LEGISLATIVE COUNCIL

Tuesday, 24 March 2015

The PRESIDENT (Hon. R.P. Wortley) took the chair at 14:16 and read prayers.

The PRESIDENT: We acknowledge the Aboriginal and Torres Strait Islander peoples as the traditional owners of this country throughout Australia, and acknowledge their connection to land and community. We pay our respects to them and their cultures and to the elders both past and present.

Parliamentary Procedure

VISITORS

The PRESIDENT: I would like to acknowledge the family of the late Trevor Griffin—Val and the family—and also the Hon. Mr Peter Dunn, a previous president of the Legislative Council.

Condolence

GRIFFIN, HON. K.T.

The Hon. G.E. GAGO (Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy, Minister for the Status of Women, Minister for Business Services and Consumers) (14:17): I move:

That the Legislative Council expresses its deep regret at the recent passing of the Hon. Kenneth Trevor Griffin, former minister of the Crown and member of the Legislative Council, and places on record its appreciation of his distinguished service, and that as a mark of respect to his memory the sitting of the council be suspended until the ringing of the bells.

I rise today to pay respects to the Hon. Trevor Griffin, a 24-year veteran of this place and a loyal servant to the people of South Australia. On 7 March this year, Trevor Griffin, one of the state's longest serving attorneys-general, passed away at the age of 74. Our thoughts and condolences go to his wife, Val, their sons, Mark and Tim, and to the extended family.

Trevor Griffin's parliamentary career is one of extraordinary duration. In March 1978, Trevor Griffin was appointed to fill a casual vacancy as a result of the untimely passing of Frank Potter, the council president. As he remarked in his maiden speech at the time, he found himself one week quietly going about his profession as a legal practitioner and the next week up on his feet in this place, the Legislative Council, making speeches and debating, and clearly a little stunned at the suddenness of the transition.

This career shift obviously suited his temperament, as he was to remain here for nearly a quarter of a century. By the time Trevor Griffin retired in February 2002, he had served as the attorney-general under three premiers: David Tonkin, Dean Brown and John Olsen. He was also, at various times, minister for corporate affairs, consumer affairs, justice, police, correctional affairs and emergency services.

He was very highly regarded by many in this building for the admirable qualities he brought to the job: a keen sense of integrity, a reputation for scrupulous fair-mindedness, and a work ethic that was calm, methodical and meticulous. These are excellent qualifications for a legislator, and Trevor Griffin's legacy in that regard is incredibly impressive.

He could point with quiet pride to some of the more significant pieces of South Australian legislation of recent decades, such as the Aboriginal Land Rights Bill, the Roxby Downs Indenture Bill and many, many others. From my perspective, as Minister for the Status of Women, I particularly note his introduction in 1994 of South Australia's first specific legislation on domestic violence. As a result of this law, the crime of domestic violence had a legal definition in this state.

He also introduced specific domestic violence restraining orders, along with the legal recognition that the protection of victims of domestic violence was a priority when bail decisions were

being made in court. Despite the efforts of members on both sides of the council, the scourge of domestic violence is, unfortunately, still with us. Trevor Griffin's key role in the 1994 DV legislation inspires us to continue and build upon that tradition of bipartisanship.

In retirement, Trevor was lucky enough to be able to devote some of his time to winemaking in the Kuitpo Forest area south of Adelaide. I understand he had a certain aptitude in relation to his winemaking skills and techniques. Trevor Griffin's political career has been described as being that of a quiet achiever. This would undersell a politician with a very impressive legislative record who was widely trusted across party lines. He was one of those special figures who are a rock of political stability in our history and, as such, is deserving of our gratitude and thanks, and our acknowledgement. Vale Kenneth Trevor Griffin.

The Hon. D.W. RIDGWAY (Leader of the Opposition) (14:21): I rise to second the motion and endorse the comments made by the Leader of the Government and add a few comments of my own. First, I would like to extend my condolences to Trevor's wife, his two sons and all of his family through what must be a very difficult time.

The Hon. Kenneth Trevor Griffin had an enviable and distinguished parliamentary career. After being elected to this place in 1978, Trevor was re-elected three times, serving over two decades. He served as a minister, as a leader of the government in this place and in the shadow ministry. Prior to his entering politics, Trevor studied for a Bachelor of Laws and even obtained a Master of Laws from the Adelaide University. He went on to practise as a barrister and solicitor for some years before being elected to the Legislative Council.

In light of Trevor's legal background, it was appropriate that soon after his election in 1979 he was appointed as South Australia's Attorney-General. It was in his capacity as Attorney-General that Trevor was able to accomplish many great feats. Trevor's passion for the law saw him invoke much change throughout his time as South Australia's attorney. I do not think time will permit me to stand here and list all of the legislation that Trevor influenced or, in some way, may have changed for the better.

Perhaps some of Trevor's more notable achievements included ensuring the passage of the Roxby Downs Indenture Bill, the Pitjantjatjara Lands Rights legislation, the court redevelopment which led to the creation of the Sir Samuel Way building, and his work introducing, as the Leader of the Government mentioned, the Domestic Violence Act, just to name a few.

Trevor's distinguished and successful parliamentary career was a great achievement. However, it is something else to gain the respect and trust of your peers, even your adversaries, and Trevor did just that. Trevor was praised as a splendid parliamentary performer by the current Speaker in the other place, a former attorney-general himself and the member for Croydon. It is a testament to Trevor's character and aptitude to win the respect and admiration of his counterpart. I found a little quote from the member for Croydon in an old newspaper article which was celebrating Trevor's 20-year milestone in parliament and all of his achievements. Quite fittingly, the article was entitled 'The Quiet Achiever'.

I personally did not know Trevor as well as some of my colleagues, who will speak on this motion in just a moment, however, I do recall an evening lining up to sign in at our Liberal Party State Council meeting. It was a cold winter's night and we were all a bit annoyed that we had to be out on this night. Trevor was in the queue in front of me and I said, 'This is the sort of night I'd much rather be home with a glass of red watching the Crows or the footy on telly.' He said, 'Oh, no, I'd much rather be home with a good murder mystery and a cup of tea.' It was quite interesting that his appreciation of a good evening was a cup of tea and a good book, and mine was watching the footy with a glass of red.

However, after politics Trevor continued to live an enviable life. Trevor retired from politics in 2002 and, on moving to the family farm in Kuitpo, he ran a vineyard. I am not sure he moved there, but certainly he enjoyed a lot of time down at Kuitpo. This property has been in the Griffin family for over 40 years. Trevor used it as an oasis, his own private getaway where he could relax and escape the hustle and bustle of politics. It was a fitting setting for his retirement and life after politics.

The legislation Trevor influenced throughout his time as attorney-general has affected every South Australian in some way, whether they are aware of it or not. All South Australians have much

to thank the Hon. Trevor Griffin for. It is with these comments that I endorse the motion before the house and send my sincere condolences once again to the entire Griffin family.

The Hon. R.I. LUCAS (14:25): I am honoured to be able to join and support the motion that has been moved by the Leader of the Government and supported by the Leader of the Opposition to pay tribute to Trevor Griffin: a friend, a parliamentary college for 20 years, and someone whom I knew in various capacities over a period of about 40 years; a man of absolute integrity, respected by colleagues all, and someone whose great loves in life in my view were, first, family, secondly, the Liberal Party, and, thirdly and most importantly, Mr President, the Legislative Council as an institution.

My first recollections of Trevor were from the early 1970s when, as a longer-haired, fresher-faced, darker-haired research officer for the Liberal Party—Trevor was the party president at the time, so it would have been the period 1973 through to 1976, some time during that period—I was sent to Trevor's legal office, which was in some street in the city, in the CBD. The name of the firm, I think, was Griffin Hume & Co. (I could not swear to that, but it was his legal firm at the time). I remember climbing the stairs—it was relatively darkly lit—and being invited into the office to speak to the then president of the party about some particular issue or other.

As I think I have said before in this place, my fondest recollection of that office was having to step around neatly placed piles of papers on the floor. Those who know my office know that I followed a very good role model in Trevor. In my office, papers are on tables, drawers and on cupboards, but in Trevor's office then there were neatly piled legal documents not only on the table, on his desk and on the cupboards but also on the floor, which I managed to step my way around to sit down and have the discussion with him.

As I said, that is my earliest recollection. My most recent recollection, I am pleased to say, was late last year when my wife, Marie, and I, joined Val and Trevor at drinks that had been organised by former colleague, Legh Davis, at his home in North Adelaide. It was pre-Christmas drinks some time late last year, where we caught up, and that was the last time that I saw Trevor.

Trevor's background is that he was one of five children and grew up in Goodwood and Plympton. The family originally came from Strathalbyn. The family moved to Adelaide as a result of the depression. His family and parents were heavily involved in the Presbyterian Church and the Presbyterian Fellowship Association, a connection that Trevor maintained.

Trevor attended Scotch College on a scholarship. While at Scotch he was awarded a sports blue for athletics. His specialities, believe it or not as a relatively diminutive person, were the 100 metre sprint, which is fair enough, but hurdling and long jump. He went on, when at the University of Adelaide, to get a half blue from that university in athletics. He was involved competitively in athletics, I am told, until his early 30s. I know another former colleague of ours who was an outstanding athlete, the Hon. Julian Stefani, who was a 400-metre runner (440 yards I suspect it was in those days), and he indicated that he was aware of Trevor's athletic prowess. Those who knew Trevor as a conservative, diminutive attorney-general would have found it hard to believe that he was an outstanding sportsperson and athlete, from not only his school days and university days, but as an adult into his early 30s.

As others have mentioned, he went on to the law. Trevor was articled to Howard Zelling and became a partner in Dr Zelling's law firm and, as I think the Hon. Mr Ridgway indicated, completed a Masters of Law. I am told his thesis was on the constitutional validity of the income tax act; I am sure it would have been a riveting read at the time.

Trevor's involvement in the Liberal Party started in the 1960s. He was actually a candidate for the Liberal Party in the House of Assembly seat of Brighton in 1970. Thank goodness he was unsuccessful. In that particular election, the three candidates at the time were political giants in a different way for their respective parties: Hugh Hudson, as members of the Labor Party would know very well, was one of the intellectual giants of the Labor Party of the time, and a loyal servant to the party; the DLP candidate at the time was actually someone who will be fondly known to members of the right of the Labor Party, the godfather of the Labor right, Ted Farrell, the father of Don Farrell. Ted had been the DLP candidate half a dozen times, and his preferences assisted, in the end, in

part, in getting Hugh Hudson across the line. Trevor, of course, ultimately went on to be successful in the Legislative Council.

Trevor was not only a member of the Liberal Party, as I indicated earlier, but he was party president from 1973 to 1976. Prior to that, he was a vice president of the party for a couple of years. Again, for those students of history, the early '70s was a period of tremendous turmoil in the Liberal Party, with the split of the Liberal Party and the advent of the Liberal Movement. I think one of the great testimonies to Trevor is that perhaps one of his political opponents (internally, anyway) at the time, Legh Davis, who was actively engaged in the Liberal Movement in the early '70s, became, over a period of many years, one of Trevor's closest friends. As I said, the drinks that we had prior to Christmas last year were organised at Legh's house in North Adelaide.

As I indicated earlier, Trevor's great love in terms of parliamentary politics, or in politics, was the Legislative Council. He had been a great defender of the role of the Legislative Council all through his period in parliament and also even when he left the parliament. In preparing for today's speech, I learned a couple of other connections to the Legislative Council prior to his election in 1978. Our Clerk, Jan Davis, tells me that Trevor, as a solicitor, did all the legal work for her husband Peter Davis's business firm prior to Trevor coming into the Legislative Council.

As we looked at one of the old select committees of the Legislative Council in 1977—one of those hybrid bill select committees that we have to establish—in those days, they actually did them in an assiduous way: they actually advertised widely; they took evidence, rather than treating them as a matter of form and process. This select committee was on the Uniting Church, and Trevor was one of many—I think there were 11 separate meetings of that select committee—representing the Presbyterian Church. I think his title, as he is listed in the minutes of the select committee proceedings, was Procurator of the Presbyterian Church of South Australia in 1977. For those of you who need to check, just go off and check your Wikipedia or dictionary to find out about the technical term of 'procurator of the Presbyterian Church'—a challenge for all of you.

As has been indicated earlier, Trevor was elected on 7 March. As we heard from the Leader of the Government, 7 March was the day Trevor actually passed. He was elected to this chamber on that particular day in 1978. For those in my party who sometimes complain about the time to prepare themselves for preselections: Frank Potter died on 26 February, on a Sunday, and my recollection is that four days later, on the Friday night, I think it was, we convened the 220 or 240-member strong state council from all over South Australia.

So, within five days, we had the preselection, and Trevor was elected on the Friday night. He was sworn in on the following Tuesday and then, as the Leader of the Government indicated, he spoke on the local government bill the following week as his maiden speech. It is intriguing how the times have changed. The thing that intrigued me was that, as Trevor gave his maiden speech, there was a point of order from the then president of the Legislative Council, and let me read it in full:

> Order! I notice a person smoking in the gallery and I ask him to desist. The Hon. Mr Griffin.

So, times have changed, Mr President, in more ways than one. We actually had people with the temerity to pull out a gaff and have a smoke in the Legislative Council. I presume it was in the President's gallery at that particular time.

As has been indicated, Trevor was a minister from 1979 to 1982 in the Tonkin government and from 1993 to 2002. I will not repeat all of his portfolios but, can I say, having worked with Trevor, as I said, as a parliamentary colleague for 20 years and as a ministerial colleague for just over eight years, Trevor was an intellectual giant. He was a policy powerhouse within all the fora of the Liberal Party; whether it was the party room, the state council, the shadow cabinet or the cabinet, he was a policy powerhouse.

He had a prodigious work ethic. He was a tremendous team player, an attribute that many of us can aspire to, I think, in terms of always putting the team and the party first rather than seeking the personal glory that sometimes some of us in politics seek to do. He was also trusted by all of his colleagues and trusted in particular and most importantly by each of his parliamentary leaders. He was a loyal supporter and servant. Whether in fact he might have been someone who voted for or against them in the leadership ballot that might have elected the particular leader, in the end, he gave loyal, trusted, 100 per cent support to the elected leader of the day.

Whenever there was a crisis—and believe it or not, Mr President, even under Liberal governments there were the occasional crises that eventuated; I am sure ministerial colleagues from the government will know that, occasionally, I am sure, the odd crisis pops up—the steady hand of someone with experience, with knowledge, and who was trusted to provide advice around the cabinet table and around the committees was invaluable.

I have said before on a number of occasions when in 1993 I was first elected as a minister and later as leader here, as a new minister sitting around the cabinet table, having the corporate experience of people like Trevor—and we were lucky that we also had Dean Brown and John Olsen who had previous experience some 10 years prior to that as part of the Tonkin government—was invaluable to newbie ministers. In particular, because Trevor was from the Legislative Council, his corporate experience and knowledge were invaluable. His wise counsel was always sought, and not just by leaders but by ministerial colleagues and by backbench members.

In addition to being, as I said, a policy powerhouse, having a prodigious work ethic, being a team player and trusted by his colleagues, the other comment I would make in relation to Trevor's contribution to the parliament, as well as his great love of and support for this chamber as an important chamber, Trevor was one of the few who I would say, from my long period in the chamber, was an outstanding legislator. He was someone who engaged actively within the party room on all bills, not just the legal bills for which he had responsibility.

He would look at the dotting of the Is and the crossing of the Ts of all the bills that came before the parliament, and he would assist ministers or shadow ministers alike in identifying problems in their own legislation or in the government legislation. He would look at the loopholes and the problems from a legislative viewpoint and certainly legislation, whether it be that of his own government or our government or indeed the Labor governments of the time, was much improved because of the work that Trevor himself devoted to the cause.

In looking at the contributions that people make to the chamber, I want to now refer to some comments that others have made about Trevor's time. Other colleagues have referred to a story headed 'The quiet achiever'—an article written by Greg Kelton, who sadly also has passed away, from the Adelaide *Advertiser*, on Trevor's 20th anniversary in the parliament. Let me quote Greg Kelton:

> Labor MPs say he is a man who can be trusted and trust is something which is not earned lightly in the cut and thrust of the political world. Mr Griffin is credited with having helped pilot some of the most important legislation the state has had to tackle such as the Roxby Downs indenture, Aboriginal land rights and new rights for de facto spouses.

He also refers later on in his article to his ability to keep confidences. He quotes Trevor as saying, and I can just see him saying it now:

> 'When people talk to me, they know it is not going to go further than me,' he said.

Indeed, that is a quote I have heard Trevor use on a number of occasions. I want to refer to some tributes that other members of the Legislative Council put on the record when I moved a motion on 5 March 2002 to acknowledge the service of Trevor and others who had just left the parliament. The first one was from the former leader of the Labor Party in the Legislative Council, Paul Holloway, who said, and I quote:

> We on this side of the Council regarded Trevor as a person of great integrity and decency, and he was respected by all.

Someone well known to the Hon. Kyam Maher, someone for whom he has great regard and worked for, is the Hon. Terry Roberts, who has also sadly passed. Let me read his tribute:

> I accept—

this is the Hon. Terry Roberts—

> what the Hon. Sandra Kanck said in relation to, particularly, the important bill on native title, which could have been rushed through without the stakeholders having what was regarded as an unusual time for discussion. In relation to dealing with indigenous people and the issues that face them in remote regional and metropolitan areas, it is important that those time frames be extended so that the tyrannies of distance and isolation are taken into account when negotiations are continuing for and on behalf of those people who represent their interests. In many cases—and the

Hon. Trevor Griffin understood this—English is their second language, particularly in remote regional areas, and in many cases the representation that they get from metropolitan representatives takes a long time before it actually gets to the outposts where a lot of the people who will be impacted upon, particularly in native title and other major issues, are able to debate and understand those issues.

I had a lot of respect for Trevor in the way in which he handled those sensitive areas of legislation, and I think that the proof of the pudding is in the eating, because we now have an opportunity to introduce land use agreements that will have a negotiated base rather than a legislative or a legal outcome.

So, these are tributes from Labor members of parliament to Trevor. If I can now refer to some tributes from crossbench members of the then Legislative Council, the Hon. Nick Xenophon said, and let me quote:

In relation to the Hon. Trevor Griffin, I repeat what other members have said about his integrity and decency. One example which says something about the measure of the man is as follows. For about 18 months we fought ferociously over the issue of the dust diseases bill and the compensation rights of victims of mesothelioma. Throughout that time the Hon. Trevor Griffin conducted himself fairly. He fought the issues and at the end, when the bill was eventually passed against his wishes, he took the step of ensuring that a technical flaw in the bill was corrected. I think that says something about the measure of the man and his fundamental decency. That is something that I have never forgotten, and I will miss his fundamental fairness.

The Hon. Sandra Kanck said, and I quote:

…Trevor Griffin there are three things for which he will be remembered, that is, the stalking legislation, the domestic violence legislation and the native title legislation. One usually expects that radical legislation such as stalking and domestic violence legislation would come from a Labor government, but it did in fact come from a Liberal government and was very progressive. Trevor and I clearly had a very different point of view in relation to native title. Nevertheless, I believe the way that he approached it was exemplary.

Further on:

I do not think that there are very many MPs or ministers who are prepared to do that, because politics is done as a win-win situation, whereas he looked at legislation in terms of what was possible to be achieved. As I have said, I did not always agree on the outcomes that came from the native title legislation, nevertheless in the discussion and debate that occurred I believe we were able to come up with native title regimes that bettered the other states.

If the incoming Labor government finds itself in a position where it is having to run deadlock conferences on legislation, I would suggest that ministers consult with Trevor Griffin on how to run a deadlock conference. I was involved in a number of them, and none of them did it better than Trevor Griffin.

They were the tributes of Labor members of this chamber, his acknowledged political opponents, and also representatives at the time of the crossbench. It is clear that Trevor's contribution was respected. He was warmly regarded by political colleagues of all persuasions. Clearly, their acknowledgements of his contributions are testimony to his capacities and abilities.

In acknowledging Trevor's parliamentary and political service, we should also acknowledge his community service in very many areas. Let me briefly note his obvious role with the Presbyterian church, to which I referred earlier, but I also understand he served on the board of the St Andrew's Hospital for 44 years, which must be some record.

My colleagues also referred to something about which I was amazed as much as anyone in Trevor's post-parliamentary career. The fact that Trevor retired to Kuitpo on the farm did not surprise me. I said, 'What on earth, Trevor, did you do with all those documents and stuff you took with you?' He said, 'Val wouldn't let me put them in the house, but there's a container out the back and it's got shelving in it,' and I assume it still has all Trevor's documents. I would occasionally ring Trevor up and say, 'Trevor, can you remember what we did on this particular issue?' He said, 'Let me check. I will have to check the container and see whether I can find the document.' Inevitably, a day or two later he would come back to me and say—he would not tell me whereabouts in the container he found it—'I think this is what we did and I found this particular document.'

That was not the thing that amazed me, it was the fact that Trevor then went on to this career of becoming a winemaker. I remember having a meal with my wife, Marie, on the Fleurieu Peninsula somewhere and seeing this bottle of wine called 'Griffin'. I thought, 'God, that can't be Trevor, is it?' Anyway, sure enough, Griffin wine was Trevor's. As the family acknowledges, he must be one of the very few teetotal winemakers in the world or the country. Although he did tell me that, as a winemaker having to sell his product, he was not really completely teetotal after he left. First of all, he started

tasting a bit of his own product and then he said occasionally he had to taste some of the other stuff as well, so he could compare it with everybody else's and see how good his product was.

Mr President, my apologies for the length of my contribution but, as members will understand, I served for many years with Trevor and I guess I am in the best position to be able to fulsomely pay tribute to his contribution. Finally, can I pay tribute to Val. Trevor would have been the first to acknowledge that he would not have been able to achieve all he did in his parliamentary and political career if not for the support that Val over very many years provided. Her magnificent love and support over all that time allowed Trevor to achieve what he did. Towards the end, as Val increasingly took on the role of carer, nurse and supporter, her ongoing and undying love for Trevor was evident to not only the family but friends and acquaintances all.

At this very difficult time for Val and the family, I know it can only be a small comfort, but I hope that it is some comfort for them that they note that Trevor is remembered by colleagues all as a highly regarded and widely respected parliamentary and political performer, but also highly regarded and widely respected as a gentleman and as a magnificent contributor not only to the parliament but to the South Australian community as well. My condolences to Val, Mark and Tim, the family and friends, and I do so not only on my behalf but on behalf of my wife, Marie, and family.

The Hon. J.S.L. DAWKINS (14:49): It is a privilege to rise to support this motion of condolence in relation to the passing of the Hon. K. Trevor Griffin. Trevor was one of a large number of members of parliament of his era who used his second Christian name. You will forgive me, sir, for referring to the gallery but there is one in our presence, former president the Hon. Peter Dunn, who is one of that variety, as were my father and a number of others.

I have a very long memory of Trevor Griffin because of his association with my father, and that association was well before they served together for four years in this place. Indeed, I first remember Trevor because of the role he played as the party president in the 1970s and, as my colleague the Hon. Rob Lucas referred to, that was a very difficult time for the party, and I think Trevor steered the ship very well. As a result, the two different parties within the Liberal cause as such came together.

Trevor worked with my father in the Liberal Party in the organisation, but also in the formation of the Uniting Church in Australia, as has been referred to by the Hon. Rob Lucas. Certainly, the negotiating skills of people like Trevor and my father represented respectively the Presbyterian and Methodist churches, and there were strong views from both of those churches. I think not too many people here would be surprised to know that there needed to be some compromise. I think Trevor and my father played some great role in the compromises that eventually saw the Uniting Church in Australia formed, although there were—and there still remain—some continuing Presbyterian churches, particularly in the South-East of South Australia.

I had 4½ years in this chamber with Trevor, and it was a great privilege because I happened to sit right behind him, so in that capacity I suppose he was well placed to provide advice to me. He provided a great welcoming mentorship to me, like another great mentor of mine, the Hon. Roger Goldsworthy. Both of them had been great friends of my father and, because Dad died before I was preselected to come into this place, they saw it as part of their role to take me under their wing to some extent.

Trevor provided me with a lot of advice about the role of a member of the Legislative Council and, as was mentioned here earlier, he was a great devotee of the role of this place—the fact that the way we undertake our position in the parliament is far different to that of the lower house, and he was passionate about the fact that that should always remain. His advice was always well meant. I sought out his thoughts early in the piece on a matter of conscience which saw me somewhat different in view to other members of my party, and also I seem to remember different to Trevor, but Trevor said that conscience issues in this parliament are very important and, if it is in your conscience to do that, then that is what you must do, and I will never forget that.

I will also never forget the fact that there was one particular issue—and I can't remember what that issue was—when Trevor was travelling in the United States on a ministerial trip, and he rang me, here in the building, around lunchtime one day to talk to me about it. It must have been some ungodly hour in the United States, but Trevor had decided that that was the best time for him

to catch up with me. So as much as I don't remember what the issue was, I certainly remember the phone call.

Trevor was a man of the greatest integrity. He was as straight as a die, and some of those quotes that the Hon. Mr Lucas read out only strengthen my view on that. He had a great devotion to this state of South Australia, and I think that was always in his mind in the work he did. It is with sadness that I note he is the fourth member I have served with in this chamber who has now passed on. I extend my sincere sympathy and that of the Dawkins family to Val and the Griffin family.

The Hon. R.L. BROKENSHIRE (14:56): I also rise to support this sad condolence motion. First and foremost, I put on the public record that my sympathies are with Val, Tim and Mark and the extended family.

I had the privilege of meeting Trevor when I was quite a young member of the Liberal Party. To be honest, I was probably not ever that enthusiastic about attending state council, but occasionally I did and I first got to know Trevor there. He was always considered in what he contributed to state council, and was respected by the other members of the Liberal Party and the state council.

I also had the privilege of knowing Trevor's father Ken, and saw him quite a bit up and around the Willunga area. When you have had the privilege of meeting the father and then you worked with Trevor, you could see how that development, support and principles of the father filtered through to Trevor, as I am sure did the principles of his mother, whom I did not know. I was in the parliament with Trevor for nine years, and the privilege of working with and being trained by a senior minister was of huge benefit to me. I spent several years working with Trevor, and I will touch on that a little while.

It was not easy coming in as a new member of parliament, particularly with a marginal seat and trying to look after that marginal seat. It was David Wotton, when I was his parliamentary secretary, and then working with Trevor that probably saved me from getting into a lot of the trouble that I could have got into, because even though I was a minister then I had not been in the house for that long and Trevor had all that experience. In fact, Trevor put not only a quarter of a century into public life but also held the attorney-general portfolio for 11 years. From my recollection that is either a record or very, very close to one with what would be one of the busiest portfolio areas, and it was particularly busy when Trevor was Attorney-General.

I want to acknowledge Val. Trevor did put his family first, and his family allowed him to put a lot of his time, effort and energy into working for the public good of South Australia. All of us should be very much appreciative of that. Whilst I did not get a chance to see Tim and Mark much those days, I often saw Val, because she was an absolute Rock of Gibraltar for Trevor and was always there whenever there was a function that required both Trevor and Val to attend. My wife Mandy sends her condolences as well; she used to enjoy saying hello to Val when we were all at functions together.

I said to Mandy only the other day, 'It seems like I have only just the other day finished working with Trevor in the ministry.' Then I thought about it for a minute—it is 13 years. Thirteen years have gone that quickly, but probably not as quickly as the years when I worked with Trevor, because it was a huge pace. We did get from time to time a little bit of time to talk about general issues. We had a common interest in farming, particularly as the Griffin family were developing their vineyard, and ultimately their winery. I think Trevor told me it was actually the boys who pushed him along a bit there; they were pretty keen. Then he started to learn about input costs and things like that, and he started to talk to me a little about, 'Gee, these properties can grab some money, can't they?' I said, 'They sure can,' because Trevor's property was not really that far from where we live and farm.

There are some things I would like to put on the record that I noted with Trevor. Trevor was always immaculately dressed. The tie was right. It was probably not Trevor who ironed his shirts—I never asked him that, or Val—but if you looked at Trevor's shirts when he would take his coat off during meetings the creases were perfect. Everything was perfect about him and that was part of the attention to detail. That is where I thank the Hon. Kenneth Trevor Griffin, K.T. Griffin, for what he did in helping to teach me a lot about the pitfalls of ministry work, the pitfalls of parliament generally.

Back in those days, believe it or not, emails were a relatively new thing, and, as one example, Trevor said to me, 'Be very careful with what you put in emails, because they will be used as legal documentation just like any other document.' He said, 'Make sure that you keep very good records and tracking of your email system.' Of course, at that stage having hardly any IT capacity myself, I had to relay that through to the office staff. They were wise words.

Another thing I noted about Trevor was that he was patient with me. With a marginal seat, you would try to slip a little bit in before you would have meetings, but Trevor was always in his office in Pirie Street—he was a few floors above me. He was always in that office very early and he never left until quite late, unless he had a function to go to, but he was always on time. For someone who has not always been on time, that was another example of Trevor paying attention to detail, and I would try to get to these meetings without being late.

With respect to a brand-new portfolio area, the justice portfolio was pretty new then, where police and correctional services were brought in with the attorney-general and justice minister, and obviously that took some learning and some development. Whilst we were always able to have full and frank discussions and solid debates, once we agreed upon something you always knew that Trevor would stick by you on that.

One thing that Trevor and I were always totally together on was when we had to take on the Hon. Rob Lucas when he was treasurer. We took things like Tim Tam biscuits to try to make a little bit of a peace offering on the budget bilaterals. We had agreed to what we would put forward and we also knew that the biggest problem we would have was not what we had agreed to but trying to get Rob Lucas to agree to what we had agreed to. I am not sure we actually always won there.

The respect that not only Lyn, his chief of staff, and all the other immediate staff, but the broader staff of the public service had for Trevor needs to put on the record, because I never heard one bad word from any Public Service about what they thought of Trevor and their relationship. They were actually very committed to Trevor, because they saw a genuine, professional, committed attorney-general with a real interest in the justice system. He was actually respected by all.

He used to give me some wise counsel on how we could balance up between obviously my position, wanting to have more and more police powers, and on the other side of it the scales that he believed in as a token of what you need to do with justice, where you try to get that balance right. Trevor was always very careful and focused on that, and said to me on many occasions, 'You have to balance up the policing and the police powers with good legislation and with good prevention programs and proactive programs as well.' We then used to talk about how we would go politically on that, and they were good and healthy debates to have.

I think history will show that in those 11 years when Trevor Griffin was the attorney-general, he did always put balance into his legislation. Probably the reality is that since then it has been a race to just throw in tougher law and order policy. Unlike a time when Trevor considered it, it is not always considered that way now; it is more about what you might get as a media grab. I can say that Trevor was not a believer in that; he was a believer in good legal systems.

With cabinet submissions, you always knew that Trevor would have gone through every page when you sat down on a Monday morning and saw the folders with the little tags and the notes. It made me do my work on Sunday afternoons and Sunday night because Trevor would have absolutely been through it all and you knew that was going to happen. It is good working with someone with such experience and commitment. If there was a red tag on a cabinet submission that came in on a Monday morning, you would sit down and talk about it. A red tag is a covering one from the Premier's office, and Trevor would have a solution ready before anything finally went into cabinet about that.

He was a great legislator and a person who crossed his t's and dotted his i's. You only have to look at the huge amount of legislation that was on the *Notice Paper* over those years to see that he was a very energetic and proactive attorney-general. I am very sad to be making these comments about Trevor today because we lost him too soon, there is no doubt about that. He was a man who looked after himself. I can remember when I would be having a cup of tea or coffee that he would be drinking water most of the time. He had a little idiosyncrasy, a little cough, a little clearing of the throat

before he would have a chat to us about different things, and that was part of the memories I have of Trevor.

The parliament is a better place for Trevor having been here. The state is a better place for all of Trevor's efforts. The Liberal Party certainly needs to keep on being appreciative, as I know they are, of the enormous effort that Trevor put into that party over a very long period of time. Again, my condolences and that of my family to the Griffin family.

The Hon. T.J. STEPHENS (15:07): I rise to support the motion. I thank other members for their heartfelt contributions and, in particular, the Hon. Trevor Griffin's long-term friend and colleague, the Hon. Rob Lucas. I also pass on my condolences to Val, Mark, Tim, family and friends.

I was fortunate enough to have met the Hon. Trevor Griffin on a number of occasions and I feel extremely privileged to have received some kind words of encouragement from the Hon. Trevor Griffin as he was someone for whom I had enormous respect. The Hon. Trevor Griffin was a great Liberal but more so he was a great South Australian. We were lucky to have had him in this parliament. With those few words, I support the motion.

The Hon. S.G. WADE (15:08): I, too, would like to associate myself with the motion to recognise the life and service of the Hon. Trevor Griffin. The Hon. Trevor Griffin was one of the state's longest-serving attorneys-general, taking that office relatively soon after his election. He was elected only 17 months prior to taking up that role which is a challenge for a newly-elected member. However, he did come with a huge depth of knowledge of the law particularly in an era when postgraduate study in the law was rarer than it is now.

The Hon. Trevor Griffin had a Master of Laws. When he presented his credentials to the Supreme Court it would have been a slightly strange experience because he was presenting them to a former Labor attorney-general, Chief Justice King. But I also note that he would have found friends on the bench. Howard Zelling was then a justice of the bench, and in fact Trevor Griffin had been articled to Howard Zelling in 1961.

So, he came into the parliament as a lawyer of great ability, and he proved himself a great legislator. A number of members have already referred to his work in domestic violence. I would like to highlight his work in the area of victim support. Perhaps the best way of paying tribute to that is to read a tribute to him that appears on the Victim Support Service website. It reads:

> VSS was deeply saddened to learn that Trevor Griffin, former attorney-general of South Australia, has died at the age of 74. Trevor was a strong supporter of victims' rights, as well as the work and growth of VSS during both his terms as attorney-general. The victims of crime review in 1999 was initiated by Trevor, which led to the implementation of the Victims of Crime Act in 2003. Between 1993 and 2001 the level of funding dedicated to victims' services in South Australia's more than doubled under Trevor Griffin's watch. For VSS this culminated in the expansion of our services to Port Augusta, Port Lincoln, Port Pirie, the Riverland and the South-East.

Together with the work of the Hon. Chris Sumner, I know that Trevor Griffin is seen as a great pioneer of victims' rights, not just in this state but around the world. I also pay tribute to the Hon. Trevor Griffin for his service to this state in the high office of attorney-general. The Hon. Trevor Griffin had, shall we say, a traditional view of that office, and when he presented his credentials in 1979 he said this to the Supreme Court:

> I am conscious that the office of attorney-general is a high office in government and in the legal profession, and that I, as the person now appointed to that office, carry very heavy responsibilities toward the people of South Australia, to the bench and to the legal profession. The principal responsibilities of my office are to ensure that the rule of law as an essential element of our democracy is upheld and that its administration facilitates that end, and that the review and development of our laws is continued responsibly and sensitively.

You will notice that there is no mention there of the political responsibilities of attorney-general. When the Hon. Trevor Griffin next presented his credentials in 1993, 14 years had elapsed and he did not miss the opportunity to observe that there had been a change in public tone over these years, and he said:

> Fourteen years ago I observed that the bench and the legal profession enjoyed a high reputation. That reputation is still high. Now, however, both the courts and the legal profession are the subject of more critical public scrutiny and more controversial public comment. It is, of course, healthy for there to be well-founded criticism, but it causes me concern that the criticism of the legal profession across Australia, for example, in relation to restricted practices, when applied to South Australia's legal profession, have been largely without substance. Similarly, it is of

concern that the courts and judges have been the subject of much criticism, some of which has been unjustified and made without having regard, for example, to the whole of what a judge has said.

I have never served in the position of attorney-general of this state, but I have had the privilege of serving as the shadow attorney-general. Certainly in my dealings with the Hon. Trevor Griffin I saw a man who had a very high regard for that office, and I know that he was concerned for the administration of justice to be upheld and for the role of the attorney-general, both as a member of the cabinet but most importantly as the chief law officer of this state. I believe that those of us going forward could do well to revere the Hon. Trevor Griffin and his values, his approach to the law and particularly his deep understanding of the appropriate role of the attorney-general.

The Hon. A.L. McLACHLAN (15:14): I rise to add my voice to the tributes of the life of the Hon. Trevor Griffin and to support the condolence motion. I did not have the opportunity to serve with Trevor Griffin in this chamber, but I had the opportunity to enjoy the benefit of his wise and considered counsel, especially when serving on the executive of the Liberal Party. My enduring memory of Trevor Griffin will always be that each time I rang him he was either on his tractor or doing something to the tractor, or tending to his vineyard. After advice was dispensed, the conversation quickly turned to all things farming.

When reflecting on his passing, I too read his maiden speech. I thought it was typical of Trevor Griffin that, in his maiden speech, there was nothing about himself, but he went straight to work commenting at great length on the Local Government Act. He was a man of great integrity and his word was his bond. He was a distinguished attorney-general, and it is these endeavours in this portfolio that I would like to highlight.

As has been mentioned by many honourable members, Trevor Griffin was instrumental in shepherding some of the most important legislation South Australia has had to tackle. I wish to also particularly acknowledge his introduction of new laws to provide victims of domestic violence with greater protection by classifying domestic violence assault as a crime in itself, and introducing domestic violence restraining orders.

I would also like to draw to the chamber's attention Trevor's response to the recommendations of the Royal Commission into Aboriginal Deaths in Custody. He appointed Aboriginal justice officers to reduce the number of Aboriginal people imprisoned for failure to pay fines. He introduced amendments to the Equal Opportunity Act so that state MPs, judges and local councillors lost their immunity from sexual harassment suits. He said the amendments:

> …achieved a balance between respecting parliamentary privilege and ensuring politicians were covered by adequate rules of behaviour.

Trevor sought amendments to electronic surveillance laws to require police to be more accountable for tapping telephones and faxes of suspected criminals in order to provide better protection to the privacy of individuals. He also conducted a comprehensive review of the state's juvenile justice system to determine its effectiveness in dealing with youth crime.

These are only a few of his accomplishments, and there are many others which have been referred to by other honourable members. During his professional life, Trevor support the work of the Law Society and the Uniting Church, was a long-serving member of a local school council, and, as has been mentioned, served on the board of St Andrew's Hospital. In my view, it is a measure of the man in that, in coming to this place, he never left or ceased contributing to the community that nurtured him.

After retirement, Trevor continued to serve the community on the Film Classification Review Board, as well as teaching law part-time at Flinders University. He is an example to us all. We are thankful for his life and his contribution to the Legislative Council and to the state of South Australia. Our thoughts and deepest sympathies are with his family. I support the motion.

The Hon. J.M.A. LENSINK (15:17): I rise to support the motion, and also to pay tribute to the Hon. Trevor Griffin and to acknowledge his family at this time of grief. I am going to focus specifically on a period, as he was our prolific legislator, in the mid-1990s, and in particular on the areas of the status of women and child protection. These have been touched on, but I think the complete record is worth putting into the *Hansard*. In 1994, a number of bills were passed or given

assent, including the Criminal Law Consolidation Act's stalking amendment, on which Mr Griffin is quoted as saying in the paper at the time:

> The government does not believe that a person who is fearful of danger should have to prove that personal property damage has already occurred, or that the threat of damage exists, before being legally protected.

A number of offences were entered into that, including interfering with property, giving offensive material to family members, and keeping a family member under surveillance. We also had the domestic violence and restraining orders, which have been referred to. It is of note that this was the first time that any Australian state gave a specific definition of domestic violence, and, in the matter of restraining orders, this also enabled those who did not have an immediate family relationship to apply for those orders to take place.

Restraining orders were also made available by telephoning a judge, which obviously would greatly assist victims of those particular crimes. I note that, in relation to domestic violence, the crime attracted a maximum penalty of three years' imprisonment, compared with two years for imprisonment for common assault. We also had rape law reform, which arose out of a particular case that came before the courts, and so immediate action needed to be taken to define rape and other offences which affected children in particular.

In 1995, the issue of female genital mutilation was addressed by this parliament. As part of the national uniform gun laws, the Firearms (Miscellaneous) Amendment Act was passed in 1996 and, given that one-third of women who were murdered as a result of domestic violence were killed with a firearm, that was a significant reform. In 1997, we had the first domestic violence court established as a pilot in the northern suburbs which, following evaluation, was later expanded, that being a closed court which enables victims to speak more freely about humiliating and confidential matters. With those remarks, I support the motion.

Motion carried by members standing in their places in silence.

Sitting suspended from 15:21 to 15:44.

Parliamentary Procedure

PAPERS

The following papers were laid on the table:

By the Minister for Employment, Higher Education and Skills (Hon. G.E. Gago)—

Regulations under the following Acts—
- Fees Regulation Act 1927—Immigration SA Fees
- Return to Work Act 2014—
  - Return to Work Regulations 2015
  - Transitional Arrangements
- Return to Work Corporation of South Australia Act 1004—Claims Management Contractual Regulations
- Work Health and Safety Act 2012—Variation Regulations 602 and 706

Rules of Court—
- Supreme Court—Supreme Court Act 1935—Amendment No. 1

By the Minister for Sustainability, Environment and Conservation (Hon. I.K. Hunter)—

Regulations under the following Acts—
- Public Sector Act 2009—Variation of Regulation 9

By the Minister for Manufacturing and Innovation (Hon. K.J. Maher)—

Report of Actions taken by the South Australian Government following the Deputy State Coroner's Primary Recommendation of 22 August 2014 into the deaths of Mr Thomas Wolfram Spiess and Ms Jacqueline Byrne

Parliamentary Committees

PARLIAMENTARY COMMITTEE ON OCCUPATIONAL SAFETY, REHABILITATION AND COMPENSATION

The Hon. G.A. KANDELAARS (15:45): I bring up the report of the committee on the referral of the Workers Rehabilitation and Compensation (SACFS Firefighters) Amendment Bill.

Report received.

Ministerial Statement

FRASER, HON. J.M.

The Hon. G.E. GAGO (Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy, Minister for the Status of Women, Minister for Business Services and Consumers) (15:46): I seek leave to make a ministerial statement in relation to Malcolm Fraser.

Leave granted.

The Hon. G.E. GAGO: Last Thursday, 19 March 2015, the nation's 22nd prime minister, Mr Malcolm Fraser, passed away aged 84. Although Malcolm Fraser was Australia's prime minister for more than seven years, many remember him most for the constitutional crisis he created that resulted in his appointment on 11 November 1975 as caretaker prime minister. There is not another date in Australian political history quite like it. In fact, the former prime minister Paul Keating has said that the events of 1975 rewrote the rulebook of Australian public life, amongst other things reinforcing the power of the Senate, a legacy we still live with.

Historic as this day was, Malcolm Fraser's life should be remembered as a whole. At the age of just 25, he was elected to parliament. He held the portfolio of minister for education and minister for defence and, by the age of 45, became prime minister. In retirement, he was a keen contributor to important debates in this nation and in the world.

With the passing of Gough Whitlam and now Malcolm Fraser we have lost a link to an era. It is not hard to imagine that he and Gough would be in some other place comparing notes about our current political environment. Although I did not personally know Malcolm Fraser, I think that the words of another former prime minister, Kevin Rudd, outline his legacy, and that is, 'He will be remembered as a compassionate Australian, who cared for people at home or abroad, who had little to protect them.'

It has been said that, in terms of environmental policy, he was a kindred spirit to the Greens. Under Mr Fraser, Kakadu National Park was formed, whaling was banned, the Great Barrier Reef was protected and, of course, Fraser Island was saved from mining.

Some other defining moments of his term saw the first Aboriginal Land Rights Act passed, which allowed for a claim if evidence of traditional association could be established. This would lead to about 50 per cent of the Northern Territory becoming Indigenous-owned.

In 1977, he introduced a policy to allow the export of uranium. The policy mandated that exports would only be made to countries that were signatories to the international nuclear non-proliferation treaty. Mr Fraser was the last prime minister to have a referendum passed. Despite 44 attempts to change the constitution, only eight referendums since Federation have been carried, and Mr Fraser secured three of his proposed four in a single day.

From 1975 to 1982, a commitment to diversify Australia saw about 200,000 migrants arrive from Asian countries, including nearly 56,000 refugees from the Vietnam War, and more than 2,000 boat people who arrived with no documentation were also resettled. Malcolm Fraser also began the Australian Refugee Advisory Council. In 1979, the Australian Federal Police was formed, combining duties previously carried out by the commonwealth police, the Australian Capital Territory police and the federal narcotics bureau.

On 5 March 1983, a double dissolution election was called and a tearful Malcolm Fraser bowed out of politics, replaced by Bob Hawke. Although leaving public office, he never retired from

public life. In fact, during the last month of his life he tweeted about the death penalty, women's pay, the Israeli elections, Russia, Iran and the Islamic State.

Malcolm must also be remembered for his powerful contributions to our national life. He was obviously a man who made his decisions in the administration of this nation based on a basic understanding that people must come before ideology. This was a man who made his political achievements by being a leader who actually changed history by doing things that were different.

The national and international community has lost a statesman. Malcolm Fraser laid the foundation that made Australia stronger, leaving a legacy of support for multiculturalism that defines the modern Australia that we know today and that many of us take for granted. Our nation not only has lost one of the great architects of modern Australia but also owes a great debt for a life of such distinguished public service. Malcolm Fraser leaves behind his wife of almost 60 years, Tamie, and their four children, Mark, Angela, Hugh and Phoebe. Our thoughts are with them at this very sad time.

Parliamentary Procedure

ANSWERS TABLED

The PRESIDENT: I direct that the written answers to questions without notice be distributed and printed in *Hansard*.

Question Time

CAREER AND WORKFORCE DEVELOPMENT CENTRE

The Hon. D.W. RIDGWAY (Leader of the Opposition) (15:55): I seek leave to make a brief explanation before asking the Minister for Automotive Transformation a question about the new automotive transformation centre at Warradale.

Leave granted.

The Hon. D.W. RIDGWAY: Recently the government announced that it has established a new centre at Warradale to deliver the career transition services for workers affected by the closures of the car making industry. The Career and Workforce Development Centre, which is close to Westfield Marion and public transport routes, will deliver key aspects of the state government's $7.3 million Automotive Workers in Transition program. This press release/article goes on to say that the centre's services will include information sessions, career advice, transition services, skills recognition, computer and ICT training, research and personal development. Forums, workshops and opportunities to hear guest speakers from leading industry groups will provide workers and their families with the chance to engage and be supported as they transition to new careers.

It is interesting to note that this new centre is in a very prominent location—corner of Morphett and Sturt Roads—which happened, incidentally, to be the campaign office of the successful Liberal candidate for the seat of Mitchell, Mr Corey Wingard. I was there yesterday and had a chance to have a look at the office and I have some photos on my iPhone. It has certainly been well decked out and appears to be completely refurbished with new signage. I am advised that it is all new furniture and all new IT equipment, etc. which has been installed in that office. My questions to the minister are:

1. What is the annual rent for this particular office?

2. What is the term of the lease that has been signed by the government for its automotive transformation centre at Warradale?

3. How many employees are working in that particular facility?

4. Do the employees include the former member for Mitchell, Mr Alan Sibbons?

5. What were the establishment costs for this particular office, including all the rent, the fit-out, etc.?

6. What are the annual budgeted costs for that particular centre, including wages and any motor vehicles that may well be part of that particular operation?

7. Since it has been opened, how many clients have visited the centre?

The Hon. K.J. MAHER (Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Aboriginal Affairs and Reconciliation) (15:58): I thank the honourable member for his very important question about what is happening in South Australia as a result of automotive manufacturing ceasing in South Australia, and I note that there is a very good reason that we are having to tackle these problems.

The Hon. D.W. Ridgway interjecting:

The PRESIDENT: Order! Let the minister answer the way he sees fit. Let him do it in silence.

The Hon. D.W. Ridgway interjecting:

The PRESIDENT: Listen! The honourable minister has been asked a question. He will get up and answer that question how he sees fit and he will do it in silence. Minister.

The Hon. D.W. Ridgway: How can he answer in silence?

The PRESIDENT: No, your silence.

The Hon. K.J. MAHER: I thank the President for his guidance. I always welcome advice on how to do things from the Hon. David Ridgway, given his years of ministerial experience and understanding of how to do these things. I do note that if you exclude the Hon. Rob Lucas then the Hon. Robert Brokenshire has more ministerial experience than the rest of the Liberal Party put together, but that is—

The Hon. D.W. Ridgway: Answer the question.

The Hon. K.J. MAHER: And I appreciate his further guidance on this matter, and I do note the reason we are having to put these things in place is because his party, his federal party, chased Holden out of South Australia. I have made this point before and I am happy to continue to make this point again; however, on specifically what he has—

The Hon. D.W. Ridgway interjecting:

The PRESIDENT: Order! It surprises me that members on my right are actually joining in with the rabble on my left when the honourable minister is trying to answer the question. Allow the minister to answer the question in silence from you. Honourable minister.

The Hon. K.J. MAHER: In relation to the centre at Warradale, I can confirm it was opened recently, and I appreciated the support of a couple of the Hon. David Ridgway's colleagues, the member for Bright and the member for Mitchell, who were both there at the opening. I appreciated them being there, and look forward to a constructive working relationship with them as local members who are going to feel some effect from the closure of the automotive industry, as there are still significant supply chain companies in the southern suburbs that will feel the effect of the federal Liberals having chased Holden out of the country. The new centre at Warradale has been established to deliver five key elements of the Automotive Transformation Taskforce's Automotive Workers in Transition Program support package.

The Hon. J.S.L. Dawkins interjecting:

The PRESIDENT: The Hon. Mr Dawkins, please.

The Hon. K.J. MAHER: I thank the honourable hipster John Dawkins for his guidance, as well, in how to answer questions. The Career and Workforce Development Centre will deliver a number of functions from the Our Jobs Plan. It will support automotive workers to secure alternative employment in new, emerging sectors through retraining and employment support services and through counselling and other services, and it will help address some of the uncertainty created with Holden ceasing production and the supply chain also ceasing production.

The centre's services will include support packages—and I thank the Hon. David Ridgway for his glowing endorsement of the centre and the various services they will provide in his question—and there will be forums and workshops that will provide opportunities for automotive workers to hear from guest speakers. It will also provide a whole range of skills and training, including ICT training.

On very specific questions such as how much the rent is per square metre, and the other questions the honourable member has asked, I do not have all that information with me but I am happy to find those answers and bring back a reply.

CAREER AND WORKFORCE DEVELOPMENT CENTRE

The Hon. D.W. RIDGWAY (Leader of the Opposition) (16:02): A supplementary. I thank the minister for agreeing to bring back a reply on the specific details, but can he confirm that Mr Alan Sibbons, a former member for Mitchell, is working in that office?

The Hon. K.J. MAHER (Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Aboriginal Affairs and Reconciliation) (16:02): I will bring back a reply.

Members interjecting:

The Hon. K.J. MAHER: I said that I will bring back a reply.

The PRESIDENT: The minister will bring back a report.

The Hon. D.W. RIDGWAY: Surely the minister must know that, Mr President. I cannot believe that a minister with all his experience and bravado in this place cannot tell me where Alan Sibbons is working.

The PRESIDENT: The minister has made it quite clear that he will bring back a report, so we will have to wait for that.

MOSS ROCKS

The Hon. J.M.A. LENSINK (16:02): I seek leave to make a brief explanation before asking the Minister for Sustainability, Environment and Conservation a question regarding moss rocks.

Leave granted.

The Hon. J.M.A. LENSINK: As the minister would know, I wrote to him in September last year regarding the potential environmental damage from moss rock harvesting, and requested that he investigate the specific threats their removal poses to parts of the South Australian environment which serve as a habitat for flora and fauna, including native and rare species protected under the National Parks and Wildlife Act. I note that under the South Australian Mining Act moss rocks are classified as a mineral, and are harvested from bushland by landscaping companies.

The act states that minerals taken from mining land that are intended for sale or commercial use are subject to royalties to the minister (of mining, I assume). I understand that no royalties are currently being collected and no processes are being undertaken to determine their sustainable sourcing and responsible use. I thank the minister for replying to me stating that moss rocks warrant better management and that the government is exploring a range of measures, including educative and industry regulatory mechanisms. My questions are:

1. Can the minister provide an update on whether DEWNR and the Department of State Development's investigations have yielded any results?

2. Has the minister considered or drafted any amendments to particular legislation in relation to this matter?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (16:04): I thank the honourable member for her most important question. I do remember, back in the dim and distant past of last year, correspondence from the honourable member on the issue of moss rocks. I did task my department to provide me with information so that I could reply to the honourable member.

Indeed, in recent decades, as I understand it, the issue of moss rock removal from certain locations around the state, particularly on the Yorke Peninsula and Eyre Peninsula, has been a problem which the department has been grappling with. I am also told that in recent years the fad for this garden ornament has been reducing significantly and that the removal of moss rocks has not

been the issue that it has been in decades past. The question, therefore, is whether in fact it is an issue that deserves diverting government resources into investigating.

It is one that I have asked DEWNR to keep on the radar and to report back to me on when they have more advice from the industry—I am talking about the gardening industry in particular in this regard, or garden supplies—about whether in fact they do see it as a problem at the moment. My most recent advice has been, from memory, that the issue of moss rock removal has not been a significant problem in recent years because of changing garden fashions. I will undertake to keep a watching brief on it, and when I have further information to hand from my department I will advise the honourable member, probably by letter.

APY LANDS

The Hon. T.J. STEPHENS (16:06): I seek leave to make a brief explanation before asking the Minister for Aboriginal Affairs and Reconciliation questions about driver's licences on the APY lands.

Leave granted.

The Hon. T.J. STEPHENS: The minister would be aware that we passed in this place a bill allowing for special licensing conditions and provisions to obtain driver's licences on the APY lands, owing to the impracticality of the existing system for those living in remote communities. More Anangu obtaining and holding their driver's licences keeps people on the right side of the law and increases chances of employment in many cases. My questions to the minister are:

1. Has the number of driver's licences issued to residents of the APY lands increased in the 12 months since the amendment to the act has been operational?

2. Has the number of recorded incidents of unlicensed driving in the APY lands decreased in the past 12 months?

The Hon. K.J. MAHER (Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Aboriginal Affairs and Reconciliation) (16:07): I thank the honourable member for his important question and interest in this area. As the honourable member pointed out in his question, we did pass, as a parliament, legislation about driver's licences and, as he pointed out in his question, it is a very real issue. The ability to drive increases the prospect of people obtaining employment, which in remote Aboriginal communities is one of the best ways to overcome disadvantage.

In 2013, the government commenced a 90-day Change@South Australia project. The APY lands driver licensing project was one of these projects. Its aim was to make changes that would support Aboriginal people in remote communities who want to obtain their driver's licence. As the honourable member pointed out, in November 2013 the Motor Vehicles (Driver Licensing) Amendment Bill passed this place. A working group was formed by the Department of Planning, Transport and Infrastructure to manage the implementation of the new arrangements.

Membership of this working group was drawn from relevant government agencies, together with representatives from the governing bodies of the APY and MT lands. The group met for the first time in April 2014, and again in May and November 2014. Importantly, though, the government does not want this legislative change to impact on road safety or current competency-based testing standards. Existing conditions and penalties which apply to learner permits, provisional licences and full licences are intended to be the same.

The new program, On the Right Track Remote, is in the inception start-up phase, and so I am informed that no exemptions have been issued yet. Two Aboriginal program support officers have been now appointed to facilitate delivery of the program on the lands. The first driver training services to be delivered under the new program, I am informed, took place in mid February this year in Mimili. Other program support work is also underway, including a tender to establish a panel of providers to deliver training services and testing on the lands. Another initiative in this area is an Austroads trial. Austroads is the association of Australian and New Zealand road transport and traffic authorities. Austroads has been undertaking a number of national projects to address the same issue that the

legislative change sought to address, that is, low driver-licensing rates of Aboriginal people living in remote communities.

One such project is to be trialled soon on the APY lands and is aimed at young people aged between 16 and 19 years of age. It involves the delivery of a teaching package that combines the learner and provisional stages of driver licensing using techniques which are specifically tailored for young Aboriginal people. DPTI is leading the Austroads trial and is obtaining planning and implementation advice from the working group that is implementing the new legislative arrangements. A learning-to-drive toolkit which makes the pre-learner phase of driving more accessible for young Aboriginal people is another Austroads initiative that is being used by TAFE SA on the APY lands.

In addition to these two driver licensing initiatives, the Minster for Road Safety announced on 16 June 2014 the translation of road rule refresher videos into two Aboriginal languages for people living on the APY lands. This is about providing equal access to government services for Aboriginal people who do not speak English, or for whom English is a second language. I hope some of this information has been of use to the honourable member. However, as to very specific numbers, I do not have them in front of me but I will endeavour to bring them back and let him know what the answers are.

DOB IN A DODGY TRADIE DAY

The Hon. J.M. GAZZOLA (16:11): I seek leave to make a brief explanation before asking the Minister for Consumer and Business Services a question about 'Dob in a Dodgy Tradie' day.

Leave granted.

The Hon. J.M. GAZZOLA: It is very important that unlicensed builders and tradespeople are reported to Consumer and Business Services. Minister, will you provide the chamber with more details about how the state government is encouraging the community to report this type of offending?

The Hon. G.E. GAGO (Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy, Minister for the Status of Women, Minister for Business Services and Consumers) (16:11): I thank the honourable member for his important question. The golden rule before hiring the services of a builder or tradesperson is to ensure that they hold the right licence for the job. By doing this, consumers know that they are dealing with a legitimate business and that the tradesperson has the right qualifications for the job. Hiring a licensed tradesperson also gives you greater legal protection should anything go wrong. It is extremely difficult to have shoddy workmanship corrected or compensation paid if the work has been done by an unlicensed tradesperson.

Last Friday, Consumer and Business Services urged community members to help stamp out dodgy and illegal practices amongst trade services with 'Dob in a Dodgy Tradie'. CBS particularly wanted to hear about any substandard work completed by unqualified and unlicensed tradespeople. I can advise the chamber that CBS received 53 calls on Friday: 21 of the calls related to concerns about licensed tradespersons and their poor workmanship and the majority of these calls were related to bathroom and kitchen alterations, paving, fencing and landscaping trades and 19 of the calls were allegations of builders trading without a licence.

CBS has enough evidence to investigate at least seven of these unlicensed matters. This figure may increase when CBS makes further contact with 12 of the callers in order to obtain additional evidence. CBS investigators will examine each of the matters in detail and closely assess a range of evidence to catch businesses that are trading illegally. Last time the campaign was held CBS received 54 calls, resulting in 15 formal warnings.

Homeowners should always consider that the tradie they are hiring has a licence, that the licence is current and in the tradesperson's own name and that it covers their area of trade. Tradies who contract for work without the appropriate licence are breaking the law, and operators caught as a result of the phone-in could face a range of sanctions including prosecution with penalties of up to $20,000. There are also compensation orders and disciplinary action that can be put in place.

In the last month alone, five tradespeople were prosecuted by CBS under the relevant industry legislation. CBS is constantly vigilant in seeking out unlicensed traders, including reviewing building development approvals and reports of unlicensed activity from councils, conducting media monitoring, Internet and electronic book purchases, liaising with various industry bodies such as the Master Builders Association, Housing Industry Association and planning associations to educate tradespeople, and assessing information and complaints received by the general public. Again, I urge consumers, when they are wanting to have trade work done around their homes or workplaces, to remember to use a licensed tradesperson.

PROSPECT AMBULANCE STATION

The Hon. D.G.E. HOOD (16:15): My question is to the Leader of the Government, representing the Minister for Emergency Services in the other place. Does the government have any plans to either close or change the operating hours of the ambulance base station in Prospect?

The Hon. G.E. GAGO (Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy, Minister for the Status of Women, Minister for Business Services and Consumers) (16:15): I thank the honourable member for his most important question and will refer that to the Minister for Emergency Services in another place and bring back a response.

VETERANS' GRAVES

The Hon. A.L. McLACHLAN (16:15): I seek leave to make a brief explanation before asking the Minister for Employment, Higher Education and Skills, representing the Attorney-General, a question regarding veterans' war graves.

Leave granted.

The Hon. A.L. McLACHLAN: Earlier this month it was published in *The Advertiser* and other Messenger papers that the graves of some Gallipoli diggers and other war veterans were being reused once the lease expires, as around two-thirds of families are either unwilling or unable to pay the lease extensions. The articles revealed that, whilst veterans who died and were buried overseas in World War I or from wounds soon after their return are guaranteed permanent interment rights by the federal government, others who died from disputed or natural causes rely on family members renewing their leases for up to 99 years.

This has placed many veterans' graves under threat of being reused. The Attorney was quoted as saying that the subsidisation of private burials or renewal of plot leases raises significant issues of equity, but that he would consider the matter. My questions to the Attorney are: can he advise whether he has considered the matter and, if he has, does the government intend to take any action to address this matter?

The Hon. G.E. GAGO (Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy, Minister for the Status of Women, Minister for Business Services and Consumers) (16:16): I thank the honourable member for his most important question, particularly as we approach ANZAC Day. I will refer the questions to the Attorney-General in another place and bring back a response.

CENTRAL EYRE PENINSULA FIRE MANAGEMENT PLAN

The Hon. G.A. KANDELAARS (16:17): My question is to the Minister for Sustainability, Environment and Conservation. Can the minister inform the chamber about the recently released Central Eyre Peninsula fire management plan and advise how this plan will help protect the area from potential bushfire risks?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (16:17): I thank the honourable member for his most important question. It is a particularly important question at this time of year, with our state being affected by bushfires, and the bushfire season is not yet over. Bushfires have the potential to have significant impacts on the lives and property of local communities. Whilst the weather we are experiencing at the moment might have people thinking that the bushfire season

is over, it is not yet, and until we have some sustained rain events across the state we need to be ever vigilant.

We all saw the impact of the Sampson Flat bushfire that we faced in January this year, and recently had cause to remember the Black Tuesday bushfire on Eyre Peninsula, which just passed its tenth anniversary. Each time we face such events we learn more about the importance of fire preparedness and fire management. The Department of Environment, Water and Natural Resources plays an important role in fire management, including drawing up and consulting on fire management plans for all fire-prone reserves in the protected area network of South Australia.

Fire management plans are a means of addressing the risk posed by bushfires to life and property, whilst conserving the natural and cultural heritage of the land. As part of this important work, the Central Eyre Peninsula fire management plan 2014 to 2024 has recently been released. This plan was developed by the DEWNR fire management unit, with the involvement of regional Country Fire Service officers, local councils and local landholders.

The planning process commenced in 2011. The plan was released for public consultation over a six-week period ending in January 2014, with feedback included in the final draft where appropriate. The Central Eyre Peninsula fire management plan covers over 216 hectares of DEWNR managed land, including 23 reserves in the Central Eyre Peninsula, and also covers selected crown land and participating heritage agreements.

Private heritage agreement owners who have previously advised an interest in adopting the plan for their land will be sent formal invitations, and current plans for private heritage agreement areas will remain current for 10 years. However, it is the responsibility of the landholder to undertake any proposed works on their land in relation to bushfire management.

The Central Eyre Peninsula includes large connected areas of remnant native vegetation in the area where historically there has been widespread clearing for agricultural purposes. For this reason, the area was identified as a priority for fire management planning due to the potential for bushfires to start and build in the large connected areas of native vegetation.

There is also the danger that bushfires may impact on grazing and cropping land and threaten species, of course, in ecological communities. The plan recommends numerous strategies to reduce the risk of bushfires, including fuel reduction, upgrading fire access tracks and prescribed burns for asset and landscape protection.

The plan also outlines coordinated fire management between the Department of Environment, Water and Natural Resources and adjacent landowners through the bushfire management area plans. All the recommendations will be considered by the region for incorporation in the annual works program, depending on fire management priorities and the allocation of regional resources.

Mr President, it is important to note that, while this is a 10-year plan, it will be continually updated and open to community input during that process. We must make every effort to ensure that communities do not suffer the devastation and trauma of bushfires impacting on people's lives and the livelihoods of individuals and communities. We have seen that such measures really can make a difference. Preliminary analyses of the fire spread and intensities following the Sampson Flat bushfire indicate that DEWNR's ongoing effort regarding fire management and control was a contributing factor to the fire not causing more damage than it otherwise would have done.

The lessons learned from this and other bushfires will be used to ensure that the prescribed burning program is implemented strategically across the state, as is reflected in the Central Eyre Peninsula fire management plan. I commend all those who are contributing to the development of this very important plan for their local communities. I express my hope that they will continue to contribute to the Central Eyre Peninsula's fire preparedness into the future. As I said at the beginning of my answer to the question, we can never drop our vigilance.

SEAWEED HARVESTING

The Hon. M.C. PARNELL (16:21): I seek leave to make a brief explanation before directing a question to the Minister for Sustainability, Environment and Conservation on the subject of seaweed harvesting.

Leave granted.

The Hon. M.C. PARNELL: Seaweed harvesting for the production of liquid kelp fertilisers and dry seaweed products for livestock supplements has been undertaken along the Limestone Coast beaches in the South-East of South Australia since about 1995. As I understand it, there was only one licence in South Australia, issued to Australian Kelp Products, and that this company has recently been taken over by Chinese owners operating under the name Gather Great Ocean Group.

Over recent years, the South Australian public has invested substantial sums into this enterprise, including: $38,000 in 2013 to upgrade facilities near Millicent; and a further $300,000—again, I think, in 2013—under the South Australian Premier's Research and Industry Fund, as an international research grant, which was to develop value-added products and to explore further opportunities for seaweed harvesting in South Australia.

I recently received correspondence from constituents in the South-East concerned about the environmental impact of seaweed harvesting. Included in their concerns was the potential adverse impact on wading birds that rely on the intertidal zone for food or on the sand dunes and upper beaches for nesting. Other constituents have pointed out the importance of seaweed in preventing beach erosion, and in trapping sand and reducing the impact of wave and tide energy, particularly at Rivoli Bay, which is prone to erosion. Mr President, I have a series of questions for the minister:

1. How many commercial licences have been granted for the harvesting of seaweed along the South Australian coast, or is the licence I have referred to still the only one?

2. Is it correct that the primary licence required is under the Fisheries Act and not under the Development Act, Environment Protection Act or Coast Protection Act?

3. What environmental impact assessment has been undertaken in relation to commercial harvesting of seaweed from public land in South Australia?

4. Given that seaweed is included in the definition of 'native vegetation', have all approvals under the Native Vegetation Act been obtained for these operations?

5. Does the minister believe that once-per-year monitoring, as proposed by PIRSA, is sufficient to ensure that the environment is protected?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (16:24): I thank the honourable member for that very detailed question indeed. The commercial harvest of beach-cast sea grass and marine algae has been licensed, I am advised, in South Australia since 1990. I am advised also there are currently two miscellaneous fishery licences which allow for this activity.

One licence is held by the Kingston Council to clear sea grass off the beach in their council area. The other licence is held by the Australian Kelp Products Pty Ltd.; this licence is currently permitted to operate on the shoreline from 100 metres north of the northern breakwater at Cape Jaffa marina to eight kilometres south of the Lake George outlet.

Both licences have conditions that restrict activity on beaches adjacent to DEWNR-controlled land, such as conservation parks, habitat or sanctuary zones. This includes limits on the amount they can harvest, restrictions on harvests close to dunes, and avoiding removal of sand. The existing activity is currently being assessed, I am advised, by the commonwealth Department of the Environment under the Environment Protection and Conservation Biodiversity Act 1999 to enable reassessment for export approval.

As part of the application for export approval, Primary Industries and Regions SA have proposed changes to the arrangements for the Australian Kelp Products licence to exclude harvests from 50 per cent of the coastline, including the DEWNR areas such as conservation parks, habitat or sanctuary zones and other important areas for threatened, endangered or protected bird species.

PIRSA is currently assessing an application from Gather AusTreasure Asset Pty Ltd. to harvest beach-cast sea grass and marine algae in shoreline areas not included in the existing licence held by Australian Kelp Products. Directors of this company are also directors of the Australian Kelp Products Pty Ltd., I am advised. As I am also advised, there has been no public consultation as yet

on these applications, but it is expected to occur by mid 2015. In terms of his more detailed questions that I have not answered about approvals under the Native Vegetation Act and the once-per-year monitoring process, I will undertake to take those questions on notice and bring back a response for the honourable member.

REMOTE ABORIGINAL COMMUNITIES, ELECTRICITY INFRASTRUCTURE

The Hon. S.G. WADE (16:26): I seek leave to make a brief explanation before asking the Minister for Aboriginal Affairs and Reconciliation questions relating to electricity supply to Aboriginal communities.

Leave granted.

The Hon. S.G. WADE: The licence in relation to electricity supply in South Australia's remote Aboriginal communities is held by the Minister for Mineral Resources and Energy. In October 2012, the Aboriginal Affairs and Reconciliation agency, then part of the Department of the Premier and Cabinet, contacted Bushlight, the energy division of the Centre for Appropriate Technology, to undertake a demand management project in remote Aboriginal communities. Aboriginal Affairs and Reconciliation received Bushlight's final report in mid 2013. My questions to the minister are:

1. Is the government continuing to reform electricity supply to South Australia's remote Aboriginal communities?

2. Is Aboriginal Affairs and Reconciliation leading this work or does it rest with the Minister for Mineral Resources and Energy?

3. What action has the government taken in response to the Bushlight report?

The Hon. K.J. MAHER (Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Aboriginal Affairs and Reconciliation) (16:27): I thank the honourable member for his very important question and I can assure the member that the government is always looking at better ways to provide services, not just to Aboriginal communities, but to South Australians in general. In relation to the specific report, I don't have information in front of me on the very specific questions he has.

Strictly, the provision of electrical services is not within the portfolio of Aboriginal Affairs which at the time, as the honourable member correctly pointed out, was in Premier and Cabinet. The Aboriginal Affairs Division is now within the Department of State Development, but even so, the Aboriginal Affairs Division does not have the lead responsibility for the provision of services like electrical services, but I will endeavour to refer those specific questions to the minister responsible and bring back a reply.

MICRO FINANCE FUND

The Hon. J.M. GAZZOLA (16:28): My question is to the Minister for Manufacturing and Innovation. Minister, will you inform the council about the state government of the South Australian Micro Finance Fund?

The Hon. K.J. MAHER (Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Aboriginal Affairs and Reconciliation) (16:29): I can indeed. I thank the honourable member for his very important question in relation to this matter. This is about attracting entrepreneurial effort to South Australia. The government knows that the creation of new innovative businesses and industries will be vital to ensuring the state's economic prosperity and creating meaningful local jobs for South Australians.

It's important that the government continues to support businesses to become more innovative, efficient and competitive in a global marketplace and, as a part of this strategy, we are committed to supporting innovative start-ups in this state. That's why, at the last election, we committed to support local entrepreneurs to turn good ideas into successful ventures through a number of start-up initiatives.

I am pleased to be in a position to inform the chamber that the state government has created a $1.7 million South Australian Micro Finance Fund to assist entrepreneurs to do just this. The fund builds on a range of existing government programs that aim to assist businesses in this state to

innovate and create new opportunities for economic growth and new jobs. The fund builds on existing work undertaken by the government to make South Australia more globally competitive by enhancing innovation capabilities through entrepreneurship.

The South Australian Micro Finance Fund offers grants of up to $50,000 which will assist entrepreneurs in getting their ideas and start-up ventures off the ground here in South Australia. Grants will be offered on a 2:1 basis; that is, successful applicants will receive $2 of funding for every $1 they raise, up to a maximum grant of $50,000.

This fund will attract many entrepreneurs from right across South Australia but also from across the nation and, indeed, internationally to establish their start-up business in our state. The terms of the grants being offered will mean that intellectual property created, developed and commercialised through the funded projects will occur here in South Australia.

The criteria for eligible activities to be undertaken by successful applicants are quite broad to provide great scope for innovators to set up in South Australia. Grants will assist in the development of products, services or processes, including prototype development and feasibility testing of technology, marketing activities, market research, the filing of provisional patent applications and the development of intellectual property strategies.

This fund represents a great opportunity for businesses and individuals who have innovative ideas but who need some assistance in getting their idea to market and delivering their idea to market from the best place in Australia to operate as an entrepreneur—from right here in South Australia. I will be sending a letter to members with more details about the South Australian Micro Finance Fund, including the guidelines and application form, and I encourage all members to share this with any of those people in their networks who may be interested in taking advantage of this opportunity.

POWDERED ALCOHOL

The Hon. K.L. VINCENT (16:32): I seek leave to make a brief explanation before asking the Minister for Consumer Affairs questions regarding the potential sale of powdered alcohol in South Australia.

Leave granted.

The Hon. K.L. VINCENT: Recently, the Victorian government has announced that it will move to ban powdered alcohol, known as Palcohol, as there is an expectation that an overseas manufacturer plans to sell this product in Australia. To make an instant standard drink, one pouch of the powdered alcohol is added to water. Media reports suggest that the product is likely to cause security problems for venues and events, as well as at schools, because it can be carried in powdered form and then mixed up on site. My questions to the minister are:

1. Is the minister concerned about a potential increased risk of drink spiking with such a substance available?

2. Will the South Australian government follow the Victorian government's move to ban the sale of Palcohol?

The Hon. G.E. GAGO (Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy, Minister for the Status of Women, Minister for Business Services and Consumers) (16:33): I thank the honourable member for her most important question. I have read similar articles to those, no doubt, the Hon. Kelly Vincent has considered in relation to the proposed introduction of powdered alcohol here in Australia, and it does sort of beggar belief. Given the accessibility of alcohol already, it does amaze me that there is a potential market for selling powdered alcohol, but there you go. I will watch with great interest—

Members interjecting:

The Hon. G.E. GAGO: I will certainly watch powdered Grange, as honourable members opposite me were suggesting.

The Hon. D.W. Ridgway: You could give us little sachets.

The PRESIDENT: Can the honourable leader stop—

The Hon. G.E. GAGO: Thank you, Mr President, for your protection. It does beggar belief, I have to say, in terms of where the market appeal for that is. I have also understood some of the concerns, particularly around young people being able to more readily hide these sachets. I do not have a view at this point in time. I need to consider this carefully before, if necessary, taking a position to cabinet.

I have to say in my initial thinking it is hard for me to see a great deal of difference between carrying a sachet into a venue versus a hipflask, for instance. I do not see a great deal of difference in that, as I said, given the accessibility of alcohol already. It is the same with drink spiking as well. We understand that it is already fairly easy to spike a drink. Perhaps powdered alcohol might make it even easier, I am not sure, but I am certainly prepared to consider the concerns and fears around the introduction of powdered alcohol and, as I said, if necessary, take a position to cabinet for consideration.

WORRALL, MR L.

The Hon. R.I. LUCAS (16:35): I seek leave to make an explanation prior to directing a question to the Minister for Manufacturing and Innovation on the subject of Mr Lance Worrall.

Leave granted.

The Hon. R.I. LUCAS: Since I think May of last year I have been asking a series of questions of various government ministers about the whereabouts of Mr Lance Worrall and who was paying him.

The Hon. G.E. Gago: You got an answer today.

The Hon. R.I. LUCAS: Indeed, and that is why I am asking a question. I thank the Leader of the Government for her out of order interjection to my question.

The PRESIDENT: Totally out of order.

The Hon. R.I. LUCAS: The history of Mr Lance Worrall, as members will be aware, is that he was a ministerial adviser for a former Labor premier in South Australia. He was then given a job as the chief executive of the industry and trade department with a total package of more than $300,000. He was found to be incapable of performing that job as CEO, was demoted and became a deputy CEO but kept his CEO salary of more than $300,000 a year as deputy CEO.

He was then found to be incapable of holding down that position, so the government found him a job as a project officer seconded to the University of Adelaide, to help organise a funding bid for the university for a cooperative research centre at the University of Adelaide. The government very kindly, rather than terminating him, as they were able to do under the contract, continued to pay him at the CEO salary of more than $300,000 a year to be a project officer.

We had been told at the Budget and Finance Committee that that job down at the University of Adelaide was only until May last year. In May last year I asked the Leader of the Government what was happening with Mr Worrall, and today, after a series of follow-up questions, I got an answer from the Leader of the Government on behalf of the government that his position at the University of Adelaide had been extended now until 30 June 2015. So the job that was meant to have concluded in May last year has been extended at least until 30 June 2015.

The Hon. J.S.L. Dawkins: At $300,000 a year?

The Hon. R.I. LUCAS: One assumes it is still at the CEO—

The Hon. G.E. Gago: You're a disgrace.

The Hon. R.I. LUCAS: 'He's a disgrace'?

The Hon. G.E. Gago: You are the disgrace.

The Hon. R.I. LUCAS: The Leader of the Government is saying Mr Lance Worrall is a disgrace, I gather, and I agree.

The Hon. G.E. Gago: You are the disgrace. The Hon. Rob Lucas is a disgrace.

The PRESIDENT: Order!

The Hon. R.I. LUCAS: The payment of $300,000 to any CEO—

The Hon. G.E. Gago: The Hon. Rob Lucas is a disgrace.

The PRESIDENT: Order!

The Hon. G.E. Gago: You are a disgrace. You're a despicable man.

The PRESIDENT: Order!

The Hon. R.I. LUCAS: —and who is now a project officer—

The Hon. G.E. Gago: You are a despicable low-life, that's what you are.

The Hon. R.I. LUCAS: —is a disgrace, and I can only agree with the Leader of the Government—

The Hon. G.E. Gago: You are a disgrace, the Hon. Rob Lucas, absolute disgrace—

The PRESIDENT: The honourable Leader of the Government, please. The Hon. Mr Lucas should be able to ask the question in silence.

The Hon. G.E. Gago: You should be ashamed of yourself.

The PRESIDENT: Order! The honourable minister—

The Hon. R.I. LUCAS: Mr President, even though she is out of order—

The Hon. G.E. Gago: You're a disgrace. You're an absolute disgrace.

The PRESIDENT: Can the honourable Leader of the Government—please, I demand respect when any of the ministers are up answering questions.

The Hon. G.E. Gago: He doesn't deserve respect, sir.

Members interjecting:

The PRESIDENT: Regardless of that, the honourable minister will please allow the Hon. Mr Lucas—

The Hon. J.S.L. DAWKINS: Mr President, point of order.

The PRESIDENT: The Hon. Mr Dawkins.

The Hon. J.S.L. DAWKINS: Mr President, the Leader of the Government is absolutely defying your ruling and I ask you to reprimand her.

The PRESIDENT: If I sat and reprimanded everyone who interrupts while I am trying to speak—

The Hon. J.S.L. DAWKINS: She is defying you directly.

The PRESIDENT: Yes, well, the honourable leader of the opposition does exactly the same. So the Hon. Mr Lucas—

The Hon. G.E. Gago: There is a point of order, sir.

The PRESIDENT: The honourable minister.

The Hon. I.K. HUNTER: Mr President, from time to time we all try to take liberties in this place but we do not direct you and ask you to give points of order—that is your prerogative—and the Hon. Mr Dawkins, I suggest to you, is out of order by asking you to do so.

The PRESIDENT: I think it is important that we allow, for the integrity of this chamber, regardless of what you think of his question, that the Hon. Mr Lucas should be able to ask it in silence. The Hon. Mr Lucas.

The Hon. R.I. LUCAS: Thank you, Mr President, for your protection from government ministers. In outlining this tawdry story of government waste and financial mismanagement, as I said,

minister Gago today has finally confessed that the government has extended Mr Worrall's contract to 30 June 2015.

Mr President, can I remind you and other members that the former CEO of one of Mr Worrall's departments, when he was asked at Budget and Finance Committee why he did not just terminate Mr Worrall's position as he was entitled to do under the terms of the contract because the position had been declared surplus, indicated that he could not, because the contract was actually with Premier Weatherill and the decision rested with Premier Weatherill and not with him as the CEO of the department.

Let me be quite frank. The then CEO of the department did not indicate what he would have actually done if he had the power. The impression I gathered as chair of that committee was that, if the decision was his, it certainly would not have been the decision that had been taken by Premier Weatherill.

Members interjecting:

The PRESIDENT: Order! As distasteful as you may think the Hon. Mr Lucas's question is, he has a right to ask it in silence, so allow the Hon. Mr Lucas to ask his question.

The Hon. R.I. LUCAS: As I indicated, the chief executive officer of that department made it quite clear that the decision was a decision for the Premier and not for him as the chief executive; that was the nature of his evidence. He said nothing other than that, but it was quite clear that the evidence was that if the contract was to be terminated, it could only be terminated by the Premier, because the contract was actually with Premier Weatherill. My questions to the minister are:

1. What were the total payments that taxpayers made in terms of salary and other benefits to Mr Lance Worrall for his employment at the University of Adelaide for the financial year 2014-15, given that he is projected to be employed at least until 30 June 2015?

2. In addition to the total payments made to Mr Worrall, do the taxpayers of South Australia incur any other additional costs in relation to the secondment to the University of Adelaide for that particular position?

3. Why did the government choose to extend the secondment to the University of Adelaide for this project officer position until 30 June 2015? Why did the government not terminate Mr Worrall's position, given that it had been decided that his position was surplus to the requirements of various government departments?

4. What actual work did Mr Lance Worrall undertake for the taxpayers of South Australia in the financial year 2014-15?

The Hon. K.J. MAHER (Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Aboriginal Affairs and Reconciliation) (16:43): I thank the honourable member for his question but note it is his usual gutless attack on individuals who are not here and cannot defend themselves; his usual gutless base attack on an individual. He has gone one step further. Usually the Hon. Mr Lucas comes in here with 'Liberal headquarters has received an anonymous fax' or other sorts of ways to make things up.

He has gone beyond just making it up from supposedly anonymous sources and now he has gone one step further and he is talking about, 'I got the impression from someone. He might have thought this.' He has gone into reading minds to pass as evidence for his gutless, disgraceful attacks on individuals. I am presuming many of the answers to the questions he has asked have probably already been answered and can be found in other places but, if they cannot, I will look to see if a response can be brought back to this place.

TAUONDI ABORIGINAL COLLEGE

The Hon. G.A. KANDELAARS (16:44): I seek leave to make a brief explanation before asking the Minister for the Status of Women—

Members interjecting:

The PRESIDENT: Order! The Hon. Mr Kandelaars has the floor.

The Hon. G.A. KANDELAARS: I will start the question again. I seek leave to make a brief explanation before asking the Minister for the Status of Women a question regarding Tauondi Aboriginal College.

Leave granted.

The Hon. G.A. KANDELAARS: The minister has previously talked about the importance of reducing the barriers to participation in education, training and employment faced by Aboriginal people. Can the minister advise the chamber about recent activities at Tauondi Aboriginal College?

The Hon. G.E. GAGO (Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy, Minister for the Status of Women, Minister for Business Services and Consumers) (16:45): On Thursday 19 March I had the honour, along with minister Maher, of attending the 2014 graduation ceremony at Tauondi Aboriginal College. The South Australian government has a strong and longstanding relationship with the college and, with its strong links with employers providing great employment opportunities for students, Tauondi provides a learning environment and vocational education with excellent outcomes.

One of the most significant factors affecting the employment outcomes of Aboriginal people is educational attainment. Last year 700 Aboriginal students from across South Australia, and from a range of different training providers, undertook training opportunities with 147 of these students completing their training at Tauondi. Training completion rates of Tauondi students are above the 35 per cent national average for all VET students, and 37 per cent of students enrolled in a full qualification in 2013-14 completed their qualification, with 75 per cent of those enrolled in skill set training completing their course.

I would like to congratulate both the college and the students on this significant achievement, as well as the students' families, of course. Without that family support it is often very difficult for students to successfully complete their studies. The key factors that achieve positive outcomes for Aboriginal students have been identified as community ownership and involvement; partnerships; flexibility in course design, content and delivery; and student support services. I am pleased to say that Tauondi Aboriginal College's training and education programs include all those attributes.

Tauondi Aboriginal College's reach into regional and remote areas of South Australia is vast. In addition to the metropolitan area, Tauondi delivers training to Aboriginal people in the Far North, Far West, Riverland, Mid North and South-East. The college is well connected to the Aboriginal community throughout the state, as well as to industry through a strong network of employer contacts.

For a student group that we know faces substantial and often multiple barriers to accessing and succeeding in learning, this is certainly a step in the right direction, and I would like to take this opportunity to congratulate the graduating students. They should be very proud, and they have much to be proud of, with a great deal of hard work and effort on their behalf having gone into their successful studies. They have undertaken and completed training, often under very difficult circumstances, and overcome barriers and obstacles that many other students cannot even imagine.

I would also like to acknowledge the families of those students who have, as I said, given support and encouragement to the students and assisted them in their successful completion. Congratulations must be given to Tauondi Aboriginal College, to the lecturing staff, support staff and administrative staff. I understand that all the staff take great pride in going the extra mile, the extra distance, for their students, not just in the formally defined competencies and skills but also by building student trust, confidence and self-esteem through a very close working relationship. I look forward to seeing the continued achievements of Tauondi Aboriginal College into the future.

The PRESIDENT: Can someone wake up the Hon. Mr Brokenshire so he can ask a question? The Hon. Mr Brokenshire.

The Hon. R.L. BROKENSHIRE: Thank you, Mr President. Great answers from the ministers to help stimulate me in this house!

Members interjecting:

The PRESIDENT: Order!

SHACK SITES

The Hon. R.L. BROKENSHIRE (16:49): I seek leave to make a brief explanation before asking the Minister for Sustainability, Environment and Conservation a question about demolition of shacks in South Australia.

Leave granted.

The Hon. K.J. Maher: You just asked that question; that was the one before.

The Hon. R.L. BROKENSHIRE: No, no; this is packet number 10. As many of my esteemed colleagues would be aware, shacks found along beach and river areas have been part of the Australian lifestyle since people first discovered the pleasure of combining holidays and coastlines. In fact, many of us, I am sure, have fond memories of visiting some of South Australia's most beautiful areas and maybe even learning to fish for the first time, because of an opportunity to stay or visit with friends or family in some basic shack accommodation.

Most of us were not taking million-dollar hotels. That part of our culture is slowly being eroded because of the life tenure shack lease agreement which requires shacks to be demolished upon the death of the lessee. These leases were introduced in the 1980s, with the aim of getting rid of shacks from public lands.

The Hon. I.K. Hunter: Who were they introduced by, Robert?

The Hon. R.L. BROKENSHIRE: Mid 1980s.

The Hon. I.K. Hunter: Yes, but by whom?

The Hon. R.L. BROKENSHIRE: Labor government, sir.

The PRESIDENT: Can we allow the question to be asked. You'll have plenty of time to answer the question.

The Hon. R.L. BROKENSHIRE: Thank you. They were introduced in the 1980s with the aim of getting rid of shacks from public lands. The *Country Times* reported last week that the first of the Innes National Park's iconic shacks will be—

An honourable member: Who's the editor there?

The Hon. R.L. BROKENSHIRE: Very good editor, being ably assisted by her son. The *Country Times* reported last week that the first of the Innes National Park's iconic shacks will be demolished under this agreement. I am informed the shack in question is known as Sloggs' Motel and was left in the 1980s to a group of mates by the owner following his death, but later on the young men were told that only one person's name could be on the lease.

The person they nominated has now passed away and not only will the family and friends who have enjoyed this small pleasure for the past 63 years no longer be able to spend time at the shack, but they are required by the Department of Environment, Water and Natural Resources to pull the shack down at their own expense. The minister is given to some theatrical language in this chamber from time to time and maybe he has watched a few disaster movies too many, but even he must see—

The PRESIDENT: The honourable member, just for a sec. It is a very long explanation, so at least keep all the opinions to a minimum and get to the facts of the question.

The Hon. R.L. BROKENSHIRE: I will get back to Sloggs' Motel with your guidance, sir. In the case of Sloggs' Motel, it is believed the Innes family stipulated the shacks were to be retained in the arrangement they made—

The Hon. T.A. FRANKS: Point of order. You just directed him to keep the opinion to a minimum. In fact, there is meant to be no opinion in questions in question time.

The PRESIDENT: That's right. Continue.

The Hon. R.L. BROKENSHIRE: In the case of Sloggs' Motel, it is believed the Innes family stipulated the shacks were to be retained in the arrangement they made when the shacks were

handed over to the government. Now, apparently, extensive research has failed to find this agreement and the shack is sadly having to come down. My questions therefore to the minister are:

1. Why does the government see unobtrusive shacks on waterfront land in this state as environmental hazards, but million-dollar waterfront properties to be built on similar sites as no problem? Is the environmental impact of a property lessened by the dollar value the owner pays in land taxes?

2. Why does this government continue to try to force people out of these shacks rather than encouraging good stewardship through ongoing tenure with councils appointed to control and manage the shack sites? Surely this would encourage people to spend money on the shacks to overcome any environmental concerns and as a consequence reduce the already low environmental impact many of these properties pose?

The PRESIDENT: Minister—ignore all opinion.

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (16:53): Thank you, Mr President. I don't have the advantage the questioner, the Hon. Mr Brokenshire, had of snoozing through all of that question, all the very long explanation, but I do thank him for his very important question. I have spoken about shacks in this place before many times. I'm not sure whether the honourable member was in fact present and listening to my answer; that is another thing altogether. However, I can go through some of the information I have given the chamber previously.

There are, I understand, fewer than 300 life-tenure shacks left on crown land and fewer than 100 in national park reserves. I think the shack the honourable member was referring to most specifically is Sloggs' Motel in Innes National Park. It is one of the difficult cases which we and former Liberal governments have struggled with in relation to the difficult policy question: should there be private land or home ownership in a national park? Should there be individual privately-held parcels of land?

This is particularly so when, in these instances, they are usually on the best parcels of land, either on the foreshore or up on clifftops overlooking the shore or along river frontages, for example: the prime real estate which South Australians would like to be able to enjoy. However, in this instance—the instance the honourable member mentioned, and in fewer than 100 other remaining life-tenure shack leases—they are in national park reserves.

This was a difficult question dealt with in the past by previous governments, Labor and Liberal. The crown land subject to shack leases has been assessed a number of times, as I have said in this place previously, most significantly in 1994 under the then Liberal government's shack site freeholding policy. I am not quite sure who the minister of the day was in this regard: the Hon. Mr Brokenshire might be able to assist me. Who was the Liberal minister? It would have been one of your colleagues at the time.

The intention of the policy was to permit freeholding—that is, the purchase of land wherever possible. Six criteria had to be met for a shack to be eligible for freeholding. All shack sites were assessed to identify those suitable for freeholding, taking into account criteria including public health requirements, continued public access to the waterfront, flood and erosion issues and planning requirements.

Sites that met the criteria were sold to the occupant if they were agreeable. Those that did not meet the criteria were issued with non-transferable life-tenure leases which meant that the lease expired when the last lessee passed away. So the criteria at the time was made very plain to all those occupants of shack sites, particularly those in national parks—that this would be a life-tenure lease.

Life-tenure leases require the payment, of course, of an annual rent. This rent has always been based on the premise that the state should receive a fair return for the private and exclusive use of its land assets. Again, we come back to the difficult policy question that maybe that is fair enough to do on crown land but should that be a policy of government in relation to land in national park reserves?

Periodic re-evaluation of the annual rent for these leases is undertaken. Shack rents are set by obtaining a land value from an independent valuer and applying a rate of return to that value. In 2010 the former minister agreed to seek independent advice from another jurisdiction regarding the rent-setting method.

The New South Wales Valuer General and New South Wales Valuer in private practice considered this advice, and the department has set the rent appropriately based on that advice. Land valuers have also consistently advised my department that, while the overall market is somewhat depressed, investigations reveal that absolute beachfront properties attract a premium over land located beyond beach frontage. This has led to waterfront sites attracting particularly high land values.

However, again, it is not just the pecuniary or monetary setting for these land valuations that is important. The key aspect in regard to life-tenure leases in national parks is the fundamental question: should there be private ownership of land and homes in national parks in this state? The policy position of this government and governments prior to this government, going all the way back to the Liberal governments of the 1990s, is that the answer to that question is no.

Bills

REAL PROPERTY (PRIORITY NOTICES AND OTHER MEASURES) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 12 March 2015.)

The Hon. J.A. DARLEY (16:59): I rise briefly to speak on the Real Property (Priority Notices and Other Measures) Amendment Bill. The bill provides the first stage of amendments to the Real Property Act 1886, as required before the commencement of the national electronic conveyancing system in this state. It introduced the first of two significant reforms that are said to lay the foundation for the introduction of electronic conveyancing, namely, the introduction of priority notices and strengthening the procedures around verification of identity.

At the outset (and the government ought to be fully aware of this by now) I note that there are some aspects of this scheme that I find concerning, particularly as it relates to verification of identity. When I was initially briefed on this bill last year, I raised a number of issues with the Registrar-General regarding increased costs and safety concerns, ironically over the VOI process. The concerns were similar to those expressed by the Law Society of South Australia during the consultation phase for electronic conveyancing.

The Law Society expressed the view that any move to electronic conveyancing should be accompanied by a reduction in cost to consumers and an increase in the speed and efficiency of transactions, no increase in the liability of practitioners (that is, solicitors and registered conveyancers involved in land transactions), and no increase in risk or compromise to the Torrens system of government guaranteed security of title.

According to the Law Society the current proposals do not meet any of these criteria. It is concerned that: compliance with the verification of identity policy will subject all parties to lands transactions, to greater expense and delay, and in some cases, particularly when signatories are in remote areas or overseas, considerable inconvenience; despite the general increased expense, delay and inconvenience to all parties, there will be little or no reduction in fraud since, in the paper environment, the signature of a solicitor or conveyancer on the VOI statement on a document could easily be forged; solicitors and conveyancers are not trained or qualified in defecting forged passports, or any other identity documents, or in detecting forged signatures; and, liability in the event of fraud or forgery should be borne by the insurance fund established under the Real Property Act for that purpose, not by individual practitioners and their insurers.

At this stage the VOI process itself it will be undertaken by one of three agents: Australia Post, ZIP IP and ID Secure. I did raise with the Registrar-General concerns that had been put to me about identification material falling into the wrong hands, especially as there is no requirement that couriers employed by at least two of the companies mentioned undergo any sort of

character checks. Whilst I am not suggesting that those employees may not be of good character, it is easy to understand why a person would be hesitant to provide another random person who shows up at their door with their identifying information, and it is also easy to see how this information potentially could end up in the wrong hands.

Last year I had a series of meetings with the Registrar-General where we discussed these concerns, and he undertook to raise them at the national level. It would appear, based on my most recent meeting, that no changes have been made to take into account the concerns raised. The Registrar-General has also been quick to dismiss any concerns around increased costs on the basis that it is anticipated that around 80 per cent of conveyancers will undertake their own VOI. Whilst I do not intend to hold up the progress of this bill, I think these are valid concerns, which warrant contented monitoring by the Registrar-General with a view to addressing them if it becomes necessary.

On the issue of fraud, in my experience and from past history, cases where there has been fraud generally occur within families and amongst relatives, not by third parties. That is not to say that fraud does not occur in other instances, but it occurs more so amongst parties who are related to each other—that is certainly my experience. That said, I understand from my discussions with the Registrar-General that there may be one case under investigation at the moment involving fraud between third parties. Overall, however, and as alluded to by the Hon. Tung Ngo, there have been few instances of fraud in this jurisdiction.

For the record, I think it would be worthwhile for the Registrar-General to provide details of how many instances of fraud have been detected in this state over the past 20 years, and what is the composition of those cases in terms of the relationships between the parties concerned. I ask the government to provide this information if possible. Further: how many instances of payments have been from the government's assurance fund; what were the amounts paid out; and what is the current balance of the fund? This is especially important given that, going forward, if there is a case involving fraud, the onus will rest solely on the practitioner. The Registrar-General's office does not accept any responsibility whatsoever and, in most cases, the practitioner involved will bear all of the financial risk.

I note also that, under the next raft of amendments, the government is also proposing that there be no duplicate titles. For property owners, that will mean that any time they want to have a look at their title, they will have to pay a search fee to search titles in the Lands Titles Office. Currently, the original title remains with the Lands Titles Office and a duplicate title remains with the bank or financial institution that holds a mortgage over the property, or the owner themselves where the property is freehold.

For the record, I will not be supporting this measure when it is introduced. Aside from saving on a bit of paper, I can see absolutely no reason why a property owner, or indeed a financial institution, should not receive a duplicate title. I would ask the government at this stage to also provide details of the feedback it has received about this proposal from financial institutions that would ordinarily hold the duplicate title until the mortgage over the property is discharged. With that, I look forward to the committee stage of the bill.

The Hon. K.J. MAHER (Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Aboriginal Affairs and Reconciliation) (17:06): I wish to thank honourable members who have made contributions on this bill to date. It is an important bill, as other honourable members have noted in their contributions. The national electronic conveyancing project is a COAG initiative. South Australia is party to an intergovernmental agreement which commits the state to participate in electronic conveyancing.

To complement the Electronic Conveyancing National Law (South Australia) Act 2013, this bill provides for the amendments to the Real Property Act to ensure consistency between electronic and paper transactions during the transitional period towards electronic conveyancing. This bill introduces the first two significant reforms necessary for electronic conveyancing: the implementation into the Real Property Act of the existing verification of identity (VOI) requirements, and the introduction of priority notices. The remaining reforms will be the subject of a separate bill, as honourable members have noted in their contributions, which is currently being developed.

Both VOI requirements and priority notices will help prevent fraud and dishonest conduct that can occur during property transactions. In recent years, there have been cases of fraud that have resulted in people's houses being listed and sold on the market without the owner being aware that the sale has occurred. In one example, a trio from South Africa were arrested after emailing a Western Australian real estate agent and convincing them that they were the true owners of a property. Agreements to put the property on the market were made using forged signatures, and it was only by chance that the owner of the property found out about the impending sale when the agent forwarded some documents to his postal address.

In another example, scammers were able to complete the sale of a property in Canberra without any face-to-face contact whatsoever, by either posting or emailing the necessary documents to the agent. Whether the victims of these scams are entitled to their property back remains unclear, and they may have to undertake expensive legal action to gain any compensation for their losses. These reforms will help ensure that these fraudulent activities do not happen. In particular, the VOI requirements ensure that international scammers will be unable to convince an agent to put a property on the market because they will be unable to produce the required documentation, such as a passport or a driver's licence.

I wish to emphasise that these VOI requirements have already been in place since April 2014. Amendments to the Real Property Act 1886 merely confirm the Registrar-General's power to impose verification of identity. Since April 2014, approximately 80,000 dealings have been lodged, involving approximately 200,000 VOI processes. A number of VOI agents have become available in the marketplace, providing a range of options in the conduct of the verification process. I am pleased to be able to inform the chamber that, with the passage of time, there seems to be a general acceptance of the VOI requirements.

For regional landowners, a number of options are available to conduct the VOI process. Landowners in remote areas can either meet with their lawyer or conveyancer, or any other lawyer or conveyancer, to conduct the VOI process. If this is not possible, the landowner can use a VOI agent and have their identification verified. Both Australia Post and ID Secure currently act as VOI agents in regional and remote areas of the state. All Australia Post outlets that provide passport services provide this service. A regional landowner's lawyer or conveyancer can also choose to use any other method to verify the identity of the landowner that, in the lawyer or conveyancer's opinion, amounts to 'reasonable steps to verify the identity' of the landowner.

For landowners overseas, VOI can be undertaken by a number of commonwealth officers, including Australian consular officers and Australian diplomatic officers. Where the person being identified is a member of the Australian Defence Force, the VOI process can be undertaken by an officer who may administer oaths to, take affidavits of, and attest the execution of documents by a member of the Defence Force while on service outside Australia.

The Attorney-General has confirmed that he supports the proposal that registered proprietors should be notified when a priority notice is lodged in relation to their land. The Attorney-General believes that this proposal could be expanded to provide an alert service to other instruments to land transactions as well. The Attorney-General undertakes that he will work with the Registrar-General on the implementation of such a policy. A second bill that deals with further electronic conveyancing reforms is set to be introduced in the near future, and the Attorney-General has confirmed that he intends for this proposal to be implemented in this bill.

The Property Committee of the Law Society of South Australia has recently written to the Attorney-General and to the Registrar-General in relation to this bill. The issues raised by the Law Society are of a technical nature and would be difficult to implement into the bill at short notice. The Registrar-General will hold further discussions with the Law Society in relation to any of their concerns and make necessary amendments in the second bill, which is currently being developed. I commend the bill to members.

Bill read a second time.

WATER INDUSTRY (THIRD PARTY ACCESS) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 19 March 2015.)

The Hon. J.M.A. LENSINK (17:13): I rise to make some remarks in relation to this particular piece of legislation, which will provide a legislated regime for third party access to water and sewerage infrastructure in South Australia. In reality, what that means is third party access to SA Water infrastructure, given that they are a vertically integrated monopoly provider of potable water and sewerage services for metropolitan Adelaide households, the majority of industry, and a significant number of country SA customers, and historically have been the provider of these services and also have built the infrastructure to take those services to their customers.

A third party access regime should be designed to enable other players in the water industry to utilise, for a price, an existing supplier's infrastructure (that is, SA Water's) to supply services and therefore provide some level of competition.

In theory, bulk water has been able to be purchased through trade since the liberalisation of water licensing. The most notable scheme that exists is that run by Barossa Infrastructure Ltd., or BIL, which provides approximately 6,000 megalitres of untreated river water to irrigate wine grapes. This scheme was driven through SA Water by the former water minister, the Hon. John Olsen. I am advised that, had it not been for his determination, SA Water would have resisted it and it would not have happened.

Other examples that people mention, which actually are not third-party access, include the Salisbury council wetlands, through aquifer storage and recharge. It is not actually third-party access because SA Water was so intransigent that it led to Salisbury council installing its own pipe network system to service customers. Similar situations exist in and around the River Murray where there is private infrastructure which is also not third-party access because that has been built specifically for those customers and not through SA Water.

Support for a robust third-party access scheme has been a key platform of the Liberal Party over successive elections and continues to be so. Labor has had sort of latent support for third-party access. Competition in the water industry is a requirement under national competition principles, and it was first mooted by the Labor Party through Water for Good, which anticipated that a scheme would be in place by 2015.

The Water Industry Act of 2012 made some minor progress by requiring that a report be undertaken prior to a bill being drafted. The Department of Treasury and Finance report was published in February 2013, with a further round of consultation on the draft bill taking place in November 2013. This bill was tabled again late last year and, most recently, in February 2015.

I will discuss the contents of the DTF discussion paper in a bit more detail because I think it is a bit telling about the government's intention with third-party access. The discussion paper that was released in February 2013 was entitled 'Access to water and sewerage infrastructure'. It raises the option of ESCOSA's—that being the Essential Services Commission of South Australia—regulatory role being extended to include a state-based third-party access regime and how that may occur, from maintaining the status quo, which is negotiation on a case-by-case basis at SA Water's pleasure, to a state-based access regime with oversight by ESCOSA.

In my opinion, the options in the DTF paper are skewed to the outcome that the government was seeking; that is, a replication of the rail scheme, which ESCOSA subsequently argues against. Essentially, there is not the same vertical integration, competition is available through other modes of transport and the ACCC can make binding price determinations, but the rail scheme is the model contained in the bill.

The DTF paper describes a legislative scheme as a 'safety net' which confers, I quote, 'rights on the access seeker in relation to negotiating access and imposing obligations on the infrastructure owner when the access seeker exercises those rights'. Options proposed include setting pricing

principles which, I note in the bill before us, only takes place once the issue has gone to arbitration, and also keeping separate accounts, which is contained in the bill.

In my view, the bill before us skews the balance too far towards the infrastructure owner; that is, SA Water. The bill also allows for flexibility for parties to negotiate outside of the access regime. The DTF paper discusses options for light versus heavy-handed regulation, and says the following:

> A state-based access regime can provide guidance to the infrastructure owner about the terms and conditions of access, including price.
>
> While light handed models of access regulation generally do not impose on the infrastructure owners or an arbitrator binding guidance on terms and conditions of access, some measures could be included in such a state-based access regime for water and sewerage infrastructure to ensure that sufficient information is made available to the access seeker and arbitrator to assist in negotiation and arbitration.

The paper suggests that a light-handed regime would consist of monitoring commercial negotiation and arbitration yet, even in these elements, my reading of the bill is that ESCOSA's role is quite limited.

In my view, the DTF paper only covers what the government had already predetermined is significant infrastructure, which it defines as: 'not easily duplicated and has a natural monopoly'—which is listed in a table on page 14 of that document—that is, water distribution transport, bulk water transport, local sewage transport and bulk sewage transport. It excludes other areas such as retail services and bulk water supply. The DTF paper also argues for an independent arbitrator.

The submissions to that paper closed in March 2013 with an expectation that a draft bill was to be released 'by mid 2013 for further public consultation' and introduction into parliament in September 2013. There were only six submissions to that paper in total with a preference for light-handed regulation. None of the submissions advocated full retail contestability. ESCOSA's submission argued that the regulatory model should be strengthened, and Treasury said that it anticipated that third party access may lead to greater competition for non-household water users. I quote:

> …the connection of the pipelines means that access to these services could stimulate competition in the market for River Murray water entitlements. For larger commercial, industrial and agricultural users, access to SA Water's bulk water transport infrastructure could also facilitate competition between alternative water sources.

SA Water's submission to that discussion paper was interesting. It contained quite a few reasons why it would be hard in practice to implement third party access and argued that an internal access regime is the cheapest option. I note that it also stated that the private sector already provides 90 per cent of SA Water's capital projects and more than half of its operating expenditure, with a Productivity Commission report placing that at 65 per cent. It had some interesting comments in relation to bulk water prices. I quote from page 5 of their submission:

> The availability of water from access to a large active water market satisfies a very important condition for the development of competition in water supply as substantial quantities of bulk water are readily accessible, and subject to competition.

My comments in relation to that are that, yes, that is correct when the Murray-Darling Basin is not subject to restrictions but, when it is subject to restrictions, that matter is certainly quite different. Continuing the quote from SA Water's submission:

> SA Water has no strategic advantage in this area and there are no competitive barriers in the SMDB [southern Murray-Darling Basin] market.

I disagree with that comment, given that SA Water already has existing access to all those assets. It certainly has the market share and historical advantages, so I believe it does actually have advantages in that area.

ESCOSA's submission to the February 2013 DTF discussion paper certainly disagreed that initial regulation should not be very light-handed. There is a nuance between 'light-handed' and 'very light-handed' in terms of regulation. I take it that ESCOSA took the view that the proposed model was very light-handed rather than just light-handed.

When we are talking about these matters it is not just whether it is an internal access regime but also how much of the determination is placed with the regulator. Through its submission,

ESCOSA clearly believes that further reform is required and that a 'strong, comprehensive and effective state-based access regime is imperative' in order to fulfil the objects of the Water Industry Act.

It also compares SA Water as a vertically integrated monopoly provider to the situation that we saw several years ago with Telstra which was a monopoly provider of telecommunications, stating that the access regime for the latter—that is, Telstra—was in fact stronger than that contained in this proposed regime. I think we are all aware of the legal disputes that took place over several years where I think it was Optus which was trying to gain access to Telstra's infrastructure.

Continuing with ESCOSA's submission, it presents the view that DTF's report should have gone further and focused on two main matters, firstly the scope of assets and to the light-handedness, specifically criticising DTF's argument of the use of the natural monopoly test as the only criteria for access and that this had indeed been struck down by a High Court ruling in 2012.

In relation to the assets, ESCOSA said that it only covers those four components of the supply chain—that is, bulk water transport, water distribution network, bulk sewer transport and local sewerage transport—and clearly believes that more infrastructure services should be included within the access regime. I will quote from page 3 at paragraph 210 of ESCOSA's submission:

> No reasons are given for exclusion of other supply chain elements, other than the suggestion that a 1997 report prepared by Tasman Asia Pacific identified only four elements of the supply chain as meeting the criteria for declaration of access.

It was also critical of the rationale for the proposed model. It said that the market analysis for that had not been released and one of my questions for the government is: will it actually provide the market analysis? It also criticised a lack of reference for access to other resources, specifically a lack of requirement to negotiate bulk supply agreements and also to enable sewer mining.

Again, sewer mining has been something that the Liberal Party has advocated for. ESCOSA's submission also advocates that the regulator should have the discretion as to whether it sets prices directly or whether negotiations are the first step, as is contained now in the legislation, with ESCOSA stepping in to arbitrate or appoint an arbitrator if this fails. As ESCOSA noted:

> While a negotiation model is the ideal, it may be unlikely to work without at least a credible threat of regulatory escalation to very strong levels.

ESCOSA also argued that it should be the arbitrator rather than the appointer of an independent arbitrator given its complex and specialist knowledge. It also argued that the minister should not be involved in arbitration because of conflict of interest and the fact that arbitration may provide the minister with access the commercial information of SA Water's competitors.

In my view, the DTF discussion paper asks a number of leading questions such that respondents who are not deeply familiar with the issues would not suggest changes outside of the scope of those questions. There was a low number of submissions. I note that most in the water industry in South Australia are customers of SA Water and bid for work, and therefore do not want to jeopardise their opportunities, and that is certainly the off-the-record advice that I have received from several people within the industry.

I believe that we need transparency in pricing. One of the other things that people who work in the industry tell me is that SA Water are masters at obfuscation and delay. I believe that this bill keeps ESCOSA further away than at arm's length and with an even less significant role than it has in setting of water and sewerage prices. I also note that the Water Industry Alliance in 2011 in relation to comments on the draft of the Water Industry Bill of 2010 stated that a third party access regime inclusive of access pricing should be operational from the time of ESCOSA's first price determination which is now long gone, that being 2013.

The draft bill was tabled in November 2013. At that stage DTF said, 'It was not considered necessary for the regulator to set access prices as explicitly as it does when regulating SA Water's retail services.' I am not sure what the validity or rationale is for those comments, because they were not justified in any way; they were just left there as a statement.

ESCOSA was disappointed (I think that would be an understatement) that there was no change from the previous comments made earlier that year, and in response said, 'the nature,

strength and scope of the proposed regime is so limited as to materially impede the delivery of those benefits to South Australians.' On that basis ESCOSA recommended that those provisions be revisited.

ESCOSA also said, 'This provides no certainty to potential access seekers or the community at large.' ESCOSA also noted that in a negotiate/arbitrate model the transaction costs may be increased and transparency decreased. Those are certainly concerns that the independent regulator has had in relation to this piece of legislation.

Turning to other matters in the bill, the process, as I read it, appoints ESCOSA, in a limited role, as the regulator of a negotiate/conciliate/arbitrate model, and the following are steps in the process for what is defined as an 'access seeker', or applicant, to apply for access to a regulated operator—that is, SA Water in most instances.

First, a regulated operator has 30 days to provide an applicant with a brochure (86F of the bill), and the brochure information must contain the terms and conditions on which it is prepared to make its infrastructure available, the procedures it will apply and the information about prices and costs associated with access.

The second step is that, on application, a regulated operator must provide technical information to an applicant regarding current utilisation, the 'likely' price, or reasons why access cannot be provided. I note that in this particular clause at 86G there is no time frame and no penalty for failure. The regulated operator can also charge the applicant for providing this information. I have quite strong concerns about these particular provisions. I think they continue to place a lot of power within the hands of SA Water without any independent or transparent process to provide access seekers with that information.

The third step is that the applicant writes to the regulated operator to outline the access they are seeking and their proposed terms and conditions (so at this stage we are still in the negotiate phase). The regulated operator then has a right to seek more information. The regulated operator has one month to notify the applicant and ESCOSA of its decisions (this is the first reference we have to ESCOSA in the process, and this is clause 86I).

The fourth step, which is 86K, is that if, after two months, the regulated operator and applicant cannot agree, a dispute is seen to exist, which may be referred to ESCOSA by either party. In the fifth step, a dispute which is referred to ESCOSA must, in the first instance, be subject to voluntary or compulsory conciliation (86M of the bill). In step six, if, after six months after referral to ESCOSA for conciliation the dispute is not resolved, ESCOSA can refer the matter to independent arbitration. ESCOSA's role is to appoint an independent arbitrator but it may not appoint itself as arbitrator. If the matter is still not resolved ESCOSA can direct a fresh round of the same (86M).

Clause 7 relates to arbitration, and has long list of matters which must be taken into account. I have some concerns with those, which I will address at a later date (that is 86P of the bill). I also note that the minister can be party to the arbitration (86S). We have a pretty long drawn out process. For those in the industry who say that SA Water are masters of obfuscation, they certainly have plenty of opportunities in this process before us at which they can delay. They can charge the applicant things and they are not subject to penalties for not providing things on time at 86G, so some seven months down the track, when the matter has gone to arbitration, there still may be no resolution.

The point of going through all of this in so much detail is just to say, why would an applicant bother? That is what has been put to me: why would applicants bother? Their preference is for a transparent scheme where SA Water does not have all the cards in its pack, which is certainly the way that this piece of legislation has been designed.

There are key issues. There is the matter of arbitration and the process, which I have just spoken about in detail, and also the key issues, being the scope of assets, which is 86B, which I have spoken about already, and the limited role of ESCOSA, which does not set the access charges for applicants up front. In the initial process of application, it is SA Water's role to send out brochures, set its own prices and report to ESCOSA when it has made a decision about whether to grant access.

ESCOSA has its first dib at this if a dispute arises leading to mediation or arbitration, although it cannot appoint itself as the arbitrator. As I have said, my understanding of this is that ESCOSA's role is even less significant than that it plays in setting water and sewerage prices. With those comments, the Liberal opposition welcomes the debate. We are pleased that the bill has been tabled again, but I will be bringing forward a number of amendments which are still under discussion with a number of stakeholders. I will obtain those for honourable members and for the government at the first practicality and I look forward to the committee stage of the debate.

Debate adjourned on motion of Hon. G.A. Kandelaars.

CRIMINAL ASSETS CONFISCATION (PRESCRIBED DRUG OFFENDERS) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 17 March 2015.)

The Hon. A.L. McLACHLAN (17:37): I rise to speak on the Criminal Assets Confiscation (Prescribed Drug Offenders) Amendment Bill. The bill is in all respects identical to the criminal assets confiscation bill which was introduced last year but which lapsed due to the prorogation of the last parliament.

This is now the third time the government has tried to pass the bill, which was intended to implement the serious crime policy that Labor took to the 2010 election. The bill was first introduced in the 52nd parliament, but it failed to pass because it went further than Labor's election policy, in particular in that it proposed to allow for the confiscation of assets on a first offence and diverted confiscated funds away from the Victims of Crime Fund.

Then in the lead-up to the 2014 election, Labor stated that it would continue to pursue changes to the criminal asset confiscation regime. Labor also stated in its proposed policy pronouncement that it intended to grant the courts the power to prevent a prescribed drug offender from owning property for up to five years. This policy was ultimately abandoned and did not appear in either the 2014 or the 2015 bill.

I will now deal with the bill before us. Under the proposal, if an offender commits a single commercial drug offence or three or more specified drug offences within a 10-year period, they will be liable to be declared a prescribed drug offender and subject to the confiscation regime.

The bill changes the confiscation regime that currently operates in South Australia in that there is a lack of nexus between the offence and the assets to be confiscated. The Liberal Party has consistently supported the confiscation of assets where they are the proceeds of crime or the instruments of crime, even if lawfully acquired or where they represent unexplained wealth. To this end, the Liberal Party has on the last two occasions (and again with the 2015 bill), supported its passage in the House of Assembly.

However, there are certain elements of the bill that have continued to cause the opposition concern and which were again outlined by the shadow attorney-general, the member for Bragg in the other place, during the second reading debate last month. Nevertheless, the opposition has also indicated that if certain amendments are passed then it would be willing to support the bill. Late last year the opposition engaged in consultation with the government and the crossbenchers regarding our concerns and some proposed amendments. After the bill came up to the Legislative Council for a second time our concerns with the bill largely came down to four key areas. It is in relation to those four areas which were previously identified as needing some amendment that I have filed a set of amendments on behalf of the opposition.

The first amendment we propose is to provide for some form of judicial review against any Director of Public Prosecutions' discretion where it is in the interests of justice to do so. The second is to require that the Director of Public Prosecutions publish confiscation guidelines that are similar to the prosecutorial guidelines that are currently published. The third is to require that proceeds of confiscation be paid into the Victims of Crime Fund. Under the current proposal, the proceeds of the asset confiscation would not be paid to the Victims of Crime Fund but rather be redirected to fund

government services through a justice resources fund. It seems that the government wants to persist in taking away money from victims of crime rather than giving priority to them.

On this particular amendment the opposition has also included a further amendment to require that half the proceeds be paid into a drug rehabilitation fund. This amendment was pursued by the Hon. John Darley in respect to the 2014 bill and it is our view that it is sensible. It would be unconscionable for us not to apply any of this money into drug rehabilitation when outpatient drug and alcohol services at the Glenside Hospital, that the government previously proposed, will now probably never exist. It is now clear that we do not have any extant commitment from the government that it will provide any extra drug and alcohol services to deal with the current need.

The member for Bragg in the other place also raised an important consideration on this issue and that is if the money was to go into general revenue it could lead to the potential for the Director of Public Prosecutions to be in a conflict of interest situation where they are confiscating assets and also asking for more money to run their own department. The amendment we are pursuing would help to ensure the independence of the Director of Public Prosecutions and, importantly, ensure that the office does not become a debt collector for the government.

I turn now to the fourth key area in which we are seeking amendment, and that is to have some form of review in reporting. To this end the opposition is proposing that an annual report be prepared and provided to parliament on the operation of the new confiscation provisions and that a review of the legislation be conducted after three years of its operation. There are many instances where a short report is required to be provided to parliament, for example, in respect of the surveillance operations of covert police.

If the bill is passed it has the potential, upon mature reflection, to be considered an unhappy reform, and the opposition is therefore of the view that it is both necessary and prudent to have this requirement in place. Last year, after consultation, the opposition came up with a formula of review which we believe is workable and would go to meeting the opposition's policy concerns. I note that the Hon. John Darley has also again moved amendments to the bill identical to those he moved in the last session of parliament. Some of these have also been included in the opposition's amendments which have been filed.

It is disappointing to see that there has been no movement from the government at all since the last bill was debated in respect of proposed amendments to the bill. When we debated this last year there was significant support for the opposition's amendments in the chamber. The Liberal Party has always been keen to ensure the safety of its citizens. It acknowledges that the drug trade presents a considerable risk to the community and is willing, therefore, to support the substantive parts of the bill. However, the confiscation of assets unrelated to criminal activity is a serious diminution of the rights of the citizen. To mitigate any adverse consequences of a confiscation order, in our view, it must be subject to review. I look forward to the committee stages.

Debate adjourned on motion of Hon. G.A. Kandelaars.

JURIES (PREJUDICIAL PUBLICITY) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 18 March 2015.)

The Hon. A.L. McLACHLAN (17:45): I rise to speak on the Juries (Prejudicial Publicity) Amendment Bill 2015, and I indicate that the opposition will oppose the bill. The bill was introduced by the Attorney-General on 11 February this year, and it is in all respects the same as the 2014 bill, which lapsed as a result of parliament being prorogued. The bill proposes to amend the Juries Act 1927. The Juries Act sets out the rules that are to apply to the empanelling and selection of juries and all the rules surrounding how juries operate in South Australia.

The law on trials by judge alone are set out in section 7 of this act. It permits that, in circumstances where an accused applies, they are able to have their case heard by a judge alone rather than a jury. They do not have to have a jury, but they are entitled to have a jury, and the act sets out the statutory protection for that right. The bill before us proposes to enable the court to order

a case be heard by judge alone, even if the accused does not want a trial by judge alone, in the circumstances where the accused applies to stay the case on grounds that there has been prejudicial publicity sufficient to threaten a fair trial.

Usually it is the accused who elects to have a trial by judge alone. The right to a trial by jury is something that should be protected. For centuries trial by jury has been the sacred cornerstone of our criminal justice system. It is a right that has been protected by generations before us, and was designed to afford a safeguard against wrongful conviction and capricious justice. The potential loss of a person's right to a jury trial is very significant. The opposition therefore has given the bill serious consideration.

The Law Society of South Australia has indicated that it also opposes the bill, and indicates that it is not satisfied that there is even any need for it. This is particularly so, given that the High Court recently lifted the bar so high for accused persons applying for a permanent stay based on prejudicial publicity that it is unlikely that such an application will ever succeed. The Law Society has also, rightly in our view, pointed out that the proposed amendment means that the right to trial by jury would be lost, not by virtue of the conduct of the accused but by virtue of the conduct of the media, which has an interest in punishing newsworthy items.

It is the opposition's view that it would be unfair to strip an accused person of this democratic right, solely because of the way the media has acted in its reporting. It is also unclear how the bill would discourage the misuse of social media, and further raises the question of why the accused should be encumbered with a problem that is not of their own making.

The Law Society also raise in its objection, which we should thoroughly reflect upon in this chamber, that the likely practical implication of this bill could be that the media would not feel constrained in the manner in which it reports serious criminal cases because the existing safeguard of the court permanently staying the trial is unlikely ever to be exercised.

The opposition also has concerns that the bill, if enacted, may have the unintended effect of intimidating the accused into not applying for a stay for fear that they will lose their right to a jury and be forced to have a trial by judge alone. There are situations where the accused may be very reluctant to have a trial by judge alone, and forcing an accused into that situation is something the opposition does not and cannot support in good conscience.

The government's claims that this bill is necessary to ensure that a fair trial is not threatened, or that an accused might successfully obtain a continuous stay of proceedings, is without example to my knowledge. My research is that there has never been a case, at least in recent memory, where a stay of a criminal trial has been granted based on adverse publicity alone.

The member for Bragg in the other place cited examples where applications for a stay of proceedings have been made, but in each case prejudicial publicity was only one of a number of grounds upon which the applications were made. The Liberal opposition does not believe that right-by-jury trials should be curtailed because of one case.

It is important that we consider that at the time the government first introduced this bill it was dealing with the potential of an application to stay proceedings in a particular case that they felt may arise, which is publicly known as the Families SA carer's case. While the accused has pleaded guilty, the opposition muses over whether this bill was introduced at the time simply to mitigate the adverse fallout from these proceedings. Again, it is our view that the matter is insufficient to justify such a diminution of the inherent right of a citizen of South Australia to have a jury trial. I have further comments for the committee stage.

Debate adjourned on motion of Hon. J.M. Gazzola.

WORK HEALTH AND SAFETY (PROSECUTIONS UNDER REPEALED ACT) AMENDMENT BILL

Introduction and First Reading

Received from the House of Assembly and read a first time.

Second Reading

The Hon. G.E. GAGO (Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy, Minister for the Status of Women, Minister for Business Services and Consumers) (17:51): I move:

That this bill be now read a second time.

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

Leave granted.

On 3 December 2014, the Deputy Premier informed the House of Assembly of his intention to introduce a Bill into the next Parliament to amend the transitional provisions of the Work Health and Safety Act 2012.

The Work Health and Safety (Prosecutions Under Repealed Act) Amendment Bill 2015 seeks to insert a new transitional provision into the Work Health and Safety Act to allow the Minister to extend the time limit to commence proceedings for an offence under the now repealed Occupational Health Safety and Welfare Act 1986 (SA).

This amendment will allow two prosecutions under the repealed Act to proceed. Both deal with serious workplace incidents which resulted in a fatality in one case and serious head injuries to a worker in the other.

Last year the Deputy Premier became aware of a technical error in the filing of the complaints for these two matters.

The nature of the error meant that it was not possible to correct it by simple amendment of the complaints. The only way to continue with these prosecutions is to file fresh complaints, making the same allegations, with the error corrected.

However, the statutory limit under the repealed Act has since expired on each of these matters, which prevents the prosecution from proceeding under the existing complaint.

For these prosecutions not to proceed, due to a technicality, is unacceptable.

The only way of resolving this issue is to extend the statutory time limit.

The Bill will achieve this by amending the Work Health and Safety Act to allow the Minister, if he or she considers that it is in the interests of justice to do so, to extend a time limit that applies under section 58(6)(b) of the repealed Act in a particular case.

It is the Government's view that it is in the interests of justice that these two matters have the opportunity to proceed to a judicial determination on the merits on the case.

Advice has been received from SafeWork SA that there are no other proceedings under the OHSW Act that have been impacted by this technical error.

I commend the Bill to Members.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Amendment provisions

These clauses are formal.

Part 2—Amendment of *Work Health and Safety Act 2012*

3—Amendment of Schedule 6—Transitional provisions

This clause inserts a new clause into Schedule 6 of the Act. The proposed clause authorises the Minister to extend a time limit that applies under section 58(6)(b) of the *Occupational Health, Safety and Welfare Act 1986* (the *repealed Act*) if he or she considers that it is in the interests of justice to do so. Section 58(6)(b) provides that proceedings for a summary offence against the Act must be commenced within two years of the date on which the offence is alleged to have been committed. A time limit may only be extended under the proposed clause for the purpose of allowing proceedings to be brought against a person for an offence against the repealed Act where proceedings previously commenced against the person for the offence have been brought to an end because the person who purported to bring them was not authorised to do so.

An extension may be authorised by the Minister even if the time limit for commencing proceedings under the repealed Act has passed. The clause authorises the commencement of proceedings against a person who has already been the subject of proceedings (or purported proceedings) under the repealed Act with respect to the same matter.

Debated adjourned on motion of Hon. J.M.A. Lensink.

CRIMINAL LAW (EXTENDED SUPERVISION ORDERS) BILL

Introduction and First Reading

Received from the House of Assembly and read a first time.

Second Reading

The Hon. G.E. GAGO (Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy, Minister for the Status of Women, Minister for Business Services and Consumers) (17:52): I move:

That this bill be now read a second time.

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

Leave granted.

The Criminal Law (Extended Supervision Orders) Bill 2015 (the 'Bill') creates a new type of order, called an extended supervision order ('ESO') designed to place restrictions on certain high risk offenders and provide for their continued supervision beyond the expiry of any term of imprisonment or parole period.

The intention of this legislation is to address future risk and enhance community safety.

ESOs are designed to apply to certain high risk offenders who have either:

- served their entire sentence in prison and are due to be released into community under no supervision; or
- been released on parole and their parole is expiring.

In both cases, under the current law, there is no option other than leaving the high risk offender to live in the community under no supervision. Under this Bill, the Attorney-General will have the power to apply to the Supreme Court for an ESO so that a high risk offender may be supervised and subject to conditions.

In summary:

- an ESO can only be made in respect of a supervised high risk offender, being one who is serving a term of imprisonment or is under supervision on parole;
- the application for the ESO needs to be made within the final 12 months of the offender's imprisonment or supervision; and
- the ESO only commences operation once the offender is no longer imprisoned or supervised.

This is important reform. If a high risk offender has elected to serve his or her entire sentence without applying for parole, so that on release he or she will be unsupervised and not subject to any conditions, then this provides an option for supervision and conditions to be applied.

This reform is firmly focussed on protecting the safety and well-being of the community.

Therefore, the paramount consideration of the Supreme Court in determining whether to make an ESO is the safety of the community. In addition, the Supreme Court is empowered to make an ESO against a high risk offender who poses an appreciable risk to the safety of the community if not supervised under the ESO.

Under the Bill, the Attorney-General may apply to the Supreme Court for an ESO with respect to certain high risk offenders.

A high risk offender is:

- a person who has been convicted (whether before or after the commencement of the new legislation) of 'serious sexual offence' (referred to as a 'serious sexual offender') and who was sentenced to a term of imprisonment in respect of the 'serious sexual offence'; or
- a 'serious sexual offender' who is serving a sentence of imprisonment in respect of any of the following offences;
    - an offence under section 58 or 63A of the *Criminal Law Consolidation Act 1935* (SA) (the 'CLC Act'), being acts of gross indecency or possession of child pornography;
    - an offence under section 44, 45, 65 or 66N(2) of the *Child Sex Offenders Registration Act 2006* (SA) (the 'CSOR Act'), being failure to comply with reporting obligations, furnishing false or

misleading information when reporting, applying for or engaging in child-related work and breaching requirements with respect to wearing a tracking device;

- an offence under section 99I of the *Summary Procedure Act 1921* (SA) (the 'SP Act'), being a breach of a paedophile restraining order; or
- an offence prescribed by the regulations;

- a person who has been convicted (whether before or after the commencement of the new legislation) of a 'serious offence of violence' (referred to as a 'serious violent offender') and who was sentenced to a term of imprisonment in respect of the 'serious offence of violence';
- a person who is serving a sentence of imprisonment in respect of an offence of contravening or failing to comply with an ESO or an interim ESO; or
- a person who is the subject of an ESO.

As noted above, a high risk offender is defined to include a person who has been convicted and imprisoned for a 'serious sexual offence'.

Under the Bill, the term 'serious sexual offence' has the same meaning as in section 33(1) of the *Criminal Law (Sentencing) Act 1988* (SA) (the 'Sentencing Act').

These sections cover the offences of rape, unlawful sexual intercourse, indecent assault, acts of gross indecency, abduction, procuring sexual intercourse, production or dissemination of child pornography, procuring a child to commit indecent act, sexual servitude, deceptive recruitment for commercial sexual services, use of children in commercial sexual services and incest, but only where the maximum penalty prescribed for the offence is, or includes, imprisonment for at least 5 years.

The term 'serious sexual offence' also includes an offence against a corresponding previous enactment substantially similar to an offence referred to above and an attempt to commit or an assault with intent to commit any of the offences referred to above, as well as an offence against the law of another State or a Territory corresponding to an offence referred to above.

Therefore, any person sentenced to a term of imprisonment for one of these 'serious sexual offences' may be the subject of an ESO.

In addition, once a person fulfils this criteria of having, at any time, served a term of imprisonment for a 'serious sexual offence' they may be the subject of an ESO if they are later sentenced to imprisonment for a lesser sexual offence that may not otherwise attract an ESO.

This provision will ensure that an offender who has previously committed a 'serious sexual offence' cannot avoid being the subject of an ESO simply because their subsequent offence (for which they were imprisoned) is a less serious sexual offence (such as possession of child pornography).

As noted above, a high risk offender is defined to include a person who has been convicted and imprisoned for a 'serious offence of violence'.

The term 'serious offence of violence' is given the same meaning as in section 83D(1) of the CLC Act and means an indictable offence that is punishable by imprisonment for life or for a term of 5 years or more where the conduct constituting the offence involved:

- the death of, or serious harm to, a person or a risk of the death of, or serious harm to, a person; or
- serious damage to property in circumstances involving a risk of the death of, or harm to, a person; or
- perverting the course of justice in relation to any conduct that, if proved, would constitute a serious offence of violence as referred to above.

Once a person fulfil the criteria of being a high risk offender, the Attorney-General may make an application to the Supreme Court for an ESO to be made in respect of that person.

However, the application must be made whilst that high risk offender remains under supervision, for example, whilst the high risk offender is in prison or released into the community on parole.

In addition, the application can only be made within the last 12 months of the high risk offender's supervision.

Under the Bill, for a high risk offender who is serving a term of imprisonment (whether in prison or on release on home detention or parole) the application must be made within 12 months of:

- if the offender is not serving a sentence of life imprisonment—the date on which the term, or terms, of imprisonment to which the offender was sentenced expire; and
- if the offender is serving a sentence of life imprisonment—the date on which the sentence of imprisonment will be taken to have been wholly satisfied.

In relation to a high risk offender who is subject to an existing ESO, the application must be made within 12 months of the date on which the ESO is due to expire.

Under the Bill, an ESO, once made, would only commence operation once the offender is no longer imprisoned or supervised, for example:

- if a full sentence has been served, the ESO would commence on release from prison; or
- if an offender is granted release on parole, the ESO would commence on expiry of the parole period.

Under the Bill, the Supreme Court can make an interim ESO in cases where the offender's supervision or term of imprisonment would be due to expire prior to the determination of the ESO.

The Supreme Court, before making an ESO, must be satisfied that the offender is a high risk offender and poses an appreciable risk to the safety of the community if not supervised under the ESO.

Before making an ESO, the Supreme Court must direct that at least 1 legally qualified medical practitioner (to be nominated by a prescribed authority for the purpose) examine the high risk offender and report to the Court on the results, including:

- for a serious sexual offender, an assessment of the likelihood of the offender committing a further serious sexual offence; or
- for a serious violent offender, an assessment of the likelihood of the offender committing a further serious offence of violence.

The paramount consideration of the Supreme Court in determining whether to make an ESO is the safety of the community.

In determining whether or not to make an ESO, the Supreme Court must also have regard to the following matters in addition to any other matter it considers relevant:

- the likelihood of the offender committing a further 'serious sexual offence' or 'serious offence of violence' if not supervised under an ESO;
- the report of any medical practitioner furnished to the Court;
- any report prepared by the Parole Board;
- any report required by the Court (including the results of any statistical or other assessment furnished to the Court as to the likelihood of persons with histories and characteristics similar to those of the respondent committing a further relevant offence);
- any relevant evidence or representations that the offender may desire to put to the Court;
- any treatment or rehabilitation program in which the offender has had an opportunity to participate, including his or her willingness to so participate and the extent of such participation;
- in the case of an offender released on parole—the extent to which he or she has complied with the conditions of his or her release on parole;
- in the case of an offender subject to an existing ESO—the extent to which he or she has complied with the terms of that ESO;
- in the case of an offender who is a registrable offender (within the meaning of the CSOR Act)—the extent to which he or she has complied with any obligations under the CSOR Act;
- the circumstances and seriousness of any offence in respect of which the offender has been found guilty according to his or her criminal history, and any pattern of offending behaviour disclosed by that history; and
- any remarks made by the sentencing court in passing sentence.

Under the Bill, the following conditions apply in relation to an ESO once made by the Court:

- a condition that the person subject to the order not commit any offence;
- a condition that the person subject to the order is prohibited from possessing a firearm or ammunition (both within the meaning of the *Firearms Act 1977* (SA)) or any part of a firearm;
- a condition prohibiting the person subject to the order from possessing an offensive weapon unless the Supreme Court permits the person to possess such a weapon and the person complies with the terms and conditions of the permission;
- a condition that the person subject to the order:

- be under the supervision of a community corrections officer;
- obey the reasonable directions of the community corrections officer; and
- submit to such tests (including testing without notice) for gunshot residue as the community corrections officer may reasonably require;

- any other condition that the Court thinks fit and specifies in the order; and
- any condition imposed by the Parole Board.

The Bill provides the following as examples of the types of conditions that the Parole Board may include in an ESO:

- requiring the person subject to the order to:
  - reside at a specified address;
  - undertake such activities and programs as determined from time to time by the Parole Board; or
  - be monitored by use of an electronic device;
- providing that a community corrections officer or a police officer may, at any time:
  - visit the person subject to the order at the person's residential address; and
  - access any computer or related equipment that is at the person's residential address or in the possession of the person; and
  - for these purposes, enter the premises at that address; or
- prohibiting or restricting the person subject to the order from:
  - associating or communicating with a specified person or persons of a specified class;
  - residing or being present at, or being in the vicinity of, a specified place or premises or a place or premises of a specified class;
  - possessing a specified article or weapon, or articles or weapons of a specified class;
  - engaging in specified conduct, or conduct of a specified kind;
  - undertaking specified employment or employment of a specified kind;
  - applying for a change of name; or
  - engaging in any other conduct of a kind specified by the Parole Board.

Under the Bill, an ESO can only remain in force for a maximum of 5 years or such lesser period as the Supreme Court determines. The Parole Board will be able to vary and revoke conditions of ESOs set by the Parole Board and, for that purpose, under the Bill, a member of the Parole Board will have the power to summon a person who is the subject of an ESO to appear before the Parole Board. If the presiding member of the Parole Board reasonably suspects that a person who is the subject of an ESO may have breached a condition of the ESO, the presiding member may summon the person to appear before the Parole Board.

The Parole Board will also have the power to issue a warrant for the apprehension and detention of person who is summoned and fails to appear.

Any breach of the ESO constitutes an offence with a maximum penalty of 5 years imprisonment.

The aim of this new legislation is to provide a mechanism for extended supervision of those high risk offenders who pose a high level of risk to the safety of the community. Rather than forming part of a punishment for past conduct, this regime of extended supervision is designed to address future conduct.

This policy intent is reflected clearly in the Bill.

I commend the Bill to Members.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

These clauses are formal.

3—Object of Act

This clause provides that the object of this measure is to provide the means to protect the community from being exposed to an appreciable risk of harm posed by serious sexual offenders and serious violent offenders.

4—Interpretation

This clause contains definitions for the purposes of this measure, including definitions of extended supervision order, interim supervision order and supervision order; and serious sexual offender and serious violent offender.

5—Meaning of high risk offender

This clause provides that, for the purposes of this measure, a *high risk offender* is—

(a) a serious sexual offender who was sentenced to a period of imprisonment in respect of the serious sexual offence; or

(b) a person referred to in paragraph (a) who is serving a sentence of imprisonment any part of which is in respect of any of the following offences:

(i) an offence under section 58 or 63A of the *Criminal Law Consolidation Act 1935*;

(ii) an offence under section 44, 45, 65 or 66N(2) of the *Child Sex Offenders Registration Act 2006*;

(iii) an offence under section 99I of the *Summary Procedure Act 1921*;

(iv) an offence prescribed by the regulations for the purposes of this paragraph; or

(c) a serious violent offender who was sentenced to a period of imprisonment in respect of the serious offence of violence; or

(d) a person who is serving a sentence of imprisonment any part of which is in respect of an offence of contravening or failure to comply with a supervision order (see clause 17); or

(e) a person who is subject to an extended supervision order.

6—Application of Act

The effect of this clause is to exclude the application of this measure in relation to a youth.

Part 2—Extended supervision orders

7—Proceedings

This clause sets out the manner in which the Attorney-General may make an application to the Supreme Court for an extended supervision order to be made in respect of a person who falls within the definition of a high risk offender (the *respondent*). Any such application may only be made within 12 months of the relevant date of expiry for the respondent. Before determining whether to make an extended supervision order, the Court must direct that 1 or more legally qualified medical practitioners examine the respondent and report to the Court on the results of the examination. The paramount consideration of the Court in determining whether to make an extended supervision order must be the safety of the community, while other matters must also be taken into account. If the Court is satisfied that the respondent is a high risk offender and he or she poses an appreciable risk to the safety of the community if not supervised under the order, the Court may make such an order.

8—Parties

This clause provides that both the Attorney-General and the person to whom an application under this measure for an extended supervision order relates are parties to the application.

9—Interim supervision orders

Under this clause, the Supreme Court may make an interim supervision order if an application for an extended supervision order in relation to a high risk offender has been made and the Court is satisfied—

- that the relevant expiry date for the respondent is likely to occur before the application is determined; and
- that the matters alleged in the material supporting the application would, if proved, justify the making of an extended supervision order.

An interim supervision order takes effect on the making of the order until the application for the extended supervision order is determined.

10—Supervision orders—terms and conditions

This clause sets out the terms and conditions that apply in relation to each extended supervision order, including the following:

- a condition that the person subject to the order not commit any offence;
- a condition that the person subject to the order is prohibited from possessing a firearm or ammunition (both within the meaning of the *Firearms Act 1977*) or any part of a firearm;
- a condition prohibiting the person subject to the order from possessing an offensive weapon unless the Supreme Court permits the person to possess such a weapon and the person complies with the terms and conditions of the permission;
- a condition that the person subject to the order be under the supervision of a community corrections officer;
- any other condition that the Court thinks fit and specifies in the order;
- any condition imposed by the Parole Board under clause 11.

The conditions (other than any condition imposed by the Parole Board) apply in relation to an interim supervision order.

11—Conditions of extended supervision orders imposed by Parole Board

This clause sets out a non-exclusive list of examples of the sorts of conditions that the Parole Board may impose on an extended supervision order and provides a scheme whereby the Board can vary or revoke a condition imposed by the Board or impose further conditions on the order.

12—Duration of extended supervision order

This clause provides that an extended supervision order—

- takes effect on the making of the order or on the relevant expiry date for the person subject to the order (whichever is the later); and
- remains in force for a period of 5 years or such lesser period as is determined by the Supreme Court and specified in the order.

13—Variation and revocation of supervision order

This clause provides the Supreme Court with power, on application, to vary or revoke an extended supervision order or interim supervision order.

14—Consequential and ancillary orders

This clause allows the Supreme Court to make any order of a consequential or ancillary nature when making or varying an extended supervision order or interim supervision order.

Part 3—Miscellaneous

15—Court may obtain reports

This clause empowers the Supreme Court to seek assistance in determining an application under this measure by requiring the Parole Board, the chief executive of the Correctional Services Department, or any other body or person, to provide the Court with a report on any matter.

16—Inquiries by medical practitioners

This clause sets out the requirements to be followed by any medical practitioner examining the respondent to an application under this measure.

17—Offence to contravene or fail to comply with supervision order

This clause provides that a person subject to a supervision order who contravenes or fails to comply with a condition of the order is guilty of an offence, punishable by imprisonment for 5 years.

18—Apprehension etc of person subject to extended supervision order on Board warrant

This clause gives power to the Parole Board to bring a person subject to an extended supervision order before the Board if the Board suspects on reasonable grounds that the person may have breached a condition of the order. The clause makes further provision relating to proceedings before the Board for such a breach.

19—Appeals

This clause makes provision for appeals to the Full Court against a decision of the Supreme Court on an application for an extended supervision order under clause 7.

20—Regulations

The Governor may make such regulations as are contemplated by, or as are necessary or expedient for the purposes of, this measure.

Schedule 1—Related amendments

1—Amendment of section 64—Reports by Board

This proposed amendment relates to requirements under the measure that the Parole Board provide the Supreme Court with a report for the purpose of assisting the Court to determine whether or not to make an extended supervision order.

Debate adjourned on motion of Hon. J.M.A. Lensink.

At 17:53 the council adjourned until Wednesday 25 March 2015 at 14:15.

Answers to Questions

WORRALL, MR L.

In reply to **the Hon. R.I. LUCAS** (16 September 2014). (First Session)

The Hon. G.E. GAGO (Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy, Minister for the Status of Women, Minister for Business Services and Consumers): I have been advised:

1. My answer is recorded in Hansard, 7 May 2014, page 41.

2. My answer is recorded in Hansard, 16 September 2014, page 842.

3. Mr Worrall's contract and secondment to the University of Adelaide to work on the establishment and implementation of the Innovative Manufacturing Cooperative Research Centre will cease on 30 June 2015.

SKILLS FOR ALL

In reply to **the Hon. R.I. LUCAS** (24 September 2014). (First Session)

The Hon. G.E. GAGO (Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy, Minister for the Status of Women, Minister for Business Services and Consumers): I have been advised:

In June 2014 the Department of State Development consulted with a range of stakeholders on a process for the potential to implement Funded Training Place Allocations. As a result of industry feedback from the consultation, Funded Training Place Allocations was not introduced.

On 6 November 2014 a media statement was released that advised a routine update of the Funded Training List was released that ensured publicly funded courses were current and training activity could continue.

SENIORS HOUSING GRANT

In reply to **the Hon. J.A. DARLEY** (24 September 2014). (First Session)

The Hon. G.E. GAGO (Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy, Minister for the Status of Women, Minister for Business Services and Consumers): The Treasurer has been advised:

1. RevenueSA advises that there was no specific advertising strategy in relation to the Seniors Housing Grant (SHG).

On 22 February 2014, the government announced that, if re-elected, it would introduce an $8,500 grant for all people over 60 years of age who want to right-size their principal place of residence and purchase a new, age-appropriate home to live in. The government honoured its election commitment by announcing the introduction of the SHG in the state budget handed down on 19 June 2014.

2. RevenueSA advises that, consistent with RevenueSA's standard communication strategy, once the introduction of the SHG was announced as part of the state budget, RevenueSA released a public Information Circular on 19 June 2014 to advise the general public and industry practitioners of the eligibility criteria for the SHG. Further information in relation to the SHG was also made available on the RevenueSA website.

I am further advised that RevenueSA provided information in relation to the introduction of the SHG to all users of its RevNet system, subscribers to its email subscription service and through Twitter. Financial Institutions, real estate agents, conveyancers and builders, together with their respective peak bodies, were made aware of the SHG as part of RevenueSA's communications, and should be advising people who may be eligible for the SHG when they are considering buying or building a new home.

SKILLS FOR ALL

In reply to **the Hon. D.W. RIDGWAY (Leader of the Opposition)** (11 November 2014). (First Session)

The Hon. G.E. GAGO (Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy, Minister for the Status of Women, Minister for Business Services and Consumers): I have been advised:

Skills for All does not collect information about a student's current employer.