therefore it was not notified. However, I will note again that the staff did what I believe to be the most important thing: they acted in the best interests of the young people first, and I applaud them for doing that.

However, there is a second step, which is reporting it up so that the minister is informed, and that was not complied with because they were not aware of the significant incident reporting. That is being dealt with now. As we know, the Attorney-General has made amendments, and we went over and above what the Rice review recommended. We are redrafting a significant event procedure that will be simpler to use, easier, more direct and less cumbersome, and there will be an education process for that.

The CHAIR: Point of clarification: you were quite right and I am going to apologise to you, member for Reynell.

Ms HILDYARD: It was absolutely a point of clarification; thank you, Mr Chair. In terms of your statement that the Attorney-General has already addressed some of the issues legislatively

recommended in the Rice review, my absolute understanding of what has been presented to this house, just on Tuesday, and which I spoke to in relation to the legislative changes, is that those legislative changes were exactly, word for word, what the Rice review recommended to be made.

I am just curious about your statement that the legislation that the Attorney-General presented went above and beyond what was in the Rice review. From my reading it was a very simple bill with two clauses, one clause that made an amendment to the Children and Young People (Safety) Act and one clause that made an amendment to the Bail Act 1985. Both those changes were absolutely what were set out in the Rice review, so I am just curious in case I have missed something about what else it is that legislation did.

The Hon. R. SANDERSON: To be clear, it was not that the legislation went over and above, it was that we accepted the, I think, five or six recommendations and went further to that with setting up a significant incident unit and making an appointment from the Attorney-General's office to head up some of the changes. That was the 'over and above'; it was regarding that area.

New clause inserted.

Clause 7

Ms HILDYARD: I will ask the question now in the right place. Minister, in what types of circumstances would you envisage the court making an order under section 53(1)(ba)?

The Hon. R. SANDERSON: Section 34 makes a consequential amendment following the insertion of section 53(1)(ba), the investigation order, into the principal act. The CE already has these powers; however, we are inserting a new order that used to be there. There used to be a 42-day order under the Children's Protection Act 1993, which was removed in 2017; however, feedback is that is holding up court processes, and we needed to reinsert that. We have done that with an extra two weeks, so it is now an eight-week order rather than the six-week order it was. This simply extends the power that already exists to that new order.

Ms HILDYARD: I understand all those things perfectly; this is not a new question. I absolutely understand those things. I am just asking what circumstances you envisage, minister, would cause the court to make an order under section 53(1)(ba) of the act.

The Hon. R. SANDERSON: An order can only be made if there is a suspicion that a child is at risk and that such orders are necessary or appropriate to protect them from harm or to allow the exercise of powers under the act.

Ms HILDYARD: Could you please outline how an investigation, referred to in the clause, is conducted?

The Hon. R. SANDERSON: It is conducted under the powers using the new section 34A.

Ms HILDYARD: I understand it is undertaken according to those powers; that is what we are inserting. I was interested in how, but I will move on. Would the findings of any of the chief executive's investigations be appealable or reviewable in some way? If so, could you please talk through what that process would be, the time frame, etc.?

The Hon. R. SANDERSON: If a further application for guardianship or custody order is made to the Youth Court and the report was relied on, all parties would have the ability to challenge any findings made.

The CHAIR: I have that as three questions now, member for Reynell. Thank goodness we have a team working on the numbers here.

Ms BEDFORD: My question would be: how would they do that?

The Hon. R. SANDERSON: The department would make an application to the court, and the parties to that application would have the right to challenge the evidence.

Mr PICTON: In relation to a chief executive's investigations, what feedback did stakeholders provide about a potential for right of appeal or review to those findings?

The Hon. R. SANDERSON: The rules of the court apply, in that they can challenge the evidence.

Mr PICTON: What sorts of circumstances would you envisage the chief executive would now investigate as a result of the insertion of this clause?

The Hon. R. SANDERSON: As I stated earlier, an order can only be made if there is a suspicion that a child is at risk and that such orders are necessary or appropriate to protect them from harm or to allow the exercise of powers under the act.

Mr PICTON: Will the chief executive be provided with any additional resources or any additional training or staff or anything else to be able to outline these additional responsibilities afforded to the chief executive under this clause?

The Hon. R. SANDERSON: These types of investigations are undertaken by trained staff every day. It is the core business of our department.

Clause passed.

Clause 8.

Mr PICTON: In relation to clause 8, which I understand is the insertion of new section 34A, did the minister consult with the AMA or accreditation bodies, whether it be AHPRA, any of the colleges or other accreditation bodies of practitioners, in relation to new section 34A(1)(b)?

The Hon. R. SANDERSON: We received feedback from the AMA on 23 October.

Mr PICTON: Predictably, my question might be: what was the feedback received from the AMA?

The Hon. R. SANDERSON: It is a long letter, but basically they are saying that the review should include attention to preventative measures. Of course, this was an interim review. This is not the full review. That will be in 2022. I quote from the letter:

We, the AMA, continue to closely monitor the care provided to and for the children and young people in care. We will continue to evaluate the outcomes of this act in readiness for the 2022 full review. In the meantime, we look forward to the legislation achieving better outcomes for the state's young people. Please don't hesitate to contact me if you would like to discuss it further.

In essence, they are aware there is a full review. They were consulted on the first one and they will monitor it and they will be included in the full, open and transparent review that will be open to everyone.

Mr PICTON: How will it work in terms of practitioners who are providing these reports? Is there some ability for them to receive reimbursement for the additional time to provide these reports, or will they absorb the costs in terms of their current work in providing these written reports? I presume to meet the legislation it would not be a sort of tick and flick report, there would have to be some reasonable level of comprehension in those reports and it might take them some time.

The Hon. R. SANDERSON: This is an established practice. Practitioners write reports regularly outlining any concern in relation to children and/or their needs, so it is no change.

The CHAIR: Any further questions on clause 8, member for Kaurna? Member for Kaurna, I seem to be losing track here. Apparently you have had three questions. You counted your second question as clarification, didn't you?

Mr PICTON: I am in your hands. I am happy to move on to the member for Reynell.

The CHAIR: I am in the committee's hands. Unless we make remarkable progress from here on, it seems unlikely to me that we are going to get through this bill. That may be the intention or not.

Mr PICTON: I am happy to keep going. I am happy to pass to the member for Reynell if that would assist the chamber.

Ms HILDYARD: If this is helpful, Mr Chair, there are a number of questions about the clauses leading up to the clause about adoption, which we may be able to move through reasonably quickly, but there are quite significant questions about the adoption. In terms of the question, I wanted to let you know that because that may mean we might not get through that.

The CHAIR: It is proper that the bill be examined properly.

Ms HILDYARD: As I said, I think we will probably move a little bit faster before then, but there are pretty significant questions on that clause, just for your information.

The CHAIR: Did you have a question on clause 8?

Ms HILDYARD: Minister, in relation to new section 34A(1)(d) that is being inserted, what other directions does the minister contemplate that the chief executive might now be able to give as a result of the insertion of this clause?

The Hon. R. SANDERSON: That a person not attend an assessment of the child or not attend a meeting with the child.

Ms HILDYARD: Sorry, just as clarification, are they the only other two directions that you think would—

The Hon. R. SANDERSON: They were examples I was just given.

Ms HILDYARD: Minister, what would be considered a reasonable excuse not to comply with a direction, and who would determine whether that excuse is indeed reasonable?

The Hon. R. SANDERSON: The court will determine whether it was a reasonable excuse.

Mr SZAKACS: On that matter, minister, the courts will look to this debate in guidance of that, so would you provide some further information around that?

The Hon. R. SANDERSON: It would be determined by the court on a case-by-case basis. However, a reasonable example could be that it would jeopardise someone's own safety or if they were unwell.

Mr SZAKACS: Minister, in respect to new section 34A(1)(b), could you provide some advice on this section's interaction with matters of professional privilege and confidentiality, whether it be legal professional privilege or matters of doctor-patient confidentiality?

The Hon. R. SANDERSON: That is exactly why we need the power, because sometimes the CE will need to require the information. The CE needs the power so they can require the practitioner to provide the information.

Mr SZAKACS: Is it the intention specifically in the drafting, but more importantly of you, minister, that this will override any common law or statutory protections of privilege?

The Hon. R. SANDERSON: While we are waiting for that answer, I am happy to take any other questions.

The CHAIR: Let's not be too pre-emptive. We will take it one question at a time, otherwise I will get confused.

The Hon. R. SANDERSON: Section 166 of the current act covers this, which is 'Protections, privileges and immunities.' It provides:

- (1) Nothing in this Act affects any rule or principle of law relating to—
 - (a) legal professional privilege; or
 - (b) "without prejudice" privilege; or
 - (c) public interest immunity.

Mr SZAKACS: Do I take it from that answer that this section will provide an additional matter of direction and allow the chief executive to compel but not to limit the matters of privileges contained within that section? Are there any matters not contained within the existing statutory protections of privilege that this new section would seek to either overcome or provide for the chief executive to direct?

The Hon. R. SANDERSON: I believe I have covered my answer.

Clause passed.

Clause 9.

Ms HILDYARD: Minister, in what sorts of circumstances do you envisage the chief executive would find it necessary or appropriate for a child or young person to be examined and assessed? If you could please give some examples and also advise what form those examples of examinations and assessments would be likely to take?

The Hon. R. SANDERSON: Circumstances for a child to be examined and assessed would be where there is risk of harm or suspected abuse or neglect.

Ms HILDYARD: Can you answer the second part about what form would those—

The CHAIR: The second part of it was what form would that examination take, and it is reasonable to put those two things.

The Hon. R. SANDERSON: As necessary, obviously. If it is a physical abuse, then there would need to be a physical examination. If it is an emotional abuse or if it is neglect, there are different ways that they are assessed. There is no change to normal procedures.

Ms HILDYARD: Minister, will support be provided to parents, guardians or other carers to attend examinations and assessments that may not be undertaken in their homes, and what in particular? What support might be provided to parents, guardians or other carers who are based in rural and remote areas and are required, as a result of this clause, to attend particular examinations and assessments outside their homes?

The Hon. R. SANDERSON: This is the work of my department. They do this day by day. It is routine business, so it would be no different from what is already happening now. On a case-by case basis, there would be a determination. If you are asking whether they get free transport, I am not sure, but every case would be determined. Some people have their own transport, some people might need help; the department will assess that. That is their role and that is their core business.

Ms HILDYARD: Just to be clear so I understand this correctly, if the chief executive requires a parent, guardian or other carer in a remote area to attend a particular examination or assessment, are you confirming that on each of those occasions, should it be required, the department would provide resources—whether that is for travel, accommodation or whatever else might be required—to enable them to fulfil that requirement?

The Hon. R. SANDERSON: As mentioned, this would be facilitated on a case-by-case basis.

Ms HILDYARD: Minister, what support is or would be provided to a child or young person who is 16 years of age or more to attend examinations and assessments, given that many young people—16, 17, 18—may not have access to their own transport, funds or resources or perhaps their particular condition may prohibit them from using public transport, etc.? What support will be provided to young people in those circumstances to attend required assessments or examinations?

The Hon. R. SANDERSON: Again, this is our core business. We work with young people every day, so we are very able to help facilitate transport or somebody to go with the child. They could nominate somebody. We can help facilitate and, again, that would be on a case-by-case basis.

Mr PICTON: In relation to section 35(2a)(e), I imagine there might be a situation in which there is a lack of availability of appointments or a timeliness issue with appointments. In situations such as that, what accommodations would be made if it were impossible for a person to comply with that section due to the lack of availability of appointments alone?

The Hon. R. SANDERSON: We work with families to ensure that these assessments happen on a case-by-case basis, whatever would be considered reasonable to make that assessment able to go ahead.

Mr PICTON: In relation to the new penalties under this section for people who, without reasonable excuse, refuse or fail to comply with a direction, they seem to be settled at imprisonment for six months or \$10,000. I am wondering whether the minister can outline how these penalties were arrived at, whether they are consistent with findings of recent reports, including the Rice report, and what the justification is for them being set at that level.

The Hon. R. SANDERSON: These powers are to protect children and they reflect the seriousness of breaching the direction, and they are in keeping with other penalties in the act.

Mr PICTON: What additional resources will be provided to departmental workers should they be required to ensure a child is examined or assessed?

The Hon. R. SANDERSON: This is the work that we do every day. This is not a new power. It is our standard core business.

Mr SZAKACS: Will the minister advise how many directions are currently made under the existing section per year?

The Hon. R. SANDERSON: I do not have that information here.

Mr SZAKACS: Well, as clarification or a second question, will the minister take that on notice?

The Hon. R. SANDERSON: We will consider that and speak with the member later.

Mr SZAKACS: What consideration will the minister go to in respect of my question?

The Hon. R. SANDERSON: How easy it is to report on.

Mr SZAKACS: Can the minister advise whether the numbers are kept by the department?

The Hon. R. SANDERSON: They are recorded on a case-by-case basis. Certainly what I found coming into government is that the C3MS system does not easily report on all the things you might want to know, and that was the system we were left with. We are looking at whether we can get a new system. We have added on things, such as being able to do the drug and alcohol testing.

In opposition, I was never able to have my question answered as to how many drug and alcohol tests. We made changes to make that report available. I do not know whether this is a reportable area, because they are embedded into each case file and there are thousands of them, so it is not as easy as pressing a button and getting a report.

Mr SZAKACS: Considering that the new section has a custodial penalty attached for failing to fulfil the requirements under the direction, is it not imperative for you as the minister to track the data, considering that the end result of a failure to adequately abide by the direction is a risk of custodial penalty?

The Hon. R. SANDERSON: Every case has to be dealt with on its merits. It is dealt with on a case-by-case basis.

Clause passed.

Clause 10.

Mr PICTON: I am obviously very interested in this clause, given my shadow portfolio responsibilities. From what I can read, we are now basically saying:

- (2a) If the Chief Executive reasonably suspects that a child or young person is at risk as a result of impaired mental health on the part of a parent, guardian or other person [responsible for the person]...the Chief Executive may, by notice in writing, direct the parent...to undergo an approved mental health assessment.

This is of the kind approved by notice in the *Gazette*, and that raises a series of questions. The first would be: what consultation has the minister, the chief executive or the department undertaken so far with mental health organisations in relation to the insertion of this clause, particularly in relation to what feedback you have received from those mental health organisations, groups or professionals around how impaired mental health would be defined, given that clearly a significant number of South Australians live with mental health illness quite successfully in the community? How would that be defined and what was the feedback in relation to people undertaking this approved mental health assessment, and what feedback did you get on your proposal for that?

The Hon. R. SANDERSON: Could I please just have the exact question. That was very long. What is your exact question, sorry?

Mr PICTON: My exact question is: what feedback did you get from mental health organisations and professionals in relation to the insertion of this clause, particularly around the

definitions of what would be impaired mental health on behalf of the parent, guardian or other person? Also, what would be defined as this approved mental health assessment that would take place?

The Hon. R. SANDERSON: We work with health professionals every day in our department. Of course, this went through our social affairs cabinet committee, which includes the Minister for Health, and it was also approved through cabinet, which has all the ministers. It has also been seen by the portfolio management board, so it has been seen by many relevant people.

Mr PICTON: It seems quite extraordinary that we are inserting a new clause in here that is around impaired mental health and defining a mental health assessment that people will be going through, but the minister has failed to consult any mental health organisation. The minister said, 'I went through a cabinet committee, which has the Minister for Mental Health and Wellbeing on it.' Well, he is not a mental health professional, he is not a mental health organisation and he is certainly not independent of the government in terms of those issues.

In regard to these questions in terms of how these matters are defined, particularly now that we know there has not been a proper consultation with any mental health professional or any mental health organisation, firstly I would ask what are the criteria that the minister would envisage would be defined as impaired mental health on behalf of the parent, guardian or other person? Is that a clinical definition? Is that a definition that has come from the bureaucracy in the Department for Child Protection? Where has that definition come from? What would be classified as impaired mental health and where has that meaning come from? Is there any other legislation that refers to—

The CHAIR: Member for Kaurua, you have the opportunity to speak, obviously, and I am not going to—

Mr Picton interjecting:

The CHAIR: No, but I was going to ask you to really be quite specific about the question. You have the opportunity to talk for up to 15 minutes, but you were looking to pose a question there. What I have noticed from the opposition is that they seem to be rolling two or three questions into one, so let's be quite specific so that the minister is able to answer.

Mr PICTON: She is happy to answer.

The CHAIR: After all that, she is happy to take it.

The Hon. R. SANDERSON: It is very long, but I will do my best. From my knowledge, having been the minister for three years, mental health assessments are already being done. This just creates a new power for the CE to direct a parent or guardian or other person with responsibility for a child to undergo an approved mental health assessment where a child may be at risk as a result of their impaired mental health.

We would take advice from the mental health expert on whether they are impaired. They are the ones who do the report, they are the ones who do the assessment and they are already doing those assessments. This is simply giving the CE the power to direct that to occur in the best interests and safety of a child.

Mr PICTON: The central question of this, though, is now that this will be the chief executive's decision as to whether they suspect that somebody has impaired mental health. Can the minister outline what process the chief executive will go through to form a view under this proposed legislation that somebody is at risk as a result of impaired mental health on behalf of the parent, guardian or other person?

The Hon. R. SANDERSON: It is determined in the act, where the chief executive reasonably suspects that the child is at risk. It is then up to the health professional to do the assessment, and they are the ones who would determine whether there is an impairment. We do it every day. This is our core business. The only change is that there is now a power to direct so that we can look after children in a timely manner. There is no point in asking a parent for years and years to get an assessment that they do not get and the child is left in danger.

Mr SZAKACS: I just consider it to be perhaps a mischaracterisation from the minister that this is an existing power of the chief executive that is just being clarified in this amendment. In fact,

this is a new section, which provides for the first time the capacity to direct a parent, guardian or caregiver to have a medical assessment. A mental health assessment is a medical assessment.

This is the question that I ask of the minister: who will be, under the gazetted notice, able to undertake this mental health assessment? Will it be psychiatrists only? Will it be general practitioners? Will it be psychologists? Does the minister have any intention of limiting who, from a medical perspective, may actually undertake these approved assessments?

The Hon. R. SANDERSON: There would be a range of specialists with expertise. Just to be clear, this is done on a voluntary basis as part of our core business. We already do an investigation and assessment if there is suspicion. Remember that one of the three main reasons that we remove children is mental health, so these assessments are routinely and regularly done.

However, in the instance where a parent is refusing to have an assessment, two things could happen. Either a child could be left in danger because it is taking six months, a year or two years for the parent to go and have an assessment, or we could remove the child unnecessarily when the parent does not have a mental health issue but they have not gone to an assessment so how would we know?

This is really to keep children safe and, if there is no issue, the child can stay with the parent. If there is an issue that can be treated, then the parent could get help. If you have a mental health assessment then we know how to help you, and we can put the structures around the parent. I think this is necessary, and it is all about the safety and protection of the child.

Mr SZAKACS: I rise to furiously agree with the minister, but unfortunately she did not answer my question. Is there any intention of limiting, within the *Gazette*, the class or categories of medical professionals or allied health professionals who will be able to undertake this assessment?

The Hon. R. SANDERSON: There would be a range of qualified experts. We have not limited that. Off the top of my head, I would expect that there might be psychiatrists and psychologists, but we are not limiting it.

Mr SZAKACS: I am somewhat worried by the minister's answer off the top of her head. This is an incredibly important new section. Mental health assessments, medical assessments, by direction are not something to do off the top of your head.

Everybody in this chamber wants to get this right. Everybody in this chamber has foreshadowed their support for this clause. What I am after from the minister is: if this has not already been undertaken, will she undertake to consult widely with professional associations and mental health advocacy groups before any such notice is drafted for the *Gazette*?

The Hon. R. SANDERSON: We do use a range of experts. However, we do have an approved panel of psychologists. We also have, for the first time under this government, a lead psychiatrist, Prue McEvoy, who is shared with Health. I know that we also use the services of CAMHS. Of course, that is for our young people. We do use state government services. They are all approved and they are all used on a daily basis.

The CHAIR: I am going to pull you up there, member for Cheltenham. You have had three.

Mr SZAKACS: Can I just seek clarification? Will the minister undertake to consult before the matter is drafted for the *Gazette*?

The CHAIR: That is a fourth question, member for Cheltenham.

The Hon. R. SANDERSON: We will always talk to the mental health professionals within government.

The CHAIR: Any further questions on clause 10?

Ms HILDYARD: Yes. First of all, just to echo the sentiments that the member for Cheltenham expressed, we certainly agree that it is incredibly important to support parents and guardians and other carers in terms of their mental health and in terms of their access to any support or treatment or examination that they may require.

It is very worrying to hear, first of all, in an answer to a question from the member for Kaurna that it seemed that there had not been any mental health organisations consulted. I think it was the

social affairs committee of cabinet—so an internal ministerial committee—rather than having received any detail from mental health professionals individually or organisations.

So I just wanted to make that point because we do agree about how incredibly important the introduction of this clause is and how important it is that mental health professionals are assured that this clause is one that will work in the appropriate way to ensure that people do access the mental health support and services they may need and that they are able to access those services and supports at the same time that the wellbeing of children is considered when there is an issue that a parent or guardian or other carer is experiencing.

I did just want to also note—and this will lead me to my question—the other thing that I find incredibly concerning in relation to the introduction of this clause which is that it is well documented publicly that the Infant Therapeutic Reunification Service, which was previously run between DCP and SA Health via the Women's and Children's Hospital—

The Hon. R. SANDERSON: Point of order, Chair: is the opportunity to just give a speech or is it actually meant to be a question?

The CHAIR: In fact, minister, it is. The opportunity is to speak.

Ms HILDYARD: I did have very brief questions, but a few things that have been said have caused me great concern. One of the things that concerns me is the context in which this particular amendment has been made. I was just getting to that point that it is well documented publicly that the Infant Therapeutic Reunification Service that has been successfully run for many years—it is an internationally award-winning service that is run by both DCP and SA Health via the Women's and Children's Hospital—has recently ceased.

There is a tender that has been put out for particular elements of that service to be provided. I am not aware of when or how the tender will be awarded, but what I am aware of is that their service simply ceased in August. Again, I state that that was a program that was incredibly successful. It was award winning in terms of supporting families with mental health issues and issues around substance abuse.

One of the things it lists in relation to its description online and elsewhere is the work that it did to support families who were struggling and needed to be strengthened because of mental health issues that they were experiencing. So the reason I am very concerned and I have further questions about this is that, as well as that award-winning service ceasing in August and no news coming out about who is now going to provide it, it is my understanding also that there are no psychiatrists or psychology services that have been attached to that tender.

I am deeply concerned that we are now inserting this clause that provides power to the chief executive should the chief executive reasonably suspect that a child or young person is at risk as a result of impaired mental health on the part of a parent, guardian or other person who has responsibility to care for that child. We have this new power, and one of the core exemplary services in this state has simply closed, and the tender, which still has not been announced, does not have psychologists or psychiatrists attached to it.

My question is: should the chief executive so determine—and I will have another question about how they might come to that reasonable suspicion that there is a risk—given the closure or the outsourcing or the privatisation of the Infant Therapeutic Reunification Service and the fact that the new service will have no psychologists or psychiatrists attached to it, what support will those families who are struggling with particular mental health issues now be able to access to get the support they need and to strengthen their family so that their child or children or the young people in their care are safe?

The CHAIR: If I am understanding that right, it is: what support is available, and how do they access it?

Ms HILDYARD: With particular reference to the Infant Therapeutic Reunification Service and its closure.

The Hon. R. SANDERSON: There were a few accusations that I would just like to clear up firstly. We do have a Portfolio Management Committee, which is the CEs across government, who

would be involved in this. So there is a panel of experts, and we do use across-government experience. To avoid any confusion, any *Gazette* notice in relation to an approved mental health assessor will be consulted on with mental health experts.

As far as the reunification service that the member for Reynell is referring to goes, as she rightly said, it has been out to tender. The Women's and Children's Hospital may have put in a tender; I am not part of that process. They were certainly able to. The results of that tender process have not been made public.

As to reunification services, which that was, we use NGOs and we use private providers. Our DCP staff are also involved heavily in reunifications, and the government announced late last year the Newpin reunification program, which is a significant investment in a new service run by Uniting Communities that will be starting soon in South Australia. So we have a range of reunification services and a range of experts.

The reunification tender that is out does not in any way exclude psychiatrists or psychologists from being part of the program, so there was nothing to stop them from putting in a tender. We will wait for the results.

Ms HILDYARD: I do not think that answers my question about what support there is for families who are experiencing mental health issues—one or both or a number of parents, guardians or carers—and exactly where they will access support from a psychologist or psychiatrist in the public system, given the tender that was put out eight months ago now after this award-winning service was abandoned. Where will they be able to access those psychology or psychiatry services, particularly given the new tender that has been out for eight months now does not actually include a call or a requirement for psychology or psychiatry services?

The Hon. R. SANDERSON: The reunification tender does not exclude psychiatrists or psychologists from being part of the program. Currently, we use these services every day. We have the adult mental health services that provide services to our department. There is CAMHS. We have our own psychiatrists and psychologists who work in our department as well. So this is what we do every day. The only change in this is the ability to direct.

Ms HILDYARD: This gives the power to the chief executive should they reasonably suspect that a child or young person is at risk as a result of impaired mental health on the part of the parent or guardian or other carer. I want to understand a little more about what you envisage the chief executive would deem to be circumstances that might elicit a direction under this section.

What I mean by that is that I understand that, very sadly, parents, guardians and carers may experience ongoing serious mental illness, and I understand that may create particular risks for children, which is incredibly heartbreaking and sad for that family. What I really want to understand, though, is that there are those serious, ongoing long-term mental illnesses that may create that risk in particular circumstances.

Could the minister speak in detail so I can really understand what she envisages the chief executive might consider once the chief executive has this power. If there is a particular suspicion or understanding that there might, for instance, be an experience of depression for a period of time, or a period of time that is not about a long-term mental illness but perhaps something has happened in a family, and it may be that there are mental health issues that are experienced for a shorter period of time, if that makes sense, rather than a long-term ongoing mental illness.

I really want to understand how the chief executive will distinguish those. Is there going to be a regulation or a list of particular conditions? Is it on a case-by-case basis and, if so, who will support the chief executive in making those decisions because I imagine mental health professionals will need to be involved in that. I just want to understand a little bit more about what sorts of conditions might give rise to the chief executive making these determinations.

The Hon. R. SANDERSON: Every day, our workers go into homes of families to do investigations and assessments and to determine whether a child is safe. They do what they can to work with the family to ensure that safety and, as I have mentioned many times in this house, we have invested heavily in early intervention and prevention services.

We have intensive family support services in the north, in the west and soon in the south, which is another social impact bond with the Benevolent Society, and the whole point of this is to go

in and to support these families who are struggling. I have also spoken today about our family group conferencing information and support for the funding that has gone into that.

Again, when a parent is struggling with a child, our goal is to build the structures around that family so that the child can remain safe. However, we know that mental health issues impact both short-term and long-term outcomes for children. We will support families wherever that is possible and we do need to get assessments in order to know what supports are required.

Without that assessment, it would be safer to remove the child, which is not in the best interests of the child or the family, so this is simply allowing us to support the family even more by knowing what is the underlying issue that we are dealing with. Without an assessment, it is very difficult to know what that is and a child could be removed unnecessarily or left in danger.

The CHAIR: Final question, member for Reynell.

Ms HILDYARD: Should a child be removed following the chief executive having this new power to direct a particular assessment—as opposed to medical professionals undertaking those assessments—the chief executive will now, with this clause, have the power to direct a person to undergo certain assessments if there is a suspicion that a child or young person is at risk.

Should one of those assessments that the chief executive has directed result in a child being removed or some other direction or program taking place, when would a subsequent mental health assessment or assessments take place? For example, if as a consequence of a mental health assessment a child is removed, after what period of time would a parent, carer or guardian be reassessed so that if they have had treatment, recovery, etc., they could potentially reunite with their child? In order for them to do that, what sort of support could they receive between that initial removal and then a further assessment?

The Hon. R. SANDERSON: Just to be clear, this power does not affect the removal of a child at all. This has nothing to do with the removal of a child; this has to do with the CE being able to direct someone to have a mental health assessment. Every day they are voluntarily done but, in some cases where a child is deemed to be in significant danger or at risk, this is now giving the chief executive the power to get that done in a timely manner so a child is not left in danger.

As to when a secondary mental health assessment would be done, we would be guided by professionals. At the moment, we are reinserting what was a 42-day order and is now an eight-week order. During that time is the time when hopefully the parent or parents would get help and we would have time to assess whether they are doing the courses that are required, if they are turning up to the visits with the child and how the child is interacting with them.

It would be assessed by the caseworkers and the experts who do this every day, and we would certainly take the advice of the mental health professionals on when a further mental assessment would be required.

Ms HILDYARD: I just want to very quickly clarify something. Minister, should a child be removed after a mental health assessment takes place and it is deemed that there is risk to the child so therefore they are potentially removed, can you guarantee exactly what support is then provided to that family so that things can improve for them? What sorts of supports are provided to them? What are they provided with from the department so that they can recover?

The Hon. R. SANDERSON: Just to be clear, we do not remove the child just because somebody has a mental health issue or an assessment. It is an assessment so that we can then put the services in place. It might be counselling, it might be medication, it might be parenting courses they need to do. It could be that mental health issues are a result of domestic violence or the situation that they are in.

In fact, I do not think I have actually seen a case where there was only one factor. There are generally multiple factors if you are going to actually remove a child. The supports that would be made available—and everybody has this ability—would be to go to their doctor and get a mental health plan. That is available as a federal government medical service, but there are services already available that would be recommended.

Clause passed.

Clause 11.

Ms HILDYARD: Can the minister elaborate the purpose of this change to how forensic material is described? What is the reason for this change?

The Hon. R. SANDERSON: This amends section 37 of the principal act to allow the broadening of categories of forensic material that may be taken or tested in the course of random drug testing to ensure it supports all relevant types of testing available.

Currently, the section is limited to hair or blood. As the member for Reynell would know, there was a large debate on the different specimens that could now be included, such as saliva and urine, and it does go into further areas. It is just expanding it so that we can make use of all technologies that are available.

Clause passed.

Clause 12.

The Hon. D.C. VAN HOLST PELLEKAAN: Given that the member for Kaurana does not have a burning question that needs to be asked right now, and that we are at a fresh start and a new clause in committee but that it seems unlikely that we will get through this clause before the house rises tonight, I move that we report progress.

Progress reported; committee to sit again.

Adjournment Debate

PARNELL, HON. M.C., RETIREMENT

Dr CLOSE (Port Adelaide—Deputy Leader of the Opposition) (17:38): I seek the house's indulgence to make a brief statement.

Leave granted.

Dr CLOSE: I rise to speak briefly about the Hon. Mark Parnell whose last sitting day in parliament is today. Having known Mark before either of us were in parliament, I wanted to mark this occasion and speak to his very great qualities.

Mark is one of the finest examples of what one would hope all parliamentarians were. In both conduct and motivation, he is one of the most decent and honourable men I suspect this parliament has ever seen. In his motivations, he has been utterly committed to the preservation, protection and restoration of our natural environment, as one would expect from someone who has represented the Greens.

However, he has also seriously taken to heart the importance of community voice, the importance of democracy, the importance of making sure that where possible people are able to make decisions about their local environment and their local circumstances. He has a very fine legal mind and has utter respect for the law: what it can do, what it cannot do and what it ought to do. I think everyone in this house and in the other place would agree that his conduct has at all times been one of decency, one of compassion and one of reasonableness.

When one is a member of a minor party, as they are called, I imagine it is often quite disheartening when the two major parties decide that they are not going to agree on a particular issue before the parliament that the minor party wishes to promote. Yet, despite I think often having to deal with disappointments, the Hon. Mark Parnell has at all times understood the pragmatic and reasonable circumstances in which we all operate and has continued to forge and maintain strong relationships across all sides of parliament.

My own history of knowing Mark, as I alluded to earlier, extends to well before either of us were in parliament, in that we are both part of the environment movement in South Australia; Mark much more significantly and importantly than me. I became aware of him when I was a fairly young activist in the environment movement when he worked in the Environmental Defenders Office, and then when I became involved in the Conservation Council through being on the board he was one of the people who was clearly—although not much older than me—already one of the elders, one of the wise people.

Crucially, for our own relationship, we came to know each other far better when I was the president of the Wilderness Society in the late 1990s. We had a vacancy that I believe, if I have my dates right, was subsequently filled by the person who became my partner and the father of my children, so it was important that Mark not stay in that job so that that could happen, but for a crucial period when we had a gap between long-term campaigners we needed someone to fill a few months and Mark came and worked for the Wilderness Society. It was there that I had the pleasure and honour of working closely with him on his true passion, which was trying to argue for law reform in order to preserve the environment.

Mark has been motivated I think above all else—above the environment, above the community and above his love for the law—by his love for his fellow humans and, in particular, of course his dear wife Penny, who is an extraordinary woman in her own right, and his children. Of course, we mark the great tragedy that has sat with Mark for the last several years, and with Penny and the rest of the family. We acknowledge the dignity with which they all went through that experience.

I asked three people I know well through the environment movement, who knew Mark as well, if they would briefly give me the comments they would like to be read into *Hansard* about him. The first is from Craig Wilkins, who is now in the very important role of running the Conservation Council of South Australia, the peak body. He said:

Mark is one of those all too rare individuals who are just the same in private as public. He is decent, loyal, caring, hardworking and smart.

Although he failed in his mission to single-handedly turn Morris dancing and the playing of the diatonic button accordion into major South Australian pastimes, over 15 years he has brought to the SA parliament a rich vein of social and environmental advocacy, exemplary knowledge of planning law, deep respect for democracy and a willingness to collaborate for the greater good.

Peter Owen, who is one of the later successors to the role in the Wilderness Society to which I referred, said:

A mentor, a light on the hill, a stalwart and an advocate for South Australia's environment for a generation. Thank you.

Finally, we come to Michelle Grady, who, when I first met her, I think was running the Conservation Council, the role that Craig now holds, but is now in a very significant role as the national director of The Pew Charitable Trusts (Australia) and is based in WA. Despite the challenge of the time zone, she was able to find some time to write this. She said:

The loss of Mark Parnell from [South Australia's] Parliament will be keenly felt. With so many hats on over the decades—most notably his bicycle helmet!—Mark has used his incredibly sharp and fast mind to interpret the law, explain it in easy usable ways and has combined it with a deep and genuine respect for community needs and the power of people to make a difference. Mark has been both the brains trust for what [South Australia's] wonderful environment needs and has led the charge in so many campaigns. Mark has been the go-to person for advice, empowerment and encouragement for so many—no-one leaves his presence without a full kit bag of ideas and plans, and a renewed enthusiasm for making a difference. Mark has made his mark on so many places, laws, hearts and souls. We will watch with great anticipation for what comes next!

In closing, I say that this is not a farewell, though it is from this place of work. This is gratitude to Mark Parnell and looking forward to continuing to hear his wisdom and his insights and learning a little from his energy and persistence. Thank you, Mark Parnell, for all your service.

At 17:46 the house adjourned until Tuesday 4 May 2021 at 11:00.