LEGISLATIVE COUNCIL

Wednesday, 23 September 2015

The PRESIDENT (Hon. R.P. Wortley) took the chair at 11:01 and read prayers.

Parliamentary Procedure

SITTINGS AND BUSINESS

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) (11:01): I move:

That standing orders be so far suspended as to enable petitions, the tabling of papers, question time and statements of matters of interest, notices of motion and orders of the day, private business, to be taken into consideration at 2.15pm.

Motion carried.

Bills

RESIDENTIAL TENANCIES (DOMESTIC VIOLENCE PROTECTIONS) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 22 September 2015.)

The Hon. K.L. VINCENT (11:03): I rise today in support of this bill, which strikes Dignity for Disability as a simple, common-sense measure to give vulnerable and grieving people a greater chance to leave dangerous situations and build a better, safer life for themselves. Of course, I believe this is especially important where children are involved, and I congratulate government on this move.

Whilst I do not want to take away from the importance of this issue and the particulars of the issue we are discussing, there are some other factors I would like to put on the record, including some questions about this bill and how it will work in practice, for which I hope perhaps the minister can put some answers on the record. Those questions are:

1. What redress will be available to homeowners for loss of expected rent and other costs associated with the premature termination of a lease?

2. How long does the minister expect the tribunal to take to make a decision about whether a lease can in fact be terminated under this measure? Given that we are discussing people experiencing domestic violence and therefore in quite desperate situations, what measures will be in place to expedite decisions?

3. What information and support will be in place to help people understand the tribunal process, including people with low levels of literacy and people who need information in Easyread or languages other than English, including but of course not limited to Auslan (Australian Sign Language)?

If the minister could provide some answers to those questions, it would be much appreciated.

Having now put those on the record, I will move to another issue I want to put on the record, and that is—I do not think it will come as any surprise to members—the issue of the increased rate at which women with disabilities in particular experience domestic violence. There are several compounding factors which make it a lot more difficult for women experiencing domestic violence if they have disability to leave those situations.

These include: the inaccessibility of emergency housing; the lack of other accessible housing available in both private and public rental; financial abuse and/or poverty and economic dependence of women with disabilities on the person who may in fact be their abuser; the estimated 45 per cent of people with disabilities nationwide living at or below the poverty line, meaning that private rental may not be an option for them in the first place; and the fact that what would otherwise be recognised as abuse and neglect is often believed to be a natural part of service or support provision for people with disabilities.

In fact, People with Disability Australia, the peak body, estimates that women with disability experience abusive and violent relationships, both romantic and otherwise, at exceptionally high rates. Many programs designed to develop relationship skills and prevent violence are not accessible to them. Unfortunately, many service providers also mistakenly believe that women with intellectual disability do not need these skills, contributing to their vulnerability.

I want to put on the record some quotes from a very comprehensive report which was done by Women with Disabilities Australia in the early 2000s, but unfortunately many of the issues that this report identifies still remain. This is from a report called, 'Double the Odds'. Chapter 9 of the report illustrates very clearly many of the barriers that people with disabilities face when wanting to leave a violent situation, so I want to put that section on the record:

> Disabled survivors of domestic violence often have a difficult time escaping from their assailants. They are often financially dependent on these individuals, and the physical means of fleeing assault, such as accessible transportation, are often unavailable on short notice. Even if a disabled woman does escape, she may have great difficulty finding an accessible refuge. Facilities without ramps and lifts, TTY's; attendant care; interpreter services; information in alternative formats; appropriately trained staff and so on, are not an option for women with disabilities. A woman with quadriplegia, in such an instance, could expect to find herself referred to a hospital or institution. In addition, disabled women with children who flee violent situations run the risk of losing custody of their children because authorities may question their ability to care for them alone...
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> Women with disabilities who are escaping domestic violence have found that their attempts to access appropriate services difficult because, historically disability agencies have been seen to be the appropriate organisation to assist a woman with a disability rather than a domestic violence service...The main barriers to women with disabilities in accessing refuges and other domestic violence services can be grouped into the following areas: communication; information; attitudes; physical environment; accessing/using a service; and, skills of workers.
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> Anecdotal evidence shows that women with disabilities have extremely poor perceptions of themselves. This is logical and understandable…from their cumulative experiences—even in the most benign of settings—of being the 'other'. Low self-esteem is a major barrier to a woman with disabilities leaving a situation of domestic violence. Add to this the high incidence of mental health as an adjunct to other disabilities, one can see it would be impossible for a woman with disabilities to have the headspace to organise to leave.
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> Some women with disabilities only have experience of living in supported accommodation. They have no knowledge about alternatives and what it means to acquire that knowledge. Since they are relegated to low income groups they have no means of living independently.

With those few brief words, whilst I certainly do not want to take away from the benefit that this bill I am sure will have, I want to put on the record that there are still significant barriers for many women and other people in our community not only to getting themselves into private rental in the first place, and therefore having a lease to break, but having the supports around them to have somewhere else to go once that lease is broken. With that awareness and with those few brief words, I commend the bill but certainly note that there is still much more to be done.

Debate adjourned on motion of Hon. J.S.L. Dawkins.

PARLIAMENTARY REMUNERATION (DETERMINATION OF REMUNERATION) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 22 September 2015.)

The Hon. M.C. PARNELL (11:12): I rise to speak to the second reading of the Parliamentary Remuneration (Determination of Remuneration) Amendment Bill 2015. I commence by saying that it comes as no surprise to the Greens that this bill has been listed with some urgency to be passed this week.

I commence with that observation and I also wish to reflect a little on the contribution made by the Hon. Rob Lucas last night in relation to this because he makes the point correctly that at least this time the government and opposition have followed the basic principle of this house that we do not vote on a bill in the same sitting week that it is introduced unless there is a consensus to do so. That puts this bill at odds with previous bills before the parliament to increase or vary the pay and conditions of members of parliament.

But I am not indebted to the Hon. Rob Lucas for reminding us that the proper process is being followed because it had me going back to the *Hansard* to look at those instances where it was not followed, and it just made me angry and cranky, especially reliving some of the exchanges with our former colleague the Hon. Paul Holloway. One of the debates I revisited was from 16 September 2010, when we saw a bill to increase the superannuation entitlements of members of parliament.

The bill was introduced on a Wednesday evening and it was brought on for debate on the Thursday morning. It went through the lower house in one day as well. Members might recall that the bill was brought on for debate at the very moment the journalists all went off into the budget lockup, so there certainly was no-one paying attention to the important workings of the Legislative Council. The debate continued as the Treasurer was on his feet delivering the budget—again, surprisingly, with no-one paying any attention to what was happening in the Legislative Council on budget day.

It did go a bit pear-shaped because we did our best to give proper scrutiny to that bill, we prepared on the run a large number of amendments and we divided on them, but by that time of day the shadow ministers were all in their offices trying to write their press releases to criticise the budget and to understand the budget papers, and they were cranky as anything that they were being dragged back down into the Legislative Council to divide on this bill that they had connived with the government to introduce and have passed within 24 hours of its introduction to this place.

I do thank the Hon. Rob Lucas for reminding us that that is the way traditionally these bills have been handled in the past. We are not doing it that way this time, and that does give me some comfort. But, again, we are going to do it quickly, and I will reflect a little bit on why we do these bills quickly, because one thing I have learned from these parliamentary salary and conditions debates is that loyalty to the parliamentary club tends to trump loyalty to party or even to principle and that, if you rock the boat on these debates, you do get attacked personally.

Certainly, whenever I have raised objections to what I saw as unnecessary or unreasonable pay rises or superannuation increases, the retort was fairly predictable. It was: 'Well, don't take it. If you don't think it's necessary, don't take it'—in other words, voluntarily give the money back to Kevin Foley, the then treasurer, or give it all to charity. It seems to me that that did miss the point in that our job as legislators is a collective one to come up with the best system and the fairest system as we see it for the people of South Australia.

Certainly, many members of parliament do give their money away. I give some of it away. Most of us here do, but that is a choice that we make personally. Collectively, we are making laws for the people of South Australia. So the approach we take is that we do not want MPs who are doing the same or similar work to be treated differently simply on the basis of their power within the political system, their power within their own parties, and we do not want MPs' pay and conditions to be grossly disproportionate to community standards.

Another reflection that I took from the comments of the Hon. Rob Lucas last night, and one with which I do agree, is that these debates are in many ways impossible to win in the court of public opinion. I agree with him that there are people in the community for whom not only should we not be paid anything but probably we should pay a contribution to be here. I do not subscribe to that view.

I realise that it is a difficult debate in the community. There are some people who think we are all overpaid and that we are all lazy and I do not subscribe to that view either. But, certainly from a Greens perspective, that does not mean that we are going to go along with the flock and unquestioningly support every pay rise or change in conditions. As I have said in the past, I think there is a lot to be said for MPs' pay and conditions to be not too far out of kilter with community standards.

The Hon. Rob Lucas, I think, last night referred to the number of public servants who are paid more than members of parliament and I think there is a case for that having shown that it is a little out of kilter, when we see heads of departments being paid half-million dollar salaries. I do not think that passes the front bar test and I do not think it passes the test around the water cooler either. That is not to say that those two forums for public debate are the definitive answers—the front bar or the water cooler—but I do accept that things have become out of kilter.

It is no surprise to me, on that basis, that the government and the opposition do not want to talk too much or too publicly about politicians' pay because it is generally regarded as a no-win situation for us. However, there are winners this time, and those winners are exclusively from the Labor and Liberal parties. It should come as no surprise that the old parties have feathered their own nests and that they have invented pay rises for themselves that are not based on any legitimate measure of productivity, effort or responsibility. I think it is a case of self-interest on steroids and it is something of which they should be ashamed.

The biggest winners are the 10 extra Liberal Party members who will now receive an extra $40,000 to $50,000 per year for their shadow ministerial roles. There is one other Liberal who will get an extra $30,000 and, altogether, 16 Liberals will get an extra pay loading ranging from $20,000 to $150,000 on top of their base salary. To put this in perspective, there is no-one on the crossbench, none of the six crossbench members has any ability to receive any pay loading regardless of how hard they work or their responsibilities or their diligence in pursuing their parliamentary or community duties. That alone fails the fairness test.

As those of us in the upper house of state parliament are well aware, the shadow minister roles held by Liberal Party members are replicated on the crossbench. All of us on the crossbench have to pay attention to legislation, to understand its detail and to consult with stakeholders over its effect. Certainly the Hon. John Darley and the Hon. Kelly Vincent have exclusive responsibility for every portfolio in this place; the Hon. Dennis Hood and the Hon. Robert Brokenshire share the portfolios and have only half each; and it is the same for the Hon. Tammy Franks and myself—we share the portfolios. We are the shadow ministers for our parties in relation to these issues but, the way this legislation has been drafted, you are required to be a Liberal Party member to get a pay loading in recognition of your shadow responsibilities.

We also know that in this place the government of the day has not controlled the upper house of parliament since the 1970s. We also know that without crossbench support the government cannot pass legislation if the opposition is opposed. We, therefore, need to be on top of the detail of all bills, just as the relevant Liberal Party shadow ministers need to be on top of a smaller number of bills in their more limited portfolios. In short, most of us on the crossbench do the same work but once this bill is passed we will not get the same pay, and that is because the Liberal and Labor parties have stitched up a deal to look after themselves. When we get to the committee stage of this bill on Thursday I will be opposing the exclusive Liberal Party pay rise.

People often accuse me of not understanding the pressures of managing an ambitious backbench in a major party. I do understand it but I do not believe that it needs to be pandered to. Certainly from the government side, there are—let's call them 'wannabe' ministers who cannot be fitted into the limited numbers in the cabinet so there have to be some prizes for these people to keep them under control and to curb their ambition. At present, these prizes consist of lucrative chair positions on standing committees and, for a couple of them—it is historical in origins but it continues to this day—get chauffeur-driven cars.

Again, those are perks and rorts that I think are completely unnecessary and should go. From the opposition point of view we now have this new category of shadow ministers. I think there are 14 in total who will get an extra 25 per cent on top of what other members will get. In relation to other parts of this bill, the Greens do support some aspects of it but we think other parts are misguided. We do not believe that this bill does much to advance the cause of transparency and integrity. The minister made the point in the second reading speech that the bill confers new obligations, powers and functions on the tribunal. This is to promote the transparency and independence and, as a result, integrity of the process.

However, I point out that the Liberal Party pay rise is not subject to the remuneration tribunal's determination; it is included in this bill and it is part of the dodgy deal that has been stitched up between the old parties. I cannot speak for other members on the crossbench, but certainly the Greens were not consulted in relation to the detail of this bill.

I will now refer to the various allowances that are to be abolished and rolled into salary. I will start with the Metrocard. I think this is referred to as the Metrocard special pass; it is also known as The Magic Pudding ticket and it allows MPs to travel for free on buses, trains and trams in metropolitan Adelaide. It is provided to MPs on a request basis and for a number of years, I think it is fair to say, members were oblivious to the cost.

We would simply get a letter each year asking if we wanted our free ticket, and most members accepted the offer and most never or hardly ever used it. I use public transport every week, as does my colleague the Hon. Tammy Franks. I do not pretend to know the travel arrangements of every member of parliament, but I know that the Hon. John Dawkins is a regular train user, as is the Hon. Andrew McLachlan. I have even seen the Hon. David Ridgway on the train sometimes, and I used to sit with the late Dr Bob Such on the train coming into work.

The Hon. T.J. Stephens interjecting:

The Hon. M.C. PARNELL: The Hon. Terry Stephens wishes to be included in the ranks of public transport users. I am sure other members use public transport—the Hon. John Gazzola. I think everyone will be putting up their hands. I am sure many other members use it, but I know that most do not use it on a regular basis. We were basically offered the ticket, and most people take it, oblivious to the cost.

Overall, I think it is good for members of parliament to use public transport, to mix with ordinary folk and at least be seen to be using the services that the government provides. I know that members of the Select Committee on the O-Bahn City Access Project are planning to test that service firsthand, particularly during the peak period. So, it is a good thing for members of parliament to be on buses, trains and trams. Of course, the other advantage is that you can read and you do not get fined for texting or tweeting.

So, should it be provided for free? Well, no, members of parliament can afford to buy their own bus tickets. Will fewer MPs use public transport? Well, I hope not. I certainly will continue to use it to get to work on those days that I do not ride my bike or if I do not need a car for carrying big loads or for evening meetings. In terms of how much it costs, ultimately I think it is probably budget neutral, because you have one arm of government paying some money to another arm of government, Adelaide Metro. Ultimately it is an internal transfer. It might cost the budget of the parliament some money, but ultimately it is one government agency paying another.

Just to put it on the record, we now have this new option for members of the public to buy a 28-day unlimited pass, and that costs $119.80. There are 13 lots of 28 days in a year, so for a member of the public to buy themselves unlimited access to buses, trains and trams at all hours they are operating would cost $1,557. I have had some discussions with the minister's staff in relation to some questions and, whilst some of these answers are being provided, I will put some of these questions on the record. First, how many MPs take up the offer of the free public transport pass, and how much does it cost per year?

My understanding was that, when I last looked at it, it cost the parliament, I think, around $1,400—it might be more now—and that was paid regardless of whether it was used. We now have technology which measures people hopping on to trains differently, so I am interested to know whether the parliament pays per trip—per bus, tram or train ride—or whether it is a one-off charge, whether or not the ticket is ever used. I understand that some of this information may have been be tabled in summary form in the recent travel report, certainly in the House of Assembly, but I would appreciate the minister providing more detail on how this scheme currently works.

In relation to the interstate train trips, my understanding is that, historically, this was part of a deal that was struck between South Australia and the commonwealth when the state railways were transferred to the commonwealth. I thought it was a very long time ago, but I understand that it might have been as recently as 1975. The story, as it was told to me, was that MPs got free travel and reciprocal arrangements with other states, and that this arrangement continued when the commonwealth took over and, again, when the interstate rail network was effectively contracted out to private enterprise through Great Southern Rail that that continued. I think it is an anachronism, and I think it is timely for it to be abolished. In terms of how much it costs, again I would ask the minister whether the government could provide details of how many members use the entitlement each year, and what is the total and average cost.

I have done a bit of calculating on the Great Southern Rail website, and it seems that if the entitlement for members of parliament is two trips per year for themselves and their spouse, and the average cost of a trip between Sydney and Perth is about $2,500 for a sleeper, a member and spouse could conceivably chalk up $10,000 per year in costs. There is a new class that has been introduced on the trains, platinum class, which I think—from the brochure, not from memory because I have not used it—has a double bed and a DVD player. Those tickets are about $4,000 per person each way between Perth and Sydney, so technically a member could chalk up $16,000 per year under the entitlement. The costs are slightly less on the *Ghan*. However, again, I think it is appropriate for that anachronistic entitlement to be removed.

That brings me to the next amount that is to be rolled into parliamentary salary, that is, travel allowance. As it stands, it is around $13,400—that is the figure I have heard, or around that figure—with the ability to carryover or stockpile up to two years' worth of allowance. Other than that it is one of those funds where you use it or lose it. Of all the measures in this bill, I think this is one that is misguided and that has a number of unintended consequences.

It certainly solves the accountability problem that causes members of parliament such grief in the newspapers, but it does so by removing—not strengthening—accountability. It solves the accountability problem by having no accountability; in other words, the money gets rolled into salary and if members travel they are effectively using their own money. There will be no reports, there will be no documents for journalists to access under freedom of information. It becomes a non-issue.

My view is that it would have made more sense, rather than cashing in the travel allowance, to strengthen the guidelines and develop new accountability measures. I think that an unintended consequence is that, despite members knowing that they have a pay rise as result of having their travel allowance rolled into salary, the effect will be that many members will be less inclined to travel. Deep down they will know they have extra money to do it but, ultimately, all of a sudden it is 'your money', no-one else's, and I think members will travel less.

I doubt whether it is a good thing for the people of South Australia, the fact that elected representatives become more insular, more parochial, as the opportunity to travel to another state to see how they manage a certain issue will suddenly require members to use their own money. I think many of them will be less inclined to do it, and that is not a good outcome. We will see a more introverted parliament where members are less inclined to travel.

One issue that has been raised with me recently—and I think it is an important one that I ask the minister to provide some response to—relates to the industrial conditions of people who work for members of parliament. As we know, we are entitled to take staff on work trips and the staff are paid per diem to cover their accommodation costs at an appropriate level hotel, and they can obtain money for taxis and food they have to buy and things like that. When we abolish travel allowance, it would seem to me that all of a sudden the staff of members of parliament are in an interesting position. When the member says to them, 'I am booking you into the backpackers hostel, would you prefer a six-bed or an eight-bed dorm?' whether the staff member could say, 'Well actually, I would rather not travel.'

We do have a power imbalance, as members may have realised, between members of parliament and their staff, and it might be a brave staff member who says, 'Well, no; if I can't stay in a proper hotel with a room to myself I'm not going.' My question is: what discussion has the government had with the relevant unions that cover the staff of members of parliament? Is there anything in the enterprise agreement, for example, that dictates a level of service or level of accommodation, for example, if members ask their staff to accompany them on work trips? I am not aware of any such discussions having been held, but I would ask the minister to confirm that.

Another issue which I think a number of members have probably realised is that, when we apply for the ability to travel for work, we go through a dedicated staff member here in the Legislative Council, and I presume they have one in the other place, and they book for us using a private travel agent that has been contracted by the government to provide exclusive services. Carlson Wagonlit I understand is the name of the company.

I also understand that, not that long ago, they have had their exclusive contract renewed. I have never seen that contract and I do not know the details of it, but I would be surprised if it does not include in its terms something along the lines that the government agrees not to come up with alternative arrangements that undermine the business that they have. They have exclusive rights. My question of the minister is: is there any right of claim that the travel agent could make against the government?

I think there is possibly a legal answer and a moral answer. The legal answer will be that parliament has made this decision, not the government, and therefore a parliamentary decision might trump any breach of contract claim. But it seems to me that, if I was that agent who had bid for and won a right to provide travel services exclusively for members of parliament and suddenly there are 69, plus their staff, who are going to be booking their own fares, I think I would be pretty annoyed. My question is: is there a likely claim for compensation and, if not, are there transitional arrangements whereby the government may need to see out the terms of that contract before introducing these changes?

The parliamentary committee payments is something I have raised over many years and I am very pleased that the government is now going to get rid of the additional pay that accompanies membership of standing committees. I agree that those payments should go and I accept that it is reasonable for them to be rolled into salary. The reason I say that is that serving on these committees is an essential part of the work that we do and it should be accommodated in regular pay. The current system is that every MP is effectively entitled, not in a legal sense but in a political sense, to a committee.

That is the protocol that has been developed and it has been developed as a way of ensuring that income is maintained at an appropriate level. In terms of that approach, the alternative is to suggest that there is some insatiable appetite of members of parliament to contribute to the committee system. I think that is not the answer. The answer is that people go on committees because there is the extra money involved and because that is just how the system works. So I agree with getting rid of committee payments.

But not all committee payments are being done away with. The extra loading for the chairs of parliamentary committees is being retained. That is a rort and it is unacceptable and it should be opposed. In fact, the chairs of these committees are going to get even more because the percentage will be based on a higher base salary. I think it would be a useful exercise for members to go through the work of committees, have a look at how many meetings there have been and have a look at how many hours of sitting there have been and work out the hourly rate, and I think that people would be horrified at how high that is.

The other point to note, of course, and I said at the outset, is that this is a bill designed to feather the nests of Liberal and Labor members exclusively. The chairs of these committees will always be government members. That is just how it is under the Parliamentary Committees Act, just as under this bill shadow ministers will be members of the Liberal and Labor parties. It would be within the right of the Leader of the Opposition in another place to appoint the Hon. Dennis Hood to be a shadow minister, but it would be a very brave move, I would expect, in dealing with his parliamentary colleagues in the Liberal Party, to appoint someone other than a Liberal member as a shadow minister. I maintain that the practical effect of this bill is that it exclusively benefits Liberal and Labor members, and the chairs of committee is for the benefit of Labor members. We need to get rid of those salary loadings.

The other thing I would like to get rid of—again, historically, to satisfy the aspirations of grumpy ministerial wannabes—is the chauffeur-driven cars that go with the chairs of two of those committee positions. It is not related to their work, completely unnecessary, and nothing other than a rort. I did have a look at whether we could incorporate removing that rort in this bill. Unfortunately, from a drafting perspective it was difficult because it required me to list all of the other chauffeur-driven cars and accept those and just leave the other two out. I am not prepared to do that, so we will deal with that issue another day.

In relation to former MPs, they are going to keep their existing entitlements under what has been referred to as the 'gold card'. I do not think that passes the front bar test, but on the basis of fairness and equity it is harder to unilaterally abolish that, given that they were the conditions under which those previous members served. The point is that current members of parliament are getting some benefit from the abolition of those entitlements rolled into salary, but former MPs will not because they are no longer receiving a salary. My questions of the minister are: how many former MPs are involved? How many of them get the free Metroticket? How many of them use the interstate trains? What other entitlements do they claim?

In terms of improving this bill, I think there are some improvements that we can make. I am very conscious that, when I have canvassed some of these ideas with members of the Liberal Party, some of them have said, 'It's not such a bad idea, but we have done a deal. We have struck a deal with the government; we have nowhere to move.' Certainly, I will be testing the will of this chamber in relation to some of these amendments. I will just go through in broad outline what I think we could do to improve this bill.

I think the involvement of the Remuneration Tribunal of South Australia is important, as an independent body, to determine the appropriate terms and conditions of employment. But I think that we do not just wash our hands of it, having received a determination of the Remuneration Tribunal. I can recall, when we have had a similar debate in years gone by, where we have had protests on the steps of parliament with teachers and nurses who were desperately trying to get an increase in pay of a few per cent, yet simultaneously, here inside the building, we could just throw our hands in the air and say, 'Well, look, it just appeared in my pay packet. Nothing to do with me. Nothing to see here.' I think we as the parliament do need to at least retain the ability to decline a rise that is offered.

There is a simple mechanism for doing it: you basically make the Remuneration Tribunal's determinations be put into a disallowable instrument. Effectively, you make them put it into a regulation, and therefore it will go through unless the parliament decides not to. We have all been through economic times when no-one in the community is getting a pay rise, and it is often the right thing for MPs to lead by example and say, 'Well, okay, we won't take a pay rise this year either.' I think that is a sensible mechanism that does in fact lead to more accountability.

As I have said, I want to get rid of the additional salary for the chairs of committees. They do not deserve it, they do not need it, and I have not seen any analysis that shows that the amount of work they do is so far in excess of what the rest of us do that it is justifiable; it is not. I also want to get rid of the additional shadow minister loading. I know that is not going to make me at all popular with the frontbench opposition colleagues, but again I make the point that, in the interest of fairness, that loading is not being applied to those of us who apply the same rigour to our portfolios as shadow ministers do. It is not fair; it needs to go.

The other change I would like to introduce is this. Given it is important for members of parliament to broaden their horizons and to actually get out and see how the world works and to travel, I think that an alternative approach to that in this bill (which is to roll travel allowance into salary) is that, if it were instead to be rolled into the electorate allowance, then it would clearly be designated as a work fund—a fund to be spent on work-related matters.

There still would not be the accountability in terms of travel reports and things like that, but basically, rather than having it mixed up in your private funds, in your salary, it would be in your electorate allowance and you could then determine whether your electorate allowance was spent on employing staff, on travelling, on any other range of issues. It has no additional impact financially on the state, but it would make it clear to members that they are expected to get out and have a look at how the rest of the world works.

They are expected to travel. They need not travel for work out of their own funds, so if it is rolled into electorate allowance that would make sense. I understand why people do not like that, especially people who have an entitlement to pension schemes that are based on base salary and not based on electorate allowance. If you can boost your base salary, then you boost your ultimate entitlements later on. I guess it is the same with superannuation, but it makes more sense to me for the payment to be rolled into electorate rather than into salary.

With those comments, the Greens will be supporting the second reading of this bill. We will reserve our position on the final bill until we have seen the fate of our amendments, which I note have now been filed; members would have them on their desks and, I presume, would also have electronic access through the portal, which, I will just put on the record now, is a wonderful innovation that enables us to access amendments immediately they have been filed and not have to wait for the paper copy. I do note that they are now on members' desks.

The Hon. D.G.E. HOOD (11:46): I rise to speak on the Parliamentary Remuneration (Determination of Remuneration) Amendment Bill 2015. With the other members of the class of 2006, I have been in this place 10 years in March next year—18 March, if memory serves me—and I have never once spoken on a parliamentary remuneration bill, whether it be with respect to salary or other conditions that MPs and MLCs receive. The fundamental reason I have never spoken on them is that largely I see it as something that is predominantly the domain of the major parties. I have always respected that, to be honest, because, call me old fashioned, but I have seen us as new players on the block, if you like, and accorded the respect that the new players have to the traditional players.

That position has not changed, but I am, I think, at a point now where it is important that a few points are raised and put on the record. Some of them are very similar to the points made by the Hon. Mark Parnell in his contribution just a moment ago; some of them are quite different. I think the fundamental point to begin with is that I have always had the view that MPs' salaries are about right, give or take.

I think members would know my personal situation; that is, when I first became a member in this place I was fortunate enough to be employed in the private sector prior to being an MP, and I was then on a vastly higher salary and conditions than the average member of parliament received, including myself, so I do not think anyone can ever point the finger at me for being here for the money, because clearly that is just not the case.

In fact, even today, some almost 11 years later since I left my employment in the private sector, the salary and conditions around my current remuneration are a bit over half, or thereabouts, of the sorts of conditions I enjoyed in the private sector. So, no-one is going to point the finger at me with respect to going into the political world for the money, or the benefits, or whatever else.

That said, I listened with interest to the Hon. Mr Lucas's contribution last night. As usual, he gave a well thought-out contribution. I was particularly interested to hear that there are some 800-odd public servants—I think I have this figure right—who earn more than members of parliament now in South Australia. I find that hard to reconcile. That seems to be a very substantial number of people earning more than members of parliament on the public payroll. Obviously, there will be exceptions, but in most cases those individuals will be dealing with lower-level decisions than the average MP deals with on a daily basis and presumably less complex in the main than most of those that MPs deal with.

Certainly, they would be exposed to substantially less public scrutiny than that faced by MPs literally on a daily basis in their role as a member of parliament. It does strike me as odd, and I would go so far as to say probably wrong. Obviously, there would be some people who earn higher salaries given their very extensive responsibilities but, on the whole, to discover that more than 800 people earn more than members of parliament as a package just does not seem right to me. There needs to be some consideration of that in this debate.

That said, my general view has been that most members of parliament—and I would like to say 'all members of parliament; there may be one or two exceptions—in the main do not go into parliament for the money. They go there because they want to make a contribution and they see the parliament as the best or highest level of contribution they can make to their state, or their country in the case of our federal colleagues, and that is why they pursue a parliamentary career. I am sure that is true for virtually every member of parliament in this place. There may be one or two exceptions, although that may not even be true. I suspect that it is true of all members of parliament.

Unfortunately, as other members have also suggested, that is not the public's view of our role. I think I can say that, happily, many exceptions would be in our supporter base. Conservative people tend to view people in what might be called positions of authority as by and large being worth their pound of flesh; happily, that is a good situation for Family First. As a rule it seems the public does not rate the contribution of MPs, if I could put it that way, and I am sure many of them would have us be here at our own expense, as I think the Hon. Mr Parnell said. But that is not the case in the real world. There are salaries and conditions associated with this job and, as I said, I am of the firm belief that people come to this place with the right intentions, not the wrong intentions.

Those are just preliminary introductory comments. I would like to turn to some of the specifics of the bill now and some of the comments made in the media and elsewhere about these arrangements or the arrangements being proposed. I think perhaps it is best if I initially talk about what this bill is not, just for the sake of clarity. What I would say very firmly is that this bill, certainly for the crossbenchers, as the Hon. Mr Parnell has outlined, and for backbenchers and the major parties as well, is not a pay rise.

I think it is very hard to argue that any MPs on what you might call the base level salary, that is, the crossbenchers or the backbenchers of the major parties, will get any sort of financial benefit out of this bill. In fact, I think you can make a reasonable case that they will actually be worse off at some level. I will go through some of that in a bit more detail in a moment. I do agree with some of those allowances, in particular, being removed, but some I do not agree with.

For instance, looking at whether this is a pay rise or not a pay rise, at the moment members are paid about $15,100, or something close to that, per committee that they sit on. Members in this chamber are all on one committee each, so the proposal is that that is rolled into salary. That is not a pay rise in any way, shape or form. Members already receive that amount by serving on the committee, and so rolling it into salary makes no difference whatsoever to an individual member's remuneration. Then, of course, there are the other less well-known entitlements, if you like.

The Hon. G.E. Gago: It affects your super.

The Hon. D.G.E. HOOD: Marginally, and I will get to that in a moment. There are, of course, the other less well-known entitlements members have as well, such as the public transport ticket the Hon. Mark Parnell mentioned. There is also the interstate train travel well, which is difficult to put a cost on, to be frank, but I am sure most members at some stage have availed themselves at least once of that service. The other main allowance is the travel allowance, which is about $13,500 a year.

The proposal, according to this bill, is to compensate members through the abolishment of those particular schemes and roll them into salary, and the figure that has been thrown around is something in the order of a salary 'increase' of something like $30,000. Of course, we do not know what that will be because it needs to go to the tribunal, as this bill will dictate. It could come back less or more than that, but that seems to be the figure that is being thrown around.

If you do the simple maths on this, the committees are worth $15,000 or individual members are paid $15,000. The other part is the public transport ticket and the interstate train travel, which could be very conservatively valued at a couple of thousand dollars or probably, I think, more than that. I am someone who has used the bus travel in particular quite a lot, so I have availed myself of that each year. I have had, I think, two interstate train travel trips in my time in this place.

I do not know what you put that value at, but I think at least $2,000 or $3,000 a year, or something in that order, would be a fairly minimal amount, although of course, as the Hon. Mr Parnell pointed out, for those who have used those services heavily—particularly the interstate train travel, because you can take a spouse, as I understand it—it could be up to $10,000 a year or more for that alone, not that I imagine too many members use it to that maximum level.

But the travel is interesting because the travel allowance, of course, is not taxed at the moment. A $13,500 travel allowance per year is not taxed. The moment you roll that into an individual's salary, of course it will be subject to taxation, and at the sort of income level that we would be talking—around the roughly $180,000 mark—then 40-plus per cent of that amount goes in taxation, so the end amount an individual can spend on travel is substantially reduced.

Of course, there are pros and cons of travel. When people hear about travel, they automatically assume it is international travel and, of course, that is not the case. This travel allowance also includes members of the Legislative Council travelling to see their constituents within the state—for instance, to Port Lincoln or Mount Gambier or anywhere else. As a member of the Legislative Council, as all of us are here, obviously, all our constituents are scattered right across the state. We are responsible to them right across the state and it seems to me that it is important that, as MLCs representing them, we are able to go and see them and hear their concerns. That will be more difficult when that amount becomes subject to taxation.

I think it is very easy to make a case that it is not a pay rise at all. If you take away from that $13,500 travel allowance roughly 40 per cent in tax, it might be something in the order of $5,000 or $6,000. The committee is already paid anyway, so you are looking at an increase, I would say, in the order of roughly $21,000, that sort of amount anyway. At the moment, of course, because of the non-taxed nature of the travel, it is substantially more than that, so I do not accept that it is a pay rise in any way, shape or form and I think it is a fairly strong argument.

On that issue, I would also say that I was speaking recently to a particular journalist, who I get along with quite well. I will not name him, but he is a very good journalist, a senior journalist in Adelaide who has been around for a long time. I was discussing this issue with him, and he said to me, 'Yes, but you'll still be able to travel, won't you? They're taking your travel off you, but that must be just some allowance. You've still got to be able to travel.'

I said, 'No, it will be rolled into salary and if members want to travel, then they will have to pay for it and, presumably, have a fight with the tax office about what part of it is taxable and what part isn't.' He was gobsmacked. This is a journalist all of us here would know, and he was gobsmacked. He said, 'That's ridiculous.' Those were his words. That is my contribution on the pay rise aspect. I certainly do not see it as a pay rise for backbenchers or crossbenchers in this place.

The other thing I think it is really not about is transparency. You can create a case, I guess, at some level that this whole measure is about transparency. Perhaps the exception is the interstate train travel, which arguably has not been as transparent as it should be, and I think there is a case for that being abolished. I am perfectly happy for that to be abolished, in fact, but if it were not to be abolished, it should be more transparent.

I think I could concede that abolishing the interstate train travel increases transparency, but the reality is that the rest of it is published widely. It is not hard to find out what the committee payment is for a member of parliament in this place. It is freely available information. No-one is attempting to hide that; it is not too difficult to find, and it is not hard to find out who is on those committees. It is all on the website. You can simply go to the parliamentary website. You can tell who is on a committee and how many they are on (most of us are on one) and then you can determine exactly what benefit a particular member receives for being on a committee. It is not at all hard to find. I imagine that you could find that out in just a few moments.

Travel, arguably, is a little more difficult, but again it is all on the website. Members are required to do a report and publish it on the parliamentary website within three months of returning from a trip, as I recall. Obviously the quality of those reports can vary from member to member; nonetheless, it is fairly easy to determine who is travelling, who is not, where they have been and how often they have done it, etc. What is not transparent about that?

I guess the other thing about travel that is significant in all of this is that members' travel is required to be approved before we do it. There has been a negative response to the so-called Bronwyn Bishop 'helicoptergate' issue, and I think all of us here would agree. It is ridiculous to take a helicopter to a party function at taxpayers' expense. No-one is defending that that is wrong but it is very different at the state level, sir, as you well know because you sign them off before they happen. Any state member of parliament has to have travel preapproved by either the President or the Speaker of the chamber, as it may be, prior to any funds being released for that travel.

If I put in a travel request to you saying that I would like to get a helicopter from someplace to Geelong or from Geelong, or whatever it was, to a party function (that I could get to in 45 minutes by road) and the estimated cost of that was going to be $5,000-odd, I would not be terribly optimistic about your signing off on that and saying to me, 'Go ahead.' I think it is highly unlikely. In fact, I would venture to say that nobody in this chamber has a helicopter anywhere as part of their parliamentary business. I have never been on a helicopter, public or private. It is just ridiculous.

The reality is that our travel situation is very different from that in the federal arena. Clearly, it has been abused in the federal arena, and if any of our parliamentary spheres should be looking at limiting travel, or limiting additional non-essential travel, then I would say that clearly the rules in the federal parliament need to be completely overhauled. Very rarely do we hear of people abusing travel at a state level.

Occasionally an issue is raised. I do not want to pick on the Hon. Leon Bignell, but we did see in the papers recently that he had a $130 bottle of wine, which to me seems a bit excessive. But, again, the way that travel works for ordinary members is that we are given a per diem, that is, a daily allowance which varies whether it is for travel within the state, outside of the state or internationally. That particular amount is yours to use on accommodation, travel whilst you are there, food and whatever else—taxis, etc.—but, if you go over it, it is tough luck, it is at your own expense, and I support that. I think that is a perfectly reasonable way of approaching the matter.

If I happen to travel overseas somewhere, or interstate or to a function in Whyalla, or whatever, and order a $130 bottle of wine, that is something that would come out of my allowance and it would leave me with less money for accommodation or whatever else. I do not know the actual allowance amounts off the top of my head. I am being very vague here. I think it is roughly $230 a day within the state, roughly $400 interstate, and I think it is just on $500 internationally, or something of that nature. They are ballpark figures, but it is around that. So, there is no opportunity for members in state parliament to do stupid things like catch helicopters to party fundraisers, and nor should there be.

I do not see how it is about transparency, as our travel has to be preapproved, a report is required, details are published and members are given a specific allowance per day that they are away and, if they overspend, that is their problem; they have to make it up out of their own funds, which I think is entirely appropriate.

The real issue with abolishing the travel allowance I think is this: as members of the Legislative Council we all have constituents right across the state, and there are times when you need to go and see them, sometimes at short notice, for whatever it may be—a function or somebody wants to see you about something. Up until this bill passes—and I understand that it will pass tomorrow—we will always have the opportunity to say, 'Right, I'll jump on a plane to Port Lincoln and I'll come and see you about it.' Some might argue that you can jump in your car, and that is true, but it is an eight-hour drive to Port Lincoln. It is not as time efficient as it could be.

I cannot imagine too many jobs in the world where particular individuals are responsible for a geographical area and the individuals within that geographical area—that is, having relationships with them, being able to see them, etc.—where there is no specific fund allocated for that purpose. I object to that. I agree with the Hon. Mark Parnell; I think there should be some sort of component that allows that to occur. I am not asking for additional money. I do not think that is appropriate because I think the allowances are sufficient but I think we should have the capacity to travel, at the very least within the state, to see constituents. For that reason we will be supporting the Hon. Mark Parnell's amendment to that effect.

The other area where I think this bill is wanting is somewhat contentious, and I might be making a target for myself raising this issue but I think it needs to be said. Perhaps I will introduce it this way: I had dinner with a friend on Monday night at Paesano—for those of you who know Caffe Paesano on O'Connell Street in North Adelaide, I recommend the pasta there. I think I have had all of them a few dozen times. They are very good. My good friend is a teacher and has been for 20-odd years. We went to school together. He told me that he had done 20 years as a teacher now (22 years I think he said) and he was going to take six months' long service leave. He is quite excited about that, as you would imagine. He and his family are going on a big trip and he is looking forward to it.

The reason I raise it is that I think the one thing that members of parliament do need to consider at some stage is the issue of long service leave. Traditionally, there has been an argument against MPs qualifying for long service leave because they had a so-called pension or defined benefit, etc. Well, that was true, but in 2004, as we all know, despite the fact that most members of the public seem to think that we still receive a pension, members elected after 2004, which is becoming the majority of the parliament now—I understand about two-thirds of us in this chamber were elected after 2004 and I imagine the lower house is similar although I have never done the numbers—do not qualify for a defined benefit or a pension and, as such, I think the argument against long service leave for MPs is much weakened by that.

My brief look at this issue via my office was that as far as we can tell, in terms of full-time employment, the only job in South Australia, or certainly in the public sector and presumably in the private sector given the laws that govern conditions of employment, the only role that does not have mandatory, legislated long service leave is that of a member of parliament. That does not seem right to me at some level. Of course, there would be logistical issues about how that actually worked. How does that happen: after 10 years does an MP take three months off? That is difficult, obviously; you expect MPs to be able to vote on bills, etc. I am not sure of the details and I do not claim to have all the answers, but I think it is an issue that needs to be considered.

The argument previously has been, 'Well, MPs don't get long service leave because they get a pension.' Well, no, they do not; MPs do not get pensions any more. If you are elected post 2004 there are no pensions and there is no long service leave. I think that is an issue—and I fully expect to be made a target of at some level somewhere in the media for raising that issue but I will stand by it perhaps to my peril—but I do not see why members of parliament should have a condition that is less than the general public expectation of long service leave.

The law in South Australia, as members would well know, is that after seven years of continuous service in a full-time employed position in South Australia, a person is entitled to what is called pro rata; that is you can have a percentage of time off on a pro rata basis for the amount of time served. Once you get to 10 years then you are entitled to three months' full pay and a few other minor things. That is something that has been ignored in this bill and I think if we are really looking at overhauling conditions to make them commensurate with general what I think are not unreasonable expectations, then that should have been addressed and it was not.

The conclusion is that it is the average backbencher and, as the Hon. Mark Parnell eloquently pointed out, the crossbench in the Legislative Council who are actually worse off. I do not think we can claim in any way to be better off by these arrangements and we will be marginally worse off. I am not going to call it a pay rise, I am going to call it a change in conditions because I think that is exactly what it is.

Who wins out of this bill: that is a question. I have talked about who loses and the difficulties and issues surrounding MPs' remuneration, but who wins out of this? I think the Hon. Mark Parnell went through a number of things, but I would like to list them. We differ on one thing: the first winners are the so-called shadow ministers. It specifically says in the bill that they will be from the opposition party, which currently is the Liberal Party, of course, so that does exclude quite explicitly the crossbench members from being counted as a shadow minister at any level. I think that is wrong.

The one point of disagreement I may have with the Hon. Mark Parnell on this is that I do not begrudge the shadow minister increment—I think it is appropriate—as a shadow minister does have a greater workload than a non-shadow minister. So, I do not begrudge the loading: whether it should be 25 per cent, 30 per cent or 15 per cent, I do not know. I understand from my conversations that they have chosen 25 per cent because that is the level at which federal shadow ministers are compensated, so that seems to be probably the right number.

My personal view is that I do not begrudge shadow ministers being renumerated at a level above what you might call an ordinary member or a non-shadow minister, but I do object to the crossbenches being specifically excluded from that. I am sure that, if members in this chamber are honest, they would acknowledge that, as part of the crossbench, there is a substantial workload. Between the two of us in our case—the Hon. Robert Brokenshire and myself—we need to be across the bills in a way that is credible, in the same way that I argue that a shadow minister needs to be across their portfolio. The exclusion of the crossbench is wrong and something that I do not accept.

Secondly, who wins out of this? Shadow ministers win, and I do not really object to that as I think it is not unreasonable. Who else wins? Those on pensions already win out of this. How does that happen, particularly ministers, obviously? It happens because they are salary increases. I have looked at this—I have never looked at it before as it has never been relevant to look at it before. The way the pension works, if I am not mistaken (that is the PSS2 scheme I am talking about now because, while there are a few members still around on the PSS1 it is from a different era and most of those people are not here any more, I understand, but the PSS2 is more common), is that it is paid on a percentage of the base salary of the individual member.

That base salary at the moment for an ordinary member of parliament is $153,000. If it goes up by $30,000, as is being proposed here, that will be roughly $183,000. The way the pension works is that it is paid as a percentage of that base salary. The way it works is that, if a member serves for 20 years, they are entitled to 75 per cent of the base level parliamentary salary as a pension paid to them, ongoing for the rest of their life. So, if the base salary is $153,000, then those people who qualify will receive $115,000 a year, which is 75 per cent if they have done 20 years.

Not surprisingly, if that salary base is raised to $183,000, they will then receive $137,000 a year, so that is a $22,000 increase approximately (these are figures are approximate, they are not precise, but are pretty close). So, you can see that it is in the interests of some to increase that base salary, that is, roll in the travel, roll in the committees, do what it takes, in order to increase the superannuation—a $22,000 annual increase for a backbench member on a pension.

But the ministers do even better out of that, not surprisingly. A ministerial salary at the moment is about $283,000, so if a minister serves for 20 years they are entitled to 75 per cent pension of that amount, that is, $212,000 a year, every year for the rest of their life, CPI indexed twice a year, I might add. But if that salary was to increase by $30,000 or thereabouts, that is, you roll in your travel, roll in the committees, etc. (most ministers of course do not serve on a committee, but it is still rolled in regardless), and it goes up by $30,000, then they receive $235,000 a year instead of $212,000—an increase of about $23,000 for the rest of their life. So there is a strong incentive for what you might call office holders or ministers, or whatever it is, to support rolling in salary and travel because it is in their interests to do so.

Of course, the Premier would receive more again because he is on a higher salary. I do not object to the Premier receiving a high salary, I support that, but you can see that it is strongly in the self-interest of people in this place who are on higher salaries to have that salary as high as possible; it suits their needs because their pensions increase. They are the big winners in this whole thing and, as I said before, the losers—the crossbenchers and the backbenchers—actually go backwards, depending on how you do the figures. You can make a strong case for that. There are other winners; as the Hon. Mr Parnell said, the other winners are the whips, the parliamentary secretaries, etc. Every player wins a prize. I do not think that is a desirable situation.

I now turn to the amendments that have been proposed . Those of the Hon. Mr Parnell have been filed and I understand that the Hon. Robert Brokenshire, my colleague, has a few amendments which, I understand, we should be getting very soon. They will be here in due course, but I would like to touch on them briefly. The Hon. Mr Parnell has put forward a number of worthy amendments, and perhaps I had best talk about the ones I disagree with, because we will support most of them.

The one thing on which I would perhaps disagree with the Hon. Mark Parnell is with respect to the independence of the tribunal having the final decision. I think it is appropriate for salary decisions for MPs to be completely out of our hands. They may decide more or less, I do not know; I do not have any experience in these matters. We keep hearing this figure of $30,000 being thrown around because that is roughly what the entitlements are that are being rolled into salary, but it will be interesting see whether that is, in fact, the case.

However, we are not inclined to support a situation where parliament can overrule salary changes. There will be different feelings about that, but that is our view at this stage. We are open to debate, of course, and I look forward to the Hon. Mark Parnell putting forward his views on that; we would welcome the debate and I am interested in his thoughts on it, but at this stage we are not particularly inclined to support that.

One of the reasons for that is this, which no doubt members will remember. It was roughly three to four years ago, perhaps four years I think, when the federal Parliamentary Remuneration Tribunal substantially increased federal MPs' salaries. They went up by roughly $42,000 I think; they increased very substantially. At that time, state MPs' salaries were tied to federal MPs' salaries, and the arrangement at that stage was that we would be completely hands off and that the salary would increase by whatever it did at a federal level less an amount of $2,000.

That would have meant that state MPs would have had a $40,000 pay rise, or something in that order. That is extreme, that is a very high increment and, to be frank, I think it is hard to justify, $40,000 in one hit. That is very hard to justify without anything being given up. However, what happened at that particular time was that the Premier moved to pass a bill that we would change that link with the federal arrangement, so that instead of being $2,000 less than the salary of the federal MPs the arrangement would be $42,000 less than a federal MP.

You can argue whether that is the right thing or the wrong thing, but that was the debate at the time and that is what actually happened in the end. The problem is that the headline in the paper the next day was 'State MPs vote themselves a pay rise'. There was a mention at the end of the article that it could have been a $42,000 pay rise and that state MPs actually voted for a $2,000 pay rise, but it was right at the end. If you had just read the headline—which, of course, many people do—you would have thought that MPs just voted themselves another pay rise. They did, but it was $2,000 when it could have been $42,000.

I think at that stage I thought, 'This is all getting way too hard, too messy.' Whatever it is, I think it is better if MPs just are not involved in it at all. Whatever criticism there is, whether it is too high or too low, the criticism can be of the tribunal and not of MPs. I do not think we should be setting our own salaries and it is not something we are inclined to support.

I have a final couple of comments on the amendments that the Hon. Mr Parnell has put forward. I think amendment No. 3 talks about rolling travel into the electoral allowance which can then be used for legitimate travel either within the state or to a conference somewhere, or wherever it may be. We are inclined to support that. There needs to be a solution for that. We have constituents all across the state, in some quite difficult to access regional centres sometimes—certainly a long time in a car, anyway—and it is not always possible for an MP to jump in a car for a day journey to get somewhere, spend a day or two there and a day journey back. It is four or five days out of your diary, which is not always possible.

We will be looking at some sort of travel allowance that enables MPs to travel within the state, ideally interstate—and, dare I say, internationally, because I do believe, as the Hon. Mr Parnell said, that it is in the interests of South Australians that MPs travel, at least occasionally, to broaden their vision and learn from things that are working elsewhere. I might say that Rex Jory has the same view. Members might have seen his column in *The Advertiser* recently where he was critical of removing MPs' right to travel—capacity to travel, I should say. It is not a right, really, but there is a capacity to travel. I would certainly agree with him, for similar reasons. We would be inclined to support the Hon. Mr Parnell's amendment there.

In terms of the shadow ministers, we are likely to oppose his amendment which seeks to abolish the 25 per cent that is applicable to shadow ministers. As I said, we support that. We cannot see how crossbenchers should be treated any differently, but they are. With respect to chairs of committees, we are yet to come to a final leaning on that, but I suspect we will end up agreeing with the Hon. Mr Parnell and supporting his amendment in that case, although, as I said, we are yet to make a final decision on that and looking forward to hearing debate.

We are likely to oppose this bill outright. We think that it has many flaws in it. I think I have outlined them in a little bit of detail this morning and early this afternoon for members to consider. That is our position. We think that this whole thing is a very vexed issue. Whatever we do on MPs' salaries is difficult ground and we will probably stand condemned in the eyes of some, but I think we are trying for a fair and reasonable outcome. Equity is very important. You cannot have people doing the same jobs getting different salaries: it does not make sense. For that reason, I support the second reading but reserve our right to oppose it at the third reading.

Debate adjourned on motion of Hon. J.S.L. Dawkins.

CLASSIFICATION (PUBLICATIONS, FILMS AND COMPUTER GAMES) (MISCELLANEOUS) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 9 September 2015.)

The Hon. A.L. McLACHLAN (12:23): I rise to speak on the Classification (Publications, Films and Computer Games) (Miscellaneous) Amendment Bill 2015. The Liberal opposition will be supporting this bill and we will not be seeking to pass any amendments to the same. The bill amends the Classification (Publications, Films and Computer Games) Act 1995 in order to reflect some commonwealth amendments that have been made in response to the Australian Law Reform Commission's review of the national classification scheme.

When conducting this review, the Australian Law Reform Commission identified eight guiding principles for reform directed at providing an effective framework for the classification and regulation of media content in Australia. These principles underpinned 57 recommendations that were made in the final report that was published by the commission in 2012.

One of the key terms of reference of the review was the rapid pace of technological change in media available to and consumed by the Australian community. The review therefore considered how the national scheme would continue to address community expectations coupled with the rapid and continuing changes to technology and challenges of media convergence.

Following the publication of the Australian Law Reform Commission's report, a number of amendments were made to the commonwealth legislation last year. These amendments did not incorporate all of the recommendations, as it is proposed that they will have a staggered commencement. The bill before the chamber makes amendments to reflect these commonwealth amendments. In particular, the bill:

- amends the act to expand the exemptions to the modification rules so that films and computer games that are subject to certain types of modifications do not require reclassification;
- broadens the scope of existing exempt film categories and streamlining exemption arrangements for festivals and cultural institutions; and
- simplifies exemption arrangements for festivals by removing the requirement to apply to the director of the Classification Board for formal exemption and replacing it with a deregulated self-assessment exemption process.

In respect of the first amendment I mentioned, previously section 21 of the commonwealth classification act provided that if a classified film or computer game was modified, it became unclassified. The requirement to have it reclassified where, for example, the content had not been changed but a caption was added or removed, is both costly and time consuming for the publishers.

The commonwealth act has been amended to allow for modifications of a prescribed kind to occur without reclassification. This bill amends the South Australian classification act to reflect the commonwealth amendments. The bill also provides for amendments that mirror the recent amendment of section 5B of the commonwealth act to expand the scope of exempt film categories from the requirement to apply for a classification.

Two new content categories have been added to the exempt content list to include social sciences and natural history. This will accommodate a range of documentary-style films. Where it was previously required that a film 'wholly comprise' particular content in order for it to be exempt, it now includes films that 'mainly comprise' this content. I note these exemptions are only available for material that is up to and including the PG level of classification, but no higher. The Liberal opposition is pleased to see this safeguard in place, which will help ensure that the proliferation of offensive material cannot be inadvertently permitted through the exemption from classification.

The third reform deals with the exemption arrangements for festivals and cultural institutions. This reform simplifies the process for festivals obtaining exemption by removing the requirement to apply to the director of the Classification Board for formal exemption and replacing it with a deregulated self-assessment exemption process. It enacts one of the recommendations contained in the Australian Law Reform Commission review.

The act sets out who is eligible to exhibit unclassified content and provides safeguards to ensure that the public is also protected. These safeguards include, for example, restrictions on the screening, exhibition or demonstration of unclassified content to particular age groups and the provision of warnings to patrons about the content. This amendment balances the need to remove some of the more burdensome and bureaucratic processes with the need to provide flexibility and support to the arts and the cultural sector. It also aims to maintain a satisfactory level of safeguards for the public's protection, which should always remain a key consideration when dealing with the reforms in this area.

These amendments reflect the first stage of reforms that are being introduced to streamline the classification process and ensure that we are adapting to the continuing advances in technology. Indeed, one of the terms of reference of the Australian Law Reform Commission's review was to have regard to the impact of media on children and the increased exposure of children to a wider variety of media, including television, music and advertising, as well as films and computer games. At the heart of the classification debate is the contention between preserving and promoting freedom of expression and protecting our community, especially our young and vulnerable, from accepting as normal extreme violence and obscenity. Never has this been so poignant than in a world where new media, such as computer games, are increasingly being viewed by youth on a daily basis.

On the information provided by the government, we have formed the view that the amendments before us appear on their face to be a reasonable attempt to strike the right balance between these competing ideals. I commend the bill to the chamber.

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

BIRTHS, DEATHS AND MARRIAGES REGISTRATION (CHANGE OF NAME) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 10 September 2015.)

The Hon. A.L. McLACHLAN (12:31): I rise to speak on the Births, Deaths and Marriages Registration (Change of Name) Amendment Bill 2015. I indicate to the chamber that the Liberal opposition will be supporting the bill and will not be seeking any amendments.

This bill was introduced by the Attorney-General on 8 September in the other place and comes before us following a meeting of the commonwealth and state attorneys. We understand that reform in this area was raised at that meeting after convicted paedophile Brian Jones attempted to change his name in Victoria in order to mock his victims. The bill also follows an election promise made by the government at the 2014 election that it would stop serious sex offenders and serious violent offenders from changing their name without permission.

The current system is vulnerable to being abused by convicted offenders, who can apply to change their name in order to further an unlawful activity, such as avoiding supervision while on parole or obtaining a firearms licence in another jurisdiction. The registrar currently has the power to refuse an application for a change of name if it is sought for an improper or fraudulent purpose. However, there are inadequacies in the current system. For example, if the registrar is not aware of the criminal history of an applicant and the circumstances of any offending, it is difficult for the registrar to determine whether an application for a change of name is being sought for an improper purpose.

This bill introduces two major changes to the Births, Deaths and Marriages Registration Act. Firstly, it amends section 24 of the act, that a person can only apply for a change of name in South Australia if the person was either born in South Australia or, if the person was born overseas, they have been residing in South Australia for the past 12 months. The registrar will have the discretionary power to waive the residency requirements and approve a change of name if it is sought for the protection of an applicant or is related to a marriage or divorce of the applicant.

The second amendment inserts a new division into the act that requires certain categories of offenders to obtain permission from their supervising authority before they can apply for a name change. Under the current provisions, offenders who are registrable under the Child Sex Offenders Registration Act 2006 are required to obtain written permission from the Commissioner of Police before changing, or applying to change, his or her name. The bill expands on this provision by introducing a category of restricted persons who must obtain permission from their supervising authority before they can apply to make an application. A failure to do so would be a criminal offence.

'A restricted person' is defined in the bill as a prisoner, a parolee, a person released on licence under section 24 of the Criminal Law (Sentencing) Act 1988, or a class of persons declared by the regulations to be a restricted person. The maximum penalty prescribed for the offence is a fine of $10,000 or two years' imprisonment.

As inmates, parolees and persons released on licence are strictly monitored groups, it is appropriate that the chief executive of the Department for Correctional Services should be required to approve an application for a change of name before it is submitted to the registrar for, as the law currently stands, the department could be conceivably placed into a situation that it is attempting to monitor such individuals without knowing their real name.

It is anticipated by the government that this mechanism will enable greater oversight of any name changes of restricted persons which will make it easier to monitor convicted violent and sex offenders, both in prison and within the community. There is an additional safeguard contained in the bill that the supervising authority must not approve an application unless satisfied that the change of name is necessary or reasonable. This could include, for example, if a name change is sought for religious reasons or because the offender is a victim of crime and seeking to escape their perpetrator.

The bill also introduces a requirement for applicants to declare on the application form whether he or she is a restricted person or a registrable offender within the meaning of the Child Sex Offenders Registration Act. It is intended that this amendment will assist the registrar in being able to easily identify restricted persons. There is an additional provision for the exchange of information between the registrar and the supervising authority to facilitate the workings of this bill.

Finally, the bill also makes some consequential amendments to the Child Sex Offenders Registration Act to ensure that the requirements for restricted persons and registrable offenders are consistent. It is the view of the Liberal opposition that these proposed amendments strike an appropriate balance between facilitating the effective supervision of offenders in custody and in the community, protecting the interests of victims of crime and allowing offenders to change their name for legitimate reasons where this is appropriate. I commend the bill to the chamber.

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

STATUTES AMENDMENT AND REPEAL (BUDGET 2015) BILL

Second Reading

Adjourned debate on second reading.

(Continued from 10 September 2015.)

The Hon. R.I. LUCAS (12:38): I rise on behalf of Liberal members to support the second reading of this bill. In doing so, I indicate that I made my substantive contribution on the budget bills in the Appropriation Bill debate and do not intend to repeat those comments of a general nature. The comments I address to this measure will be specific issues relating to the drafting of the government's proposals that have been raised by individuals and/or groups in relation to the government's position.

At the outset, I indicate that the Liberal Party's position has generally been, with a few rare exceptions, that whilst we may well object very strongly to the government's budget direction and that we may well object strongly to the individual measures that have been introduced in the government budget bills, as I said, it is only on the rare occasion that we have moved by way of amendment or opposition to specific provisions in the legislation. The most public and more recent of those was the government's attempt to introduce a car park tax in recent budgets. Nevertheless, as I said, a number of individuals and groups are very concerned about aspects of the government proposals. I intend to place on the public record some of those concerns on behalf of those groups and individuals.

Given that we have, I think, a two-week break coming, I would seek from the government or the minister handling the bill an indication as to whether the government is prepared to assist by perhaps providing an early copy of the government's prepared response at the second reading to the detailed issues that some of these groups have raised. If that is possible, it would assist me in circulating it to the individual groups prior to the committee stage and then we can pursue any remaining issues during the committee stage of the debate.

Failing that, if the first we see of the government's second reading response is on the next sitting day in the next sitting week, I flag that we would not be in a position to proceed to the committee stage immediately. We would, at that stage, circulate the government's response to the stakeholders and seek their further advice so that we can raise further questions if need be during the committee stage of the debate.

My proposition, as I said, is to place their concerns on the record during the second reading debate. In particular, there is a very detailed contribution and analysis by one of the foremost tax experts in the state—someone who is, I think, acknowledged by both the government and the opposition as quite formidable in terms of providing advice on state tax issues. I will place on the record a very detailed submission that that person has raised with me to seek the government's response to those issues.

The first issue I want to raise is one that the Local Government Association and individual local governments have been raising. Some of my colleagues in the House of Assembly debate have also raised this particular issue. Within this budget, the government has announced that, from 1 July this year, local government would be liable to pay extractive royalties where land being mined is not covered by permit, claim, lease, licence, tenement or private mine under the Mining Act 1971, and the budget initiative is estimated to raise approximately $1 million per year at a royalty rate of 55¢ per tonne.

It is clear that there was virtually no consultation with local government about this particular measure, and local government collectively is very concerned about the impact on their operations and their budgets. The opposition has been provided with some detail from the LGA and from some councils as to the financial impact. Some of the most affected councils are very small and in rural and remote areas.

We have been advised, for example, that the Kangaroo Island Council believes the financial impact will be $99,783 per year; the Wudinna council believes the impact will be $44,550 per year; and the Karoonda East Murray council believes the impact will be $60,830 per year. In the case of the Karoonda East Murray council, for example, that $60,000 impact, we are advised, works out at approximately $55.30 per rateable property within that very small regional council area.

The Local Government Association has indicated that they believe this estimate of $1 million is very rubbery. That is not their word, but I guess it is mine. The concern they have raised is that they are not aware that, on the current information that is generally provided, Treasury would be in a good position to estimate accurately what the revenue impact might be. We are also advised that in the last 12 months, 39 South Australian councils have reported production of extractive minerals from quarries or borrow pits which are not regulated under the act. Nineteen councils—14 in the metropolitan area—have not been providing any information in respect of extractive mineral production.

The government's position as outlined to the LGA by the Treasurer, as we understand it, was that the primary concern in introducing this was the issue of competitive neutrality; that is, the government was interested in making sure that private quarries would not be disadvantaged because local government did not have to pay the same royalties as private quarries. The Local Government Association is concerned that for a large number of councils, in particular those located in rural and regional areas which are long distances from the metropolitan area and also where quarries are long distances from where road maintenance is taking place, this particular item is more to do with raising revenue at the expense of money being able to be spent on road maintenance.

The LGA has indicated to the Liberal Party that, in their discussions with the government, the Treasurer indicated a willingness to consider a submission from the LGA outlining their concerns and he was also prepared to give consideration to a rebate scheme. As I said, that is the contention of the Local Government Association, and it will be for the Treasurer to indicate whether that is a fair reflection of the discussion he had on behalf of the government with the Local Government Association.

The Local Government Association is obviously lobbying against this provision in its entirety. It does not accept the competitive neutrality argument. However, I believe that one of the options that is at least been canvassed is whether or not the government would be prepared to consider an arrangement where the bill could be amended to ensure that royalties on extractive minerals are only payable by councils where they are engaged in selling the rubble; that is, where they are in competition with private operators. So, for those councils that are not selling it, where they are just using it for their own purposes, whether or not the government would be prepared to make that particular exception.

We are obviously interested to know the extent of the government's, and in particular the Treasurer's, discussions with the LGA, whether it is correct that the Treasurer has indicated a willingness to consider amending the government's position in some way. If that is the case, does that require government amendments to the bill that we have before us or can he achieve that particular policy objective through mechanisms other than an amendment to the bill that is before the council at the moment?

The second issue I want to raise is one my colleague the member for MacKillop raised in the House of Assembly at some length. It is in relation to the stamp duty changes in the legislation. I am indebted to the member for MacKillop, who has done a considerable amount of work in relation to clause 31 of this bill, which amends section 67 of the Stamp Duties Act. He has traced the history of this going back to the original debates in 1990, when Frank Blevins was the Labor treasurer and Stephen Baker, I assume, was the shadow treasurer or finance spokesman for the Liberal Party at the time.

This particular provision in the act, which is being addressed in this bill, was addressed at the time, in that original debate in 1990. Mr Stephen Baker (who was the member for Mitcham I suspect at the time in 1990) sought to move an amendment at that time to the original debate on this provision which read as follows:

> …a conveyance that relates to separate parcels of property that is being conveyed by different persons to the same person (whether that person takes alone or with the same or different persons) where the commissioner is satisfied no arrangement or understanding exists between the persons conveying the property otherwise than to convey the property separately and independently from each other.

The opposition on 27 March 1990 sought to clarify section 67 by putting in an amendment which very clearly stated that if the property was being transacted from two separate persons from two separate vendors to the same person it would not be captured under section 67. The Hon. Frank Blevins indicated that the government opposed the amendment and Mr Baker went on to say in his explanation:

> We are trying to avoid the situation where a person in good faith happens to buy adjoining properties which are under separate ownerships. I would be astounded if the minister said to me, that in the situation of a person buying property which is vaguely related from two separate individuals, there should be an aggregation of property values for duty purposes.

The Hon. Frank Blevins's response on behalf of the government was as follows:

> Where a person enters into two quite separate contracts to buy land—it may be adjoining but under separate ownership—they are not covered by proposed new section 67. There are clearly two separate contracts bought from two separate people, and this section would not apply. It does not apply now and it will not apply in the future. It has never been and will not be a problem…

Further on he states:

> …assuming that Parliament passes this Bill substantially as it was introduced. So the answer is 'No,' the Deputy Leader need have no fears that genuine separate contracts will be touched by this Bill, because that is not the intention of the legislation.

It can be no clearer than that: that is, the opposition at the time raised a concern about the new provision in 1990, raised the specific issue; the minister or the treasurer, clearly based on crown advice and Treasury advice at the time said, 'No, no amendment is required because what you're concerned about has never been able to happen and will not happen in the future.'

The member for MacKillop, in his contribution, raised an issue where indeed a constituent of his had recently bought a number of adjoining farming properties; his conveyancer had sought a ruling from the commissioner of stamps as to the amount of duty payable and the commissioner said, 'We will aggregate this land as per section 67 notwithstanding that the properties involved were from individual vendors.' He went on to explain subsequently that there had been a document, dated

February 2008, relating to interpretations of section 67 and where the stamp duties commissioner or RevenueSA had indicated it was now going to interpret this particular section 67 in a way completely contrary to the assurances that had been given by treasurer Blevins and the government in 1990.

That is the history of this and I think, not unreasonably, the member for MacKillop has raised these issues with the government. The Treasurer's response is as follows:

> This advice that was provided incorrectly to the parliament at the time, not intentionally—unintentionally—but the outcome is the examples you have shown to the parliament.

The Treasurer said:

> I am advised by the commissioner that section 67 of the Stamp Duties Act 1923 has always been the subject of some dispute between the commissioner and taxpayers. In the year 2000 Revenue SA received comprehensive advice in relation to the application of section 67. That advice has applied to this day and it is the basis upon which Revenue SA has issued its document guide to section 67 of the act. The advice in 2000 made it clear as to how this particular provision was going to be interpreted.

I am seeking from the Treasurer some further assistance in relation to this. I am assuming it is the year 2000—I think the member for MacKillop has referred to a document on RevenueSA's website dated 2008, and it may well be that that is just an update of the 2000 advice. But assuming the Treasurer's statement is accurate, that the new position of RevenueSA was adopted in the year 2000, can the minister just indicate as to the nature of that advice that was provided to RevenueSA?

I obviously have a degree of interest in this because if it was the year 2000, as opposed to 2008, that was when I was treasurer. I seek confirmation as to whether it was on the basis of a particular court case that has been fought and lost or fought and won by RevenueSA. Generally this is the way new rulings eventuate through RevenueSA; that is, a particular court case is fought and won, a precedent is established, and RevenueSA and Treasury advise the Treasurer of the day, 'Here is the case and this is how we will now have to rule in the future.'

It may well be the case that no member had a constituent in the last 12 months of the Liberal government who raised this particular concern, and it may well be that it has only been a concern in recent years where someone has raised this issue with a member of parliament and someone such as the member for MacKillop has taken up the issue in the public forum of the parliament. I seek the government's responses to whether or not there was a court case and the advice that was provided as to why it needed to be interpreted in this way.

I guess the issue that remains, irrespective of whether it was in 2000, 2008 or whenever it occurred, clearly, as the member for MacKillop's homework has demonstrated, the current rulings of RevenueSA are contrary to the assurances the former treasurer Blevins gave to the parliament in 1990. This is no criticism of treasurer Blevins: his advice to the parliament would have been based on crown law advice, RevenueSA advice or Treasury advice at the time. Something has obviously occurred subsequently to change that advice.

But it is clearly within the capacity of the government to further reflect on this issue and to consider whether or not the original assurances given by treasurer Blevins should be confirmed by way of legislative amendment, and that is the assurances given in 1990 to the parliament and, if the most recent crown advice indicates that incorrect advice was given to the parliament, whether or not the government is disposed to correcting or altering the position to be consistent with the advice that then treasurer Blevins gave to the parliament.

To conclude this particular point, my request to the government then in relation to this bill, whilst I understand the history and why we have got to the position we are and the people's positions, what are the government's arguments for and against making an amendment along these lines in terms of the original assurances treasurer Blevins gave and what might be the costs to Treasury should those changes be made? With that, I seek leave to conclude my remarks later.

Leave granted; debate adjourned.

WHYALLA STEEL WORKS (ENVIRONMENTAL AUTHORISATION) AMENDMENT BILL

Second Reading

The Hon. K.J. MAHER (Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Aboriginal Affairs and Reconciliation) (12:59): I move:

That this bill be now read a second time.

I seek leave to have the second reading explanation inserted in *Hansard* without my reading it.

Leave granted.

The Bill I am introducing today will extend by a further 10 years the environmental authorisation provided to OneSteel Manufacturing Pty Ltd (ie. OneSteel), a wholly owned subsidiary of Arrium Ltd, and the company operating the Whyalla Steel Works.

The purpose of the Bill is to amend section 15 of the *Whyalla Steel Works Act 1958* to extend the environmental authorisation provided under the *Environment Protection Act 1993* and insert provisions to allow Schedule 3 of the Act to be updated to reflect variations to the authorisation.

Under Schedule 3 of the Environment Protection Act, the company is licensed by the Environment Protection Agency (EPA) to '*undertake particular activities of environmental significance under Schedule 1 Part A of the Environment Protection Act 1993'*, subject to stipulated conditions. Arrium pays a licence fee to the EPA.

The *Whyalla Steel Works Act 1958*, formerly the *Broken Hill Proprietary Company's Steel Works Indenture Act 1958*, approves and ratifies an Indenture between the State of South Australia and OneSteel relating to the operation of its steel works in Whyalla.

The *Whyalla Steel Works Act 1958* was previously amended in 2005 to include the addition of Section 15 – Company granted environmental authorisation under the *Environment Protection Act 1993*. The authorisation is due to expire on the 4th of November 2015 on the 10th anniversary of the commencement of the section.

The initial environment authorisation granted by this Amendment provided OneSteel with regulatory certainty required to invest about $400 million to undertake Project Magnet. The implementation of the project resulted in significant environmental improvement such as the virtual elimination of the red dust problem which had bedevilled Whyalla for decades.

The success of Project Magnet provided Arrium with the confidence to further invest in its Whyalla operations including more than $1 billion to both expand the capacity of the Port of Whyalla and broaden its mining operations in South Australia to include the acquisition of Peculiar Knob.

The *Whyalla Steel Works (Environmental Authorisation) Amendment Bill 2015* amends the provisions in the Whyalla Steelworks Act relating to the environmental authorisation by deleting 10th anniversary and substituting 20th anniversary so that the expiry will take place on the 4th of November 2025.

This amendment provides a 10-year extension of the environmental authorisation to continue to provide Arrium with the regulatory certainty required to continue to adapts its business model to the current low iron ore price environment and highly competitive steel market.

The Bill also inserts Section 20 to set out provisions for Schedule 3 of the *Whyalla Steel Works Act* to be updated to reflect variations in the environmental authorisation at the request of the Minister.

Since the environmental authorisation was granted to the company in 2005, Arrium/OneSteel has demonstrated an improved performance in its environmental obligations to the State.

In August, 2010, the Environment Protection Authority awarded OneSteel with an EPA Sustainability Licence to reflect its genuine commitment to reducing its impact on the environment through reduced reliance on the River Murray, improved energy and carbon efficiency, improved environmental awareness amongst staff and for promoting values and initiatives that actively engaged the Whyalla community.

OneSteel has agreed at an officer level that, during the 10-year extension to the authorisation provided by this Bill, it will work with the EPA so it can recommend to the company's Board that the operations at Whyalla transition to a normal EPA-issued licence.

Arrium is a major employer in South Australia with a workforce of 3,400 directly employed workers and directly employed contractors assigned to its steel, mining, recycling and support services businesses.

Exports of hematite through its Whyalla port and the manufacture of steel using magnetite sourced from the Middleback Ranges make Arrium one of the major industries not just in the Whyalla region but also the Upper Spencer Gulf and the State.

Arrium is a significant economic contributor to the State and the lynchpin for industry and investment in the Upper Spencer Gulf. The extension of its environmental authorisation and the continued regulatory certainty provided by this Bill will better enable Arrium to meet the challenges it now faces in a rapidly shifting market place.

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 *Whyalla Steel Works Act 1958*

3—Amendment of section 15—Company granted environmental authorisation under *Environment Protection Act 1993*

This clause amends section 15(7) of the principal Act to extend the period the environmental authorisation remains in force until the 20th anniversary of the commencement of that section.

4—Insertion of section 20

This clause inserts new section 20 into the principal Act. The new section allows the Commissioner for Legislation Revision and Publication to revise Schedule 3 of the principal Act to reflect variations of the environmental authorisation set out in the Schedule.

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

COMPULSORY THIRD PARTY INSURANCE REGULATION BILL

Second Reading

The Hon. K.J. MAHER (Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Aboriginal Affairs and Reconciliation) (13:00): I move:

That this bill be now read a second time.

I seek leave to have the second reading explanation inserted in *Hansard* without my reading it.

Leave granted.

This Bill is about ensuring a fair and affordable CTP scheme and consumer protections for motorists and CTP insurance claimants by establishing an industry specific and independent CTP Regulator.

The independent CTP Regulator will be responsible for oversight of all insurers, consumer protection, improving CTP insurance scheme outcomes for the injured and setting CTP premiums.

Although this Bill is not required to enable the opening of the provision of CTP insurance to the private sector and the cessation of MAC as the sole provider of CTP insurance in South Australia (which can be done under existing provisions of Part 4 of the *Motor Vehicles Act 1959*), it will mean that all of the protections of an independent CTP Regulator specifically established by statute are in place.

It is extremely important that the CTP Regulator is an independent specialist with the credibility in the CTP insurance industry and the specific financial services skills to give insurers and members of the public confidence that the CTP insurance market will be objective and fair.

The Bill will reduce bureaucracy by streamlining processes into a standalone office of an independent CTP Regulator and be very similar to what occurs in other states.

The Bill does not introduce new regulatory concepts, other than that of an independent CTP Regulator, and will not change how members of the public obtain their CTP insurance now. What it does do, is provide further detail on the existing legislative concepts that will apply when the CTP insurance market is opened to the private sector from 1 July 2016. The CTP Regulator must have the capacity, skills and credibility to liaise with the Australian Prudential Regulation Authority which will remain responsible for the financial prudential regulation of insurers across Australia.

The Bill will not change MAC's ongoing role in road safety and as nominal defendant. CTP Regulation cannot be conducted by the Motor Accident Commission due to potential conflicts of interest with private sector insurers. The focus of the Essential Services Commission of South Australia on non-financial energy and water utilities regulation is inconsistent with CTP regulation and strong feedback has been received the CTP insurance industry that it requires an industry-specific CTP Regulator that has a deep understanding of insurance and can devote its full energies to that role.

I commend the Bill to Members.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

These clauses are formal.

3—Interpretation

This clause contains definitions for the purposes of this measure and provides that, in addition, words and expressions used in this measure that are not otherwise defined, have the meaning assigned to them in section 5, or Part 4, of the *Motor Vehicles Act 1959* (the *Motor Vehicles Act).* In particular, the following terms are defined in relation to Part 4 of the Motor Vehicles Act: CTP insurance, CTP insurance business and CTP insurance policy.

Part 2—CTP Regulator

Division 1—Establishment, functions and powers

4—Establishment

This clause provides for the establishment of the CTP Regulator (the *Regulator*)—

- as a body corporate with perpetual succession; and
- with a common seal; and
- that may sue and be sued in its corporate name.

The Regulator is an instrumentality of the Crown and holds its property on behalf of the Crown.

5—Functions

This clause sets out the functions of the CTP Regulator as follows:

- to regulate approved insurers and perform any other function relating to approved insurers conferred on the Regulator under the Motor Vehicles Act;
- to determine premium amounts payable in respect of CTP insurance policies;
- to determine the minimum terms and conditions of CTP insurance policies;
- to monitor, audit and review the operation and efficiency of the CTP insurance business;
- to provide, or facilitate the provision of, information to consumers about the CTP insurance business and approved insurers;
- to make, monitor the operation of, and review from time to time, binding rules and non-binding guidelines for approved insurers in relation to—
    - the determination of premiums; and
    - the management of claims; and
    - dispute resolution; and
    - the provision of information to consumers; and
    - any other relevant matter;
- to make recommendations to the Minister in relation to—
    - eligibility criteria for insurers seeking approval under Part 4 of the Motor Vehicles Act; and
    - the terms and conditions of any undertaking, agreement or contract entered into between the Minister and an approved insurer relating to the provision of CTP insurance; and
    - the assessment of an application from an insurer for approval or withdrawal of approval under Part 4 of the Motor Vehicles Act;
- to approve the novation of CTP insurance policies between approved insurers;
- to regulate such other insurance business as may be prescribed by the regulations;
- to administer this measure;

- to exercise any other function conferred on the Regulator by or under this measure or any Act.

In determining premium amounts, the Regulator may not fix differential premiums except on the basis of 1 or more of the following:

- vehicle type;
- vehicle use;
- garaging location;
- entitlement under the GST law to an input tax credit in respect of compulsory third party insurance premiums.

The Regulator is required to publish the rules and guidelines for approved insurers on its website.

For the purposes of this clause, the *Minister* is defined as the Minister with responsibility for approving insurers under Part 4 of the Motor Vehicles Act.

6—Powers

This clause provides that the CTP Regulator has all the powers of a natural person and, in particular, may—

- enter into any form of contract or arrangement; and
- engage experts and consultants; and
- acquire, hold, deal with or dispose of real or personal property; and
- establish and operate ADI accounts and invest money; and
- do anything necessary or convenient to be done in the exercise of its functions.

7—Independence

This clause provides that, except as provided under this measure or any Act, the CTP Regulator is not subject to Ministerial direction in the exercise of its functions or powers.

Division 2—Constitution of CTP Regulator

8—Constitution of CTP Regulator

This clause provides that the CTP Regulator will be constituted of the Chief Executive Officer (*CEO*) of the Regulator who will be appointed by the Governor, on the recommendation of the Minister, on terms and conditions determined by the Governor. The CEO is a senior official for the purposes of the *Public Sector (Honesty and Accountability) Act 1995*.

9—Acting CEO

This clause provides for an Acting CEO to be appointed by the Minister in the event the CEO is temporarily absent or unable to perform official functions.

Division 3—CEO

10—Conditions of appointment

This clause makes provision in the usual terms for the conditions of appointment of the CEO.

11—Functions of CEO

This clause provides that the functions of the CEO include—

- being the chief executive officer of the Regulator; and
- exercising the functions of the Regulator conferred on the Regulator or the CEO under this measure or any Act; and
- otherwise acting on behalf of the Regulator in appropriate cases.

It therefore follows that an act of the CEO will be taken to be an act of the Regulator.

12—Saving provision

This clause provides that an act of the CTP Regulator is not invalid by reason only of a defect in the appointment of the CEO (or Acting CEO).

13—Delegation

This clause provides that the CEO may delegate any of the Regulator's or CEO's functions or powers under this measure or any Act.

14—Conflict of interest

This clause makes provision as to how a conflict of interest that may arise may be resolved.

Division 4—Staff and resources

15—Staff and resources

This clause gives the CTP Regulator power to engage persons to be members of its staff on terms and conditions determined by the Regulator.

The Regulator may also—

- by arrangement with the appropriate authority, make use of the services, facilities or staff of a government department, agency or instrumentality; or
- with the approval of the Minister, make use of the services, facilities or staff of any other entity.

The CEO is responsible for managing the staff and resources of the Regulator.

Part 3—Collection and use of information

16—Regulator's power to require information

The clause empowers the CTP Regulator, by written notice, to require a person to give to the Regulator, within a time and in a manner stated in the notice (which must be reasonable), information in the person's possession that the Regulator reasonably requires for the performance of the Regulator's functions, including (for example) such evidence of the person's financial position and capacity to meet existing and future liabilities under CTP insurance policies as may be required in the notice. A person who fails to comply with a requirement under this proposed section may be guilty of an offence and liable to a penalty of $20,000 or imprisonment for 2 years. However, a person cannot be compelled to give information under this proposed section if the information might tend to incriminate the person of an offence.

17—Obligation to preserve confidentiality

This clause makes provision for preserving the confidentiality of information gained by the Regulator under this measure.

18—Statutory declarations

This clause allows the Regulator to require information provided to the Regulator to be verified by statutory declaration.

Part 4—Miscellaneous

19—Annual report

This clause makes provision for the Regulator to prepare for the Minister (for tabling in the Parliament) an annual report on the Regulator's operations in respect of each financial year.

20—False or misleading information

This clause makes it an offence for a person to provide false or misleading information for the purposes of this measure, the penalty in respect of which is a fine of $20,000 or imprisonment for 2 years.

21—Service

This clause makes provision for serving notices and other documents under the measure.

22—Regulations

This clause empowers the Governor to make regulations for the purposes of the measure.

Schedule 1—Related amendments and transitional provisions

Part 1—Preliminary

1—Interpretation

This clause provides that, in this Schedule, a provision under a heading referring to the amendment of a specified Act amends the Act so specified.

Part 2—Amendment of *Motor Accident Commission Act 1992*

2—Amendment of section 3—Interpretation

This clause inserts a definition of *CTP Regulator* and inserts a definition of the *MAC Fund* (formerly the *Compulsory Third Party Fund*).

3—Amendment of section 13A—Sufficient level of solvency

This proposed amendment is consequential on renaming the Fund as the MAC Fund.

4—Amendment of section 14—Functions and objectives of Commission

These proposed amendments are consequential on the amendments to be effected by the amendments proposed in Schedule 1 Part 3 to the Motor Vehicles Act whereby the Commission will cease to be the sole approved insurer for the purposes of Part 4 of that Act, and the renaming of the Fund. Once Part 4 of this Schedule commences, a CTP insurance policy in existence under Part 4 of the Motor Vehicles Act will, by force of clause 23 of this Schedule, be transferred from the Commission to an approved insurer in accordance with a scheme determined by the Minister. The functions of the Commission are to be altered so as to clarify that the Commission will carry on any residual insurance business arising from its operations as the sole approved insurer under Part 4 of the *Motor Vehicles Act 1959* (but until it divests itself of that business or winds up that business, whichever occurs earlier).

5—Amendment of section 18—Commission's charter

This proposed amendment is consequential on the renaming of the Fund.

6—Amendment of section 25—MAC Fund

The first proposed amendment provides that the special fund for compulsory third party insurance formerly established by the Commission continues in existence as the MAC Fund, while other amendments are consequential.

7—Amendment of section 26—Requirement by Treasurer for payment from surplus

8—Amendment of section 29—Annual report

The amendments proposed in this clause and the preceding clause are consequential.

9—Amendment of section 29B—Prosecution of offences under Part 4 of *Motor Vehicles Act 1959*

This proposed amendment provides that the Commission may, with the approval of the Minister responsible for the administration of Part 4 of the Motor Vehicles Act, commence proceedings for an offence against Part 4 of that Act.

Part 3—Amendment of *Motor Vehicles Act 1959*

10—Amendment of section 5—Interpretation

These proposed amendments insert the definition of the *CTP Regulator* in section 5 and clarify the definition of *insurance premium* in light of other proposed amendments to Part 4 of the principal Act.

11—Amendment of section 99—Interpretation

It is proposed to delete Schedule 4 of the principal Act and the insurance premium committee. The amendments proposed to this section achieve that and also insert a definition of *transitional period* (which has the same meaning as in Schedule 1 Part 4 of this measure). Other amendments are consequential on the deletion of Schedule 4 from the principal Act.

12—Amendment of section 99A—Insurance premium to be paid on applications for registration

The proposed amendments will provide that the premium for a policy of insurance under Part 4 of the principal Act will be as determined by the CTP Regulator. New subsection (2) will provide that the approved insurer for a motor vehicle in respect of which an application for registration is made will be—

- in the case of an application made during the transitional period—the approved insurer selected by the CTP Regulator in accordance with a scheme determined by the Minister; or
- in any other case—the approved insurer selected by the applicant for registration.

Other amendments proposed to the section are consequential on and relate to—

- the Regulator being given certain functions relating to the regulation of compulsory third party insurance and approved insurers; and
- the regulation and management of approved insurers and insurance premiums during the transitional period.

13—Amendment of section 101—Approved insurers

The proposed amendments relate to the fact that, after the commencement of the amendments, the Motor Accident Commission will no longer be the sole approved insurer and, instead, any person or body (whether incorporated or unincorporated) that carries on, or intends to carry on, the business of insurance in this State, may apply to the Minister for approval as an insurer under Part 4 of the principal Act. During the transitional period, however, an application for approval may only be made on an invitation by the Minister. An application for approval must be made in a manner and form approved by the CTP Regulator, lodged with the Regulator, and then referred to the Minister (with any recommendation of the Regulator) for determination by the Minister. Other proposed amendments are related to the functions of the CTP Regulator under the measure in relation to the approval or withdrawal of approval for an insurer for the purposes of this Part of the principal Act.

14—Substitution of section 104

104—Requirements if policy is to comply with this Part

Substituted section 104 provides that, in order to comply with Part 4 of the principal Act , a policy of insurance must—

(a) insure the owner of the motor vehicle to which the policy relates, and any other person who at any time drives or is a passenger in or on the vehicle, whether with or without the consent of the owner, in respect of all liability that may be incurred by the owner or other person in respect of the death of, or bodily injury to, any person caused by, or arising out of the use of, the vehicle in any part of the Commonwealth; and

(b) be in the terms, and contain the conditions and warranties, determined by the CTP Regulator from time to time.

However, a policy of insurance complies with this Part even though it does not extend to liability arising from the death of, or bodily injury to, a participant in a road race caused by the act or omission of another participant in the road race.

15—Amendment of section 116—Claim against nominal defendant where vehicle uninsured

The proposed amendment redefines *uninsured motor vehicle* for the purposes of section 116 of the principal Act to ensure that a motor vehicle that is exempted from registration and insurance under Part 4 of the principal Act by section 12 or 12B of the Act, or by the regulations, but is required to be insured against liability for bodily injury caused by, or arising out of, the use of the vehicle, is not treated as an uninsured motor vehicle for the purposes of section 116.

16—Amendment of section 124AA—Limitation of liability in respect of foreign awards

The proposed amendment is consequential on the repeal of Schedule 4 of the principal Act which sets out the terms, conditions, warranties and exclusions of policies of insurance under Part 4 of the principal Act.

17—Repeal of section 129

The proposed amendment repeals section 129 of the principal Act which provides for the appointment of a committee to inquire into and determine premiums in respect of insurance under Part 4 of the Act. This amendment is consequential on the establishment of the CTP Regulator.

18—Repeal of section 134A

The proposed amendment repeals section 134A which requires a review of Part 4 of the principal Act to be undertaken by the Minister if Class 1 premiums exceed, in relation to a particular financial year, the prescribed percentage of State average weekly earnings that is current at 1 July of that financial year. This amendment is consequential on the establishment of the CTP Regulator.

19—Repeal of Schedule 4

The proposed amendment repeals Schedule 4 of the principal Act which sets out the terms, conditions, warranties and exclusions of policies of insurance under Part 4 of the principal Act. This amendment is consequential on the establishment of the CTP Regulator.

20—Transitional provision—Saving of existing policies of insurance under Part 4

This clause provides for policies of insurance in existence when the clause comes into operation to continue in force until they expire or are cancelled, subject to the terms, conditions, warranties and exclusions set out in the table (identical to those currently in Schedule 4 of the principal Act).

Part 4—Transitional provisions

21—Interpretation

This clause provides for the following definitions for the purposes of this Part of Schedule 1:

commencement day means the day on which this Part comes into operation;

declared day means the day declared by proclamation to be the day on which the transitional period ends;

Minister means the Minister with responsibility for approving insurers under Part 4 of the Motor Vehicles Act.

transitional period means the period commencing on the commencement day and ending on the declared day.

22—Ministerial control

This clause provides that, during the transitional period, the CTP Regulator is subject to the directions of the Minister as to the exercise of the following of the Regulator's functions:

- determining premium amounts payable in respect of CTP insurance policies;
- determining the minimum terms and conditions of CTP insurance policies;
- making, monitoring the operation of, and reviewing from time to time, rules and guidelines in relation to—
  - the determination of premiums; and
  - the management of claims; and
  - dispute resolution; and
  - the provision of information to consumers; and
  - any other relevant matter.

23—Transfer of CTP insurance policies

Subclause (1) of this clause provides that, on the commencement day, a CTP insurance policy in existence under Part 4 of the Motor Vehicles Act will, by force of this subclause, be transferred from the Motor Accident Commission to an approved insurer in accordance with a scheme determined by the Minister.

Subclause (2) provides that, during the transitional period, the CTP Regulator may transfer a CTP insurance policy relating to a motor vehicle from 1 approved insurer to another approved insurer in accordance with a scheme determined by the Minister (in which case, the approved insurer to whom the policy of insurance is transferred becomes the insurer under the policy of insurance relating to that motor vehicle).

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

STATUTES AMENDMENT (TERRORISM) BILL

Second Reading

The Hon. K.J. MAHER (Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Aboriginal Affairs and Reconciliation) (13:00): I move:

That this bill be now read a second time.

I seek leave to have the second reading explanation inserted in *Hansard* without my reading it.

Leave granted.

After the events of September 11, 2001, Parliaments across Australia enacted cooperative and largely consistent legislation dealing with the threat of terrorism. In the case of South-Australia, there were three initial Acts.

- The *Terrorism (Commonwealth Powers) Act 2002* is a limited textual reference of powers to enact a suite of terrorism offences to the Commonwealth. The offences were swiftly enacted and are contained in the *Criminal Code Act 1995*. That constitutional arrangement has never been tested.
- The *Terrorism (Police Powers) Act 2005* gives a range of extraordinary police powers to State police in cases of terrorism emergency (or threatened emergency). It has never been used.
- The *Terrorism (Preventative Detention) Act 2005* essentially mirrors in State legislation the Commonwealth *Criminal Code* provisions about preventative detention with several major exceptions, notably (for constitutional reasons) that the State maximum detention is 14 days while the Commonwealth maximum detention is 2 days. It was agreed at the COAG meeting on 27 September 2005 to establish a nationally consistent regime for preventative detention orders. The Act has never been used, although equivalent legislation in New South Wales and Victoria has been used.

For the sake of completeness, it should also be mentioned that there is also the *Terrorism (Surface Transport Security) Act 2011*.

The national effort on terrorism is co-ordinated at the top rank officer level by the Australia-New Zealand Counter Terrorism Committee (the Committee). In order to provide legal expertise there is a sub-group called the Legal Issues Working Group which is activated as required and is responsible for providing legal and legislation advice to the Committee.

Section 31 of the *Terrorism (Police Powers) Act 2005* says:

'This Act expires on the tenth anniversary of its commencement.'

That date is 8 December, 2015.

Section 52 of the *Terrorism (Preventative Detention) Act 2005* says that:

a preventative detention order, or a prohibited contact order, that is in force at the end of 10 years after the day on which this Act commences ceases to be in force at that time; and that a preventative detention order, and a prohibited contact order, cannot be applied for, or made, after the end of 10 years after the day on which this Act commences.

Again, that date is 8 December, 2015.

These time limits were set in the Acts as a safeguard against the possibility of abuse of the extraordinary powers contained in them. These fears have not been realised. The powers have not been used in this State and have been used sparingly and responsibly in other States.

There is no reason why these Acts should not be extended. There is every reason why they should be. The threat of terrorism that prompted this legislation, after what is now known as the al-Qaida attacks of 9/11, was real then. The context of terrorism has evolved, but the threat remains real. The growth of terrorist groups like ISIL (also known and proscribed in Australia as Islamic State) exert a growing negative influence in Australia through their continual and aggressive promotion of violent extremism including through the use of all forms of social media. In Australia, various planned and actual acts of violence can be attributed to the influence of ISIL. These include the Man Monis siege in NSW, the stabbing of two law enforcement officers in Victoria, and the NSW police arrest of two men who it is alleged were planning to behead random members of the public and police.

In response to the increased terrorism risk in Australia the National Terrorism Public Alert Level was raised to 'high' in September 2014 by the Australian Government. This increase in the alert level was based on assessments of the Australian Security Intelligence Organisation (ASIO) that a terrorist attack remains likely in this country.

In September 2014, preventative detention orders were used for the first time in Australia when the New South Wales Police Force sought and obtained three interim preventative detention orders (PDOs) under the *Terrorism (Police Powers) Act 2002* (NSW).

Beginning in 2010, there was a COAG review of the terrorism legislation at Commonwealth level. The most obvious consequential effect for us was what would affect the preventative detention provisions (and hence our mirror provisions) and the text referral legislation (because it might affect the text referred). In addition to this review, and running parallel to it, was the legislation review conducted by the Independent National Security Legislation Monitor (INSLM), then Bret Walker SC.

While both the COAG and the Walker reviews supported the repeal of preventative detention orders, the COAG Response to the COAG Review, developed by the Legal Issues Working Group of the Committee, did not. The final COAG response identified compelling reasons for the retention of preventative detention powers and supported the renewal of Commonwealth orders beyond the then sun-setting date of 8 December 2015. These reasons focus on the imperative of recent events dealing with the review of the events surrounding the Monis siege and the foreign fighter issues.

The Government has decided to act on the COAG response. This bill amends both section 31 of the *Terrorism (Police Powers) Act 2005* and section 52 of the *Terrorism (Preventative Detention) Act 2005* to move the expiry of the former and the date until which a preventative detention order or a prohibited contact order under the latter remains in force from 10 to 20 years from commencement of the legislation.

Retention of this time limit recognises a continued recognition of the extraordinary powers contained in these Acts.

The continuation of these bills that provide preventative powers to police to address extraordinary threats of violence to the general community are essential in the current local and global environment.

I commend this bill to the House.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Amendment provisions

These clauses are formal.

Part 2—Amendment of *Terrorism (Police Powers) Act 2005*

3—Amendment of section 31—Expiry of Act

This clause amends section 31 to provide for expiry of the Act on the 20th anniversary of its commencement rather than the 10th anniversary.

Part 3—Amendment of *Terrorism (Preventative Detention) Act 2005*

4—Amendment of section 52—Sunset provision

This clause amends section 52 to prevent the continued operation of, or making of, preventative detention orders and prohibited contact orders at the end of 20 years after the commencement of the Act (rather than the current 10 years).

5—Transitional provision

This clause ensures that the amendments under this Part apply in relation to a preventative detention order or prohibited contact order whether the order was made before or after the commencement of the Part.

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

Sitting suspended from 13:01 to 14:16.

Parliamentary Procedure

PAPERS

The following papers were laid on the table:

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

Late Payment of Government Debts (Interest) Act 2013—Automated Interest Payment Report, August 2015

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

Response by the South Australian Government on the Deputy State Coroner's recommendations of January 2015, following the death of Mr. James William Venning on the South Eastern Freeway—Report

Parliamentary Committees

LEGISLATIVE REVIEW COMMITTEE

The Hon. G.A. KANDELAARS (14:17): I bring up the 13th report of the Legislative Review Committee.

Report received.

Ministerial Statement

GOVERNMENT INVOICES AND ACCOUNTS

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 table a copy of a ministerial statement, relating to late payment, made earlier today in another place by my colleague the Treasurer.

FIREARMS REFORM

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) (14:18): I table a copy of a ministerial statement, relating to the Firearms Bill, made earlier today in another place by my colleague the Minister for Police.

TOUR DOWN UNDER

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (14:18): I table a copy of a ministerial statement, entitled to Santos Tour Down Under Secured in UCI World Tour, made earlier today in another place by my colleague the Minister for Tourism.

Parliamentary Procedure

ANSWERS TABLED

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

Question Time

SHARK CAGE DIVING

The Hon. J.M.A. LENSINK (14:19): I seek leave to make a brief explanation before directing a question to the Minister for Sustainability, Environment and Conservation on the subject of shark cage diving.

Leave granted.

The Hon. J.M.A. LENSINK: As honourable members would be aware, I have asked questions on this issue before, given that South Australia is one of the few locations in the world where shark cage diving occurs and is indeed legal. The three commercial operators operating on the West Coast require permits from the minister, and it was announced that these operators would be granted 10-year extensions to their permits in December last year, due to be reissued for 1 July.

In May this year, I asked the minister whether he intended to publicly release the conditions of the licence once approved. He replied in the last sitting week to say that—he did not really answer the question, actually—there would be policy which would be publicly available. My questions for the minister are:

1. Now that he has reissued licences, can he indicate when the policy will be publicly released?

2. In addition, will he publish the licences?

3. Does the policy refer to berley and baiting and, if so, what are those references?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (14:21): I thank the honourable member for her most important question. In 2014, great white shark tourism attracted over 9,000 people to Eyre Peninsula, I am advised. Its popularity has grown by over 10 per cent per year for the last three years, and it now contributes over $11 million to the state economy and supports approximately 70 jobs.

Great white shark tourism takes place at the Neptune Islands (Ron and Valerie Taylor) Marine Park, which is one of Australia's main aggregation areas for great white sharks. Great white shark tourism in the Neptune Islands Marine Park is one great example of how marine parks can provide opportunities for ecotourism and help support regional economies.

This government has and will continue to work with tour operators. That is why we are extending licence terms for each of these operators from the current term of five years to a term of 10 years. This will provide operators with the certainty they need to attract finance and grow their businesses. It is expected that this initiative will have many flow-on benefits to small businesses involved in tourism, transport, hospitality and retail by attracting more people to the Eyre Peninsula region.

To ensure that great white shark tourism continues to be environmentally sustainable, its effects are monitored by the South Australian Research and Development Institute. This monitoring program indicates that the effects of tourism on sharks have not increased over the last 12 months. A report of findings is available on the Department of Environment, Water and Natural Resources website, if you are interested.

In support of the new 10-year licences, the Department of Environment, Water and Natural Resources is currently developing a revised great white shark tourism policy in conjunction with operators. The revised policy will be made available to the public once complete. I understand we are still consulting with the proponents and, as I say, once that has been concluded, the policy will be released.

The PRESIDENT: Supplementary, Ms Lensink?

SHARK CAGE DIVING

The Hon. J.M.A. LENSINK (14:22): Supplementary question, Mr President: will the minister also publish the licences, and can he advise the chamber on what his view or the department's view is on the activity known as berleying or baiting?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (14:23): Off the top of my head I am not sure whether licences are released publicly. I will need to go back and check on that and get some advice from the department. I am also not sure whether I am, in fact the licensee, or whether the Minister for—

The Hon. J.M.A. Lensink interjecting:

The Hon. I.K. HUNTER: I think it could be me. Anyway, I will find out that information and get back to the chamber about that. In terms of berleying, I understand the current regulatory approach is to have two licences using berley. The third licence applied specifically not to use berley, but to use acoustic attraction. So, as I understand it, that is the current make-up of the three licences: two have applied to PIRSA on a regular basis for exemption for the use of berley, and one does not because they use sound as an attractant. I think, as we have heard in this chamber previously, sometimes some famous tracks from AC/DC are utilised. I can't name what they would be.

RENEWABLE ENERGY

The Hon. S.G. WADE (14:23): I would be fascinated to see what music sharks like. I seek leave to make a brief explanation before asking a series of questions of the Minister for Climate Change in relation to renewable energy investments.

Leave granted.

The Hon. S.G. WADE: The minister issued a press release on 17 September 2015 entitled 'South Australia powers ahead of Australia on renewables'. The release describes the Pastoral Land Management and Conservation (Renewable Energy) Amendment Act 2014, which seeks to provide renewable energy investors access to crown land.

The release highlights that analysts have anticipated that some $2 trillion of renewable investment will be available in the Asia-Pacific region to 2020, but that more than $6 billion has been invested in South Australia and that the government aims to reach a renewable energy investment target of $10 billion. Minister Hunter quotes data from a report of 30 September 2013, which was entitled 'Proposed energy targets for low emission investments in South Australia'. Page 3 of that report states:

> …it is recommended that a prudent investment target should be set that is achievable under most circumstances. One possibility is a target of $10 billion by 2025.

The circumstances include the possibility of a large-scale renewable energy target (LRET) of 26.4 terawatt hours. The federal government has reduced the LRET, but only to 33 terawatt hours, reinforcing the prudence of a $10 billion investment target by 2025. My questions are:

1. If $6 billion has already been invested in renewable energy in South Australia between 2003 and 2014, how can it be powering ahead of Australia on renewables when a report the government is quoting states the target of $10 billion is a prudent investment target?

2. If $2 trillion is being invested in renewable energy in our region by 2030, again how can the government suggest that it is powering ahead when it is pursuing a prudent, perhaps even modest, target of $10 billion, which represents half of 1 per cent of the region's renewable energy investments?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (14:26): I thank the honourable member for his most important and very detailed question, and I thank him for taking the time to read my media releases. Of course, we do round down for media releases, but I should advise for the sake of accuracy that currently our advice is that we have about $6.6 billion invested in South Australia. The media release says $6 billion for simplicity's sake.

The key point that he makes is that South Australia has been a very attractive place for renewable energy companies to come to in order to invest in our state, particularly at a time when the then prime minister of the federal government was frowning on renewable investment, was boasting on shock jock radio in New South Wales that in fact they wanted to reduce renewables across Australia, and again using capital letters, he spelt out the word 'reduce'. We are very hopeful that with a change of leadership at a national level we will see some slight, initially and perhaps greater later on, nuancing of that message from the federal government.

We have, of course, as a state decided that we would make the job easy for renewable investment companies who want to come to South Australia. We have changed the regulatory approach; we have changed the planning approach. As the honourable member said in his question, this chamber has changed the legislation, in terms of how we approach renewable energy companies and crown land in terms of the pastoral areas. All of that is to reduce red tape, to make it quicker and easier to get projects up and running and to attract that investment to this state, because we know at least 40 per cent of that investment is invested in rural and regional South Australia, creating good sustainable jobs for our local regional communities.

They really underpin the resilience of small towns and regions in this state because these jobs are created, as I said, I think, in this chamber before, for periods of 10, 15 or 20 years. In terms of the Snowtown project, for example, we were told when I was out there for the opening that they have taken 20 people from the local area to Germany and, I think, Denmark, to train them up to come back to South Australia, live in local communities and maintain that infrastructure that has been put in place.

These are long-term investments. They are worth hundreds of millions of dollars, and for international companies to persuade their shareholders to invest they need a long-term vision. That was severely undermined just a few months ago by the debate we had at the federal level about the renewable energy target. Again, I found that a very bruising debate, particularly when we should, as a nation, be looking towards the future for our renewable investments and not trying to drive these companies away to investing in other countries where they might find a higher level of welcome.

The state government, of course, has gone out of its way to welcome these companies and this investment. As the honourable member said, $6 billion—I say now $6.6 billion—has been invested in projects so far. We are looking to again use our connections and our leverage that we have as a state to try to drive that investment up to $10 billion. We need to work with the federal government to do that and, as I say, we are very pleased that there is a new leadership and I am hopeful we are sniffing the breeze and scenting a very nuanced but slight change in the messaging that is coming out of Canberra.

We understand the politics. We understand the way the National Party works with the Liberal Party in coalition and we understand there will need to have been some sort of compromise reached between the Prime Minister and his coalition partner in relation to sustainability, but the Prime Minister is on the record as being a supporter of renewables and he is on the record as being a supporter of action on climate change. I am very hopeful that as we work very closely with the federal government we will be able to utilise those connections that we have built up with the government and get more renewable investment into this state.

NORTHERN ECONOMIC PLAN

The Hon. J.S.L. DAWKINS (14:30): My question is to the Minister for Automotive Transformation. How many meetings of the Northern Economic Plan Community Leaders' Group have the minister and his department conducted, and how many of these meetings have actually been held in northern Adelaide?

The Hon. K.J. MAHER (Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Aboriginal Affairs and Reconciliation) (14:30): I thank the honourable member for his important question. The community leaders' group for the Northern Economic Plan comprises a number of people, including myself as minister, the mayors of the major councils that will be impacted by Holden's closure, a number of people from the Northern Economic Leaders' Group, and business people in the north.

Up to about a half a dozen meetings have been held so far. Those meetings have generally been held in my office in Adelaide. There have been a number of events that the community leaders' group has organised and most of the members of that group have spoken at in northern Adelaide, the most recent one being a business leaders' breakfast a few weeks ago where all the mayors, myself and all of the business leaders—or at least all but one of the business leaders from that community leaders' group—spoke. So there have been a number of meetings that have been held in my office, but there have also been a number of events that have been held around northern Adelaide that most of the community leaders' group, or in fact all of them, have attended.

NORTHERN ECONOMIC PLAN

The Hon. J.S.L. DAWKINS (14:32): Supplementary: given the minister's answer in relation to most of the meetings, rather than events, being held in his office, will the minister give an undertaking to make the great majority of the meetings in the future held in the three main local government areas?

The Hon. K.J. MAHER (Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Aboriginal Affairs and Reconciliation) (14:32): I will give an undertaking that we will continue to hold a variety of events right across northern Adelaide. In addition to specific Northern Economic Plan meetings of the community leaders' group who have been involved in the north of Adelaide, I have met with the whole of local councils, so I will undertake to continue to hold events, and meetings, whether they be meetings with specific local governments or other groups, right across northern Adelaide.

NORTHERN ECONOMIC PLAN

The Hon. J.S.L. DAWKINS (14:32): Supplementary: why was the glossy brochure advancing this plan distributed within the City of Port Adelaide Enfield very recently, some months after the initial public release of the document?

The Hon. K.J. MAHER (Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Aboriginal Affairs and Reconciliation) (14:33): I do not have the specific information on exactly where brochures were or were not released. I know Port Adelaide Enfield have been very actively engaged in the development of the Northern Economic Plan. Both the mayor and the CEO of the local council have been very active contributors, which I have very greatly appreciated, and I will pay tribute to that council, as well as other councils, for their leadership on this issue. Certainly, we are continuing a community information program that will include getting publications and information out to people and also hosting a whole range of events right across the northern Adelaide area.

ABORIGINAL DOMESTIC VIOLENCE

The Hon. T.T. NGO (14:34): I seek leave to make a brief explanation before asking the Minister for the Status of Women a question about domestic and family violence in our Aboriginal population.

Leave granted.

The Hon. T.T. NGO: Domestic violence knows no boundaries. It occurs across all ages, classes, cultures and locations. Nevertheless, we know that there are some demographics where a higher level of domestic violence occurs and these require a special response. My question is: can the minister tell the house about the National Domestic and Aboriginal Family Violence Conference which was held in Adelaide recently?

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) (14:34): I thank the honourable member for his important question. This government has made a very public commitment to addressing domestic violence and has introduced a wide range of initiatives which aim at reducing its incidence at all levels. It was a great pleasure to open the second day of the National Domestic and Aboriginal Family Violence Conference last week.

The conference was organised by Kornar Winmil Yunti, which is a non-profit organisation that supports Aboriginal men from around Australia. I would like to thank them for putting together the conference and defining the conference to explicitly look for new and innovative ways to respond to domestic violence. The conference had a really impressive line-up of speakers, including Rosie Batty, Arman Abrahimzadeh from the Zahra Foundation, police commissioner Grant Stevens, and many others. Conferences such as these are a brilliant approach to sharing knowledge and experience with programs that have had good results, what people are doing differently and also how to tackle initiatives that are meeting resistance. Sharing and collaborating in this area is how we are going to make the best inroads into what is an extremely serious national issue.

In the case of domestic and Aboriginal family violence, solutions are needed that are not only culturally sensitive but also consider the problems of accessing services, particularly in remote and regional communities. Possible initiatives and information that were discussed at the conference will be considered by the state government in order to improve and complement our existing responses to domestic violence. Of course, it's not only sharing the positive things, the things that are working; it's also an opportunity for people to share where things have not gone so well, and we can learn a great deal from that as well.

This government has a proven record of taking action to address the alarming incidents of domestic violence we see occurring today. In October last year, the Premier released Taking a Stand which is a whole-of-government response to the State Coroner's findings in relation to the very tragic murder of Zahra Abrahimzadeh. The most important underlying feature of Taking a Stand is that it clearly states that the community attitudes that underpin violence against women must change. I am very proud of the initiatives that are being rolled out and have been rolled out as part of that policy.

Our Women's Domestic Violence Court Assistance Service will enable women to be supported and provided with advocacy services as they navigate the court system. The domestic violence response review will increase accountability in responses to incidents of domestic violence when they are inadequate. I have introduced legislation, as people are aware, to change residential tenancy laws in order to improve protections for victims of domestic violence.

Our Multiagency Protection System (MAPS) streamlines the referral and notification processes of key agencies and enables them to assess, analyse and respond to domestic violence issues in a more timely and coordinated way. Other jurisdictions are looking to South Australia as a leader in the area of domestic and family violence because of initiatives like these. There is still obviously much to be done in the area of combating domestic violence. However, I am very proud of the innovative initiatives being pursued and implemented by this government in this particular area and building on these, utilising the discussions that occurred at the National Domestic and Aboriginal Family Violence Conference.

ADELAIDE HILTON CASE

The Hon. M.C. PARNELL (14:39): I seek leave to make a brief explanation before asking a question of the Minister for Employment, Higher Education and Skills representing the Attorney-General on the subject of money laundering.

Leave granted.

The Hon. M.C. PARNELL: Two weeks ago, I spoke in this chamber about a report released by the Swiss-based human rights NGO the Bruno Manser Fund, entitled 'The Adelaide Hilton Case: how a Malaysian politician's family laundered $30 million in South Australia'. My question for the Attorney-General is: has the South Australian government taken any steps to investigate the alleged money-laundering activity identified in the report or to refer this matter to appropriate federal law enforcement agencies?

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) (14:39): I thank the honourable member for his question and will refer it to the Attorney-General in another place and bring back a response.

PUBLIC SECTOR EMPLOYMENT

The Hon. R.I. LUCAS (14:40): My question is to the Leader of the Government. Does the leader agree that it is unacceptable that a senior executive in the Public Service can be sacked and paid a termination payment of about $300,000 and then almost immediately be re-employed by the government in another department or agency?

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) (14:40): I thank the honourable member for his question. This government seeks to govern in a highly responsible, open and transparent way. We seek to always use public money in the best way possible to meet the key priority areas that we have identified and the key priority outcomes that have been identified to grow this state and to enable businesses to thrive and, in particular, to grow jobs. We employ a range of different policy practices to ensure that we get the best out of our people and, as I said, we do that in an open and transparent way.

PUBLIC SECTOR EMPLOYMENT

The Hon. R.I. LUCAS (14:41): I have a supplementary question. Given that the minister refused to answer that question, is she prepared to consider a change of policy to prevent the circumstances that I have outlined from continuing to occur?

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) (14:41): I have given my answer and, as I have indicated, we do everything that we can to ensure the proper use of public funds, the best outcomes from government and to ensure that we do that in an open and transparent way.

CLIMATE CHANGE

The Hon. J.M. GAZZOLA (14:41): My question is to the Minister for Climate Change. Can the minister inform the chamber about how business is responding to the challenge posed by climate change?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (14:42): I thank the honourable member for his most important question. It is quite clear, I think most of us will agree, that the world is acting on climate change and acting very purposefully. The one exception, of course, has remained to date our federal Liberal government, which appears intent on ignoring this growing tide, assisted by their silent state Liberal counterparts here in South Australia.

As I said, I am very hopeful that the nuanced messages that are being sent mean that there may be an ability to return to some bipartisanship in terms of how we address climate change. For example, recently I noted that at the federal level the Clean Energy Finance Corporation and ARENA, which makes grant available for renewable energy projects, have been transferred to the environment portfolio. I think that's a very strong message that the Prime Minister is sending in that regard. We are picking up those nuanced messages and are hopeful that there will be a more significant change in due course.

We in South Australia, of course, will continue to use our excellent connections with the federal government and our relationships with federal ministers to encourage them to embrace good science and good policy.

Members interjecting:

The PRESIDENT: Order! The minister has the floor.

The Hon. I.K. HUNTER: It is very clear that there is a growing commitment from industry, the community and governments here and around the world to ensure that we limit greenhouse gas emissions. Nothing shows this more clearly than when the business sector joins forces to call for action. Last week, a group of 12 companies representing diverse sectors, including energy and resources, retail and infrastructure, technology, banking and finance, signed a joint statement calling for action.

AGL, BHP Billiton, GE, Santos, Unilever, Wesfarmers and Westpac—some of our biggest energy and financial companies—recognise that climate is affecting our businesses and the communities in which we operate. They recognise that they, like government, have a role to play and must do their part. They go on to say—and I urge those opposite to listen up:

> Investing in Australia's response to climate change will deliver significant economic, social and environmental benefits for us all.

They support the 'decoupling of economic and emissions growth' and 'recognise the need for a responsible transition to decarbonise, sustainable economic development'. They are their words. These companies represent some 12 per cent of Australia's national greenhouse gas emissions and they are willing to publicly state their commitment to acting on climate change. They are following the lead of six global major oil and gas companies that earlier this year called for a price on carbon. This government is committed to ensuring that our state plays its part in limiting greenhouse gas emissions. We will do so in a way that creates new opportunities, drives innovation and helps to grow jobs. It is time that those opposite stopped burying their collective heads in the sand and worked with us to deliver serious and long-term reform for our state.

I remind members opposite that they do not want to be left behind as their federal government now starts to throw off the shackles of an old prime minister and his old policies, slowly I admit, but the jungle drums are beating and things are happening. As I said, Clean Energy Finance Corporation and ARENA transferred to the Department of Environment under minister Hunt, who has an excellent relationship with the state government and with me. They do not want to be left behind, so they really should be paying attention to what these significant Australian companies, significant global companies, are saying and how they are acting on climate change.

Acting now is right for economic development in this country. Acting now means we avoid the costs that will come from being late acting, and the cost will be significant, not just environmentally but also economically. This is why we are committed to developing a new climate change strategy, and we will work with industry and the community to make this happen. We will even work with the opposition if they want to join with us, and embrace good policy based on good science.

We have also asked an expert panel to advise us on the economic opportunities available to us and how to grasp them. We can only hope that the elevation of this new Prime Minister, Prime Minister Turnbull, brings about some real change in climate policy in the Liberal Party, not just at a federal level but also hopefully at a state level.

In conclusion, I ask those opposite to contemplate the words the now Prime Minister said, albeit in the past:

> Climate change is the ultimate long-term problem. It is always easy to argue we should do nothing or little or postpone action. It is not enough to say that you support these cuts; you must also deliver a strong and credible policy framework that will deliver them. Believing as I do, as a Liberal, that market forces deliver the lowest cost and effective solution to economic challenges, the answer must be yes.

As I say, we are very hopeful of change, we are very hopeful of a return to a bipartisan position in climate in the lead-up to Paris, and I offer members opposite to come and join us, embrace science-based policy and embrace good decisions for the future of our state: come and join us and work with us.

CLIMATE CHANGE

The Hon. J.M.A. LENSINK (14:47): By way of supplementary question, how does the minister characterise being slapped down by his Premier on his proposal to introduce a state-based ETS, and does the Premier have his head buried in the sand?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (14:47): The honourable member clearly did not take the very plain hint—

The Hon. R.I. Lucas: Carbon tax Hunter!

The Hon. I.K. HUNTER: The Hon. Mr Lucas shouts across the chamber—is this all he's got? There is no greater backer of a price on carbon or an emissions trading scheme than our new Prime Minister, Prime Minister Turnbull.

The Hon. J.M.A. Lensink: I think he can speak for himself.

The Hon. I.K. HUNTER: Well, he has done, and let me tell you what he has said in terms of carbon.

Members interjecting:

The PRESIDENT: Order! The minister has the floor. Minister.

The Hon. I.K. HUNTER: Turnbull, *Hansard* 15 August 2007:

> This will be the most comprehensive emissions training scheme in the world, broader in coverage than any scheme currently operating anywhere. This world-leading scheme—

of prime minister Howard at the time—

> —will cover 70 to 75 per cent of total emissions, or almost 100 per cent of industrial, energy and mining emissions.

Let's skip forward to 2009, Mr Turnbull on ETS is effective, from the *Insiders* program:

> I believe the only effective way to reduce emissions is to put a price on carbon.

Can't hear it much more clearly than that. What about 2010, on *Q&A*? We may start to see the federal government appearing *Q&A* again, you never know. Prime Minister Turnbull, back in 2010:

> You won't find an economist anywhere that will tell you anything other than that the most efficient and effective way to cut emissions is by putting a price on carbon.

That was Prime Minister Turnbull. In 2010, in *Hansard* again (I have already given this quote):

> Believing as I do, as a Liberal, that market forces deliver the lowest cost and most effective solution to economic challenges, the answer must be yes.

This is in relation to a price on carbon. In 2011—I can go on for pages:

> It was the Liberal Party's policy to have an emissions trading scheme when John Howard was prime minister…So, we always supported an emissions trading scheme. The Rudd version of that scheme was very similar to what we had been contemplating when we were in government.

That was Prime Minister Turnbull. I hear the Hon. Mr Lucas about to jump to his feet and say, 'But that was then and this is now; we've changed.' Well, just yesterday, I think—yes, 22 September—the *Canberra Times* reported:

> And Mr Turnbull has left the door open on other policies too, suggesting emissions cuts and Direct Action would be examined if they were not working as well as expected—

Surprise, surprise—

> and that the tax policies were also being constantly looked at.

Then they quote Mr Turnbull:

> "There are many levers in the tax system, many possible combinations of measures, and it's important that we look at all of them," he told the ABC's AM program.

That is what I was doing as well. Do you really think that as an environment minister I would close off avenues that are being looked at in other jurisdictions? Do you really think that I would be saying to my department, 'Don't report to me on what everybody else is doing'? I want to know what is going on. It is a long way to leap from asking for information and considering what other jurisdictions do—

The Hon. R.I. Lucas: You said it was a reasonable option.

The Hon. I.K. HUNTER: The Hon. Mr Lucas says, 'and we're going to introduce it'. This is the key difference between the state Liberals and the now nuanced federal government's approach: they are stuck in the past, Malcolm Turnbull wants to move the government into the future. We hope that they will work with us—the federal government I am saying. It might be a lost cause for those opposite, but the door is always open to them. Change your position, look at the science, look at good policy and get on board with us and Malcolm Turnbull.

CLIMATE CHANGE

The Hon. T.J. STEPHENS (14:51): Supplementary: minister, when will you understand that further taxing business is only going to reduce more jobs, or have you forgotten about the workers and don't you care about them?

The Hon. R.I. Lucas: Eight per cent unemployment.

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (14:51): The Hon. Mr Stephens and the Hon. Mr Lucas can have that argument with their federal leader, Prime Minister Turnbull, and I am sure he will educate them in no uncertain terms.

CLIMATE CHANGE

The Hon. D.W. RIDGWAY (Leader of the Opposition) (14:51): Supplementary: will the new—

Members interjecting:

The PRESIDENT: Order! The Leader of the Opposition has the floor.

The Hon. D.W. RIDGWAY: Mr President, chuck them out. Will the new strategy that the minister spoke of, the new state strategy, acknowledge the contribution that modern aquaculture makes to combating the effects of climate variability and reducing carbon dioxide emissions?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (14:52): The honourable Leader of the Opposition thinks that the strategy has been written the way the Liberals would write it. This is a strategy that is open for consultation, so I invite the honourable member to actually put a comment in, to make some sort of contribution to the process and to this debate. Come and join with us and be part of the solution. Put up your ideas—

Members interjecting:

The PRESIDENT: Order!

The Hon. I.K. HUNTER: —put up all your ideas. Make a submission.

The Hon. D.W. Ridgway: It's what they do now. You don't even know what they do already.

The Hon. I.K. HUNTER: The Leader of the Opposition just wants to play politics the old way, like they have always done it. As I say, things are moving on. The federal government is moving on. These guys opposite do not want to be standing still and looking backwards when the state government and the federal government start to look at a new way forward in terms of climate change.

MARINE PARKS

The Hon. J.A. DARLEY (14:53): I seek leave to make a brief explanation before asking the Minister for Sustainability, Environment and Conservation questions regarding sanctuary zones.

Leave granted.

The Hon. J.A. DARLEY: During the debate on marine park sanctuary zones it was suggested by the government that existing businesses, especially fishing charters, could change their business model to focus more on ecotourism. Can the minister advise whether there have been any new ecotourism businesses established around the coast or whether any existing businesses have changed to become an ecotourism business? Can the minister provide information on the location and description of any new or proposed ecotourism businesses?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (14:54): I thank the honourable member for his most important questions. The government is currently going through a process of discussions with the community about marine parks and their impacts, but I can only just point to a statement that I think I made in this place not too long ago about a proposition, an unsolicited bid, brought to government about a new ecotourism project for Victor Harbor, around the Granite Island region. The honourable member might care to recollect or look up *Hansard*; I think it might even have been a ministerial statement made at the time.

Whilst I do not have a full list in front of me, we are going through this process of consultation with communities and, again hoping that people make submissions to us about that. However, if the honourable member cares to he could go and look at that ministerial statement and see for himself just one sort of new ecotourism program that is looking at being established around our fantastic marine parks and sanctuary zones down on the south coast.

Of course, there are others that we are looking forward to being developed around Kangaroo Island, with our fantastic investment in the multiday walking trail there. There are opportunities there to co-invest with the private sector to possibly provide, for example, accommodation—whilst people have their walking day, the accommodation at the other end of it—and other services that could be provided by the private sector. There is that one I have mentioned, which I think I have tabled in this place as a ministerial statement (I am not absolutely committing to that because I cannot give you the date, but I am sure it will be texted to me shortly), and we expect there will be many more.

As we know from experiences interstate and overseas, New Zealand, Ningaloo Reef in Western Australia, even in New South Wales with examples of diving companies, the tourism attraction of marine parks and sanctuary zones drives significant economic investment and significant tourism opportunities. We have a fantastic tourism environment in this state and marine parks and sanctuary zones will add to that immensely.

TAFE SA

The Hon. D.W. RIDGWAY (Leader of the Opposition) (14:56): I seek leave to make a brief explanation before asking the Minister for Employment, Higher Education and Skills a question about TAFE.

Leave granted.

The Hon. D.W. RIDGWAY: In May this year it was revealed on *Today Tonight* that a senior public servant in the minister's portfolio—in fact, in the minister's department—Ms Jillian Pyle, was using public sector resources to run a pub she owns at Semaphore. The program broadcast email after email between Ms Pyle and hotel staff, which left no doubt that from her Public Service office in Waymouth Street, where taxpayers were paying her salary to help prepare young South Australians for the workforce, she was working on what should be on the pub menu, seeing if she could get more trade through a street fair, and even discussing whether she could get away with substituting cheaper species for expensive fish without disclosing it on the menu.

On 23 July 2015, the minister told the estimates committee that an investigation had been launched in May, that the investigation was still underway, and that Ms Jillian Pyle had been stood down on full pay while the investigation was underway. My questions are:

1. Has the investigation been completed?

2. What was the result of that investigation?

3. What action has been taken against Ms Jillian Pyle for breaching the Public Service code of ethics?

4. How much was Ms Pyle paid during the period she was stood down on full pay?

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) (14:57): I thank the honourable member for his question. I have not received any further information in relation to that particular incident. As indicated, it was under investigation and to the best of my knowledge that investigation is continuing. However, I am happy to take that on notice and bring back a response. As I said, I am confident that all appropriate actions and responses have been taken in relation to this specific incident.

TAFE SA

The Hon. D.W. RIDGWAY (Leader of the Opposition) (14:58): A supplementary question: is it the minister's understanding that Ms Pyle is still on full pay and the investigation is still being undertaken?

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) (14:58): As I have indicated, I have not received an update in relation to this matter, but I am happy to take it on notice and bring back a response.

TAFE SA

The Hon. D.W. RIDGWAY (Leader of the Opposition) (14:58): A further supplementary: has the minister sought any information? This is an important investigation and clearly there were concerns around estimates time. Has the minister sought any information about this investigation, and can she please clarify whether Ms Pyle is on full pay?

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) (14:58): I have already answered. I have indicated that I will take that on notice. I have indicated that to the best of my knowledge all appropriate actions have been taken and will continue to be taken. I will take the rest on notice and bring back a response.

Parliamentary Procedure

VISITORS

The PRESIDENT: I advise members of the presence in the gallery of students from Our Lady of the Sacred Heart, who are welcome here today.

Question Time

MEDICAL TECHNOLOGIES PROGRAM

The PRESIDENT: The Hon. Mr Kandelaars.

The Hon. R.I. Lucas interjecting:

The PRESIDENT: Order!

The Hon. G.A. KANDELAARS (14:59): My question is to the Minister for Manufacturing and Innovation. Can the minister inform the chamber about how the government is supporting the development of medical technologies in South Australia?

The Hon. K.J. MAHER (Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Aboriginal Affairs and Reconciliation) (14:59): I am pleased to announce that the government has recently approved an additional $250,000 of funding to the successful Medical Technologies Program which will ensure it continues to operate right up until 2017. The Medical Technologies Program is a Manufacturing Works initiative which supports the early stage development of commercially viable medical and assistive devices through collaboration between industry, researchers, end users and government.

Flinders University, through the Medical Device Partnering Program, facilitates the delivery of the Medical Technologies Program, and this funding will ensure the university's program continues to be a driving force behind South Australia's medical technologies industry. The Medical Technologies Program will continue to support the development of early stage medical technologies that can deliver better health outcomes for consumers.

Since its inception, the program has received more than 75 project inquiries, 12 of which have received 250 hours of research and development assistance and more than $30,000 of further commercial assistance from Flinders University's Medical Device Partnering Program. I am advised that the additional funding will enable a further six medical device projects to be undertaken over the coming year, all of which will receive support to further develop an early stage commercial viable medical or assistive device.

The medical device sector is a key focus of the state government. It is contributing to the growth of a sustainable, high-value manufacturing industry that links research and development with modern production practices. This represents a significant opportunity for our state as we make the transition to an advanced manufacturing jurisdiction. The program is assisting companies to take their innovative projects to the next stage, with the latest projects to be accepted through the program being a heart rhythm mapping diagnostic tool and a device to assist manual bag valve mask ventilation.

The rhythm mapping tool being developed by Adelaide Research and Innovation Pty Ltd analyses electrical signals from the heart and creates a map for surgeons to use to guide treatment and improve outcomes for patients with atrial fibrillation, a leading cause of hospitalisations. The inventors of the system, from the Centre for Heart Rhythmic Disorders at the University of Adelaide and SAHMRI Heart Health, have created a tool that could significantly improve the success rate of cardiac ablation, a procedure used to correct the heart rhythm problems caused by atrial fibrillation. I understand that the funding will support extra research and development to enhance the effectiveness of the mapping software and to develop an advanced working prototype suitable for clinical trials.

Another project, the Kirmani Emergency Ventilator, was proposed by inventor and emergency department registrar Dr Bas Kirmani. Program support will enable the design and development of a proof of concept prototype which will enable efficient and effective single person operations of a bag valve mask emergency ventilator.

I am also pleased to inform the chamber that last week saw the announcement of another manufacturer of medical devices coming to South Australia. A $3 million loan was provided to Micro-X to manufacture ultra-lightweight medical X-rays, and they will be moving from Victoria and setting up their headquarters here in South Australia. I am advised there will be 12 new jobs in the first instance, but the company expects to grow rapidly and has indicated that as many as 70 jobs could be created in the first three years. These will be highly skilled advanced manufacturing jobs, the kind of jobs we need to continue to create to help make South Australia a strong and sustainable manufacturer into the future.

This is exceptionally exciting and the potential is great. Indeed, Micro-X managing director, Peter Rowland, has said that, 'This will be the first carbon nano-tube powered X-ray system in the world.' This is exceptional cutting-edge technology and the possibilities are enormous. Micro-X's decision to move to South Australia reflects the collaborative, innovative and supportive business climate that the South Australian government is building, one that supports emerging technology companies, and I am sure that those factors, as well as Micro-X's decision to relocate to South Australia, will help attract other medical device companies to our state.

In addition to the Medical Technologies Program, we have recently established the MedDev Alliance, with a $750,000 grant over three years to grow our medical devices industry, commercialise the research and products from the industry, and pursue overseas markets for these products. The development of a medical and assistive devices industry presents significant growth opportunities for the South Australian economy. It is important the government continues to support the development of early stage projects and provides links to and feedback from industry experts to facilitate the commercialisation of these and other devices.

Ministerial Statement

SOUTH EASTERN FREEWAY

The Hon. K.J. MAHER (Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Aboriginal Affairs and Reconciliation) (15:04): I table a copy of a ministerial statement, relating to the South Eastern Freeway, made earlier today in another place by my colleague the Minister for Transport and Infrastructure.

Question Time

MEDICAL TECHNOLOGIES PROGRAM

The Hon. A.L. McLACHLAN (15:05): Supplementary, Mr President: what is the interest rate, if any, on the $3 million loan?

The Hon. K.J. MAHER (Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Aboriginal Affairs and Reconciliation) (15:05): It is an exceptionally good question from the always perceptive member. I am—

Members interjecting:

The Hon. K.J. MAHER: It is a great question, and I thank the honourable member very much for his important question. I think it is a question very, very well worth asking.

MEDICAL TECHNOLOGIES PROGRAM

The Hon. T.J. STEPHENS (15:05): Supplementary question: are you going to answer the question?

The Hon. K.J. MAHER (Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Aboriginal Affairs and Reconciliation) (15:05): Yes. As to the exact interest rates, I will bring back a reply for the Hon. Terry Stephens.

MEDICAL TECHNOLOGIES PROGRAM

The Hon. T.J. STEPHENS (15:05): Supplementary question: would you like to give us an approximate, minister, given you are obviously right across this?

The Hon. K.J. MAHER (Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Aboriginal Affairs and Reconciliation) (15:05): I am right across this, but if I don't get it exactly right I am sure I will be held to account. I have the sharpest minds of the opposite side holding me to account on these things, so I would not want to get it even slightly wrong. So, I will make absolutely sure about it and bring back a reply.

PROSPECT AMBULANCE STATION

The Hon. D.G.E. HOOD (15:06): My question is to the Minister for Sustainability, Environment and Conservation, representing the Minister for Health. I appreciate that the minister may want to take this on notice, but does the government have any plans to scale back, relocate or close the Prospect ambulance station?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (15:06): I thank the honourable member for his most important question, and I will take wholeheartedly his advice to take that on notice. So, I undertake to take the question to the Minister for Health in the other place and to seek a response on his behalf.

STEM EDUCATION

The Hon. J.S. LEE (15:06): I seek leave to make a brief explanation before asking the Minister for Science and Information Economy a question about the future of science in South Australia.

Leave granted.

The Hon. J.S. LEE: On 18 September 2015, the Education Council held its sixth council meeting, where ministers discussed a range of key policy issues and progressed significant education reforms. The minutes reported from that meeting stated that the ministers agreed on the scope of drafting a new national science, technology, engineering and mathematics school education strategy. This strategy involved the ministers agreeing not to make STEM subjects compulsory in high school, with one of the main reasons being the lack of specialised teachers.

Outlined in the State Strategic Plan, the state government confirmed that they wish to increase the number of students by 15 per cent by 2020 to receive an Australian Tertiary Admissions

Rank or equivalent in at least one of the following subjects: maths, physics or chemistry. It was also reported that the Australian Science and Mathematics School in Adelaide is creating initiatives to foster a passion for science. My questions are:

1. Does the minister believe that science should be compulsory in high school?

2. With the lack of specialised STEM teachers in schools, what strategies and measures has the minister put in place to better train or enhance the skills of specialised teachers?

3. What initiatives has the minister developed in terms of meeting the strategic plan to increase the number of students studying STEM subjects?

4. Can the minister explain how she is going to develop a suitable environment for students to embrace science?

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) (15:08): I thank the honourable member for her most important question. The details in terms of developing secondary school curriculum rests largely with the Minister for Education, the Hon. Susan Close. There are processes and bodies that are in place to assist in developing national standards for secondary school curriculum right across all fields, and I certainly leave the development of that level of detail to the experts.

In terms of South Australia, the South Australian government has outlined its reform agenda around its 10 economic priorities, which is about stimulating new ideas, developing people and seizing opportunities, particularly for businesses. We are making several significant policy reforms and program initiatives to help equip our workforce with the skills needed to drive innovation. These measures are targeted at students, from primary school right through to secondary school, and the community, through a cross-agency approach led by the Department for Education and Child Development and also DSD.

The key measures are outlined in our Investing in Science action plan. Some of these initiatives that target schools include a recent agreement with the National ICT Australia to establish a national digital careers program in South Australia which aims to increase ICT careers awareness for secondary students; the recently launched Future Innovators Series program, delivered by RiAus hosting inspiring speakers to encourage students into STEM career pathways while providing teaching resources to teachers to further encourage students in the classroom; investing in several new STEM specialist schools, such as the $2.3 million advanced manufacturing centre at Seaview High School, the over $600,000 defence specialist school at the Heights School, and $200,000 for a STEM specialist school at Hamilton Secondary College. This will add to the existing Lefevre High School maritime program and the Australian Science and Mathematics School.

Further initiatives include supporting an industry-led pilot program to encourage more girls, in particular, into STEM, recognising that girls are often under-represented in some STEM areas, particularly information technology and engineering; supporting the industry-led Concept 2 Creation program to provide industry-centric curriculum resources and mentors for schools, worth around $700,000 over three years; and supporting an annual science and engineering challenge competition, which is run in various regions across the state to help engage local high schools.

I am advised that there are more than 40 programs, activities and competitions that schools can access or participate in to stimulate and enhance student interest in STEM. Some programs are delivered by private providers that visit schools to deliver supplementary STEM-based experiences. DECD has provided advice that the agency itself does not support or endorse individual private providers but that schools make local decisions on which of these supplementary providers, programs and services to access to suit the specific needs of their teachers and students.

The state government, through DECD and DSD, is supporting the NAMIG with funding of $700,000 over the next three years to enable it to attract greater industry support and implement a long-term sustainable operating model. Of course, there are a number of initiatives targeted at tertiary students in VET and universities. A range of initiatives target teachers, such as working with RiAus to develop STEM career resources, comprising videos and sample lessons linked to the Australian curriculum that middle and secondary teachers can use directly in the classroom, and initiating a unique pilot program with the New Venture Institute and the Australian Science and Mathematics School, targeting entrepreneurship skills through teachers so that they are able to transfer that really important knowledge to their students. The success of the pilot will see the program offered as a regular professional development program for teachers.

Of course, there is a range of initiatives targeting the general public, which I think I have spoken about in this place before, and I have just mentioned some of those programs we put in place to stimulate STEM development of both our teachers and students.

TAFE SA

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) (15:14): Previously in question time I was asked a question about an investigation of a particular staff member. I can advise that I am informed the investigation is still underway.

The employee is suspended on full pay and apparently a series of claims has been put to the employee and she has been provided with time to respond to those claims. It is important that she is provided with that time to ensure that procedural fairness occurs as part of the investigation process, and the chief executive of DSD, once that information and that response have been collected, will then make a determination.

SOUTH AUSTRALIAN TRAINING AWARDS

The Hon. T.T. NGO (15:15): I seek leave to make a brief explanation before asking the Minister for Employment, Higher Education and Skills a question about how achievements in vocational education and training are recognised.

Leave granted.

The Hon. T.T. NGO: We know vocational education and training is a valuable and viable pathway to gaining a meaningful career and that it is a sound choice for thousands of South Australians. We also know the importance of quality delivery in training and the impact it can have on success, both in qualifications and in gaining and prospering in future employment. My question is: can the minister tell the house about how outstanding achievement in vocational education and training is recognised both for individuals and organisations?

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) (15:16): I thank the Hon. Tung Ngo for his very informed question. The choice to undertake vocational education and training and to pursue skill-based careers is one of the most important decisions a young person and their family can often ever make. Skill-based training provides young people with a way to make a difference, grow the economy, and provide new businesses and jobs for Australia's future.

I was very pleased to attend the 20th anniversary of the SA Training Awards recently which celebrated the achievements of our state's top students, employers, training organisations and teachers, those brilliant people who turn opportunity and aspiration into jobs and growth. As South Australia continues to move with our changing economic circumstance, it is more important than ever that we create a high-skill, high-value economy that is innovative and responsive to the challenges of the future.

Each of the finalists made a personal choice to create a future for themselves, to believe in their abilities and their capacity to learn and to change. Jessica Wooley, an electrician who moved to Adelaide from Kangaroo Island to pursue her chosen career, won the state's most prestigious award for apprentices. Jessica is employed by SA Power Networks and trained at TAFE SA. Not only did she excel as a woman working in a male-dominated trade but she also obviously undertook a fairly major life decision by moving to the mainland to help further her studies and work. It is a wonderful VET outcome and also a great achievement for a young woman.

Other categories were: Trainee of the Year, Timothy Spurling, trained by TAFE SA; Aboriginal and Torres Strait Islander Student of the Year, Breeanna Folley; Vocational Student of the

Year, Madeline Ziegler; School-based Apprentice of the Year and People's Choice Award winner, Reece Jongenelis; VET Teacher/Trainer of the Year, Geoff Way; Industry Collaboration Award, Regional Development Australia Yorke and Mid North for the Caring Careers Project; Small Training Provider of the Year, North East Vocational College; Large Training Provider of the Year, Time Education and Training; Small Employer of the Year, Bowhill Engineering, a Murraylands fabrication business; and Employer of the Year, SA Power Networks.

The winners of the SA Training Awards will be South Australia's entry into the 2015 Australian Training Awards to be held in Hobart later on this year in November. Obviously, I really look forward to following the progress of our state's representatives as they compete for a national award and I wish all of them well in competing at that level. I am confident we will do well, given the calibre of the recipients of this round of awards.

Another recent opportunity to recognise and showcase the achievements of students in the VET sector was through the WorldSkills competition in Brazil. WorldSkills Australia aims to develop and nurture the skills of young Australians and encourage Australians to celebrate vocational education and training. WorldSkills holds competitions on regional, national and international levels.

Two young South Australians, Karl Geue and Daniel Picariello, recently travelled to Brazil as part of the Australian WorldSkills team, the Skillaroos, to compete on the international stage. Karl, a cabinetmaking apprentice from Kingston in the South-East, first began participating in woodwork classes in year 8 at Kingston Community School. He continued throughout his schooling, ultimately being offered an apprenticeship at Kingston Kabinets. Karl was successful in winning the gold medal in the national competition and, as such, was selected to join the Skillaroos team.

Daniel is undertaking an apprenticeship in wall and floor tiling and completing his training at TAFE SA's Tonsley campus. He is following in his family's footsteps, completing his apprenticeship in his father's business, Sabcal Tiling. Daniel gains a great sense of satisfaction after completing a job and was selected for the Skillaroos after winning silver in the national competition.

The Skillaroos' strong performance was the culmination of two years of intensive competition and one-on-one training. These amazing young Australians have demonstrated dedication and commitment to their professional development in the last two years. Their success in the international competition is testament that Australia is at the forefront of vocational education and training excellence. I congratulate those students.

Matters of Interest

LOW CARBON INVESTMENT PLAN

The Hon. T.A. FRANKS (15:22): I rise today to speak about the most critical issue confronting our planet, which is, of course, the challenge of climate change. It is a problem that has caused undeniable changes to our environment, our atmosphere and our lives, with intensified cyclones, droughts, increased temperatures and the acidification of oceans with methane plumes rising up from beneath the ocean floor.

Scientists have reported Antarctic and Greenland ice sheets melting at unprecedented rates and faster than they had previously predicted. Climate change has also been named as the single greatest security threat, with the American military writing warnings about its potential for causing global geopolitical instability.

We have a very difficult task ahead, so I rise today to commend the state government's Low Carbon Investment Plan. This paper that has been presented is not a paper of aspirational ideas alone: it also sets out how South Australia will achieve its target of 50 per cent of electricity production through renewable energy by 2025. South Australia can and must, I believe, feature the world's first carbon-neutral city and, in doing so, secure its future through sizeable investment in the renewable energy sector.

The writing has been on the wall for some time. We have heard about the devastating job losses, particularly those in Port Augusta's power stations earlier this year. These are tough times for workers in this sector. They must be given every possible support to have a brighter future and a supported future. The expected closure of Port Augusta's coal-powered stations is an opportunity, of course, to invest in concentrated solar thermal jobs. It is not just a challenge: it is an opportunity. We must repower our regions.

Notable measures included in the strategy paper of the state government, which I certainly support, are projections to broaden participation in solar ownership, including a 2014 pilot program delivering 1.5 kilowatts systems to 80 new houses in 11 regional towns, including Port Augusta, Port Pirie, Whyalla, Saddleworth, Peterborough, Jamestown, Laura, Gladstone, Melrose and Burra.

A multimillion dollar recovery plant is to be built and operated by Air Liquide at the AGL Torrens site to capture and purify up to 50,000 tonnes of carbon emissions from the power station each year for reuse by the industry to carbonate drinks and treat wastewater and public swimming pools, as well as energy storage for electric vehicles and battery systems.

I, for one, as a member of this place, look forward to the stakeholder consultation phase, which I understand is due for completion on 18 October this year ahead of the December 2015 launch of the Low Carbon Investment Plan for our state. It is vital that we accept this challenge. It is vital that we rise to this challenge.

SOUTH SUDANESE COMMUNITY

The Hon. J.S.L. DAWKINS (15:25): I rise today to speak about two events I have attended recently which have been organised by members of the South Sudanese community living in South Australia. As members would well recognise, South Sudan is the world's newest nation, having gained independence from Sudan in 2011. However, instability and conflict have plagued South Sudan since its independence, with more than half of its citizens living in poverty and an adult literacy rate of less than 25 per cent. South Sudan is currently one of the least developed nations in the world.

On 12 August this year, I attended the launch of the South Sudanese Adult Education and Skills Development Centre. The centre is an initiative of the South Sudanese Employment Pathways Reference Group of South Australia and aims at supporting South Sudanese people living in this state. The South Sudanese Employment Pathways Reference Group of South Australia is voluntary, not for profit, non-political, non-ethnic and non-religious. It aims to support South Sudanese people in several ways: by providing work experience and training; education about work, health and safety and employment laws; and by collaborating with government and non-government organisations to best further the interests and employment opportunities of South Sudanese people.

The group hopes that by empowering students with numeracy, literacy and communication skills they will be better equipped to gain and enjoy employment. The centre is based at the Fremont-Elizabeth City High School and I was delighted that the Mayor of the City of Playford (Mr Glenn Docherty) attended and officially launched the centre.

Additionally, on 29 August I was pleased to attend and speak at the Magwi Development Agency Australia Inc. (MADAA) fundraising dinner at Greenwith. MADAA is a not-for-profit organisation that was founded in 2008 and is responsible for the construction and operation of the Leopoldo Anywar College in the Eastern Equatoria State of South Sudan. The school, which was opened in February 2014, provides education and support to boys and girls.

In South Sudan's recent state of turmoil, more than 4.6 million people are facing emergency levels of food scarcity and MADAA helps to provide food to the local community via donations. In the longer term MADAA hopes to help develop a primary production industry and a self-sufficient society. Both of these groups have made a positive impact on the South Sudanese community, both in South Sudan and here in South Australia. Education is one of the key ways of empowering people with skills to make them employable and able to rise out of poverty. I was pleased to be able to take part in these initiatives and to be able to continue my engagement with the South Sudanese community in this state.

I would like to thank Mr Buol Garang Anyieth Juuk, chair of the South Sudanese Adult Education and Skills Development Centre, for welcoming me to the launch of the centre. I was there particularly representing the Hon. Jing Lee on that occasion. Additionally, I would like to thank the Magwi Development Agency Australia for giving me the opportunity to speak at its event and particularly Mr Celian Kidega for his leadership of that group.

Certainly, I mentioned that I represented the Hon. Jing Lee at the first of those events; I have done quite a bit of that in recent times, and I give her great credit. At many of the multicultural events I have attended, you only have to mention the Hon. Jing Lee's name to see the recognition she gets as someone who works very hard in the multicultural community.

I know that the Hon. Tung Ngo, with whom I have been at events as well, would recognise the great encouragement that many of those groups get from the regular attendance of members of parliament at those events, and that is something that both he and my colleague the Hon. Jing Lee do a great deal of. With those words, I am very pleased to support the South Sudanese community and their efforts in South Australia.

AGED CARE

The Hon. T.T. NGO (15:30): I rise to speak on the issue of Australia's aged-care system and recent perhaps unnoticed changes that have been made by the federal Liberal government. The changes will have detrimental effects on many older Australians. With an ageing population, it is important that reform in the aged-care sector is done in a way that does not make those Australians who utilise the system worse off.

Since 2013, the Australian government has moved to consolidate the funding model of aged care into three main programs: (1) low level care would be covered by the commonwealth home support program; (2) intermediate care through the commonwealth's Home Care Packages Program; and (3) those requiring high level care would be covered by the residential care program.

I would like specifically to focus on the changes the government is implementing in the Home Care Packages Program. A key element of these changes is that all funding will be delivered through the consumer directed care model. More than 60,000 seniors who receive home care packages have been moved to this new model of funding since 1 July this year. This means that all clients will have their own individual pool of funds to spend on the services they require. This is a move away from the previous model, in which organisations receive block funding to deliver services.

These types of changes are always sold to us by those on the right of the political spectrum as being about providing individuals with choice and getting governments out of the way. It is true that clients will be able to direct the funds to services they require, rather than having services directed to them. However, when you dig deeper into the Liberal government's reform, you begin to realise that they are selling incredibly short those who are most vulnerable.

It has been reported that thousands of recipients have been told by the home care providers that the new packages will not have enough funds to pay for the services they receive now. This is because the packages are no longer being combined into big blocks of recipients. Effectively, under the old scheme recipients with less intense packages were subsidising those who needed more intensive care. This cross-subsidisation will no longer occur with the federal Liberal government's individualised packages. This incomprehensible scenario will see those who require the most support being the hardest hit. The Council of Social Services in new South Wales has summed up this situation best:

> The rationale for the value package levels is not clear, and seems to be based on the current value of packages, not the level of need, in the community. In contrast, the NDIS will provide funding allocations in response to a person's need rather than according to the predetermined amount. The entitlement approach recommended by the Productivity Commission would also be more responsive to consumer needs than fixed package levels.

Those reforms, which are apparently all about giving consumers choice, are really the Liberal federal government's code for cutting its funding to the aged-care sector. The federal government currently funds 84 per cent of the total cost of home care packages. The changes will see that contribution reduced to 76 per cent.

Rather than promote choice, the federal government's message to some of the most vulnerable in our society is that if you want to maintain your current level of care then you need to accept increases in the fees you pay. Given that these very services are a necessity and not a luxury for many of the 60,000 elderly Australians on this scheme, I ask the new Prime Minister to consider where he sees the choice in that.

THOROUGHBRED RACING INDUSTRY AWARDS

The Hon. T.J. STEPHENS (15:35): Recently I had the privilege of attending the annual industry awards of Thoroughbred Racing South Australia. This gala evening recognised the talent of the sport's high achievers and also inducted an outstanding racehorse into the South Australian Racing Horse Hall of Fame. I would like to acknowledge a few of the human and equine award winners of the evening.

The 2014-15 Champion Racehorse of the Year was Hucklebuck, an outstanding horse worthy of much praise. Hucklebuck boasts eight wins from 14 starts, securing three first places in the 2014-15 racing season. Consistency is not only a desirable characteristic in a racehorse but one which is so important that it is acknowledged through the Most Consistent Racehorse award. However, there was not just one consistent racehorse but a tie for the award.

Swinging Arms and Go Dreaming were both very deserving winners and thoroughly deserved the accolade. Swinging Arms is an incredibly consistent horse, with five wins in the 2014-15 season and three third placings. Go Dreaming secured six wins, was second five times and placed third twice. Clearly, these two horses have been consistently placing in the top three of numerous races and are incredibly worthy of this award. However, this was not the only highlight of the evening.

An outstanding jockey was awarded not only the John Letts Medal, which recognises excellence in riding and exceptional achievements across all race meetings in the state, but also the South Australian Jockey of the Year. I am incredibly proud of Ms Claire Lindop, a courageous and talented jockey. It is great to recognise her success in returning to racing after a horrific accident during last year's Adelaide Cup, where she sustained a broken collarbone and broken ribs. Matthew Neilson, a jockey not unfamiliar with receiving awards as he too has received the Jockey of the Year award, was recognised as the Provincial and Country Jockey of the Year.

Not only are jockeys and racehorses important to the industry, but so is the person who puts in an incredible amount of hard work, and that is the trainer. The Metropolitan Trainer of the Year award was given to the highly competent Phillip Stokes, and the Provincial and Country Trainer of the Year was David Jolly. In addition to this, Phillip Stokes was also the recipient of the South Australian Trainer of the Year award.

The Apprentice Jockey of the Year award is becoming increasingly significant in racing. It encourages and rewards the younger generations' participation and talent in the industry, ensuring that racing remains an integral aspect of South Australian culture and also an enormous employer. This award went to Jake Toeroek, a young man with great potential in this industry. Jake achieved two international wins at Kranji in Singapore during August this year. Emily Finnegan was the recipient of the country equivalent, the Provincial and Country Apprentice Jockey of the Year award. I have to say that she is a very charming young Irish woman who conducts herself incredibly well.

Stephen Pateman received the medal for Jumps Jockey of the Year with 25 wins in the last 12 months, and Eric Musgrove's efforts were acknowledged through his win as the Jumps Trainer of the Year. The coveted Most Outstanding Achievement by a Club award was given to the Port Augusta Racing Club. It was extremely pleasing to see a country club's efforts recognised. This racing club has been providing the region with a racing facility since 1881 and hosts nine different racing events each year for all to enjoy. It is incredibly well patronised and incredibly professionally run.

The Most Outstanding Achievement by an Individual award was given to Mr Trevor Trenowden (affectionately known as Bushy), a trainer very worthy of this award. Becoming worthy of induction into the Hall of Fame is not an easy feat but, with Storm Queen winning eight races in a row in her first year of racing in 1966, this title is thoroughly deserved. Trainer Ab Macdonald was also inducted into the Hall of Fame for his outstanding efforts.

A category of awards unlike the others acknowledges significant achievements of individuals in the media. The Best Racing Story Award went to Lincoln Moore for his story in *The Advertiser* about cousins Chris Burdon and Martin Connor, who paid $6,000 for a 5 per cent share in the then unraced galloper Brazen Beau. The horse went on to become one of Australia's best racehorses. Photographer Terry Hann received the Best Racing Picture Award.

The awards night was a very enjoyable event, and it was great to see the stars and the hard work of the industry being recognised. I would like to extend my congratulations and thanks to Thoroughbred Racing chair, Ms Frances Nelson QC, and the incredibly competent chief executive Mr Jim Watters. I wish the TRSA, all award winners and the entire industry the best of luck for a successful season.

ICE ADDICTION

The Hon. D.G.E. HOOD (15:40): I rise today to speak on some of the issues that we face with the current ice epidemic in Australia, in particular in South Australia. I have previously spoken on the cost of drugs to society, so I will not cover those statistics again today. However, what I will remind members of is that the Australian Institute of Health reported that South Australia recorded treatment episodes with amphetamines almost double that of the national average (24 per cent for South Australia compared with 14 per cent for the national average).

Ice use had more than doubled from 22 per cent of that 24 per cent in 2010 to 50.4 per cent in 2013, and this is something that must be addressed as a matter of urgency in the view of Family First. Hospital drug admissions are also on the rise. *The Advertiser* reported that 154 people were admitted to metropolitan emergency wards with amphetamine-induced psychosis between July 2014 and January 2015. That was nearly double the 84 in the same period the year before.

At a recent ice forum held in Mount Barker, it was noted that the increase in ice use was due to it being cheaper, more readily available, more pure, and eight times more potent than the powder form of speed. The average user is getting younger and more people are using on a weekly basis, increasing the possible associated harms, including psychosis and, obviously, addiction. The psychiatric symptoms associated with ice use, including paranoid psychosis, have never been seen on this scale before in any illicit drug use in Australia.

South Australia now has 96 publicly-funded treatment centres, up from 56 a decade ago, but, rather than witnessing a fall in drug use, what we are being told is that the problem is escalating. That brings into question the effectiveness of these rehabilitation centres. We simply do not have sufficient rehabilitation options for those suffering from ice addiction. Rehab wait times can be pushed out as far as six months, with private treatment cost prohibitive for most people. In many instances practitioners refer people interstate for treatment.

A further issue is that not all treatment centres are equipped to deal with the problems associated with ice addiction. Most drug withdrawal services are short term, which is a problem because ice symptoms can last for around 18 months. The more severe the addiction or the symptoms experienced the more intensive treatment needs to be, and there are not many resources in the area at present. In many instances detoxing from ice requires a secure facility, and they are in short supply.

People can beat ice addiction, but it takes a lot longer than it does with other drugs in most cases. The terrible fact of the matter is that we are ill equipped to deal with this issue in this state and, to some extent, in this country. We need to start offering some real options to those people who are suffering a daily basis with the devastating impact of this drug on themselves and their families. An area that must be considered is that of mandatory rehabilitation. Currently, rehabilitation is only for people who self-refer.

However, I am reliably told by workers in the area that not many ice users are cognizant of a problem at all and, due to the effect that the drug has on the brain, they probably never will be. Therefore, the likelihood of self referral for ice abuse is incredibly low. We do not have any way of compelling someone to enter and remain in rehabilitation; however, I believe it is time we looked at this very seriously.

Psychologist Dr Michael Carr-Gregg also commented on radio recently that there was a case for forced treatment in these cases, citing a New South Wales' government report into a compulsory treatment centre, noting that the outcomes of the patients were good, with over three-quarters of former drug users recording negative when further tested to see whether they were still using the drug. If this is not a strong case for considering mandatory rehabilitation in this area, I do not know what is.

Psychologist Dr Chris Hamilton agreed that mandatory rehabilitation must be considered if significant intervention is needed. Parents and families of ice-affected people report that they want practical help before their child ends up in a prison or, even worse, dead. They need advice on how to deal with the violence, how to live with a drug user and what to do when someone is trying to kill themselves, harm themselves or harm someone else.

A particularly disturbing story that has been repeated is how frequently parents and carers call police for help or end up in hospital with, usually, their addicted child, only to be told that all was well in terms of that situation at that present time but then offered no ongoing help. We need to seriously consider creating options for mandatory rehabilitation for all levels of drug users and, most specifically for ice users, as a matter of urgency. This thing really is getting out of control.

ANTIBIOTICS RESEARCH AND DEVELOPMENT

The Hon. G.A. KANDELAARS (15:45): In June, along with a number of honourable members, I attended a gala dinner hosted by the Australian Society for Medical Research as part of the celebration for Medical Research Week. At the dinner, I had an opportunity to talk to Dr Steven Polyak from the University of Adelaide's School of Biological Sciences who told me about amazing research he and his colleagues are undertaking to develop new antibiotics. This research is becoming increasingly important, given the huge healthcare challenge we face with the rise of antibiotic-resistant bacteria.

Recently, I visited Dr Polyak at the School of Biological Sciences at the University of Adelaide and met with both Dr Polyak and his colleague Associate Professor Grant Booker to discuss their world-leading research. This research is being done in collaboration with Professor Andrew Abell (also from the University of Adelaide), Associate Professor Milne (from the University of South Australia) and Professor Wilce (from Monash University).

Antibiotics have, arguably, been one of the most successful medicines of all time. Penicillin has helped to treat millions of patients worldwide. South Australia's own Howard Florey, a University of Adelaide graduate, was awarded the Nobel Prize for his role in the development of penicillin. For well over half a century, we have relied on a limited number of antibiotics. The emergence of bacteria that are resistant to antibiotics is rendering our current arsenal of antibiotics less effective and, in some cases, totally ineffective. This impacts everybody.

Even in advanced countries where patients have access to high quality healthcare systems and medicines, the threat posed by bacteria continues to be a serious one. Here, 200,000 patients catch infections in Australian hospitals each year, costing the healthcare system over $1 billion. One of the most prevalent infections is *Staphylococcus aureus*, commonly known as golden staph, with 20 per cent of cases resistant to the front-line drug methicillin.

University of Adelaide researchers are working on a well-accepted approach to address drug resistance by developing new antibiotic classes that work through novel modes of action and that are not subject to existing resistance mechanisms. Chemicals that target proteins essential for bacterial survival represent new forms of antibiotics. The researchers have demonstrated that the metabolic protein biotin protein ligase is a valid drug target in clinically important bacteria, golden staph.

The team's approach to discovering new antibiotics is to employ 'clever drug design', where detailed knowledge about the three-dimensional structure of an identified protein is used to create new chemicals that prevent the protein from working. The key steps in this approach are:

- to design new chemicals;
- to make these compounds using synthetic chemistry, and then
- to test these compounds in a variety of biochemical and microbiological experiments.

The data from these experiments is then used to design new, optimised compounds with the properties required in a medicine. This early stage drug discovery research is a collaborative effort involving a team of researchers with expertise in biochemistry, medicinal chemistry, microbiology, structural biology and pharmacology.

The research team has discovered and patented two novel classes of antibiotics with clinical potential. They have successfully addressed a number of key criteria required for the development of a preclinical drug candidate. Based on the progress they have made, they are well placed to test their compounds in animal models. This is a key milestone for strengthening the team's intellectual property and attracting external funding for the support of their research.

The University of Adelaide is exploring the establishment of an offshoot company as a mechanism to commercialise the technology. Once established, the company would be a vehicle to employ highly skilled personnel to perform cutting-edge pharmaceutical research, with benefits flowing to all of South Australia. The study being undertaken by the University of Adelaide is clearly leading edge and world class. I wish Dr Steven Polyak and Associate Professor Grant Booker and their team all the best in their research endeavours.

DISABILITY AWARENESS

The Hon. K.L. VINCENT (15:50): A couple of events in the past few days that have been reported and discussed in the national media mean that I need to come here today and talk about disability and disability awareness in the broader community. There tends to be a view that the National Disability Insurance Scheme will solve, and in fact has already solved, every challenge that we have in the disability community.

Whether it be funding, resourcing, advocacy, out-of-home care (otherwise known as respite), protections against abuse, employment, buses being accessible, accommodation, support for family carers, wheelchairs being fixed or serviced in a timely manner, training for disability support workers or a justice system that works for all, it seems that the answer to everything is the National Disability Insurance Scheme. Well, I am sorry, but it is not.

Yes, the NDIS at a commonwealth level is a once in a generation reform that could, in the long term, vastly improve the organisation of services, provision and resourcing of the disability sector. This improved system could help increase awareness of people with disabilities in our community and our basic rights by improving our access to it—that is, our right to access housing, transport, the community, employment, entertainment, recreation, education, travel and all other life opportunities, just like everyone else.

However, what it cannot do in and of itself is remove many of the barriers still facing us. It does not immediately educate the media or community about the importance of not stereotyping or portraying people with disabilities as a giant homogenous group: 'the disabled'. It does not educate employers about employees with disabilities being more loyal and dedicated employees.

That is why it was disappointing to listen to our new Prime Minister, the Hon. Malcolm Turnbull, introducing his new ministry on Sunday and make no specific mention of disability in general or the National Disability Insurance Scheme. Yes, I know that the Hon. Christian Porter now has responsibility for disabilities and the NDIS as social services minister, but Dignity for Disability, like the community, believe that it is important that disability has a portfolio and be acknowledged on its own merit. After all, one in five people has a disability.

It was also pleasing to see a number of women elevated to the ministry, but I think it is worthwhile noticing that I as a disability MP, and a politician with a disability (and a visible one at that), am still something of a novelty in this country. With one in five Australians with a disability, and two in five who support or care for a person with a disability, this is a mainstream issue, not an exclusive club. I do, however, look forward to working with the Hon. Christian Porter MP, especially to negotiate a new bilateral agreement in terms of the NDIS for this state.

The other event I would like to briefly mention is a news story of a security guard at a retail hi-fi store refusing entry to a 21-year-old man with Down Syndrome. He did this because he thought he was some other person who had been already banned from the store—someone who also has Down Syndrome. However, the young man refused entry was of a Fijian background, with dark skin and hair, unlike the photo of the man who had in fact been banned from the store, who I understand was quite clearly Caucasian. The man who was refused entry was fair-haired and light-skinned, yet the security guard's comments, I understand, as they were reported in the media, were, 'They all look the same.'

This story quickly went viral on social media and then entered mainstream media across the country. As if the security guard's actions were not bad enough, the media reporting referred to this man as a 'Down Syndrome boy' and 'suffering from Down Syndrome'. A 21 year old is not a boy—he is a man or young man—and you do not 'suffer' from disability; you have a disability. You suffer from ignorance and stigma. We really need to be more careful and respectful about how we portray disability and report on disability in this country. I encourage you all to reflect on your own perceptions and misconceptions and how words perpetrate myths and stereotypes about people with disability. We need a more enlightened and respectful thinking in 2015, not regressive concepts and outdated ideas.

Motions

ELDER ABUSE

The Hon. K.L. VINCENT (15:55): I move:

That the Social Development Committee inquire into and report on matters relating to elder abuse in South Australia including—

1. The prevalence of abuse (including but not limited to financial abuse, physical abuse, sexual abuse, psychological abuse, social abuse, chemical abuse and neglect) experienced by older people in South Australia;
2. The most common forms of abuse experienced by older persons and the most common relationships or settings in which abuse occurs;
3. The types of government and/or community support services sought by, or on behalf of, victims of elder abuse and the nature of service received from those agencies and organisations;
4. The adequacy of the policies, resources, powers and expertise of specialist agencies (including South Australia Police, Office of the Public Advocate, Aged Rights Advocacy Service, Legal Services Commission, Public Trustee, Domiciliary Care South Australia) and other relevant service agencies to respond to allegations of elder abuse;
5. Identifying effective ways to improve reporting of and responding to elder abuse to assist in establishing best practice strategies for multi-agency responses;
6. Identifying any strength-based initiatives which empower older persons to better protect themselves from risks of abuse as they age;
7. The effectiveness of South Australian laws, policies, services and strategies, including the South Australian Strategy for Safeguarding Older People 2014-2021 in safeguarding older persons from abuse;
8. Innovation for long-term integrated systems and proactive measures to respond to the increasing number of older persons, including consideration of their diverse needs and experiences, to prevent abuse;
9. The consideration of new proposals or initiatives which may enhance existing strategies for safeguarding older persons who may be vulnerable to abuse or prevent such abuse, including with reference to international best practice;
10. Identifying ways to inform older South Australians about online scams to which they may be vulnerable; and
11. Any other related matter.

I speak today to introduce this motion on behalf of Dignity for Disability, and in so doing would like to acknowledge the work of organisations and individuals such as Aged Rights Advocacy, the Council on the Ageing (COTA), and law academics such as Professor Wendy Lacey, and the work that they undertake in the area of elder abuse prevention.

Not unlike abuse of people with disabilities, elder abuse is a topic that there is often still much ignorance around and denial of. Although also similar to some vulnerable people in the disability community, older people can often find themselves comparatively isolated and neglected, or viewed as somehow having lesser needs or rights. Australia's criminal laws must be reviewed in light of the low rate of prosecution for elder abuse, according to a leading expert, who has also called for the various powers of attorney and guardianship laws that we have at a state level to be re-examined.

Professor Wendy Lacey, Dean of Law at the University of South Australia, told the Australian Association of Gerontology national conference on Wednesday that, along with legislative reform, coroners need to be educated about elder abuse and its prevalence. I understand that, while there were mandatory reporting obligations around suspected physical and sexual abuse under the Aged Care Act, these only covered seniors living in aged care residences and did not protect the majority of older people who are not yet accessing federally funded services, Professor Lacey says.

Professor Lacey, who is also a convenor of the Australian Research Network on Law and Ageing, was last year appointed to the SA Minister for Health's steering committee, which reviewed the state's framework for responding to elder abuse. She said that under the constitution the federal parliament's powers to address elder abuse were 'virtually nil' with 'almost no capacity to develop a comprehensive systemic framework'. Therefore, advocates need to look to the states, according to Professor Lacey.

I would now like to touch on some of the barriers to detecting abuse of older people. In some situations, it can difficult to recognise or verify abuse as some forms of abusive behaviour against older people are subtle or intentionally hidden. Making the person feel safe may assist them to raise their concerns about an abusive situation. There are many reasons why older people or others may not be raising issues of abuse. Being aware of why abuse is being kept secret will assist the director of care to raise the issue with sensitivity. Abuse may not be reported because:

- of unwillingness to disclose that the abuse is occurring and/or has occurred;
- the older person is unable to disclose the abuse due to a lack of mental capacity;
- of health professionals, care and other support staff or the public being unaware that the abuse of older people needs to be a consideration; or
- signs and symptoms of abuse may be difficult to detect. Many of the signs of abuse are wrongly attributed to changes associated with the natural ageing process, including physical and mental changes.

Older people may be reluctant to discuss their abuse:

- due to denial or not wanting to admit to themselves that there is a problem;
- due to wanting to protect their alleged abuser (e.g. from perceived potential punishment, a loss of standing in the community or embarrassment, particularly, I imagine, if the abuser is also a friend or family member);
- due to feelings of shame or guilt or being judged as bad for allowing the abuse to happen to them;
- due to the fear of retaliation or further punishment from the alleged abuser or fear of the abuser harming others in the family;
- due to fear of not being believed or accused of lying;
- because of doubts about confidentiality being maintained or a belief that there is no-one in whom they can confide;
- because they consider the abuse to be normal behaviour;
- because they believe that they need to resolve matters by themselves and not involve or burden others;
- because they believe that nothing will change;
- because they are unable to communicate or express what is happening to them due to confusion, language difficulties, depression, physical or mental illness, or a lack of other supports that would enable them to tell their story;
- because of different cultural perceptions;

- because they may be unaware of the law, particularly changes to the Aged Care Act 1997 and compulsory reporting requirements; or
- because they may have sought assistance in the past, but that response may have been unsuccessful in causing change.

There are also many reasons why other people in the life of an older person may not necessarily disclose abuse. Family members, staff, banking officers, GPs, friends, visitors to the home or other residents may suspect abuse of an older person but may be reluctant to raise their concerns due to:

- not wanting to interfere;
- concern that the older person may lose trust or confidence in them;
- being unaware of services or other supports about where to actually take the allegations of abuse;
- believing that they lack the knowledge or resources to intervene, particularly about successful strategies;
- believing that nothing will be done to improve the situation; or
- believing that the action will be heavy-handed, insensitive and lead to further harm to the older person, or they may be unaware that older people do take action and can take action to prevent abuse and speak out about abuse if properly supported.

From the points I have just outlined about the many factors that make older people more vulnerable to abuse and also why this is not spoken about more readily, I am sure members are probably recognising some unfortunate similarities between the abuse of elderly people and the abuse of people with disabilities. Certainly, there are significant similarities that I think do need to be investigated.

On behalf of Dignity for Disability, through the Disability Justice Plan I believe I have been very pleased to play, I believe, a significant role in closing some of those gaps that leave people with disabilities vulnerable to abuse, giving people with disabilities a greater voice in court and, therefore, sending a very strong message to perpetrators that they have fewer avenues to get away with abuse. I am now very pleased to look at this issue and see how we can identify the similarities and also the differences and work together as a parliament and as a community to prevent and put in place a zero tolerance policy of abuse against elderly people—both a literal policy and one as an attitude of community.

Dignity for Disability certainly welcomes debate on this issue and looks forward to watching evidence that may be collected. We really believe that some legislative frameworks need to be put in place here in South Australia, as I have just touched on, and I would again point to the work of organisations and individuals such as Professor Wendy Lacey. As I have discussed in relation to disability in this place, getting older, like disability, is a mainstream issue in South Australia. We need to do all we can to ensure that our elders can age with the dignity and respect we should all expect and deserve as members of our community.

I look forward to the Social Development Committee undertaking this important inquiry to identify ways in which we can better protect and respect all members of our community. With those brief words, I commend the motion to the chamber.

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

Parliamentary Committees

ABORIGINAL LANDS PARLIAMENTARY STANDING COMMITTEE: ANNUAL REPORT 2014-15

The Hon. T.T. NGO (16:07): I move:

That the 2014-2015 report of the committee be noted.

I am very pleased to present the 11th annual report of the Aboriginal Lands Parliamentary Standing Committee and my second as the Presiding Member of the committee.

The committee is responsible for reviewing the operation of the Aboriginal Lands Trust Act 2013, the Maralinga Tjarutja Land Rights Act 1984 and the Anangu Pitjantjatjara Yankunytjatjara Land Rights Act 1981. The committee also has the responsibility to review the operation of the new Aboriginal Lands Trust Act three years after its commencement.

The committee discharges its responsibilities in part by visiting Aboriginal lands and Aboriginal communities, by maintaining strong relationships with the Aboriginal landholding statutory authorities and by inviting representatives from those statutory authorities to appear before the committee to give evidence. During the past year, the committee visited the APY communities of Pipalyatjara, Kalka, Nyapari, Murputja, Kampi, Umuwa and Amata as well as Aboriginal Lands Trust holdings in Port Lincoln, Ceduna, the Far West Coast and Coober Pedy. The committee is very busy.

The committee was pleased to see that the prices of fresh food supplied in Mai Wiru stores throughout the APY lands were significantly lower than on previous visits. The initial funding support of Mai Wiru by the state and commonwealth governments has led to better coordination of purchasing and lower transport costs which has resulted in quality food being delivered to the APY lands at more affordable prices. The committee commends the Minister for Aboriginal Affairs and Reconciliation and Mai Wiru for this initiative, which is now fully self-funded.

The committee has also been pleased to hear the progress of the APY lands main access road upgrade projects, with the state and commonwealth governments contributing $106.2 million to upgrade 210 kilometres of the main access road between the Stuart Highway and Pukatja, as well as 21 kilometres of community and airstrip access road in Pukatja, Umuwa, Kaltjitji, Mimili and Iwantja.

The committee will continue to advocate for at least 30 per cent of the jobs in the roads upgrade project and have meaningful employment opportunities for Anangu as specified in the tendering requirements. The committee also had evidence from a number of witnesses, including representatives of the APY Executive at the time, the interim APY general manager, the chief executive of the Aboriginal Lands Trust, the executive director of the Aboriginal Affairs and Reconciliation Division, Department of State Development, and others.

As a result of these visits and evidence received, the committee was able to raise a number of important issues with the relevant state and federal ministers and government agencies responsible for service provision in Aboriginal communities. The committee also showed its support for Aboriginal Australians, attending a number of different events, including the National Sorry Day breakfast, the Aboriginal and Torres Strait Islander flag-raising ceremony at the Adelaide Town Hall, and South Australian and National NAIDOC award ceremonies.

On behalf of the committee, I would like to take this opportunity to congratulate Mr Tauto Sansbury, who was awarded the NAIDOC Lifetime Achievement Award. Mr Sansbury is a respected advocate for social justice who has fought to improve the conditions of Aboriginal people in the criminal justice system. I also congratulate all the deserving 2015 national and South Australian NAIDOC award winners.

The committee is also a strong supporter of recognition for Aboriginal people in Australia's constitution and also acknowledges the importance of reconciliation for all Aboriginal and non-Aboriginal people. As members know, South Australia changed its constitution in March 2013 to recognise Aboriginal people as the traditional owners of our state's lands and waters and to acknowledge the continuing significance of Aboriginal heritage and culture. I think this is a positive step and sends a message to the commonwealth to take the necessary steps to ensure Indigenous recognition in the national constitution.

To all the committee members, past and present, I thank you for your time, dedication and invaluable contribution to the very important work of this committee. I would also like to acknowledge and thank the individuals and organisations who presented evidence to the committee. Through their evidence, the committee was able to gain a clearer picture of the important issues.

Personally, it has been a pleasure to meet the Aboriginal community organisations and representatives: I thank them for their warm hospitality. The committee continued to learn from

Aboriginal people and I wish respectfully to pay tribute to their culture, their strength and resilience and honour the memory of those who have passed away.

Amidst a rejuvenated spirit of national reconciliation, whilst recognising the many and varied challenges in the area of Aboriginal affairs that lie ahead, the Aboriginal Lands Parliamentary Standing Committee continued to commit and apply itself to further developing positive relationships with Aboriginal South Australians, and to work in a partnership to achieve better outcomes for all indigenous people.

Finally, I thank all members of the committee: the Hon. Tammy Franks MLC; the Hon. Terry Stephens MLC; Dr Duncan McFetridge, member for Morphett; Mr Jon Gee, the member for Napier; and Mr Eddie Hughes, the member for Giles, for their contributions and assistance and advice to me. All members of the committee worked together in a non-partisan manner to bring the best outcome for the Aboriginal community.

Debate adjourned on motion of Hon. T.J. Stephens.

PARLIAMENTARY COMMITTEE ON OCCUPATIONAL SAFETY, REHABILITATION AND COMPENSATION: BAROSSA VALLEY VISIT

The Hon. G.A. KANDELAARS (16:16): I move:

That the report of the committee, on the committee's regional visit to the Barossa Valley, be noted.

In May this year the committee visited the beautiful Barossa Valley to learn firsthand about work and life in that region. The Barossa Valley is the most recognised wine, food and tourist region, and is known for its six generations of winegrowers, winemakers, butchers and bakers.

The initiative to do a regional visit was driven in the first instance by the Presiding Member of the committee, the Hon. Steph Key, with the full support of other members of the committee. A number of other regional visits are being planned by the committee, which I think is appropriate and will enhance the committee's knowledge of the challenges regional businesses face in meeting their occupational health and safety obligations.

Unfortunately, on the day of the inaugural visit to the Barossa region by the committee, I was unwell and unable to attend, but I have been advised by my colleagues that the visit was most productive and enjoyable. The committee was privileged to visit three businesses where members met with local business leaders and workers at Pernod Ricard Winemakers, Vinpac International and Barossa Enterprises.

In conclusion, I thank the committee's executive officer, Ms Sue Sedivy, for organising this inaugural trip of the committee. I also acknowledge the assistance of Stephan Knoll, the member for Schubert and a member of the committee, for hosting the visit. I will leave it to the Hon. John Darley to detail the activities of the committee's visit to the Barossa.

The Hon. J.A. DARLEY (16:18): In May this year the committee visited the beautiful Barossa region to learn firsthand about work and life in the region. The 22,964 people who live in the Barossa make a significant contribution to the South Australian economy. According to the Bureau of Statistics, the gross regional product in the Barossa was over $1 billion in 2014, derived from the 2,160 local registered businesses. While manufacturing is reported to be the largest industry, other major industry sectors include agriculture, retail and health care.The committee was privileged to visit three businesses, where the members met with local business leaders and workers at Pernod Ricard Winemakers, Vinpac International and Barossa Enterprises.

I would like to share some of the committee's learnings and experience from undertaking this visit to the Barossa region. Pernod Ricard is a global leader in the spirits and wine sector with headquarters based in Paris. The Australian operation is located at Rowland Flat, Barossa Valley, where it produces wine for 65 international markets, with key brands being Jacob's Creek, St Hugo and Wyndham Estate. Not only is Pernod Ricard a global leader in the wine sector but it has been recognised by Safe Work Australia as a national leader in injury prevention and injury management. It is a self-insured employer under the Return to Work Act with a strong commitment to the health, safety and well being of its employees, their families and the community.

I have been advised that all members were equally impressed by the company's Active Choice health and wellbeing program which provides workers at all levels and senior executives with the opportunity to improve their health, fitness and general well being. As well as leading to reductions in the lost-time injury rate, the program has resulted in important and unexpected strategic benefits for the company.

It also provides direct benefits to employees and their families through a series of events such as their skin cancer program called Don't Blame it on the Sunshine; mental health and stress management, Beat of the Heart; and the Let's Get Physical events aimed at diabetes checks, boot camps and dance classes. We were all impressed by the demonstrated commitment of Pernod Ricard to the health and well being of not only their workers but also their families and the community.

The committee next toured Vinpac International, which is a specialist wine bottling, winemaking laboratory and warehouse dispatch service located in Angaston. Vinpac is a very impressive and large operation and is part of the Woolworths group of companies. It provides specialist bottling expertise in a wide range of bottle shapes and sizes and caters to the bottling needs of wineries throughout Australia. Their warehouses use the latest technology to manage the logistics of over 35,000 pallets of finished goods and seven million litres of bulk wine in outdoor storage tanks.

Vinpac is also a self-insured employer with almost 300 employees engaged in roles such as administration, production, maintenance and logistics. The company has a number of early intervention and prevention programs in place aimed at maintaining a safe and healthy workforce, such as remedial massage, occupational therapy and dedicated specialist safety personnel.

Finally, we were privileged to tour the Barossa Enterprises site at Nuriootpa, which is a slightly different business to those previously visited. Barossa Enterprises provides services to individuals and families who live with a disability and to local businesses through their WoodWerx and Community Lifestyle Connexions programs. WoodWerx specialises in wine packaging of premium wines for export using environmentally sustainable products.

Barossa Enterprises provides developmental training to all its supported employees as part of a regime of work health and safety, machine operation and general workplace wellbeing. Training is developed around easy-to-read pictorial formats that link practice with theory. Work health and safety is at the forefront of all operations and is specifically designed around the individual and the job. Competency-based small group training in manual handling is also provided.

It was obvious that the supported employees all love their work and the friendships they have made. They are committed to their own health and safety. They have an elected health and safety representative and their own health and safety committee. It was most unfortunate that the Hon. Gerry Kandelaars was unwell and missed the opportunity to visit the Barossa region and experience the first field trip undertaken by the committee.

The committee's visit to the Barossa region was the first field trip undertaken by the Occupational Safety, Rehabilitation and Compensation Committee and, hopefully, it will not be the last. Being able to visit businesses, talk with business leaders and workers, and observe operations adds much to the committee's understanding of the challenges and achievements associated with business operations in regional South Australia. The committee was impressed by how each business invested in the health, safety and wellbeing of their workers and the benefits that have been derived from this commitment.

On behalf of myself and the other members of the committee—the Hon. Steph Key, Ms Nat Cook, and the Hon. John Dawkins—I would like to thank the member for Schubert, Mr Stephan Knoll, for hosting the committee's visit to Pernod Ricard Winemakers, Vinpac International and Barossa Enterprises, which are all unique business enterprises with a clear commitment to achieving success and support for the region. I express my sincere thanks to business leaders at Pernod Ricard Winemakers, Vinpac International and Barossa Enterprises for making their operations and key staff available for the committee's regional visit. My thanks go to the committee's executive officer, Ms Sue Sedivy, for helping to organise this inaugural field trip.

The Hon. J.S.L. DAWKINS (16:25): I rise to support this motion and to endorse the remarks of the mover and the Hon. John Darley. It was unfortunate that the Hon. Mr Kandelaars was unable to come on the day, although knowing his state of health that day and that the temperature in the Barossa on that May day was predictably reasonably cool, he may well have been wise not to come with us. I would like to briefly put on record my gratitude to the member for Schubert in another place not only for his membership of the committee but also for his ready willingness to host the first regional visit of this committee in his own electorate. It was a widely varying field trip, but one that I think was of great value to all those of us who participated.

I will not repeat the things that the Hon. John Darley, in particular, has expertly summarised about the day, but some highlights for me included the visit to Pernod Ricard at Rowland Flat. I certainly remember being told about the Active Choice Health and Wellbeing Program, which I think the company has placed a very high priority on. I think they have identified that if they keep their workforce in good shape, both physically and mentally, they will certainly have less absenteeism as well as a greater striving within their workforce to build productivity and demonstrate a greater pride in the brand.

That was also exemplified by the work health and safety board that we saw and the staff suggestions board that were located at the entry to the bottling and packaging plant. I think all members of the committee who were on the trip were impressed by the fact that not only is there a staff suggestions board, it is actually something that management takes great notice of and responds to. Those were particular things that I remember about the visit to Rowland Flat.

In the Vinpac visit at Angaston I also noted that Vinpac is a self-insured employer with almost 300 employees across a wide range of activities there. The company has a number of early intervention and prevention programs in place aimed at maintaining a healthy workforce. Once again, I think management demonstrated to us that they are very keen to invest in the health and wellbeing of their staff.

I think the Hon. Mr Darley has highlighted the difference between the first two businesses that we witnessed and then Barossa Enterprises. I have been aware of Barossa Enterprises since it first came into existence, I think in the 1980s. It is a wonderful not-for-profit enterprise, firstly based in the Barossa, but I now understand it has extended also to Clare. It provides excellent services to individuals and families that live with a disability and it is regarded with great pride across the Barossa. There are many businesses that deal with Barossa Enterprises that I think are very proud of the fact that they can support that organisation. Not specifically, but some, are particularly proud of their connections to the WoodWerx program, which the Hon. Mr Darley mentioned, and also the community lifestyle connections program.

Another part of the day which I suppose we do not usually talk about was lunchtime, when the committee went to another of the icons of the Barossa, that is, The South Australian Company Store Kitchen at Angaston. I think it was an important thing for us, obviously, to have something to eat, but I think we also saw some of the ways in which the many hospitality enterprises that make up the Barossa operate. They operate with buses coming in with tourists, with local residents and, of course, with visiting members of parliament. That was also part of the day.

I commend the Hon. Steph Key, as the chair of the committee, for her passion for this regional trip. I know there is one further trip planned to the Riverland and, having a great affection for that part of the state, I look forward to that trip as well. In closing, I thank the committee's only member of staff, Ms Sue Sedivy, for her passion for the work of the committee and the great efficiency in the way she operates as its executive officer. With those words, I support the motion.

Motion carried.

Motions

TRANSFORMING HEALTH

The Hon. S.G. WADE (16:33): By leave, I move my motion in a slightly amended form:

1. That a select committee of the Legislative Council be established to inquire into and report on the health, social and financial impact of Transforming Health.

2. That the committee consist of three members and that the quorum of members necessary to be present at all meetings of the committee be fixed at two members and that standing order 389 be so far suspended as to enable the chairperson of the committee to have a deliberative vote only.

3. That this council permits the select committee to authorise the disclosure or publication, as it sees fit, of any evidence or documents presented to the committee prior to such evidence being presented to the council.

4. That standing order 396 be suspended to enable strangers to be admitted when the select committee is examining witnesses unless the committee otherwise resolves, but they shall be excluded when the committee is deliberating.

On Friday 11 September, I publicly announced that I would be moving this motion. That announcement was supported by all non-Labor parties in this council, for which I thank them. On Saturday 12 September, I sent an email to all members of the Legislative Council in the following terms:

Dear colleagues,

I advise that I will move for a Select Committee of the Legislative Council on Transforming Health with the following term of reference:

'To inquire into and report on the health, social and financial impact of Transforming Health'.

I propose to seek a vote on the motion on 23 September 2015.

I would appreciate it if any member who would be willing to serve on the Committee could advise me at their earliest convenience.

Warm regards,

Stephen Wade.

I gave notice that I would be both moving the motion and seeking a vote on it today. I sent a reminder to members on 21 September. I acknowledge that it is not normal practice for a motion to be taken to a vote on the day it is moved, and I indicate that I would not want this to become common practice. I also indicate that I would support the adjournment of the motion if any member sought more time to consider it. No member has raised a concern with me.

The motion is simple and clear. It is a one-line reference: 'To inquire into and report on the health, social and financial impact of Transforming Health.' In terms of the case for the committee, I think it is well founded in the widespread concern in the community over Transforming Health. Labor's Transforming Health plan includes: cuts to hospitals; the downgrading of the emergency departments at Noarlunga, TQEH and Modbury hospitals; closing the Daw Park Repatriation General Hospital; closing the Hampstead Rehabilitation Centre; and closing the St Margaret's Rehabilitation Hospital at Semaphore.

South Australian Liberals oppose the closure of any hospital in Adelaide. We do not believe that any South Australian community should have to pay for Labor's waste and budget mismanagement with the closure of its hospital. We have real concerns that the government has not genuinely consulted with the South Australian community about its health cuts plan. The lack of time given for the key consultation period in February/March was 3½ weeks, and the government gave more time to consult on time zones than health. There was a lack of information, there was scant data and no options.

In terms of the government's engagement with the community, it was more in the nature of a public relations campaign that genuine engagement. The government has not released the 2,300 submissions it received on the proposals, even though earlier submissions on the discussion paper were published online. After waiting for almost eight months for transparency and accountability by this government, this parliament needs to step in and shine a light on the Transforming Health plan.

The Hon. R.L. BROKENSHIRE (16:37): I advise the house that Family First supports the Hon. Stephen Wade's proposal in its entirety. We have been very concerned about the Transforming Health structures for some time. The closure of the Repatriation General Hospital at Daws Road, Daw Park, is a disgrace. Putting the equivalent of Ward 17 out to Glenside is a disgrace. The reduction in emergency department facilities at the Noarlunga Hospital and TQEH is a disgrace, and people are not happy.

People have been wanting to see an inquiry that is open and transparent. The reality was, if we just quickly think back, that we had a situation where even I put in a submission on behalf of Family First and our constituents. There were, I believe, hundreds, if not thousands, of submissions that were put forward. Just after the closing date, whilst people thought there would be proper deliberation on this proposed model of Transforming Health, the reality was that the books were already printed. Just as one example, it would be interesting to see, through a select committee, whether or not the ink had dried on those books before the submission dates even closed.

I place on the public record that I have concerns about some of the peak organisations that represent returned servicemen and service women. I have tried to approach them and get answers where they stand on all this but have not had satisfactory answers or responses. I wonder whether they felt that they were perhaps intimidated and could not stand up to fight the way that a lot of veterans asked. Veterans told me that they expected a fight against the closure of the Repat. These are all the sorts of things that can be assessed by this select committee. I do know that we have a lot of work on at the moment, but I think that if members support this they will be doing a great service to the South Australian community.

Finally, I would like to see some in-depth assessment of what are the true cuts this state government is targeting with respect to Transforming Health. They talk about how much better it is all going to be, yet, when you talk to individual senior members of the government, they come up with discussions that involve the real facts behind this—that is, a reduction in services, acute beds and, ultimately, budget.

If this model is based on the British model, and from a briefing I went to with the minister and Professor Keefe it seems to me to be a model picked up pretty much from England, if you talk to anybody in England they will tell you that their transforming health model equivalent has actually taken health backwards, not forwards. I commend the Hon. Stephen Wade for moving this select committee and will be supporting it as it stands without any additional alterations to the reference terms.

The Hon. J.A. DARLEY (16:41): For the record, I would like to indicate my strong support for this most important motion and also would be more than pleased to serve on the committee.

The Hon. T.T. NGO (16:41): I want to put on the record that I am not against the setting up of this select committee to look into Transforming Health, but I am against how the process is being done by the Hon. Mr Wade. I have been told by the Hon. Mr Dawkins that the normal process is that it is put on the *Notice Paper* and you give the party the opportunity to decide what to do with it, whether it is in favour of it or against it.

In this case, it is being been moved today and we are being asked to vote on it. I know the Hon. Mr Wade said that he put out an email; you can put out an email, but you are not sure whether or not this will come up, so it was very difficult for me to talk about it in caucus this week because we were not very sure what the Hon. Mr Wade would do. Another point I would like to make is that Transforming Health was announced 18 months ago and the Hon. Mr Wade has had all this time to decide whether—

The Hon. S.G. Wade: It was 3 February

The Hon. T.T. NGO: I thought it was longer—at least a year ago. He has had at least 12 months—

An honourable member: Eight months.

The Hon. T.T. NGO: I assumed it was longer. I do not know what the urgency is. Now he comes in and asks us to vote on this motion which, as I said, I do not have a problem with; I just have a problem with how the process has been done. I would like to put on the record that I do not think it is the right way of doing it; however, the Hon. Mr Wade has the numbers, so we just have to cop it.

The Hon. G.E. Gago: He is setting a precedent.

The Hon. T.T. NGO: Yes, he is setting a precedent. I move to amend the motion as follows:

At the end of paragraph 1, add the following:

'and federal government funding cuts to the South Australian health system'.

Setting up a select committee to look at the impact of Transforming Health on matters such as the health, social and financial matters without looking at the impact of the federal government's funding cuts to the health budget in South Australia is like taking one side of the story between two fighting children. As you would be aware, the federal government funds many of our health services, but since the Coalition Abbott government came into power a couple of years ago, it has cut health spending to our state and many of our federal funded programs have also been cut or downgraded.

The opposition and the mover may argue that the state government has received more money now than ever before. This may be true, but it is very misleading. Everybody knows health inflation growth has been growing at 8 per cent plus every year for the past decade compared to the consumer price index (CPI) of about 3 or so per cent. Let me give you some figures. In 2014, Australia's inflation was 2.5 per cent; in 2013, it was 2½ per cent; and in 2012 it was 1.7 per cent. As you can see, Australia's inflation is very low.

Previous federal governments have committed to funding the states and territories using a funding formula of the growth in health inflation; however, this has changed since the Abbott Liberal government got into power. The federal government have now only funded health services using the new formula, that is, using the CPI and population growth and not the actual health inflation growth to fund health services, which means a shortfall to South Australia's health budget of hundreds of millions of dollars per year.

The 2014-15 commonwealth budget shows a reduction of $655 million in funding to South Australia's health budget over the forward estimates. This year alone, the 2015-16 state budget shows the total federal health budget cuts to this state were $938 million over the forward estimates. This $938 million total is made up of $700 million from the National Health Reform Agreement and $238 million from various other national partnership agreements.

Even worse, over the next 10-year period from 2014-15, applying the new Liberal government's formula this figure would balloon out to $4.6 billion in health funding cuts to the National Health Reform Agreement to South Australia. In the 2024-25 financial year alone, this represents a nearly $1 billion shortfall to the health budget. In that one year, it is nearly $1 billion. That is like building two new Adelaide Ovals—

The Hon. T.J. Stephens: Or selling two forests.

The Hon. T.T. NGO: —selling two new forests—or removing 600 hospital beds or closing an entire hospital. The cost of employing 3,000 nurses roughly costs about $300 million, so $1 billion, if some honourable members do not have a calculator, would be about 9,000 nurses. It is quite simply not possible to cut over $900 million from the state's health budget without severely impacting on the social health and wellbeing of all South Australians.

I have an article from the ABC News online, dated Friday 16 May 2014 at 9.02am, titled 'Budget 2014: doctors, nurses and SA government united against health funding cuts'. I will read out some of it:

> Doctors and other health professionals agree with the South Australian government's assessment federal budget cuts will hurt the state's health services. They met SA Health Minister Jack Snelling on Thursday about the Coalition's move to take the scalpel to healthcare funding. 'There is not a single South Australian who is not going to be touched by cuts on this scale,' Mr Snelling said. Doctors, nurses and other health professionals all agree with Mr Snelling's diagnosis. 'An absolute disaster. This is bad, bad, bad for health,' Dr Patricia Montanaro of the Australian Medical Association said.

In the same ABC article, Mark Azgarian of the Salaried Medical Officers' Association said:

> South Australians have access to a world-class health system. These cuts are going to rip the heart out of that system.

Everybody knows South Australia has an ageing population. People now live longer and the cost of health care is rising way more than CPI due to various reasons such as new medicines and equipment. On average, a 50 year old is now seeing doctors more often, having more tests and operations and taking more prescription drugs than a 50 year old did 10 years ago. The quality of the treatment they are getting has improved in many cases and there are treatments that did not exist in 2005.

If the Liberal federal government does not reverse the funding cuts to the states and keeps applying the new funding formula, then states like South Australia will be billions and billions of dollars out of pocket. It would be very difficult for any South Australian government, whether it is a Liberal, Greens or even a Mr X Team government, to continue to deliver high quality health services to our community.

We want to ensure that the select committee is provided with the full picture on factors that are impacting on the future of our health system and the health and wellbeing of all South Australians. As I said earlier, there are nearly $1 billion cuts to the health budget in the next four years. We need to investigate whether the health system set up using Transforming Health, as proposed by minister Snelling, can deal with all those cuts. The committee needs to understand and be informed about it.

In the last couple of years, we have seen hundreds of millions of dollars cut from our health budget by the federal government. There are also federally funded programs in our health system that now have ceased or have been heavily downgraded. Let me just name a few, as follows:

- The discontinuation of funding to improve our public hospital service which helps to improve South Australians' access to elective surgery; improve waiting times in emergency departments; deliver more subacute care services, including rehabilitation, geriatric care, palliative care and psychogeriatric services; deliver a number of mental health projects to help people with mental illness both in our hospitals and in our community. That program has been chopped.
- The discontinuation of funding of national partnership agreements (NPA) funding for financial assistance for long-stay older patients in our hospital. That program has got the chop.
- The early termination of the NPA on preventative health which includes commonwealth funding towards Obesity Prevention and Lifestyle (which most people know as the OPAL program, and which state and local governments will continue to fund).
- The Healthy Workers, Healthy Futures program has also got the chop.
- The ceasing of funding to very important Indigenous teenage sexual and reproductive health and young parents supporting programs which include Yarning On, delivered by SHine SA; sexual health services for Aboriginal young women and their partners, delivered by the Aboriginal Health Council of South Australia and the Aboriginal family birthing program.

These Indigenous programs provided vital support and education for pregnant Aboriginal women and vulnerable young people which led to significant improvements in health outcomes for Aboriginal people. There is also:

- The discontinuation of the funding for the national perinatal depression initiative.

It is very disappointing to see the end of an important program for prevention and early detection of antenatal and postnatal depression. I know about this, Mr Acting President, because my wife has just delivered a baby. And further:

- Funding has also ceased for the NPA on treating more public dental patients.

I have more but, I will not read on. The commonwealth funding cuts to those programs and other important health initiatives do not hurt just the state's bottom line; they have social and health impacts for all South Australians, including our most vulnerable people. For the mover to believe that there will not be an impact on those vulnerable people in our society shows that he is way out of touch.

I know he has the numbers, he has become very arrogant so he can do what he likes. I can understand that when Mr Abbott was in charge members opposite were too afraid to speak out against their mates in Canberra. Mr Abbott's hairy chest and those bathers can be very confrontational and intimidating to some honourable members and therefore they may be too scared to speak up about funding cuts to our health system.

However, honourable members from the opposition do have form when it comes to keeping silent. When Mr Abbott was backtracking on his promise to build 12 new submarines here, not one member opposite was brave enough to criticise or put pressure on Mr Abbott to keep his promise. However, now that Mr Abbott is no longer in charge and quickly vanishing from the political scene, opposition members can now surely find the courage to speak up against funding cuts to South Australia's health system.

Could I refresh the memory of honourable members in this house about a rally on the steps of this parliament to oppose federal government health cuts to South Australia on Wednesday 4 July 2014. The rally was organised by SA Health Alliance, an alliance of South Australia's leading health union, health consumers, community groups and service providers. I have a flyer here promoting the rally. Let me refresh the memory of some honourable members about the rally. It states:

> Rally to oppose health cuts, Wednesday 4 July 2014.
>
> You will have seen reports regarding the impact that the recent federal government's budget will have on health services in South Australia.
>
> The budget measures will, unless reversed, have devastating effects on the health system.
>
> SA Health has advised that the cuts to services over the next 4 years will amount to approximately $650 million, with some programs and services affected from 1 July this year.

Which is last year. The flyer goes on to state:

> Make sure that you, your friends and your families participate in the program. It's our health care system. We all need to act in order to prevent this.

I have some of the forecasts from the local TV news that night. *ABC News* stated:

> More than 1,000 people have rallied on the steps of Parliament House protesting against the Federal Government's proposed cuts to health funding. They came from far and wide and their message was clear. [Chanting] Doctors, nurses, paramedics and other health professionals descended on Parliament to voice their concerns about the proposed measures in the Federal Budget.

I have another one: the rally was organised by SA Health Alliance and various people. Elizabeth Dabars, the head of the Nursing Federation here said:

> It would result in bed hospital closures and people not getting the service when they need it.

I have one more from Channel 7:

> Thousands of healthcare workers have rallied outside State Parliament in their fight against brutal Federal Budget cuts. They say hundreds of hospital beds will go putting our health system on life support. Protestors were out to give the Feds a taste of their own medicine. Almost 3,000 rallied at Parliament before taking their message to the streets. They say $600 million to be ripped from South Australia's health funding will cripple the system.

I will not read out any more. I also noticed that several members were at the rally; none came from the Liberal opposition, of course. There was a good turnout from non-government members: the Hon. Kelly Vincent, the Hon. Tammy Franks, and, I think the Hon. John Darley was there. I apologise if I have missed anyone else.

We were in solidarity supporting those health workers at the rally and promised to do whatever we could to expose the federal government's savage cuts to health. We need to give those health workers a voice. As the Hon. Kelly Vincent said on TV recently, those health workers impacted by the federal budget cuts also need to have the opportunity to tell the committee their story and how the cuts have impacted them and their families.

The federal government is the money man: it provides large chunks of funding not only to our health system but also to other services due to its ability to collect revenue—that is the fact. It is important that the committee looks at the health system holistically and not pick bits and pieces. We need to know whether what minister Snelling is proposing with Transforming Health will work for our health system, considering the billions of dollars being cut from the budget.

We could also call on witnesses from the health sector and their unions and put these questions to them. The health unions may say, 'Well, with the budget cuts from the federal government, there is no way what minister Snelling is trying to do with Transforming Health will work for our health system.' If that was the case, the committee can point this out to minister Snelling. How can the committee understand the impacts of Transforming Health when it does not want to engage with some of our doctors, nurses, paramedics and other health professionals who have helped create one of the best health systems in the world?

Unless we also look at the federal government's cuts to our health budget, there is no way anybody can take this committee seriously. The committee members will be condemned for using job losses in health and for patients suffering just for their political gain.

Members interjecting:

The Hon. T.T. NGO: No, true—that is why I am moving this amendment. The Hon. Mr Wade potentially in 2½ years' time will be in charge of this portfolio. It would give the health sector a lot of confidence and trust in him now if he were able to demonstrate that he is not all about smoke and mirrors and that he will consult widely if major decisions are made when he is the health minister. This is his very first real test.

I ask honourable members to support my amendments to give health professionals a voice. We have the responsibility as elected officials to represent everyone. The committee needs to give everyone who has been impacted by the changes either through Transforming Health or federal budget cuts an opportunity to tell us what is going on. Staff and patients from the health sector are calling out for an opportunity to be heard. They also want to be given a forum to explain what sort of impact funding cuts from the federal government will have on them and their sector.

It is not always easy to organise rally after rally or issue press releases about funding cuts to get attention from the media. With my amendments, these health workers will have a voice and that opportunity. I have a media release from the Australian Nursing and Midwifery Federation (SA Branch), dated Wednesday 13 May 2015, which states:

> Federal budget does little to save SA from health cuts.
>
> The Australian Nursing and Midwifery Federation (SA Branch) says this year's federal budget will do little to save South Australian hospitals, and nurses and midwives from savage budget cuts over the next decade.
>
> 'Last night's budget still leaves a gaping hole in previously-agreed hospital funding to the states,' ANMF(SA Branch) CEO/Secretary Adj Assoc Professor Elizabeth Debars AM said.
>
> 'South Australia's health system is still staring down the barrel of close to a billion dollars in cuts from our health budget in 2024. Nationally, the $50 billion torn from our healthcare system in last year's budget still stands, which is the equivalent of sacking one in five nurses and shutting one in 13 hospital beds.
>
> The Federal Government will also save $962.8 million over five years in new measures that axe dental and preventative health programs and halt the construction of any new GP Super Clinics which have not yet commenced.'

I urge honourable members, especially those members at the front of parliament rallying against the federal government cuts to our health system, to support my amendment to give nurses, doctors and other health professionals the opportunity to tell this parliament of the impacts of the federal government's cuts to our health system on families and, most importantly, on patients.

The Hon. K.L. VINCENT (17:06): I will very briefly reiterate Dignity for Disability's support for this committee. I would also like to thank the Hon. Mr Ngo for legitimising this committee by giving it so much of his attention. That performance will be on your greatest hits for sure, I am certain. I would also like to thank the Hon. Mr Ngo and the government for further legitimising this committee by bringing their amendment to the terms of reference, because I was led to believe that the government thought this committee was such a waste of time that they would not give it any attention. However, they have gone as far as to—

The Hon. T.T. Ngo: So you will support the amendment.

The Hon. K.L. VINCENT: Yes, I will support the amendment because it legitimises this committee. I thank the government for doing that. I am happy to discuss the potential impact of the federal government cuts as well. I am happy to look at this holistically, so we will support the amendment and thank the government for legitimising this committee.

I also thank the Hon. Mr Ngo—I think he quoted me in part of that performance, which is a great honour. He was talking about how I had been quoted in the media as saying that the

South Australian community needs a voice on this, and most certainly they do. As I have said before—and I will say it again—every South Australian will at some point interact with the healthcare system in some way, probably more than once in their lifetime, so why should they not have a voice?

I am not here to be negative for the sake of being negative. I think some of the aims under Transforming Health are laudable, but the fact is, as the Hon. Mr Ngo would have noticed from watching the news reports so closely, as it turns out, that there are significant concerns in the community about this proposal. It may well turn out that the government has everything correct.

If that is the case, they have nothing to hide but, whether or not they do, I consider it our job to give South Australians a voice on changes to a system that affects us all, either as consumers of that system or as taxpayers. With those words, I again thank the Hon. Mr Ngo for paying such close attention to my work and for his corporation on this important committee. We certainly commend the motion.

The Hon. T.A. FRANKS (17:08): I rise on behalf of the Greens to support the motion moved by the Hon. Stephen Wade of the Liberal opposition for a select committee to inquire into Transforming Health. I also note that the Greens will be supporting the government amendment to insert a reference to include 'and federal government funding cuts to the South Australian health system' but indicate that I move from the floor to amend the motion to include the words 'and state' after the word 'federal', as follows:

> and federal and state government funding cuts to the South Australian health system.

We have been told that Transforming Health is not about funding cuts, so it will be very interesting, as somebody who is prepared to be a member of this committee, to hear what impacts federal or state (should we accept that part of the reference) cuts have and what relation that has to Transforming Health.

I thank the Hon. Tung Ngo for his speech, because it also reminded me of the words of this government, under the Weatherill era, which said that the days of declare and defend were over, yet we have seen this process—which I think is one of the most important processes in our state—of Transforming Health done in an untimely way. There was not enough information given to many stakeholders to enable them to have meaningful input.

Those voices, from the community and from the stakeholders, will be heard through this process. If what they have to say does not show that there are real concerns that need to be addressed by the government then it will have been a worthwhile process to simply give assurance in the community and within the sector that the government's plan is going the right way the first time.

Indeed, that is the basic premise of Transforming Health, that we get it right, first time every time. I believe that is a laudable intent. Of course, no-one gets it right first time every time, and it would be a folly to think that any government plan will get it right first time and every time, so the government should certainly not be afraid of this committee. In fact, it should welcome it, and I look forward to the government being very active on this committee.

I note that we have been told that if we stood in solidarity with the health workers earlier this year we should be ensuring that federal government cuts are addressed. I say, yes, absolutely. I stood in solidarity not only this year but also in 2010, when the health workers were protesting against the savage state government cuts, particularly on their wages and conditions. So the Greens stand in solidarity now, we stood in solidarity on the steps earlier this year, we stood in solidarity in 2010, and we continue to transform democracy. With that, I commend the motion.

The Hon. B.V. FINNIGAN (17:11): There are a couple of different types of select committee established by this place, and some of them do play a valuable role and come up with some useful recommendations. It is very hard to see how this committee could fall into that category.

It is quite often a tactic used by honourable members opposite, and some others, to establish a committee of the parliament so that a few issues can be litigated, two or three well-publicised hearings can be held, and then the whole thing just slowly dies a death until a rather brief report is produced and tabled two or three years later. I am reasonably confident that that would be the outcome of establishing this committee, although I accept that it appears to be the will of the council that that is what will happen.

I find it extraordinary that honourable members opposite would want to have the time of health officials and clinicians and other interested parties taken up attending what is essentially a political exercise, rather than getting on with the job of trying to improve the health system. The reason I say that is quite simple: does any honourable member seriously think that this committee is going to come out with a report that says, 'Transforming Health, what a great idea. We should press right ahead with that. Here are a few minor, tinkering-at-the-edges recommendations that we have but, on balance, we think this is a good scheme, a good plan to go forward with into the future'?

In my respectful submission, there is no way that this committee is going to conclude that, because it is a committee established with the end in mind before it has even been established or even meets. While I understand exactly why the committee will be established, I cannot see that health policy is going to be advanced in this state by its establishment. I think this again highlights the weakness of our standing committee system, which a few people have been talking about, in that we have a rather eclectic and scattergun collection of committees that do not necessarily address the key issues of government policy.

The vast majority of state funds are spent on health and education, the law and justice system, social services and transport and infrastructure, so I really think that committees ought to be based around those sorts of priorities so that there would be a standing committee which could have an inquiry, which is resourced and which would include, I would suggest, members of the other place as well. However, the problem with the current system of standing committees is that all but the Statutory Authorities Review Committee are controlled by the government of the day, whether that be Labor or Liberal, and that is a key weakness in allowing for independent oversight by a committee system.

In that vein, I am particularly concerned by what the honourable member proposes here, that there should be a quorum of two members for a valid meeting of the committee. I cannot recall any occasion on which this has been the case, where two members of parliament can constitute a select committee with all the powers and privileges—

The Hon. D.W. Ridgway: Not constitute. It's a quorum.

The Hon. B.V. FINNIGAN: Two members can constitute a quorum of a select committee, with all the privileges and powers that go with that, which are considerable. We are talking about two honourable members of this house being able to get together and decide to summon people and do the other things that a committee is authorised to do. I think that is a very concerning point. I am not quite sure why, in this particular committee, the honourable member is suggesting only four members but, certainly—

The PRESIDENT: It has been changed to three now.

The Hon. B.V. FINNIGAN: Four to three?

Members interjecting:

The PRESIDENT: The members are three. The quorum is two.

The Hon. B.V. FINNIGAN: I apologise to the house that I did not pick up that development. Even then, I think having a committee of three sounds a rather extraordinary proposition as well. I cannot see why you would deviate from the usual of there being five select committee members. I briefly want to put that contribution on the record. I oppose the establishment of the select committee.

The Hon. S.G. WADE (17:17): In closing the debate, I would like to particularly address the contributions of the Hon. Tung Ngo and the Hon. Bernard Finnigan, but I in no way want to reflect on the other members who contributed. I thank the Hon. John Darley, the Hon. Kelly Vincent and the Hon. Tammy Franks for contributing and I appreciate the contributions made.

In closing the debate, I want to indicate that the Liberal Party does not support the government amendment, and let me be clear as to why. The Liberal opposition has consistently stated our position, that we do not support federal cuts to health or, for that matter, state cuts to health. The Hon. Tung Ngo railed against the federal cuts and almost completely failed to mention the state cuts.

Documents provided to this parliament indicate that by 2017-18 Labor would be budgeting for $491 million in health cuts. These cuts, on the same report, are almost twice the level of the federal cuts at $275 million. So, whilst it was entertaining, and perhaps informative even, to have the Hon. Tung Ngo rail against the federal cuts, I look forward to him coming back and justifying the state cuts.

In terms of the current terms of reference, I indicate to the house that, in my view, to the extent to which they relate to Transforming Health, the current terms of reference already allow the committee to consider funding issues, both state and federal. I remind members that these terms of reference talk about financial impact. 'Financial impact', surely, includes cost savings that could be delivered through Transforming Health if those savings meet cost savings requirements related to federal and state cuts to health. In fact, that is my strong conviction. I have not believed from day one that Transforming Health is about improving health outcomes.

Let's remember it all started with Treasurer Koutsantonis on budget day last year—actually, it might have been the day before budget day—talking about the plagues that would fall on the South Australian community as federal cuts to health were imposed. He made a comment—I will not be able to quote it; I might quote scripture from time to time, but I am not in the habit of memorising speeches by Tom Koutsantonis—and said words to the effect that the community would need to decide whether they wanted to close beds, or close hospitals, or sack doctors and sack nurses. He said the government would engage the community in its response.

The parliament will remember that the government had decided that $322 million of what it says was the budget impact would be dealt with through a change to the ESL remissions, and in relation to that the other $322 million the Treasurer said, 'We shall look to the health system.' What did we have? I think it was in October 2014, and not the 18 months ago that the Hon. Tung Ngo refers to; the plan itself was not released until 3 February. But this Transforming Health has, if you like, the seed of the Koutsantonis budget of 2014.

I do believe that funding issues are relevant to the consideration of the committee. In that regard, I believe the terms of reference already allow for financial impact, funding issues, both state and federal. The Hon. Tung Ngo stressed the importance of engaging health organisations in relation to the impact of federal cuts in particular. I would like to remind him about the concern of health professionals over Labor's health cuts plan, which the PR company wants to call Transforming Health. The Royal Australian and New Zealand College of Psychiatrists says that:

> …the Delivery Transforming Health document is grossly lacking in evidence base for many of the proposals that it puts forward.

The Australasian Faculty of Rehabilitation Medicine (SA Branch) says:

> Sweeping and dramatic closures [of rehabilitation facilities] are forecast in the document, but no details have been provided on the replacement arrangements. [Such changes] are potentially catastrophic for those with disabilities and more detail is urgently needed.

I did not hear the Hon. Tung Ngo, in response to that, suggest that the government should start providing information to health organisations. The South Australian Salaried Medical Officers Association said:

> SASMOA…was treated to a slide show presentation which provided no concrete detail regarding the proposals in the Paper…the presentation provided insufficient detail and the presentation content had all the hallmarks of 'fluff' and 'spin'.

This is what the government calls consultation. The Public Service Association said:

> …the PSA continues to be concerned about the short period of consultation stated in the paper for proposals which appear to have such great impact on the South Australian Public Health System.

Dr Patricia Montanaro, the State President of the Australian Medical Association, says:

> …this plan has no detail…this is a real estate deal around closing off the Repat and closing off Hampstead Hospital.

If the Hon. Tung Ngo says the government wants to hear health organisations, why are they not listening to the statements that have already been made? One of the major factors driving this committee is the government's disrespect not only to the South Australian community, who may well one day be users of the health system, but also to the health professional organisations.

The health bureaucrats and the expensive overseas consultants have shown such disrespect to clinicians on the ground. There are even indications in the Transforming Health material that they are realising the error of their ways. There was a Transforming Health bulletin recently which indicated that they were developing new ways of engaging clinicians because the project appreciated they had not been effective in their communication. When you have a few dozen handpicked clinicians on advisory committees, that is not system-wide consultation that you need for system-wide reform.

Let's not be flippant about the risks here. I think the Hon. Tammy Franks indicated how important this reform is because it is so substantial. For those members who are thinking about whether or not there is merit in this committee, I ask you to ask yourselves: considering the range of select committees we have in this place from time to time—some with a relatively, shall we say, narrow focus—would it actually be credible in 20 or 30 years' time for people to look back and say the government in 2014, 2015, 2016, 2017 (whatever period it takes), embarked on the most dramatic health cuts or health reform plan, whatever you want to call it, and the parliament did not even see fit to have one of its committees consider the matters?

I do not think it is at all surprising that the parliament would want to look at this. I would stress that I do not believe that a select committee of the Legislative Council has the resources or the expertise to recast a health reform plan. We are not going to produce the mountain of material that has been produced by the government; for that matter, we do not have the expertise either. What this parliament is duty bound to do is to provide to the community of South Australia transparency and accountability. When after eight months, since the details of the plan were announced on 3 February 2015, we still do not have fundamental details about how the government intends to recast health services, I believe it is incumbent on this house to step in and provide an opportunity for transparency and accountability.

The Hon. Jack Snelling on radio last week was defending the lack of detail by saying, 'You have to develop these plans as you go along. We decided we were going to close the Repat, but don't expect us to know where all the outpatients are going; don't expect us to know where Ward 17 is going,' etc., etc. Well, actually, we do. Fundamental issues like how you are going to deal with the more than 100,000 outpatient presentations to the Repat Hospital are not trivial details, not the dotting the i's and crossing the t's that, of course, one can develop as one goes along.

The lack of information, the lack of openness by this government as to how services are going to be delivered in the future, I think makes it incumbent on this parliament to inform the people of South Australia, both the health organisations that the Hon. Tung Ngo was so concerned about and the health consumers, the people who are using health services day by day. On this issue of the risk that the Transforming Health plan represents, I would like again to quote the South Australian Salaried Medical Officers Association. I think the minister aggressively referred to it as the 'doctors' union' last week, so I am sure the Hon. Tung Ngo will be very keen to hear what the minister regards as the union voice. SASMOA concluded:

> The Transforming Health proposals will result in poorer provision and undermining of health services in communities, a loss of specialised health staff from South Australia, a significant impact on the training opportunities for medical students/junior medical officers and the issues of overcrowded emergency departments will only be exacerbated long term.

My third point is that if the government amendment is relevant to a select committee looking at Transforming Health, it highlights the hypocrisy of the government's engagement on Transforming Health to this point. Repeatedly, almost ad nauseam, the government has claimed that Transforming Health is not about cuts, it is about health outcomes. If this amendment is relevant to a select committee on Transforming Health, then the government has to explain if it is suggesting that its plan is driven by cuts. If the government amendment is not relevant to Transforming Health, then the government should raise the issue by a separate motion. As I said earlier, I am convinced that this government is driven by cuts not health outcomes, therefore I do not think it is unhelpful for the committee to consider financial impacts, which I have already said is in the motion.

One of the concerns I have about adding this particular tail—the tail amendment, if you like—is that it changes the nature of the terms of reference. At the moment, we have terms of reference which refer to the health, social and financial impact of Transforming Health. With all due respect to members, I would put the emphasis on health. It is about transforming the health system.

We do want to be mindful of the social impacts. We do need to be mindful of the financial impacts. We do want a health system that is socially enabling. We know that there are social determinants of ill health that need to be addressed. We certainly need to make sure our health system is sustainable. But if you had to choose one to emphasise, I would emphasise health. The Hon. Tung Ngo instead says, 'No, we want to emphasise financial. We are going to look at a health plan and focus on the finances.' We do not agree with that. The Liberal opposition does not agree that it is appropriate to shift the focus from people's health to the government's finances.

In terms of the comments by the Hon. Bernard Finnigan, I have already addressed the issue about re-engineering health policy. That is not what the committee could deliver. It is not what I see the committee will deliver. In terms of his comments about quorums, I appreciate he may well have missed the point that, following consultation with members in terms of their interest in being on the committee, I have moved an amendment to reduce the membership from four to three. In terms of the quorum, my view is that a quorum of two is appropriate for a committee of four and it is certainly appropriate for a committee of three.

In terms of his comments about parliamentary committee reform, I wholeheartedly agree. I think that standing committees with a broader remit would be very helpful in holding the government to account on both policy and legislation. For example, there could be a health and social services committee which would take not only broad references on issues such as Transforming Health, but it might also be referred legislation. For example, the tobacco products bill that was tabled in the House of Assembly today could be considered by a broader committee, not unlike the Senate committees on references and legislation.

I had heard it suggested too that if these committees were to be committees of the Legislative Council then perhaps it even might be possible to start considering government bills when they are tabled in the house so that the process of the parliament is not slowed down unduly. On the matters of process, I indicated in my statement in moving this motion that I appreciate that taking the motion to a vote on the same day that it is moved would be unorthodox, and I indicated that if any member objected I would not proceed. The Hon. Tung Ngo—I do not know whether he was speaking personally or on behalf of the government—did raise objections so I do intend to honour my word and I seek leave to conclude my remarks.

Leave granted; debate adjourned.

Bills

STATUTES AMENDMENT (PUBLIC SECTOR AUDIT) BILL

Introduction and First Reading

The Hon. J.A. DARLEY (17:34): Obtained leave and introduced a bill for an act to amend the Public Finance and Audit Act 1987 and the Public Sector Act 2009. Read a first time.

Second Reading

The Hon. J.A. DARLEY (17:35): I move:

That this bill be now read a second time.

The purpose of this bill is twofold, but both aim to reduce waste by increasing the efficiency of the Public Service and ensure that staffing and resources are placed where they are most needed.

The first part of the bill makes amendments to the Public Finance and Audit Act and removes restrictions on what the Auditor-General is able to investigate. Currently, the Auditor-General is restricted in what they are able to investigate. The bill removes restrictions and enables the Auditor-

General to examine matters in connection with an audit if they are of the opinion that an examination is warranted or if it is in the public interest.

The second part of the bill inserts a new section into the Public Sector Act which requires the chief executive of each department to undertake a review into the functions of the department, the resources needed to undertake these functions and any other budgetary savings measures that may be made. This report is to be completed within six months, provided to the minister and tabled before parliament. It is important that department executives know and understand what functions their department has and investigates to see whether they are undertaking these functions in the most efficient manner.

All activities that departments currently undertake need to be identified and, if it is deemed that there are operations that are no longer needed, they should be discontinued, with the staff deployed to other areas where a need has been identified. I have previously stated that I do not agree with the application of efficiency dividends across the board in public sector agencies. Whilst savings may look good on paper, arbitrary cuts may see resources taken away from sectors that are in need, whilst leaving behind resources that are surplus to requirements in another area.

I have long held that departmental heads should examine each and every activity currently undertaken by the agency and determine what the progress of the activity is. The reason for the activity, whether it be as a result of legislation or some other reason, should be identified and a determination should be made as to whether the activity is still required. If the activity is still relevant, a review should be undertaken to ensure that it is being performed in the most efficient manner and in the most appropriate location. If the activity is no longer required, it should be discontinued.

Undertaking such an operational audit will enable rebalancing of the public sector so that resources are placed in areas to match government priorities. Importantly, an operational audit will identify and reduce unnecessary red tape, which is integral with trying to attract growth to the state. This operational audit is an election promise I made and I am confident that it will streamline the Public Service.

Debate adjourned on motion of Hon. T.J. Stephens.

EGGS (DISPLAY FOR RETAIL SALE) BILL

Introduction and First Reading

The Hon. T.A. FRANKS (17:39): Obtained leave and introduced a bill for an act to regulate the display of eggs for sale by retail. Read a first time.

Second Reading

The Hon. T.A. FRANKS (17:40): I move:

That this bill be now read a second time.

I bring today to this place a bill on an issue on which I have previously brought legislation and, indeed, something the government has also sought to address, that is, cracking the scam of free-range egg labels. Members will be well aware that when it says 'free range' on the carton, it does not necessarily mean that that egg is free range inside that carton.

Previously, the member for Finniss and I have attempted to introduce state-based legislation to ensure that if it says 'free range' on the carton then it is free range inside the carton. That bill of mine and the Greens, which was a corollary to the member for Finniss's bill in the other place, passed the upper house but failed in the other place. The government brought forth a voluntary scheme, a code to enable true free-range producers to voluntarily use a logo and identify their product as free range through the use of that accredited state government logo.

I note that that scheme has still yet to be properly up and running and I also note that that scheme will impose further fees on what I would say are the true free-range producers doing the right thing and, in fact, having higher overheads in the first place, who are then going to have imposed another penalty for the privilege of having done the right thing.

When a consumer buys a free-range egg in this country they should be able to buy that free-range egg and they should be able to get what they pay for, and yet we know, according to *Choice* magazine's recent report of June this year, that in fact 213 million eggs sold in Australia in the 2014 year under the free-range label failed to meet those consumer expectations.

The worst offenders included popular brands such as Pace Farm, Farm Pride, Manning Valley and of course the supermarket giants, Woolworths and Coles own brands. A consumer is left in the invidious position of attempting to do the right thing, and paying a premium to try to do the right thing by animal welfare standards but not getting what they pay for, and the true free-range producers are not getting what they put in to doing the right thing by being able to reach that financial reward for their animal welfare standards.

This bill seeks to crack the problem in a very simple way, and it is a way that has worked in the ACT since 2001: rather than label the carton, we label the shelves. We label the shelves according to the Primary Industries Standing Committee Model Code of Practice for the Welfare of Animals, and I table the most recent edition of that code. That will make it easier for members to see the code I refer to in this piece of legislation. I refer members to appendix 2 of that code, where they are looking for the definitions contained within this bill.

The bill will simply define three particular categories that are within that code. They refer to cage eggs, barn eggs and free-range eggs. Those three categories are contained within this bill and they are a way forward to support free-range producers not only in this state but across our borders, alleviating constitutional barriers that have been presented previously in terms of ensuring that when we buy free range we are really buying free range.

I am open to amendments and suggestions from any member of this place, but certainly from government members, to address one of the emerging issues in the national debate which is those who are currently falling under the free-range label who have stocking densities not of the 1,500 per hectare amount that this state has endorsed and that the Greens endorse—and, in fact, is reflected by groups such as Humane Choice—but the 10,000 per hectare stocking density.

That category is of course at a higher animal welfare standard than is cage eggs, which I think are an abomination and should be banned altogether, but that is for another day, and, of course, they are a higher standard than is currently the barn category of eggs that this bill will seek to label. Perhaps there is space for a discussion on categories such as barnyard to be included as a fourth category, and that is certainly open for negotiation.

I would reject some bids from that part of the sector to have the true free-range producers label their produce 'premium free range', leaving the fake free range people to take over the free range niche market. That is unfair on those two free-range producers who have put in a lot of time and who are, by their very nature, the smaller players in this industry, and that true free range should be protected and supported.

The fourth potential category is something that is open for negotiation. With those few words, and with a minimum of puns, which are so appealing in this debate, I hope this simple solution will see us make a breakthrough on this issue.

Debated adjourned on motion of Hon. T.J. Stephens.

ELECTORAL (LEGISLATIVE COUNCIL) (OPTIONAL PREFERENTIAL VOTING) AMENDMENT BILL

Introduction and First Reading

The Hon. M.C. PARNELL (17:47): Obtained leave and introduced a bill for an act to amend the Electoral Act 1985. Read a first time.

Second Reading

The Hon. M.C. PARNELL (17:48): I move:

That this bill be now read a second time.

This bill is very similar to one I introduced in 2013 and identical to the one introduced by the Hon. John Darley in 2013. In a nutshell, the bill provides for optional preferential voting for the Legislative Council. The mechanics are very simple: voters can number as many or as few squares as they like, whether above or below the line. The bill gets rid of group voting tickets, and thereby rids the system of the backroom preference deals and preference harvesting. It puts preference whisperers out of business and puts all preference allocation power back into the hands of voters, where they belong.

I have brought this bill back now because it looks as if action might finally be occurring at the national level. Members would be aware that the commonwealth parliament's Joint Standing Committee on Electoral Matters has made a far-reaching proposal to change the Senate's electoral system. As members know, the Legislative Council system is virtually identical.

The Joint Standing Committee on Electoral Matters' major recommendation is to abolish the existing system of party controlled preferences and instead allow voters to express their own optional preferences for parties above the line, and it makes the related recommendation to end full preferential voting below the line on the ballot paper.

Under the proposed system, a single first-preference vote above the line on the ballot paper would only imply preferences for the chosen party. The current ability of parties or groups to take control of above-the-line votes and direct them as preferences to other parties on the ballot paper would be ended. That is the unanimous recommendation of the multipartisan joint committee and it is precisely what I want to achieve with this bill.

I will say that I am open to negotiation with members about some of the fine detail. Whether we go for a fully optional system or whether a minimum number of votes need to be cast for a vote to be valid, I am open to those ideas. As debate at the national level progresses, I will be consulting widely in the community and I will have more to say, including the results of that consultation, before listing this bill for a vote. I therefore seek leave to continue my remarks.

Leave granted; debate adjourned.

Parliamentary Committees

SOCIAL DEVELOPMENT COMMITTEE: COMORBIDITY

Adjourned debate on motion of Hon. G.A. Kandelaars:

That the report of the committee, on comorbidity, be noted.

(Continued from 9 September 2015).

The Hon. J.S. LEE (17:51): I rise to speak as the Liberal opposition member on the Social Development Committee to endorse the final report on the inquiry into comorbidity, which was tabled by the Hon. Gerry Kandelaars. Comorbidity relates to a complexity of circumstances, for example, where a person living with an intellectual disability is also experiencing mental health issues or chronic substance misuse issues. Each circumstance represents an increase in vulnerability. Thank you to the Hon. Kelly Vincent MLC for moving the motion for the Social Development Committee to inquire into this important and complex area.

The committee identified during our investigation that it is a significant issue that there is no agreed definition about what constitutes comorbidity in the Australian context. Not having an agreed definition means that there is a lack of shared knowledge, language, frameworks and agreed category of terms. That also means that there is no standard point of reference for researchers, professionals, service providers and other relevant stakeholders.

The committee recognises the need for the sector to come up with a common set of definitions of comorbidity so that it would result in improved data collection, improved communication and coordination between providers, a better understanding of the wider service delivery context, consistent screening and assessment tools, and the delivery of a comorbid service pathway to ensure that people do not fall through service gaps.

Comorbid mental health, physical health, intellectual disabilities and substance misuse disorders are associated with significant economic and human cost, to the individuals concerned and to the wider community. People who experience comorbid conditions face complex challenges in their daily lives. For example, they have increased rates of hospital admissions, they have increased rates of relapse, use more public services, are more dependent on welfare benefits, increased rates of unemployment, experience difficulty in maintaining social networks, and are also at greater risk of suicide and a greater risk of housing instability and homelessness.

The committee heard evidence from a number of witnesses who suggested that, commonly, people with comorbidity do not receive appropriate treatment for the range of their conditions. Instead, more often than not, they receive treatment for the primary presenting issue. This could lead to circumstances where a client is shuffled between services, falls through gaps, or enters the wrong doors. A number of individuals and organisations gave evidence to the committee that treatment services for people with comorbidity should be delivered by a single entity. The submission from the AMA made the point that there is no strong centre for intellectual disability in South Australia.

Throughout the duration of the investigation, the Social Development Committee put together a thorough recommendation list to ensure that a system could be developed in order for people with comorbidity to receive timely and appropriate screening and assessment and are assisted with all of their treatment and service requirements. The 40 recommendations developed by the committee provide a strong, broad and thorough outline of what is needed to achieve such results within the sector.

Having received 23 written submissions and 15 testimonies from witnesses, the committee expressed its appreciation for the valuable work of individuals and organisations that presented a comprehensive set of evidence on the challenges and the complexity of comorbidity and the desirable recommendations.

It has been a productive committee, and I thank the members serving on the Social Development Committee: the Presiding Member, the Hon. Gerry Kandelaars, and the Hon. Kelly Vincent in this chamber. I also thank the members in the other place: the member for Hammond (Adrian Pederick), the member for Fisher (Nat Cook) and the member for Torrens (Dana Wortley). Special thanks go to Robyn Schutte, the secretary of the Social Development Committee, and Carmel O'Connell, the research officer, for their wonderful work and continuous support to the members of the committee. With those remarks, I commend the comorbidity report to the council.

The Hon. K.L. VINCENT (17:55): In speaking to this motion I would like to first put on the record my thanks to the Social Development Committee secretary, Ms Robyn Schutte, and the committee's research officer, Ms Carmel O'Connell, for their work on this inquiry. I also acknowledge committee members, in particular the Hon. Gerry Kandelaars as the current presiding officer of the committee.

Members will recall that Dignity for Disability called for this inquiry into comorbidity (which is, generally speaking, the coexistence of two or more health conditions which, while different, may impact one another) because it was clear from our dealings with constituents that there was a broad lack of understanding about comorbidity in the general population, in the fields of disability and mental health support services provision and in the medical profession. The result of this lack of understanding, it seemed to us, was that people with more than one diagnosis were not receiving holistic treatment and support.

As one example of the lack of acknowledgement of comorbidity or dual diagnosis, I vividly recall a telephone conversation with a constituent some years ago who told me that her son who had autism was receiving treatment regarding his mental health. This constituent told me that when she tried to explain to the treating physician how her son's autism would impact the way he responded to certain forms of treatment regarding his mental health and that the treatment needed to be adjusted accordingly, the doctor replied with words to the effect of, 'I'm here to treat his mental health, not his autism.' To me, this is every bit as unhelpful as a doctor telling me, as a wheelchair user, that they are willing to treat me but they will not install a ramp at their clinic.

It was clear that this issue needed to be looked at in depth, and I am pleased that the Social Development Committee has given the parliament the opportunity to do so. The committee heard evidence from people either experiencing or people servicing people who experience a range of conditions, including intellectual disability, acquired brain injury, mental health challenges, chronic substance abuse, people on the autism spectrum, epilepsy, foetal alcohol spectrum disorder, compulsive disorders, and so on.

Although the committee's inquiry covered a broad range of conditions, unfortunately the experience of all people experiencing comorbidity seemed similar in terms of the challenges that they faced. Certainly, the lack of a consistent definition of what actually constitutes comorbidity was quickly identified as problematic, as the Hon. Ms Lee has identified before me. The report recommends further work at both the state and federal levels on getting a more consistent definition around which we can frame further work and discussion.

As the Australian Medical Association (AMA) pointed out to the committee, it appears that the main issues for people with comorbidity are:

- the complex ways in which each condition can affect the other;
- a lack of appropriate tools for diagnosis and to identify different issues for individual clients;
- a lack of coordination between support services, making them difficult to navigate holistically; and
- difficulty in accessing support services, including appropriate accommodation.

As a result, people with comorbidity experience significant disadvantage, including: decreased social supports; higher dependence on welfare; increased rates of hospitalisation, with longer stays in hospital; and being at greater risk of incarceration. All these things, of course, not only take a great social and emotional toll on individual lives but it is important to remember that they can also come at a great financial cost to the community, so I believe improving supports around those with comorbidity will benefit us all.

Given these concerns, much of the evidence and many of the recommendations of the committee centre around treatment options for people with comorbidity and how support systems respond to such diagnoses. Many of the report's recommendations centre on the need for greater collaboration at a government level between relevant ministers, namely, the Minister for Health, Mental Health and Substance Abuse and the Minister for Disabilities. The committee recommended greater collaboration between these departments to develop and implement greater resources. The screening and identification of comorbidity and a 'no wrong door' approach, creating a more streamlined and holistic treatment option for people with comorbidity was particularly identified.

The committee also heard evidence on the need for a cross-sector first response team, which would be staffed by qualified professionals with broad knowledge on treatment and service systems. It was suggested that this team operate a web-based and phone-based gateway service to provide cross-sector information and support to professionals and individuals seeking assistance with treating comorbidity.

An apparent lack of a consistent diagnostic tool for comorbidity, as well as a lack of consistent definition, was also identified. The report recommends collaboration between the Minister for Health and the Minister for Disabilities to develop and implement a shared diagnostic assessment tool, which will result in effective and improved client outcomes, increased interagency communication and cooperation, the use of consistent terminology in assessment referrals and the development of support plans, including accommodation options.

The increased interaction of people with a dual diagnosis or comorbidity with the justice system was something about which the committee received considerable evidence. It was suggested that people with mental health challenges are three to four times more prevalent in the prison population than the general community. Most notably, the committee heard very concerning evidence that there are a significant number of people who are incarcerated even though they have not been formally charged with any offence. This occurs based on their inability to formally plead due to some form of mental or cognitive impairment.

Members will probably recall from my previous contributions in this place that this issue is of significant concern to the Dignity for Disability party, so we were very pleased to have this issue brought further into the light. The report recommends that ministers collaborate to establish a process to formally collect data on people presently in the prison population who have not in fact been formally charged with an offence. I am hopeful that, if this data is collected, having a real idea of the scope of the problem will inspire some further action.

The report also recommends the need to identify the number of forensic clients with comorbidity who are in prison and, while in prison, are not receiving adequate supports around their health condition. The lack of appropriate accommodation options for people who are found not guilty by way of cognitive impairment, rather than a mental health issue, was also an issue brought up several times.

The committee heard evidence from people who were concerned about people with disability, such as an intellectual disability or an acquired brain injury, being accommodated alongside people with potentially quite significant mental health challenges and associated behaviours. The report recommends an investigation into the need for and the benefits and challenges of establishing a specific forensic facility for forensic clients with disability but no pre-existing mental health issue.

The committee also heard evidence regarding concerns about the fact that current forensic prisoners with no mental health issues, who are being housed in James Nash House, come under the care of the Minister for Mental Health rather than the Minister for Disabilities, by default. The report recommends that the parliament clarify, through legislative amendment, that such clients are to be the responsibility of the Minister for Disabilities and should only come under the responsibility of the Minister for Mental Health should they require support of a forensic nature separate to their disability at any time.

As I said, the treatment of people while they are in prison, especially those remaining in prison despite not having been found guilty of any offence, is of significant concern to Dignity for Disability, as it should be to all of us. Of course, there is also a need for us to focus on giving people with comorbidity the support to stay out of prison in the first place, particularly those who may be in a cycle of reoffending, which could occur for many reasons; for example, a lack of support in understanding difficult behaviour changes which may occur after an acquired brain injury.

To this end, I am pleased to see the report recommend increased mandatory training on issues surrounding comorbidity for relevant staff in areas such as health, mental health, disability, alcohol and other drugs—or, as I like to call it, 'drugs'—education and training, criminal justice, and homelessness, including the development of baseline course topics on understanding and responding to comorbidity.

I am not going to go into all the report's recommendations because they are detailed and numerous, but the last topic that the report covers which I will mention is the suggested need for more support for the people supporting people with comorbidity, particularly family carers as opposed to paid disability support workers; in particular, the need for increased access to respite to give family members a break from what is often the stressful role of caring for a loved one with what can be very complex needs. There is a particular focus on the need for emergency respite in situations in which there is what the report labels 'a behavioural incident'—and I do hope that that is not seen as too crude a term.

I think it is fair to say that at times there is often some level of division, between people with disability and family carers in terms of whose issues need to be addressed. That is, I suppose, the nature of things, the politics of disability, and every movement has its factions. My personal view—and I am sure that this will not come as any surprise—is that it is best to focus on supporting the person with disability, as the better they are supported the less strain there will be on the family carer to undertake to fill the support gaps.

However, I certainly acknowledge that while many people with disabilities do go without adequate support, this does place significant stress and demand on family members in particular. Coming from a party that was founded by a mixture of people with disabilities and family carers—most notably our current party president, Rick Neagle—as well as other allies, I certainly acknowledge the need to address both sectors.

We have certainly been very active on the need to give greater acknowledgement and support to family carers and people with disabilities over the years. I am sure members will recall us calling for an increased focus on the mental health of carers following a particularly tragic incident some years ago. Together with these measures, and more, and with collaboration and respect, we can build a better society for people with multiple diagnoses. I again thank the committee membership and the staff who have worked on this report and commend it to the chamber.

Motion carried.

Parliamentary Committees

SELECT COMMITTEE ON STATUTORY CHILD PROTECTION AND CARE IN SOUTH AUSTRALIA

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (18:10): I seek leave to table the interim report of the committee and move that the report be printed.

Report received and ordered to be published.

Bills

STATUTES AMENDMENT (GAMBLING MEASURES) BILL

Final Stages

The House of Assembly agreed to the bill without any amendment.

CONSTITUTION (GOVERNOR'S SALARY) AMENDMENT BILL

Introduction and First Reading

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

SUMMARY OFFENCES (BIOMETRIC IDENTIFICATION) AMENDMENT BILL

Introduction and First Reading

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

At 18:13 the council adjourned until Thursday 24 September 2015 at 14:15.

Answers to Questions

COUNCIL RATE CONCESSIONS

In reply to **the Hon. M.C. PARNELL** (13 May 2015).

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 the following—

1. The government stands up for the most vulnerable members of our community. The commonwealth 2014-15 budget cut around $30 million from pensioner concessions in South Australia.

Following the 2014-15 commonwealth budget, it was this government that stepped in and funded council rate concessions.

2. We have always said that if the commonwealth reversed its cut, the SA government would reinstate the concession. This is why we took the decision to commit state funding to the shortfall left by the Commonwealth in the 2014-15 financial year.

On 14 May 2015, the Premier announced the introduction of a new cost of living concession to replace the council rate concession, commencing from 1 July 2015. The new concession is in direct response to the Abbott government's failure to reinstate concessions funding to South Australia, as part of the 2015-16 commonwealth budget.

The concession will provide an annual payment per household of $200 for eligible pensioners and low income earners who own their own homes, $100 for eligible low income earners and pensioners who are tenants and $100 for eligible commonwealth seniors health card holders who are homeowners or tenants.

The new cost of living concession will enable about 205,000 households to put up to $200 towards their greatest needs, whether that is electricity, gas and water bills or council rates.

The new concession will cost the state government $36.5 million in 2015-16. In total the state government is expected to spend about $280 million on concessions in 2015-16.

WORKREADY

In reply to **the Hon. J.M.A. LENSINK** (30 June 2015).

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 am advised:

The WorkReady Subsidised Training List survey was conducted in April 2015 to provide specific opportunity for interested stakeholders to provide feedback about the streamlining of the Subsidised Training List. More than 1,500 respondents accessed the survey. Of these, over 50 individual respondents provided advice on courses in the Agriculture, Horticulture and Conservation and Land Management training package.

I am advised that 40 submissions were made to the Department of State Development by Registered Training Organisations (RTOs), industry associations or employers, with the remainder being employment service agencies, the secondary school sector, local government or private citizens.

The WorkReady policy settings are the culmination of input received over the life of Skills for All, including an external review and consultation by the Training and Skills Commission; not just the latest survey on the Subsidised Training List.

Following the release of the Subsidised Training List I met with those RTOs that requested a meeting including:

- Primary Producers SA, 3 July 2015
- Regional Skills Training, 2 July 2015 and 3 July 2015
- Grain Producers SA, 3 July 2015
- Australian Meat Industry Council, 8 July 2015.

WORKREADY

In reply to **the Hon. R.L. BROKENSHIRE** (1 July 2015).

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 am advised:

WorkReady purchases publicly subsidised training places not jobs. The 18 different occupational groups covered by the Agriculture Horticulture Conservation and Land Management (AHC) training package continues to be supported by WorkReady to meet labour market need in the agricultural sector.

All 43 courses subsidised under Skills for All remain on the Subsidised Training List.

In addition to those already in training, approximately 5,600, and the nearly 3,000 recent graduates, more than 700 new subsidised training places have been allocated to the AHC Training Package in the initial six month funding period under WorkReady.

Importantly modelling undertaken by the Training and Skills Commission suggests that the current levels of training for the sector are sufficient to meet employer demand for skilled labour.

Five of the 43 courses including the identified industry entry level courses of Certificate II in Agriculture and the Certificate II in Horticulture are available for private providers to compete for students, through the Training Guarantee for SACE Students (TGSS) and School Based Training Contracts.

Funding may also be available through the WorkReady Jobs First funding approach.

In relation to the honourable member's statement referencing Mount Gambier I can advise that the WorkReady Subsidised Training List does not include any information on which regions courses will be delivered in.

TAFE SA has advised that delivery occurs not only on campuses, but in a wide range of locations across the whole state, from far north pastoral properties and APY communities, the Riverland, South East, and Kangaroo Island. Delivery sites include on-farm training, shearing sheds, community centres and regional area schools. Training can be delivered through a mix of face-to-face and online models, delivered in intensive workshops or over the course of a longer period.

WORKREADY

In reply to **the Hon. D.G.E. HOOD** (2 July 2015).

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 am advised:

1. As at 8 July 2015 the Department of State Development's records show that TAFE SA had 34,873 active Training Accounts in superseded courses.

According to the Australian Skills Quality Authority (ASQA) a VET qualification is superseded when a new training package qualification replaces an existing qualification. The national Standards for Registered Training Organisations 2012 require RTOs to manage the transition from superseded training packages within 12 months of their publication on the national register so that they only deliver currently endorsed training packages.

It is not unusual for RTOs to be delivering superseded qualifications for a period of time, for example, to enable enrolled students to complete qualifications.

2. During the last 24 months, TAFE SA has received two notifications:

- On 13 February 2014; and
- On 26 June 2015.

TAFE SA complied with the notifications. There may be legitimate reasons for inactivity. For example, apprentices typically attend training on the basis of four training blocks throughout the year, leading to lapses greater than 90 days in reporting activity.

Also, some RTOs deliver training across multiple units of competency and do not provide resulted activity until the students complete the entire cluster of competencies.