LEGISLATIVE COUNCIL

Wednesday, 17 May 2017

The PRESIDENT (Hon. R.P. Wortley) took the chair at 14:17 and read prayers.

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

Parliamentary Committees

LEGISLATIVE REVIEW COMMITTEE

The Hon. J.E. HANSON (14:18): I lay upon the table the 45th report of the committee.

Report received.

Ministerial Statement

OAKDEN MENTAL HEALTH FACILITY

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:18): I table a copy of the ministerial statement from the Minister for Mental Health and Substance Abuse in the other place regarding the expedited closure of Makk and McLeay wards at Oakden Mental Health Facility.

Question Time

OAKDEN MENTAL HEALTH FACILITY

The PRESIDENT: The Hon. Mr Ridgway.

Members interjecting:

The PRESIDENT: Order! Will the honourable Leader of the Government please desist and allow the honourable Leader of the Opposition to ask questions.

The Hon. D.W. RIDGWAY (Leader of the Opposition) (14:19): Too many red frogs in the bar, Mr President, that's their problem. I seek leave to make a brief explanation before asking the Minister for Police questions about the Oakden Mental Health Facility.

Leave granted.

The Hon. D.W. RIDGWAY: Last Thursday, in the House of Assembly, the Minister for Mental Health and Substance Abuse confirmed that three cases from the Oakden Mental Health Facility had been referred to SAPOL. The minister advised the members of the House of Assembly that those questions were a matter for the Minister for Police.

Yesterday, the minister advised the house that a further case had been referred to the police, and then, sadly, earlier today, minister Vlahos issued a press release confirming that a fifth incident of unnecessary force had been referred to SAPOL and that that staff member had been stood down. My questions to the minister are:

1. Can the minister provide an update to the council on all five investigations?

2. Can the minister confirm that these investigations relate to possible charges under the Criminal Law Consolidation Act or other legislation, such as the Intervention Orders (Prevention of Abuse) Act 2009?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:20): I thank the honourable member for his important questions on an obviously important subject. I am in a position to be able to provide some advice to the council. On 10 April, the Chief Psychiatrist delivered the review of the

Oakden Older Persons Mental Health Service. The report identified, at that point, three incidents that the Northern Adelaide Local Health Network had reported to SAPOL.

SAPOL confirms that the three matters were reported to police. The first of these three resulted in an aggravated assault charge, which occurred in May 2016. The matter was not progressed due to no reasonable prospect of conviction, as determined by SAPOL's prosecutions unit. The second was reported to the Northern Adelaide Local Health Network in February of this year; however, it was determined that the matter did not amount to a criminal incident. The third matter related to the abuse and threatening phone calls against the Northern Adelaide Local Health Network and the Oakden review was again referred to SAPOL on 28 April 2017.

Upon receipt, SAPOL reviewed the Older Persons Mental Health Service at Oakden campus with the purpose of making recommendations about the management, culture and standards of care. SAPOL has reviewed Dr Groves' report and searched SAPOL systems for offences associated with the facility for the previous 10 years. SAPOL has reviewed these offences and is satisfied that the matters that were reported to police have been appropriately investigated, or are still undergoing investigation.

SAPOL identified five anecdotal incidents in the report which may suggest criminal behaviour. Senior SAPOL officers will meet with Dr Groves in due course. The purpose of this meeting is to identify any evidence that may exist that isn't within the report. The investigations, including the one detailed in minister Vlahos's ministerial statement, are still ongoing and I expect, in due course, I will receive a brief regarding the incident outlined in minister Vlahos's statement that has just been tabled.

OAKDEN MENTAL HEALTH FACILITY

The Hon. D.W. RIDGWAY (Leader of the Opposition) (14:22): Supplementary question: are all of the cases—and he may not know the fifth one—but are the first four cases related to actions of staff?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:23): I am not in a position to be able to confirm whether or not they were all related to staff, so I would be reluctant to confirm that with respect to each incident, without specifically being told otherwise.

OAKDEN MENTAL HEALTH FACILITY

The Hon. D.W. RIDGWAY (Leader of the Opposition) (14:23): Further supplementary: have you, or members of your staff, briefed the Minister for Mental Health and Substance Abuse or any of her staff on the status of the police investigations and, if so, when were those briefings provided?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:23): I receive briefings from SAPOL on a regular basis, particularly on matters that are of substantial public interest. I'm very grateful to SAPOL for keeping me updated, as is appropriate to do so. Regarding the relevant information being forwarded to the office of the minister in the other place, I will seek clarity as to timings around that. I will be happy to disclose that, if it is appropriate to do so.

OAKDEN MENTAL HEALTH FACILITY

The Hon. D.W. RIDGWAY (Leader of the Opposition) (14:23): Supplementary: have you or your staff briefed the Minister for Mental Health or is it SAPOL that has briefed the Minister for Mental Health?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:24): Usual procedure would be for SAPOL to brief me, as Minister for Police. Naturally, I seek advice from SAPOL on various subjects about the appropriateness of me sharing that to ensure that due process is followed, but the usual process would be for SAPOL to brief me and then I in turn pass on that information to the relevant minister, if indeed there is an appropriateness or it is necessary.

OAKDEN MENTAL HEALTH FACILITY

The Hon. D.W. RIDGWAY (Leader of the Opposition) (14:24): On a supplementary: so you are not in a position to inform the house as to whether you or any of your staff have briefed the Minister for Mental Health and Substance Abuse on any of these cases?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:24): I can confirm that I have, naturally, spoken to the Minister for Mental Health and Substance Abuse regarding the issue generally, but I am not in a position right as we speak to confirm what correspondence or briefings have been shared from my staff to the minister's, but I am more than happy to undertake to look into that.

NORTHERN ECONOMIC PLAN

The Hon. J.M.A. LENSINK (14:25): I seek leave to make a brief explanation before directing a question to the Minister for Employment, Higher Education and Skills regarding the Northern Economic Plan.

Leave granted.

The Hon. J.M.A. LENSINK: Despite the Northern Economic Plan being launched in January last year, northern Adelaide continues to lag behind the rest of the state in employment and jobs growth. Honourable members may recall that last week, in response to a question to him about how many jobs had been created by the Northern Economic Plan, the minister's technical answer was, and I quote, 'Lots.' My questions for the minister are:

1. Does he stand by the figures which are in the *Look North* document?

2. Given the benefit of one week, will the minister update on the actual number of jobs that have been created, rather than just simply saying, 'Lots'?

The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (14:25): I thank the honourable member for her questions and her interest in these matters generally. I am pleased to be able to report to the chamber that, in the year to the December quarter 2016, 2,800 more northern Adelaide residents became employed; furthermore, an estimated 2,556 jobs are projected to be created from Northern Economic Plan projects currently underway.

The NDIS is forecast to create just under 2,000 jobs in northern Adelaide, and the Northern Adelaide Irrigation Scheme is estimated to create almost an additional 4,000 jobs in and around Adelaide's northern suburbs. So, there are a range of projects—a range of things—that the Northern Economic Plan has a watching brief over that are creating jobs, and, as I have said, in the year to the December quarter 2016, 2,800 more northern Adelaide residents became employed.

NORTHERN ECONOMIC PLAN

The Hon. J.M.A. LENSINK (14:26): On a supplementary question: does the minister stand by the figures which were in *Look North*, including the value of the investment?

The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (14:27): I am not quite sure I understand the question, but if the question is: do we stand by the Northern Economic Plan and the $24 million the state government is investing to create economic activity and to create more jobs, absolutely we stand by that investment for the north. I know there has been criticism from some of the honourable member's colleagues—that we should not be spending that much money in the north—but absolutely we stand by making that investment in companies and in the people of the north.

NORTHERN ECONOMIC PLAN

The Hon. J.M.A. LENSINK (14:27): Sorry, the minister didn't quite understand what I was talking about, which was new investment worth $247 million.

The Hon. K.J. Maher: What is the question?

The Hon. J.M.A. LENSINK: Business investment is quoted in that document. Perhaps the minister needs to go and consult his documentation that he has produced, that has his name on it, etc., and maybe some of his media releases.

The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (14:28): I am happy to have a look at the document to try to relieve some of the honourable member's confusion for her.

WORKERS COMPENSATION

The Hon. R.I. LUCAS (14:28): I seek leave to make an explanation prior to directing a question to the Minister for Police on the subject of workers compensation.

Leave granted.

The Hon. R.I. LUCAS: On 31 October last year, cabinet took a decision to transfer the management of all new workers compensation claims from 1 July this year to ReturnToWorkSA. A copy of a confidential report was presented to cabinet. It was entitled 'Review of the management of work injuries within the SA government'. It was authored by Phillip Bentley and Chris Latham and dated 21 June 2016. In that report, in the executive summary, it said, and I quote:

> Changes made to the operations of the Office for the Public Sector since 2013 are seen by agencies as detrimental. They have led to a lack of strategic report to agencies.

Further on in the body of the report, under the heading 'Office for the Public Sector', the report says, and I quote:

> The Office for the Public Sector has a responsibility to oversee the claims management performance, coupled with its focus on the public sector workforce. Up to 2013 OPS appeared to have a strong focus on providing advice and strategic support to agencies in the area of claims management.
>
> Due to significant budget constraints in 2012 onwards, the following changes occurred: significant reductions in OPS staff, down from 20 full-time equivalents to 9 full-time equivalents; a cabinet decision on 9 September 2013 to establish its own evaluation approach to oversee claims management practices performance with the requirements of the workers rehabilitation and compensation scheme.

My questions to the Minister for Police are:

1. Were any of the agencies that report to the minister amongst those that expressed concerns to Mr Bentley and Mr Latham?

2. In particular, were the changes made to the operations of the OPS since 2013 seen by those agencies that report to this minister as detrimental?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:30): This is now becoming a consistent theme of questions that the Hon. Mr Lucas seems to be asking regarding the state government's commitment to reforming workers compensation in this state, something that I think the government has a very good record on. I am more than happy to make the inquiries necessary to be able to inform Mr Lucas's question, but the repeated nature of the Hon. Mr Lucas's questions regarding workers compensation starts to suggest, or seems to imply, that he has grave reservations about, or at worst fundamental opposition to, the government seeking to improve the way workers compensation claims are managed on behalf of those people who are in the employ of the state.

That would be a rather concerning position for the Hon. Mr Lucas to have, when people on this side of the chamber are absolutely committed to making sure that people who are injured while working for the state, whether they be in SAPOL or other agencies across government, have their injury treated in such a way that gets them back to work as soon as possible, which of course is not just in the interests of the workers themselves, but also in the interests of the government generally,

because they can represent a more efficient, more productive way of dealing with workers compensation claims. That being said, notwithstanding what is starting to amount to what appears to be opposition on behalf of the Hon. Mr Lucas, I will make the relevant inquiries for him and see if I can get the information he asked for.

The Hon. J.S.L. Dawkins: You're a very sensitive soul, aren't you?

The Hon. P. MALINAUSKAS: Thank you very much.

NORTHERN ENTREPRENEUR GROWTH PROGRAM

The Hon. T.T. NGO (14:32): My question is to the Minister for Manufacturing and Innovation. Can the minister tell the chamber about some of the businesses in the Gawler area that are benefiting from the Northern Entrepreneur Growth Program?

The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (14:32): I thank the honourable member for his question about the Northern Entrepreneur Growth Program and the fantastic work that is being rolled out in that area. Members would recall that I have often spoken about the excellent advocacy we have seen by the member for Light, Tony Piccolo, in terms of businesses in this area. I had the pleasure of spending time with Tony Piccolo in Gawler on Monday, earlier this week, and he is well loved, that is why he has continued to hold that seat for a number of elections. The amount of work he does in that community, and the advocacy, is something to behold. It is fantastic.

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

The Hon. K.J. MAHER: The Hon. John Dawkins does some good work in that area. I have seen him at the Gawler Show judging his sheep. He does some very good work in that area, but I have to say that Tony Piccolo, the member for Light, does exceptional work in that area—outstanding. He is the best. The member for Light, Tony Piccolo, has been instrumental in ensuring the establishment of the northern entrepreneurs program, and we are now, after the fantastic work of that great local member, the member for Light, Tony Piccolo, starting to see some of the fruits of his advocacy for businesses in that area.

Members interjecting:

The Hon. K.J. MAHER: I note interjections from the opposition, talking about the member for Light's track record. It is a fantastic one, and I thank them for their compliments up there.

The PRESIDENT: Order! Minister, take a seat. Leader of the Opposition, you are far too animated. I am trying to listen to the answer, just as the person who asked the question, the Hon. Mr Ngo, is, so please allow him to do so.

The Hon. K.J. MAHER: Thank you, Mr President. We were just talking about how good the member for Light is. We were just talking about that, and the opposition seemed to be agreeing. But I digress and I would not want to invite interjections again.

I might talk about some of the fruits that are starting to come from the member for Light's exceptionally strong advocacy for those areas. We talked about it yesterday: the mobile phone tower that is going to be going up in Wasleys, in part thanks to the advocacy of the member for Light. It is so pleasing to see that the member for Light's hard work will benefit the whole area. That's a mark of respect to Tony Piccolo, the member for Light, that he advocates for an area that is going to be redistributed, but he is still in there fighting for it and he will continue to do that.

The Northern Entrepreneur Growth Program comprises six initiatives supported by Business SA, the Gawler Business Development Group and the Stretton Centre. The six initiatives are: the Northern Entrepreneur Scheme, Northern Business Coaching, Profit Improvement for Existing Businesses, Business Fundamentals for Start-ups, Business Fundamentals Plus and Home to Curated Office Environment Initiative.

Some examples are Johnson Plumbing and Gas, which was started in July last year, operating out of premises in Hewett. The owner Ben is an experienced plumber and he is using support through the northern entrepreneur grant program to take his business to the next level. Using

the networking and development opportunities afforded at the Stretton co-working centre, Ben is seeking to build his brand as a trusted family business.

Another business that is benefiting from the program is Quality Building Inspections, operated by David. The business inspects buildings with a focus on prepurchase inspections for real estate. David is looking to expand his business and is using the services provided under the Northern Entrepreneur Growth Program to get his business in a position to employ staff. He is hoping to employ multiple inspectors and pest controllers. Quality Building Inspections is looking to hire its first additional employee in the next year.

Another example is Down to Earth Sustainable Solutions, run by Rachel and Tom, who, since 2009, have been offering energy consulting services. Like Quality Building Inspections, they are seeking to grow and employ staff and are taking part in the Northern Entrepreneur Growth Program to help them reach that point. Greenway Property Solutions is a new property management business established by Stephen, a qualified real estate agent. Through participation in this program, Stephen is hoping to access the support provided at the Stretton Centre and make connections with other businesses.

The Labor government is proud to be supporting small businesses through this scheme that was advocated so strongly for by the member for Light, Tony Piccolo. We are also supporting growth in small businesses, such as the $109 million job creation grants, offering up to $10,000 over two years for new FTEs created in small and medium size businesses. That's in addition to the commitment to support northern Adelaide that we saw as part of the $24 million Northern Economic Plan that we have talked about already today, including the $10 million Small Business Development Fund that is supporting businesses in northern Adelaide.

In conclusion, I would sincerely like to thank the member for Light, Tony Piccolo, for his exceptionally strong advocacy for business in the north, but the Gawler region in particular.

NORTHERN ECONOMIC PLAN

The Hon. J.S.L. DAWKINS (14:38): Supplementary: will the minister explain why the Town of Gawler was excluded from the Northern Economic Plan for many months? Will he concede that the Northern Entrepreneur Scheme was only created as a belated response to the concerns of the Mayor of Gawler and my questions in this council?

The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (14:38): No and no.

MEDICAL CANNABIS

The Hon. J.A. DARLEY (14:39): My question is to the Minister for Police. Does the minister agree with SAPOL's decision to proceed with the prosecution of Jenny Hallam, who was supplying medicinal cannabis oil free of charge to people who are terminally ill or suffer from an illness which responds positively to cannabis oil? Is the minister aware that there have been people who have died as a result of not receiving their cannabis oil from Jenny Hallam?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:39): The answer to that question is pretty simple in that of course I support our men and women in uniform fulfilling their obligations as police officers and enforcing the law as it stands. Our men and women in uniform do not have the liberty of choosing which laws they enforce and which ones they do not. They have made an oath to uphold the law of the state and to enforce the law of the state.

While I appreciate the circumstances around the charging of the lady mentioned by the honourable member are somewhat controversial, our police have to be independent of the political view of the day around a particular piece of statute or law, and enforce it. While it may be difficult, I think it is a concept that we all support in this place. We have a process in this state, indeed in this country, of formulating legislation. If there are flaws within respective legislation, it is up to the parliament to address those in due course. It is not within the purview of police to pick and choose what laws they enforce.

POLICE STATIONS

The Hon. J.S.L. DAWKINS (14:40): I seek leave to make a brief explanation before asking the Minister for Police a question regarding police station opening hours.

Leave granted.

The Hon. J.S.L. DAWKINS: Last year's SA Police reforms saw the closure of nine police stations and a reduction in opening hours of another nine stations. This decision sparked concerns among residents about the level of protection of their communities. It has been indicated previously that these changes underwent community consultation in May 2016 before being implemented in September last year. However, while many residents around the state in general and the Salisbury council in particular objected to the changes, they were implemented anyway. Given this, my questions to the minister are:

1. What public awareness campaign occurred for the notification of the decrease of opening hours around the nine police stations across metropolitan Adelaide?

2. Were individual local campaigns conducted in specific geographic areas?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:42): I thank the honourable member for his questions. In answer to the honourable member's direct question, I'm advised that extensive consultation occurred both internally and externally by SAPOL, including engagement with affected members of parliament and local councils in the lead-up to the police commissioner making his final decision around the operation of police station hours in and around metropolitan Adelaide.

This is a subject that the opposition continue to raise, both in this forum but also in the media. I have to say it's a joke. It's a complete joke because the opposition are demonstrating their complete ineptitude when it comes to understanding the way that police operations work within the state. I have to say that I am becoming increasingly alarmed at the fact that those who purport themselves as being the alternative government of this state have a fundamental failure in understanding the way that policing is supposed to operate; that is, we invest, through the Police Act, the responsibility of police operations in the police commissioner.

I was particularly concerned recently when I saw the opposition spokesperson for police advocating that they would simply change the way police station hours operate in this state. That is a remarkable proposition because what that proposition says is that the opposition will undo the hard work of the police commissioner to put more police officers out on the beat.

I want to give the opposition a hot tip: criminals don't commit acts of crime sitting around in the car parks of police stations. Criminals don't walk through the front door of a police station and commit an act of crime. They do it out in the burbs; they do it out on the streets. That is where we want police officers to be.

We want the police commissioner to use all the resources this government has provided him with, including a record number of police, to get those police out from behind desks and out on the front line serving our community. The fact that we have an opposition that is going to start to unwind a substantial and important principle—that the police commissioner is able to determine police positions—shows just how unready those opposite are for governing this state.

This mob is simply not ready. They are simply incapable of absolutely upholding important principles around community safety. I have faith in the police commissioner getting officers out from behind desks and onto the front line. I find it somewhat remarkable that those opposite would simply undo that principle. It is quite simply shameful.

POLICE STATIONS

The Hon. J.S.L. DAWKINS (14:45): Supplementary question: given the minister seems to be confused about the question I asked him, will he actually inform the council about the level of campaigns to inform communities following the decision that was made to decrease the hours, in particular, of police stations? That was the question.

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:45): I will tell you what campaigns I'm aware of. I'm aware of the scare campaigns that those opposite are out there running around pulling out around the place that somehow we are undermining communities—

Members interjecting:

The Hon. D.W. RIDGWAY: Point of order, Mr President: yesterday, you chastised me for pointing—

The PRESIDENT: Yes, order, you can take your seat! Will the minister please refrain from pointing and just answer the question.

The Hon. J.S.L. Dawkins: It might help to listen to the question that you get, rather than invent your own.

The Hon. P. MALINAUSKAS: Mr President, I'm aware of the campaigns that those opposite are running around spruiking that somehow this government is closing police stations rather than pointing out the fact that this government is providing police with a record level of resources and giving the police commissioner the authority to be able to allocate those resources in a way that keeps the community safe.

I have to say that it's rather extraordinary that this mob opposite, if they were elected, are going to unwind an important principle and are going to walk in here and start telling the police commissioner where to station police officers. Are they going to start saying how many walk up and down Rundle Mall? How many are out in the burbs? How many in the regions? Which crimes to investigate? Which ones not to investigate? It's an extraordinary proposition and it is one that I'm looking forward to advocating and bringing to the public's attention in the lead-up to the state election, because I think South Australians would be extremely concerned at the proposition that those opposite will start telling police how to police.

POLICE STATIONS

The Hon. R.L. BROKENSHIRE (14:47): Supplementary to the police minister relevant to his answer: if it is inappropriate for government or opposition to state to the police what the opening hours of a police station should be, how is it appropriate for the government of the day to announce a new police station at a place like Hallett Cove, as was done under the Labor government?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:47): This government always works collaboratively with SAPOL to develop the policies that we have.

POLICE STATIONS

The Hon. J.S.L. DAWKINS (14:48): My supplementary—

The Hon. R.L. Brokenshire interjecting:

The Hon. J.S.L. DAWKINS: I will have a third go. Will the minister actually—

The Hon. R.L. Brokenshire interjecting:

The PRESIDENT: The Hon. Mr Dawkins is on his feet. He has a supplementary question he wants to ask and I think he has the right to ask it, so allow him to ask it without any interjection.

The Hon. J.S.L. DAWKINS: My supplementary is: will the minister actually provide information to the chamber about the level of any information campaigns that were provided, whether they be statewide or to individual communities, after the decision to decrease the hours was actually made?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:48): I am more than happy for my office to provide the Hon. Mr Dawkins with the information that shows that we made it very clear to the South Australian public what the changes to police station hours would be, but I have to say that I am not aware of these changes having caused too much concern within the community. The

only changes that I am aware of causing concern are amongst those opposite who are running around scaring people that somehow there are fewer people out on the beat when, of course, we know there isn't.

We know that there are more police out on the beat than ever before—something that those opposite want to change. Those opposite want to take police off the beat, out of patrol cars and put them behind desks. It is an extraordinary proposition. They want to take police out of the front line, out of patrol cars and put them behind desks. Let them take that policy to the next election because that will be one extraordinary argument and debate to be had during the course of the next election campaign.

POLICE STATIONS

The Hon. T.A. FRANKS (14:50): Supplementary: when police stations are closed, what provisions exist for people who have turned up expecting help only to find a closed door to make an emergency phone call of some sort at that time?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:50): That is an articulate and well thought through question, as distinct from those opposite. SAPOL is putting in arrangements at those police stations that do close their front counter hours to allow for ready communication between the police station and a base of sorts. My advice is that SAPOL is installing intercoms, so that those people who roll up at police stations will be able to press an intercom and get emergency access to services.

Members interjecting:

The PRESIDENT: Order!

METROPOLITAN PARKS

The Hon. J.E. HANSON (14:51): My question is to the Minister for Sustainability, Environment and Conservation. Will the minister inform the chamber about the recent upgrades to our metropolitan parks system?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (14:51): I thank the honourable member for his very important question. We are indeed very lucky in our state to have fantastic parks and natural resources right across the state. There are not too many capital cities in the world that can boast pristine beaches, parklands and national parks quite so close by to the capital city.

It is partly the reason why, at the last state election, the state government committed a further investment of $10.4 million to upgrade the peri-urban parks around Adelaide. We undertook an extensive consultation process with the local community to ensure that we allocated this money to projects that the community told us they wanted. Many residents said that they wanted to see more opportunities for camping close to Adelaide and the government has, of course, listened to that.

It is not something that would have immediately jumped to our minds. When you think about camping, you think of packing up the car and driving for several hours and finding a campground, but a lot of people made the very cogent argument to us that, in fact, for time-poor families these days, the ability to get to a camp site relatively quickly, in under an hour or so, and be able to spend a weekend in a national park so close to Adelaide would be very advantageous. I am pleased to advise now that the first campground in a metropolitan Adelaide park is being built as part of the $1.7 million upgrade to Onkaparinga River National Park.

The campground, due for completion this spring, will accommodate about 15 camp sites catering for small and large groups in a secluded area near the Onkaparinga River in the eastern end of the park. A new lookout over Onkaparinga Gorge at Punchbowl waterhole will help entice more sightseers to the park, and further trail improvements and signage upgrades will make the park even more accessible and easier to navigate for walkers, cyclists and horseriders. A toilet and a 20-space car park are being constructed at Piggott Range Road, the trailhead for many of the park's most popular walks.

I would like to recognise the ongoing support these upgrades have had from members in the other place, particularly the members for Kaurna, Mawson, Reynell and Fisher, who have long been agitating for this fantastic set of upgrades in these peri-urban parks close to the city of Adelaide that their constituents will be able to enjoy further. These upgrades are exciting for families in Adelaide's south, especially those with young children who will now be able to set up camp just a stone's throw from where they live.

We have also had some exciting progress in Adelaide's north-east. Morialta Conservation Park, one of Adelaide's most popular parks, is currently receiving about 300,000 visitors every year. People come from all around the state to enjoy bushwalking and picnics and family outings at Morialta. The latest parks visitation survey found that Morialta was in our top three most visited parks, along with Belair and Cleland.

Mr President, you might recall that last year I informed the chamber of the success of the state government's Minecraft 'Design a park' competition. The Hon. Robert Brokenshire was very keen and interested in that. The competition is run as part of the Connecting Residents of the North and South with Nature Project. I am advised that more than 40 designs—

The Hon. R.L. Brokenshire interjecting:

The Hon. I.K. HUNTER: He is a very competitive person, the Hon. Robert Brokenshire. More than 40 designs were submitted to the competition, with Linden Park Primary School's year 4 class winning the competition.

Earlier this year I had the pleasure of launching the exciting new concept plans for a new playground at Morialta, the design of which is based on the work of the Linden Park students. An amount of $900,000 will be spent upgrading facilities at Morialta, including the existing playground, and that is due for completion later this year, I am advised.

The design will incorporate physical challenges, Aboriginal culture, learnings and native plants and animals. The Stradbroke Road picnic area will have four themed play areas: frog island, great snake, kookaburra nest and climbing boulders, along with paths, lawns, creeks and climbing trees. At the kookaburra nest play area giant lifelike nests of different heights can be climbed and explored. At frog island children can explore an Aboriginal fire pit, search for Aboriginal carvings in the bush and use stepping stones to cross a creek. This wonderful new area will be a safe, welcoming space where kids can reconnect with unstructured outdoor play and discover the value of nature for themselves. I am also advised that works are now well underway there and will be due for completion around spring.

The government is committed to ensuring that South Australia continues to enhance our reputation as one of the world's great natural environments, and, of course, in Adelaide, being one of the world's most liveable cities, we will continue to invest in our fantastic peri-urban parks to encourage people who use those parks already to use them more often and, perhaps for those people who do not get out to parks at all, to come and have a look and come and enjoy nature at its best, in a very close location to where they live.

METROPOLITAN PARKS

The Hon. D.W. RIDGWAY (Leader of the Opposition) (14:56): By way of supplementary question: will the parks be accessible by the department's online booking system and, if so, will it be upgraded to reflect a modern booking system that allows interstate and international tourists to book these parks?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (14:56): I do not have advice in front of me on whether those parks expressly will be part of the online booking system, but I can only assume that they will be, because we are rolling out that system for parks right across the state. I am not sure what the honourable member was alluding to with the second part of the question of a modern booking system accessible to people from interstate. My understanding is that people from interstate are using the online booking system already.

METROPOLITAN PARKS

The Hon. J.S.L. DAWKINS (14:57): By way of supplementary question: can the minister provide information now (or bring it back) in relation to negotiations DEWNR is having with DPTI in relation to upgrading the road signs on the route along Main North Road and along Hilltop Road to the Para Wirra Conservation Park?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (14:57): The Hon. Mr Dawkins is on the ball, as always. He would have noticed a few weeks ago on our way up to the Para Wirra Conservation Park, formerly recreation park, that DEWNR has now changed our signs, but the big road signs that give tourists, in particular, directions are still the old road signs that refer to a recreation park. I understand that DEWNR is speaking to DPTI about making those changes in the next sign change cycle. I do not have any date before me about when that can be expected, but I will take that question back to my agency and see whether I can bring back an answer for the Hon. Mr Dawkins, who is very keen to see our signage brought up to modern times, reflecting the status of the Para Wirra Conservation Park.

NATIONAL ICE ACTION STRATEGY FUNDING

The Hon. D.G.E. HOOD (14:58): I seek leave to make a brief explanation before asking the Minister for Police a question in relation to the federal government's national ice action strategy funding.

Leave granted.

The Hon. D.G.E. HOOD: South Australia has received a relatively small proportion of the available $241.5 million of federal funding to counter methamphetamine addiction in Australia, despite having the second highest number of ice users nationwide on a per capita basis. South Australia only received approximately 6.5 per cent (or approximately $11.6 million) of the $177 million in handouts made thus far. Moreover, out of the 40 local drug action teams established across the country, only two have been established in South Australia, and neither of them are based in the metropolitan area. The federal health minister's department has described the state government's input during the funding applications as lacklustre.

My question is: whether the government's participation was lacklustre or not, will the government more actively participate in a second round of applications to secure a fairer and more proportionate share of the federal funding for our state, which desperately needs the funding to combat this sinister substance and its pervasive impact on our society?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:59): I thank the honourable member for his question. Of course, the state government is formulating its response arising out of the substantial effort around the ice task force. In due course the state government and the Premier will announce the actions that will arise out of the ice task force. It has been a substantial piece of work that has occurred up to this point.

The ice task force, which myself and minister Vlahos were able to lead, travelled extensively throughout the state and spoke to a number of members within the community who have been directly affected by ice. It is hard not to be moved when you engage with so many families that have been turned upside down as a result of this insidious drug.

I am aware that South Australia received a very small proportion of the funding that the federal government made available. I think that speaks to a consistent theme that we have seen occur, where this federal government seems all too quick to deny South Australia even just its fair share. We have never wanted anything more than our fair share when it comes to various sources of funding. This serves as another example of this federal government dudding South Australia, all too often with the support of the would-be alternate government of the state.

That said, I know the Minister for Mental Health and Substance Abuse is committed to continuing to work as hard as she reasonably can to ensure that we do get everything we reasonably

should. I also know that this state government is serious about tackling this substantial challenge. We will have plenty more to say once we announce the response to the ice task force in due course.

NORTHERN ADELAIDE FOOD PARK

The Hon. T.J. STEPHENS (15:01): I seek leave to make a brief explanation before asking the Leader of the Government a question regarding updates on the Northern Economic Plan.

Leave granted.

The Hon. T.J. STEPHENS: On 2 November last year, my colleague, the Hon. Robert Lucas, asked the Leader of the Government about the $9 million northern food park, regarding how many jobs the project had created and whether any companies had committed to move into the food park. The minister took the question on notice, endeavouring to 'find out exactly where the food park is up to with the responsible minister'.

On 28 March this year, the Hon. Robert Lucas asked a supplementary about how many companies had moved into the food park. The minister again did not provide an answer but said he was happy to find out. The government's website, detailing this project, states, 'On-ground works are targeted to commence by the end of 2016, with construction to commence in 2017.' My questions are:

1. Have the on-ground works begun?

2. It has now been over six months since the minister took the original question on notice; has the minister been able to get a response detailing the food park's progress?

The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (15:03): I thank the honourable member for his questions. I don't have the information in front of me. I will take that on notice and bring back a reply, quickly. Off the top of my head, I believe there have been significant discussions in areas and also, importantly, a great deal of interest shown from food manufacturers in the plan for a food park and detailed discussions about those who might move into a food park. I believe the food park is in the planning phase. It is a big operation, but I will get some information about exactly where it's up to.

NORTHERN ADELAIDE FOOD PARK

The Hon. D.W. RIDGWAY (Leader of the Opposition) (15:03): Supplementary question: can the minister confirm that, because the land is leased from the federal government, none of the food manufacturers are able to secure finance because of the tenure arrangements with the land on which their buildings are to be built?

The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (15:04): I don't have any information on land tenure details, but I am happy to take that away and find an answer in relation to that.

NORTHERN ADELAIDE FOOD PARK

The Hon. D.W. RIDGWAY (Leader of the Opposition) (15:04): Further supplementary: how many food manufacturers who registered an interest were contacted by PIRSA, or whoever is in control of the project? I am aware of at least one who received no further correspondence once they had registered their first register of interest.

The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (15:04): I am happy to take that question on notice and find an answer, and if the honourable member, perhaps afterwards, would like to talk to me out of the chamber about the concern he has about one particular company, I will happily follow it up for him, if he is genuinely concerned about this issue.

POLICE FOUNDATION DAY

The Hon. J.M. GAZZOLA (15:04): My question is to the Minister for Police. Can the minister outline the importance of 28 April to South Australia Police and outline how the date was celebrated?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (15:05): I would like to thank the Hon. Mr Gazzola for his question. He is a good-looking rooster. On 28 April 1838, Governor Hindmarsh commissioned Inspector Inman to form the South Australia Police and in doing so the inspector had formed the first centrally formed police force in Australia. Every year since 1838, SAPOL recognises Foundation Day to reflect on not only SAPOL's rich and diverse history and the service provided to South Australians, but also to consider the significant role of police facilities in the evolution of policing in this state.

This government stands with our police force in celebrating its foundation and remains committed to providing it the resources and tools of the 21st century. This year's celebration also marked the centenary of the Thebarton barracks, which was opened on 1 March 1917. The Thebarton barracks was initially constructed for the use of the mounted constables, as the North Terrace barracks were no longer suitable. With the new barracks opened, the two-hectare site had a room for 50 men and their horses: double the capacity of the old barracks.

The site chosen for the barracks was controversial, with complaints that it was too far from the city for mounted men to travel in case of fire or other incidents. In those days, Port Road was just a dirt road and people thought it was too far for the horses to ride if there was trouble. Thebarton barracks has played, and continues to play, an integral role in SAPOL's history. Junior constable training was transferred to the barracks in the 1940s and in 1951 the police garage was removed from Angus Street and re-erected at Thebarton, becoming the centre for vehicle servicing, car washing and motorcycle workshops.

A Robo car wash was installed in later years and was well known to patrol officers who forgot to wind up their windows on a hot day. This garage now houses the Police Historical Society Vehicle Museum. In the ensuing years, Thebarton barracks was also home to the traffic branch, aged driver testing and advanced driver wing, along with the underwater recovery and emergency operations group, incorporating cliff rescue and bush search squads, which later amalgamated with STAR Force.

The barracks remained the original base for STAR Force right up until 2001, when it moved to the Netley Police Complex. In 2013, the new Road Safety Centre, with its mock roadway, was opened adjacent to the barracks. The centre plays a leading role in road safety, offering traffic education programs and road safety presentations to schools, businesses and community groups. Thebarton barracks was built with horses and horse training in mind, but expanded to incorporate police dogs in the 1970s. Initially comprising six dog teams, the dog operations unit commenced operational duty on 16 April 1974.

The unit has been based at the barracks ever since and has continued to evolve and expand. It now features 13 German shepherd dogs and handlers performing general purpose policing, and a further six handlers who operate 10 labrador retrievers trained for drug detection or explosive detection. The mounted operations unit continues to have a strong presence at the Thebarton barracks with 32 horses stabled there.

Now officially recognised as a state heritage icon, the imposing yet friendly police greys have been providing a strong visible policing presence across the state for decades. The mounted operations unit combines a high focus on operational patrol duties, with the capability of performing ceremonial, search and public order duties. The barracks is also home to the band of the South Australia Police, which last year was named a state cultural icon by the National Trust of South Australia. The 35-member band continues to create strong links between police and the community and is renowned internationally as one of the most entertaining marching bands.

The Thebarton barracks has seen many changes over the past century, with its role continuing to evolve in line with SAPOL's needs. It is currently home to 250 staff working across a range of SAPOL areas, including the previously mentioned band, mounted and dog police operations

units, along with the road safety section, the state tactical response group, police security services branch, traffic camera unit and armoury section.

The Thebarton barracks is also home to the South Australia Police Historical Society, which stores records and exhibits collections of police memorabilia. These attracted a great deal of public interest during the open day held on 7 May to celebrate the 100th anniversary of the barracks. The South Australia Police Historical Society advises that the open day was a great success and one of the best attended events in recent memory, with over one thousand people coming to explore the vast history of the site. The crowds were treated to performances by the police band, and the police greys were a popular attraction. I understand that a large number of former SAPOL officers returned to the barracks to see how the site had changed since their time in SAPOL, and a number of children of former officers came to see where their parents had commenced their policing careers.

The Thebarton barracks has seen many changes and has performed many useful functions since 1917, and it continues to do so today. All of the original barracks buildings are now heritage listed, forming an integral part of the fabric of SAPOL, and with good care the barracks will continue to stand as a great testimony to SAPOL's work in South Australia over many years. In closing, I would like to thank all those who have passed through the Thebarton barracks during its 100 years and all of those officers who have served the South Australian community so well since SAPOL's foundation 179 years ago.

CROWN SOLICITOR'S OFFICE

The Hon. M.C. PARNELL (15:11): I seek leave to make a brief explanation before asking questions of the Minister for Police, Correctional Services, Emergency Services and Road Safety, in all his ministerial capacities, in relation to outsourcing of legal work to private lawyers.

Leave granted.

The Hon. M.C. PARNELL: Members may have seen the article in InDaily today that reveals that prosecution over the 2014 death of new Royal Adelaide Hospital construction worker Jorge Castillo-Riffo was handed to private lawyers because the Crown Solicitor's Office could not put the case together quickly enough. The article suggests that outsourcing of government legal work to private practitioners rather than using the services of the Crown Solicitor's Office is widespread amongst different government departments.

As well as the abandoned SafeWork prosecution I referred to, other examples are offered, including the investigation of employees at the disgraced Oakden older persons mental health facility, which was also outsourced. There are strict controls on the ability of ministers or departments to obtain legal services from outside the Crown Solicitor's Office. These controls include obtaining the advice and certification of the Crown Solicitor that outsourcing is appropriate. My questions of the minister (I accept he will need to take some of them on notice) are:

1. Has the minister, or any of his departments, outsourced any legal work to private lawyers rather than using the Crown Solicitor's Office in the last 12 months?

2. If so, what types of cases are these and why could they not be done by the Crown Solicitor's Office?

3. Is the minister satisfied with the service that he and his departments receive from the 185 lawyers and 60 support staff employed in the Crown Solicitor's Office?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (15:13): Maybe I will start with the last part of the honourable member's question. Yes, of course, and I suspect that other ministers are in a similar position of wanting to ensure that we reasonably uphold our duties and responsibilities as ministers of the Crown by regularly seeking advice from the Crown Solicitor's Office. Certainly, that has occurred in the time that I have been minister, and I have been nothing but completely satisfied and indeed very grateful for the hard work that the Crown Solicitor's Office does, sometimes under pressing time lines. I am very grateful for the work they have done for my office and for me up until this point.

Regarding policies that exist in and around times when it is appropriate for other sources of legal providers to be doing work for the state, that is a question that pertains to the responsibilities of the Attorney-General. I am more than happy to take those questions on notice and seek an appropriate response from him in due course.

CROWN SOLICITOR'S OFFICE

The Hon. M.C. PARNELL (15:14): Supplementary: I thank the minister for his response. He is partly correct, but my question related to the minister's own departments, each of which is entitled to seek external legal advice, provided they follow the protocols. The protocols are set out in Treasurer's Instruction No. 10, which is easily obtainable. My question for the minister to take on notice is: have his departments been outsourcing legal work and, if so, what types of cases?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (15:15): I am happy to take that question on notice. From memory, I can think of more than one occasion when my office, as the minister's office, has sought advice from the Crown. I can also recall conversations and instances where I have asked my respective departments to seek advice from the Crown to inform different decisions that are made by them and, indeed, to inform decisions made by my office. I am more than happy to take on notice the question regarding whether or not any of those agencies have sought advice in their own right from outside legal providers.

AUTOMOTIVE WORKERS IN TRANSITION PROGRAM

The Hon. A.L. McLACHLAN (15:15): I seek leave to make a brief explanation before asking the Minister for Automotive Transformation a question.

Leave granted.

The Hon. A.L. McLACHLAN: Late last year, the minister tabled an answer to my question without notice. The minister's answers stated that the system used by the government to track participants in the Automotive Workers in Transition Program does not separate employment outcomes into full time or part time. Can the minister advise the chamber whether the system is unable to carry out this function or whether it has been a deliberate policy decision by the government?

The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (15:16): I thank the honourable member for his question. I think the question is the tracking of workers through the Automotive Workers in Transition Program, divided between part-time and full-time work. I think this is very similar to a question that has been asked in the last couple of weeks about the outcomes from the Automotive Workers in Transition Program. I think there are some thousands of interactions that the program has had with workers in the auto industry.

I have sought some advice as late as earlier today about the tracking of workers through the program. It is the case that the program focus to date has been very, very strongly on making sure that workers know what the program can offer and getting workers to register for the program. The program covers workers in the supply chain of the auto industry—some 70-odd tier 1 and tier 2 companies that supply the auto industry, primarily Holden, but also Ford and Toyota in Victoria. As Toyota is still going, there are companies that are still supplying Toyota, so the focus has quite rightly been on making sure that workers are aware of what programs are available and encouraging workers to seek career counselling and those kinds of services and the training that is available through the Automotive Workers in Transition Program.

I have outlined some statistics in the last week about the number of people who have availed themselves of those programs. Certainly, that is increasing. We did find that when this program started there was a slow take-up of the program and that when Holden announced they were leaving some three years ago it took some time for workers to turn their mind to registering for the program. That certainly has been one of the challenges, not just in South Australia but also in Victoria—to make sure that workers in supply chain companies are aware of what is available to them.

Many of these companies are small and medium size businesses that have in some cases been supplying the auto industry for decades. Many of them are family-owned companies, and it has not been easy to be able to hold information sessions at all of them, by virtue of the size and the nature of the company. But that certainly has been the focus of the auto transformation team: to make sure that people are aware of what is available to them.

I think the Hon. David Ridgway asked a question this week about the Automotive Workers in Transition Program. It has been a focus, and the Drive Your Future campaign has been aimed at making sure workers are aware of the programs that are available. Certainly, we know that similar issues are faced in Victoria. They have had a similar campaign, including advertising, to make sure workers in the auto supply chain—

The Hon. D.W. Ridgway interjecting:

The Hon. K.J. MAHER: The Hon. David Ridgway asks about his question yesterday. Certainly, it is the case that Holden workers are receiving these services through Holden.

The Hon. D.W. Ridgway interjecting:

The Hon. K.J. MAHER: Holden workers are receiving similar services through Holden. The Automotive Workers in Transition Program is a government program that provides very similar services—career advice, counselling, training programs—for supply chain workers. Of course, any publicity we do is aimed at getting anyone involved in the auto industry, whether that be from Holden or the supply chain, to make sure they are availing themselves of those services. So, any publicity we do would seek to have a benefit for those in Holden, to access the transition centre that is run by Holden at the Holden site, but also, and importantly, to encourage those people to access our own Automotive Workers in Transition Program through those supply chain companies.

The focus, as I have said, has been very much on making sure that workers register for those programs that are available, but now we are turning attention to looking at how we track what those workers do through those programs and also what the outcomes are, including job outcomes through there. So, no, we do not have statistics, whether it be full time or part time, yet, but quite rightly the team has been focused on making sure people access those programs. That is the next stage—to look at what metrics can be used to see how those programs have benefited them over time. So, as we turn to that phase, I will be happy to supply the honourable member with some of those answers.

Matters of Interest

WOMEN IN THE MUSIC INDUSTRY

The Hon. J.M. GAZZOLA (15:22): This month, I attended the gender diversity workshop hosted by MusicSA. I also I attended a couple of music festivals: the Groovin the Moo 2017 festival, which had abandoned the Oakbank racecourse to be staged at the Wayville showgrounds for the first time, and the Silver Raven Festival, held at the Turkey Flat winery. Finally, I participated in the Semaphore Workers Club's induction into the South Australian Music Hall of Fame.

The gender diversity workshop looked at the gender gap in the music industry, posing the questions: is there one? Why is there one? And most importantly: what can we do to ensure a cultural shift happens? The workshop was presented as a panel discussion. The panel was introduced by MusicSA managing director Lisa Bishop. The panel comprised the AU review editor-in-chief, Sose Fuamoli; Karina Utomo of High Tension heavy metal band; Chloe Turner of Listen Records and Music Victoria; Emily Retsas of the Rock Camp for Girls and the High Violet band; and Hannah Fairlamb from the Ponytail Kink band and the Office for Women.

The workshop was attended by 80 people and viewed online via live stream by over 700 people. The workshop also highlighted some of the inequalities and barriers that women face in the music industry:

- according to the Australia Council for the Arts 80 per cent of songwriters are men, and 70 per cent of music teachers are women;
- Triple J's Hottest 100 revealed women constituted 48 per cent of the voters but only 21 per cent of the acts;

- eighty per cent of independent record labels in Australia are managed by men; and
- research at La Trobe University has found unwanted sexual attention is a significant problem faced by women going to live music events.

Although there are obvious barriers faced by women in the music industry, the principal intent of the panel discussion was to focus on having a positive dialogue about understanding the issues at hand. Some of the affirmative options included:

- the consideration of women in festivals' line-ups;
- workshops in sound and production by women for women;
- tackling sexual assault at festivals and venues;
- the role men can take in speaking out against inappropriate behaviour directed at female colleagues, bandmates and punters; and
- encouraging inclusive language to support gender diversity in the industry.

Harley Evans, CEO and owner of Moshtix, and Lisa of Music SA announced on the night that a new scholarship will be funded by Moshtix. The scholarship for a Certificate IV in Music Business will be offered in March 2018 to a South Australian woman to help increase the presence of women in the music industry.

However, it is noteworthy to highlight that South Australia is doing very well regarding women in music-focused leadership roles. I have mentioned before Lisa Bishop and Anne Wiberg of Music SA, and Karen Marsh, Elizabeth Reid and Becc Bates of the Music Development Office. I also note the contribution of Sarah Bleby and Beck Pearce of Adelaide UNESCO City of Music office and Felicity Edwards of the Adelaide City Council.

The Silver Raven Festival is a boutique music festival held at the Turkey Flat winery. The music was of the americana and indie country genre and played by local and interstate artists. Congratulations to the organisers for a great day of music, wine and food and one of the best coffees I have ever had.

A week later, I attended the Adelaide leg of the Groovin the Moo festival. The Friday event sold out two weeks prior, with 16,500 tickets sold. The event was opened by local Adelaide singer and songwriter, Tom West, and showcased both interstate artists, such as ARIA Award winning Violent Soho, as well as overseas artists. Groovin the Moo now remains the only national touring festival to visit South Australia. Congratulations to organisers Rod Little, Stephen Halpin and Dylan Liddy for continuing their support for the South Australian music market.

Finally, on 30 April, I attended the Semaphore Workers Club induction to the Music Hall of Fame. The AHA and the Adelaide Music Collective welcomed the Semaphore Workers Club into the SA Music Venue Hall of Fame, joining the Governor Hindmarsh Hotel, The Wheatsheaf Hotel and the Grace Emily Hotel. The induction was a symbolic acknowledgment and recognises venues that support original music over an extended period.

To those who believe that Adelaide slips into a hibernation over the winter months, there is the Cabaret Festival, and I encourage you to keep an eye out and get your tickets for Umbrella, Guitars in Bars and the Adelaide Beer & BBQ Festival, to name just a few events.

HORTICULTURE INDUSTRY

The Hon. D.W. RIDGWAY (Leader of the Opposition) (15:27): I rise today to speak about the importance of South Australia's horticultural industry. At the moment, South Australia is currently hosting Australia's biggest ever horticultural conference. It is called Hort Connections 2017. It is just down the road that 2,400 international, interstate and local delegates are converging on Adelaide to attend this conference.

I was at the opening of the conference—in fact, it was a trade show—on Monday night with my colleague and good friend, Senator Anne Ruston, in her capacity as Assistant Minister for Agriculture and Water, and the shadow minister for trade and investment, Mr Tim Whetstone. This

morning, I was at the SA Produce Market at Pooraka for a tour and a briefing on the local industry as part of the conference and tonight I will be attending one of the concluding sessions. I have been at the conference meeting delegates and helping businesses and potential trade export partners connect.

This conference represents a great opportunity for South Australia and we should be doing everything we can to ensure our local industry gets the most out of this opportunity. Wherever I can, I will support this very important industry and our primary industries more broadly. The horticulture industry is vitally important to South Australia's economy. Here are just a few facts:

- South Australia's horticultural industry is comprised of over 45 different significant horticultural commodities;
- it has a farmgate industry that is worth some $920 million;
- there are around 3,500 horticulture businesses in South Australia and these businesses employ some 13,500 permanent staff and an additional 24,000 seasonal staff; and
- the industry contributes more than $3.2 billion to the South Australian economy in gross food revenue.

I believe this industry has so much more potential for growth. We must get programs, such as the Northern Adelaide Irrigation Scheme, right. We must ensure that pest-free areas are successfully established so South Australian producers are able to export their products more easily and more cost-effectively. That is another reason why the state Liberal's Globe Link policy is so important. We want to help this industry grow and generate more produce, economic activity and jobs for the South Australian economy. However, what we do not want to see is the domestic horticultural market saturated to a point where premium produce is dumped onto the market, forcing smaller growers out of business and costing jobs.

The state Liberals are determined to drive exports. At the moment, only around 10 to 15 per cent of horticultural produce Australia-wide is exported. Globe Link will give South Australian growers a significant advantage over growers in other states, enabling them to get their fresh premium produce on the supermarket shelves and in restaurants overseas within 24 hours. That is where we will see the horticultural industry expand in South Australia. We need to open up these lucrative export markets, which have an unbridled demand for South Australia's premium produce.

The Labor government likes to talk about South Australia's premium food and wine at length but, when push comes to shove, they are not there. They are absent. Make no mistake: ministers Brock and Bignell will be there to cut a ribbon at a moment's notice, but when it comes to doing the hard yards, putting their money where their mouth is, they are nowhere to be seen. It was woefully disappointing to see that not one cabinet minister could find the time to come to the opening of the biggest horticultural conference ever held in Australia, even though it was only two doors down the road from Parliament House.

What kind of message does this send to the industry? I thought this industry was a priority for the state Labor government. Evidently not. It is widely reported that minister Bignell much prefers his tourism portfolio to his responsibilities to the agriculture industry. We have seen all the headlines: 'Tourism minister Leon Bignell jets off again', 'Tourism minister Bignell racks up $300,000 in travel expenses', 'Tourism minister Bignell spends $100 on a bottle of Argentinian wine'.

Then there is minister Brock, the Minister for Regional Development. This is a minister who announced one of his regional development grants, had a press conference to cut the ribbon and get his token slap on the back, only to have the grant handed back because the conditions imposed were too onerous to comply with. This did not seem to bother the minister though. He left the press release on this website for over 12 months. He never wants to let the truth get in the way of a good PR story.

If I am fortunate enough to be the minister for primary industries after March next year, I assure you, Mr Acting President, and the industry that I will not be an absent minister, that I will work harder and deliver more than the two current ministers put together.

SA PATHOLOGY

The Hon. R.L. BROKENSHIRE (15:32): I rise to put on the public record the Australian Conservatives' concern regarding what this state government is doing to the whole of the health system in South Australia, but specifically SA Pathology services. One way or another, whichever way it has been branded over many decades, it has done outstanding work for South Australians. We hear now that over 200 jobs will potentially be axed by the government.

I happen to know people who work in pathology services, and they are very hardworking and very dedicated. They are not sitting on their backsides, twiddling their thumbs. In fact, a lot of the time, they are under pressure to do tests and write reports on what they observe from these tests for doctors waiting to get on with urgent treatment for patients. This is especially the case in country South Australia. I understand that there is no ruling out of the axing of jobs in SA Pathology in the country, in addition to the axing of jobs in the city and metropolitan area.

Whether they are dealing with a mother about to give birth to a baby, someone who comes in with a suspected heart attack or stroke, or someone who has actually had an injury, the fact is that doctors rely on these pathology tests and services. They rely on the professionalism and the accuracy of analysis of the pathologists who do this work. It seems to me that, one way or another, this state government is hell-bent on getting rid of SA Pathology and replacing it with outsourcing or privatisation. This government made a commitment in 2002 that they would never do that, but we have seen that pledge broken time and time again.

Particularly worrying for country people would be the fact that some tests are not viable for the private sector. If it is a rare test, it can at the moment be done, I am told, in the city, and often in the country, by SA Pathology services. If in fact they downsize, outsource or privatise SA Pathology services, it may be that some of those tests might need to be done interstate, which could delay the results and therefore the treatment of a patient for 24 hours, which is obviously a very long time when it is an emergency situation.

The other thing that worries me is the brain drain from country and regional South Australia. If you do away with pathology staff in a lot of the regional centres and outsource them, then you are actually doing away with the intellectual jobs that are there. You are doing away with additional families that come into the area that support all the services, the schools, churches and sporting clubs that are always short on the ground when it comes to numbers anyway. You only have to travel around rural South Australia to see, over the last nearly 20 years, the decline in population as it stands.

I believe governments have a responsibility and a duty to govern for both the country and the city. We all know that the Weatherill government is a very city-centric government. In fact, it does not matter where I go in my 50,000 and 60,000 kilometres of travels a year across South Australia, people are telling me that this government does not know much above O'Halloran Hill and a little north of Gepps Cross. Rural people are sick and tired of that.

Another example of this is what we saw only a few weeks ago. I went with opposition colleagues to Yorketown to look at what is going on down there, because the government is talking about withdrawing surgical services and sending them up to Wallaroo. Six hundred people—and good on those people—attended the Yorketown Town Hall that night to express their concern. Unfortunately, the minister and the most senior bureaucrats in Health were not there, but they did send a brave Country Health SA representative from the northern area, who I hope will take a message back to the government that country people have had enough, they do not want their pathology services reduced and they do not want their hospital services reduced either. What they want is a fair go and a fair return for their part of the state.

INFRASTRUCTURE SPENDING

The Hon. T.T. NGO (15:37): I rise to speak on the federal government's lack of infrastructure spending in South Australia. What they fail to realise is that regional and other areas outside of Victoria and New South Wales are also in need of support for public infrastructure projects. Suffice to say, I was extremely disappointed with the federal budget delivered by the Turnbull government this year. Once again, South Australia was overlooked in favour of the Eastern States. Of the

$70 billion allocated for infrastructure in the budget, South Australia will receive no new funding. Yes, you heard it right: zero dollars for South Australia. That means no new money for new infrastructure projects or roads for this state.

I recently had the pleasure of visiting Port Augusta and meeting with members of the local community. Many people shared their frustrations about the federal government's abject failure to take charge in fixing the Joy Baluch AM Bridge. I was particularly saddened that the bridge, which runs through the national Highway One in Port Augusta, missed out on funding despite numerous representations made to the federal government in recent months.

My understanding is that, due to safety concerns, Port Augusta council closed the main pedestrian bridge in late March 2017. Pedestrians in Port Augusta must now use a pathway on the freight-heavy Joy Baluch AM Bridge. As a result of the increase in pedestrian traffic, the speed limit on this bridge has been reduced to 40 km/h.

With up to 6,000 vehicles crossing the bridge daily, it is not altogether surprising that the current situation is causing traffic congestion. There have been proposals to upgrade or duplicate the Baluch Bridge, which would be an invaluable project for a number of reasons. As a key freight route on a national highway, people travelling to Western Australia must cross this bridge. It is a major connector for motorists and truck drivers across the state, providing a direct route to the northern and western regions of the country.

This bridge is also crucial for our defence training needs, with the Australian Army transporting heavy military vehicles to and from the nearby Cultana Training Area. Furthermore, I am told that all emergency services, such as ambulances and hospitals, are situated on one side of this bridge—the eastern side. Local residents expressed their concerns to me that, if access to the bridge is limited for unforeseen reasons, it is extremely difficult for emergency services to attend accidents on the other side and people's lives may be in jeopardy. On 30 March 2017, the Liberal federal member for Grey said:

> I think this is a very important issue and needs to be addressed immediately. Now the state will have a part to play in that, but predominantly the main bridge is about the commonwealth.

Despite his assurances that the federal minister is aware of the situation, South Australia deserves better than another one of the Turnbull government's piecrust promises—easily made and too easily broken.

The Baluch Bridge forms part of the national highway network, and as such ought to be funded on an 80/20 basis under the federal government's National Highway Upgrade Program, with the federal government contributing the greater part of the funding. Economists say that the federal government must take action now to ensure there is a healthy pipeline of productive infrastructure, creating jobs and boosting long-term economic growth.

Projects such as duplicating the Baluch Bridge, one of Port Augusta's major highways, would no doubt improve productivity and access and deliver untold benefits for residents in the area, as well as the many thousands of motorists passing through the town every day. I therefore join the community of Port Augusta in calling for the federal government to urgently heed these concerns and pledge much needed support for transport infrastructure in the region.

THE CEDARS

The Hon. J.S. LEE (15:42): It is my great privilege to rise today to speak about The Cedars. The Cedars is the historic home of one of Australia's most celebrated landscape artists, Sir Hans Heysen OBE. Heysen was born in Hamburg, Germany, in 1877 and migrated to Adelaide in 1884 with his family. Sir Hans Heysen bought The Cedars in 1912 and it became home to Heysen and his family, where he raised eight children with his wife Sallie.

I express my sincere thanks to Mrs Joan Hall, former member of parliament and former minister for tourism, for her fabulous support for The Cedars. Joan kindly facilitated my visit to The Cedars in early April this year. I had the great privilege to meet business and community leaders, including Mr Alistair Haigh and Mr James Sexton, co-chairmen of the Hans Heysen Heritage Appeal; Mr Allan Campbell, curator of The Cedars; Ms Rossana Montaniero, campaign director; and staff,

during my visit to the remarkable hidden treasure of the Adelaide Hills. I even had the pleasure to view a short video by film director Scott Hicks, featuring Sir Barry Humphries, to support the cause.

I express my sincere gratitude to board members and staff for their incredible commitment and their warmest reception to explore The Cedars. The Cedars is a magnificent and unique 60-hectare heritage property set on a hillside outside Hahndorf and was home to the Heysen family, including daughter and artist, Nora Heysen, for more than half a century.

The house has changed very little since the 1920s and the rooms are filled with the furniture, textiles, objects and personal items belonging to the Heysen family. Even Heysen's studio is set up just like he is still painting. All his painting materials, tools, sketches, notes and more were left very much in their original condition.

Through a personalised tour, I was able to get a deeper appreciation of Heysen's remarkable versatility in subject and medium inside his working studio, which was used by this iconic painter until his passing in 1968 at the age of 90. I also found out that Heysen was a pioneer conservationist, lobbying neighbours and the local council to preserve the great trees around Hahndorf. In 1938, he increased his holding to 150 acres to support the preservation of the natural environment.

Heysen won the Wynn Prize nine times between 1904 and 1932, and also other distinguished art prizes. For many years he was a board member of the National Gallery of South Australia. He was awarded the OBE in 1945 and was knighted in 1959.

Recognising that an historical property like The Cedars will not survive on its own, the Heysen family and supporters are embarking on an ambitious and meaningful project to establish an arts and cultural centre on the site of The Cedars in order to preserve the legacy of Sir Hans Heysen through the culmination of extensive work by the Hans Heysen Foundation, which was set up by the artist's grandson, Peter Heysen, to secure the site's long-term security. The project attracted a grant of $1 million from the federal government, and the Mount Barker District council has more than matched the federal government funding, committing $1.5 million, with other contributions from private and corporate donors.

Realising this, the South Australian government in June 2016 announced that it would match the federal government's $1 million contribution to bring the project to life. The combined federal, state and local government funding announcements were a step towards creating a cultural centre on the site. The foundation is aiming for the interpretive cultural centre to be completed by 2020. It will include a cellar door, shop, cafe, as well as spaces for art exhibitions, educational activities, functions and music performances. The centre will become a significant tourist attraction, where schoolchildren, artists and tourists can come to learn and appreciate the works of a great Australian artist.

I strongly believe that the proposed interpretive cultural centre at The Cedars will be a pride of South Australia. I urge all honourable members to support the Hans Heysen heritage appeal to raise more funds to realise this long-term dream to develop a unique cultural asset for South Australia.

LATEX ALLERGY

The Hon. J.A. DARLEY (15:47): I rise to speak about latex allergies. The matter of latex allergies was brought to my attention by Dr Pooja Newman. Dr Newman attended the Adele concert at Adelaide Oval on 13 March this year and was unfortunately hospitalised due to exposure to latex from balloons which were released as part of the show. Like many others, Dr Newman developed an allergy to latex as a result of her career in medicine and exposure to latex products. She is now an allergy awareness campaigner and highlights the issues of safety in public spaces and workplaces.

Anaphylaxis is a severe allergic reaction which can cause death. The Royal Australian College of General Practitioners reports that the incidence of anaphylaxis is increasing. Latex allergies can develop as a result of persisted exposure to latex. I understand that approximately 12 per cent of healthcare workers in Australia have a latex allergy.

Dr Newman is campaigning for the new Royal Adelaide Hospital to be latex free. Whilst this may seem like a large undertaking, I am advised that the Johns Hopkins Hospital in Baltimore in the

United States has been latex free since 2008, and that the state of Hawaii is currently considering a ban on latex gloves completely. Latex is not only found in gloves but also masks, eyewear, gowns, catheters, mattresses and tubing, amongst others.

Whilst the transition from conventional hospital products to latex-free products may seem costly, I understand it is usually cost-neutral and in the instance of the Johns Hopkins Hospital, they have actually found that there were savings as there was no longer a requirement to constantly treat anaphylaxis. Dr Newman is also concerned about the lack of labelling on latex products. Currently, there is no mandatory labelling of latex products, which can be fatal, especially if latex is used in conjunction with food products. Latex gloves may be used in the manufacturing of food products, which may contaminate the consumable.

Latex products are also used as part of adhesives to close packaging for some food products and can have serious consequences if consumed by someone with an allergy. With the increase in anaphylaxis, Dr Newman is also campaigning for better training and awareness of allergies. EpiPens are not standard in medical kits and children with allergies are required to supply their own EpiPens to childcare facilities and schools.

Without better awareness of allergies, anaphylaxis can occur at any time. A picnic in the park may turn deadly just because other patrons may have balloons. This was similar to what occurred at the Adele concert where Dr Newman was not exposed directly to a balloon, but rather to the dust proteins which were emitted and which can be deadly. In relation to that matter, Dr Newman has met with Adelaide Oval, who I understand are sympathetic to the cause and are considering announcements or warnings similar to what they have for laser and strobe effects. I commend Dr Newman for what she is doing on this very important issue.

INTERNATIONAL WORKERS' MEMORIAL DAY

The Hon. J.E. HANSON (15:51): On 28 April, I attended, along with other honourable members of this place and also the other place, both on behalf of Premier Jay Weatherill and as a deeply interested party myself, the International Workers' Memorial service at Pilgrim Uniting Church. This service is held each year to mark International Workers' Memorial Day. It was my first attendance at this particular event but it is far from my first brush with the sombre and sorrowful matter of industrial deaths.

As a grandson of Broken Hill miners, I grew up schooled in the notion of how fortunate I was to feel secure in the knowledge that my parents would likely come home safe from work at the end of each day. It was made clear from my youngest years that this is not a privilege that my parents enjoyed during their childhoods, nor did their peers. I was raised to understand that coming home safely from work was a fundamental right for working people, but the fact is, while it should be a fundamental right for all working South Australians, it has been tragically proven time and time again that even today, in 2017, it is far from true that all workers are afforded that right.

I am encouraged that over the last decade and a half we have improved in terms of the number of prosecutions taken against employers who have caused an industrial death or maiming at work. I am also encouraged that, over this time frame, we have increased the number of workplace safety inspectors by around 50 per cent. However, it is at events such as those at the Workers' Memorial and in decisions of the courts that we are reminded that it is not the case that all workers can count on returning home to their families.

While there are many examples I could cite here, I am aware that a worker was killed, on 16 July 2010, and another was nearly killed, during the construction of the desalination plant. In this matter, shortly before the limitation period expired, SafeWork SA commenced a prosecution. The company they chose to prosecute was insolvent. The director they chose to prosecute had insurance that paid for the fine the court imposed. The court magistrate in the prosecution judgement commented on the inappropriateness of the insurance, which meant that the penalty was, of course, no imposition on the director.

I concur with the magistrate in his comments. Such insurance is surely an admission of failure in an area where we should not accept defeat. I believe we should look to outlaw such insurance or, at the very least, vastly increase the scale of the penalty where there is such insurance. A more recent example is in the decision of this year against a major fast food chain vendor where a

16 year-old casual employee suffered second and third degree burns when he stepped backwards and fell almost completely into a container of hot oil.

This oil was measured to be some 108° Celsius over two hours after the incident occurred. It was placed on the floor behind him without warning, as there was no proper process in place for the oil to cool elsewhere. It is worth noting the comments from the magistrate in this particular matter. He stated that:

> …the business model relies on child workers to use commercial volumes of dangerously hot oil, and in this case relied on another legal child to train another new employee with insufficient safety guidance. Such young workers are necessarily inexperienced, despite their intelligence and good work ethics, and so need greater protection than adults.

I find myself concurring once again. I am encouraged by the commitments of our Premier that there will be a coronial inquest into the recent death at the RAH site and a review into the failure of all the prosecutions of those workers who have died in recent years in SA workplaces. I am also encouraged that our Premier has stated that there will be a review of workplace laws.

In my own experience as an officer of a union, I have been involved in the aftermath of workplace incidents that make my skin crawl. I have been involved in matters where employers have breached awards or agreements. Under commonwealth legislation, workers and unions can sue employers for breaches of enterprise agreements, awards, the NES and other aspects of the legislation, and if the court finds that the employer has breached the relevant obligation, the employer is fined. These are referred to as civil penalty proceedings.

Civil penalty proceedings have been a feature of industrial legislation for many years, including during WorkChoices and, more generally, under the Howard, Abbott and Turnbull governments. If it is good enough under the Howard, Abbott and Turnbull governments for workers or their unions to be able to sue employers for breaching industrial instruments, then it is my view that allowing the families of workers who have died, or their unions, to sue negligent employers for industrial deaths should be good enough, too.

Bills

PASSENGER TRANSPORT (EXPIRY OF POINT TO POINT TRANSPORT SERVICE TRANSACTION LEVY) AMENDMENT BILL

Introduction and First Reading

The Hon. M.C. PARNELL (15:56): Obtained leave and introduced a bill for an act to amend the Passenger Transport Act 1994. Read a first time.

Second Reading

The Hon. M.C. PARNELL (15:57): I move:

That this bill be now read a second time.

The point to point transport service transaction levy of $1 per trip, applying to all taxi, ride sharing and chauffeur car trips in the Adelaide metropolitan area, came into operation on 1 May. The new levy was part of last year's budget, and it was introduced to raise money to compensate the taxi industry for losing their monopoly rights to provide certain transport services. The compensation package was mostly in response to the commencement of new ride sharing operators such as Uber, which had commenced operations in South Australia.

The debate over whether compensation of incumbent taxi licence holders and operators was necessary or justified has been a vexed one, but the government proceeded down that path and compensation is now locked in. To pay for it, the government introduced the levy, but is it really a levy? Is it hypothecated to specific purposes? Is it time-limited to the period necessary to raise the funds required for its stated purpose? The answer to all those questions is no. It is not a levy; it is a tax. It is not hypothecated; it can be spent on anything. It is not time-limited; it is open-ended; it is permanent. The tax does not end when it has done its job; it may never end.

This is the wrong that my bill seeks to overcome. This bill ensures, through a sunset clause, that the tax will come to an end when sufficient funds have been raised to satisfy the government's

compensation package. There is a certain amount of guesswork involved in calculating how long it will take to raise the amount required to compensate the taxi industry at $30,000 per licence plate and $50 per week for lessees for a period of up to 11 months.

At briefings last year, we were advised that the money could be raised in four years. Since then, further estimates have been provided that suggest it might take a little longer, especially given the considerable compliance and administrative costs. The length of time will also obviously depend on how many trips are taken, which could vary according to prevailing economic conditions.

A worst-case scenario is six years. That is the sunset period that I have adopted in this bill. The $1 per trip transport tax will end in six years. This is certainly something that will be welcomed by the taxi industry, the chauffeur car industry and Uber. I have received communications from the CEO of Suburban Taxis, Mr Vince Mazzoni, who welcomed this bill because it ensured that this would not be a new ongoing tax on their industry.

I have also had discussions with Uber and they are very keen to see this tax come to an end as soon as possible. As members would know, the taxi industry and Uber do not always see eye to eye, but on this issue they are in furious agreement. They do not like the new tax and they want to see it gone as soon as possible.

Let us explore this issue of whether it is a levy or a tax. One question we could ask is whether the money raised might be used for other good things in the transport area. The answer, of course, is yes, it could, but those good things could also be funded in other ways as well, through other taxes and through general revenue.

It is worth teasing this out because the government, in its attempt to convince the public of the merits of this new tax, has identified some other good things that it is proposing to do with the money. These include fee reductions to chauffeur vehicle operators, taxi drivers and owner drivers and improvements to access cabs. There is no legal link between these programs and the new tax. The government might as well have promised to spend the money on police, hospitals, teachers or even cute baby animals. However, the fact remains that it is a new tax and it can be spent on anything. It is not hypothecated to any particular transport task.

In trying to sell the new tax to the travelling public, the government has pointed out that passengers will be no worse off because the government has now capped the credit card surcharge fees charged by taxis from—

The PRESIDENT: The Hon. Mr Parnell, the bill you have before us basically involves money—a tax. It is improper to introduce such a bill in the upper house, so I deem it out of order.

The Hon. M.C. PARNELL: In terms of your ruling, Mr President, it is a bill that proposes a sunset clause. It does not propose to raise any—

The PRESIDENT: I have some very experienced advice here, which says that it does deal with money—taxation—so it is inappropriate.

The Hon. M.C. PARNELL: When I moved the identical provision as an amendment to the budget bill last year, I was not ruled out of order.

The PRESIDENT: That was a suggested amendment, last year.

The Hon. M.C. PARNELL: So, you are ruling the bill out of order?

The PRESIDENT: Yes.

The Hon. M.C. PARNELL: Is there any recovery mechanism or conditional notice of motion, or something?

The PRESIDENT: Under the constitution, any bill that deals with money or a tax cannot be presented to this council.

The Hon. M.C. PARNELL: Does that include levies?

The PRESIDENT: Levies, tax—anything.

The Hon. M.C. PARNELL: I will accept your ruling, Mr President.

The Hon. T.A. FRANKS: Point of order, Mr President: I have moved a similar bill and we used raised italics as a way of getting around that, as a suggestion to the other place.

The PRESIDENT: That is an amendment and this is a bill.

The Hon. T.A. FRANKS: It was a bill—the voluntary firefighters compensation bill.

The PRESIDENT: That was a clause of the bill, the Hon. Ms Franks. We are talking about a whole bill here. It is a bill that deals with tax and my advice is that it is totally inappropriate to be introduced to this council. You might have to have further discussion about this at a later date.

The Hon. T.A. FRANKS: It was not an amendment to a government or opposition bill; it was an entire bill.

The PRESIDENT: I am not going to argue. I am quite happy to sit down and talk with you, the Hon. Mr Parnell and the Clerk and get some other advice, but this is the advice that I am getting so I cannot pursue it any further. It is ruled out of order.

Parliamentary Committees

SELECT COMMITTEE ON STATUTORY CHILD PROTECTION AND CARE IN SOUTH AUSTRALIA

The Hon. S.G. WADE (16:04): I move:

That the second interim report of the committee be noted.

I will be brief in relation to this report because I did refer to it in my comments yesterday. As I mentioned in the council yesterday, this was an opportunity for the committee that has particular responsibility for statutory child protection and care and for the consideration of the government's response to the child protection royal commission to consider one element of the government's response, which was what is commonly called the safety bill.

I commend the bill to the council and I know that it has already found its way into the parliament's consideration of that bill. In that context, I would like to formally thank the members of the committee: the Hon. Tammy Franks, the Hon. Jing Lee, the Hon. Dennis Hood and the Hon. John Darley, for their contribution and particularly to Lynette Mollard, our research officer, and to Mr Anthony Beasley, our secretary.

The key stakeholders, who are part of the dialogue on this bill, provided substantial submissions to the committee and I would commend both the *Hansard* of the committee and the evidence to the committee. I acknowledge the huge amount of work they have done and particularly thank them for going the extra mile and actually providing us with fresh submissions post the consideration of the House of Assembly.

I think members will find those two submissions particularly useful and, for that reason, the committee has added those two key submissions as appendices to this report. The first, appendix 2, is the submission of what is generally called the alliance. The letter is written by Ross Womersley of SACOSS on behalf of the wider group of stakeholders and the second appendix, appendix 3, is the Law Society letter.

As I mentioned in the council yesterday, I did have greater hopes for this particular reference in that there were early indicators that the government might use this as a vehicle to facilitate dialogue with the community, the parliament and the government and avoid the prospect of a cumbersome committee process within this council. For whatever reason, that did not eventuate. We primarily had a conversation between the parliamentary committee and stakeholders. Nonetheless, that was, I believe, extremely useful. The Hon. Tammy Franks, in her comments yesterday, drew heavily on that material and I am sure the debate also will, going forward.

With those remarks, I commend the report to the house and look forward not only to the consideration of the safety bill but also the consideration of the changes to the Family and Community Services Act to deal with prevention and early intervention and, for that matter, the fulsome implementation of child protection reform.

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

PARLIAMENTARY COMMITTEE ON OCCUPATIONAL SAFETY, REHABILITATION AND COMPENSATION: 67 IS THE NEW 40

The Hon. J.E. HANSON (16:08): I move:

That the report of the committee, on its inquiry into work health and safety and workers compensation issues associated with people working longer, be noted.

The Occupational Safety, Rehabilitation and Compensation Committee has had an ongoing interest in issues associated with an ageing workforce. The committee provided a briefing report to this council in March 2013, following a meeting with the then commissioner for ageing and disability, the Hon. Susan Ryan.

Since then, there has been significant interest in the community on finding ways to assist older people to continue in the workforce for longer. Eligibility for the aged pension is increasing over the next few decades, with the expectation that people will continue in the workforce until they are at least 70 years of age. Sixty-seven is the new 40. We are all getting older and we are all getting better at the same time.

The committee's inquiry examined a number of areas affecting older South Australian workers, including workforce participation and barriers to employment; access to workers compensation and insurance; superannuation and early retirement; healthy ageing; support, education and training; and re-entry into the workforce following an early retirement, redundancy or for some other reason.

The committee received a small number of submissions, heard evidence from the Council of the Ageing and undertook research on emerging issues associated with an ageing workforce. Macroeconomic factors that affect employment, savings and investment are affecting decisions that individuals make about their future. Technological change is disrupting every area of life, reshaping the way that many businesses operate and affecting the labour market. The shortage of young skilled workers to replace retiring older workers is one reason to encourage older workers to remain in the workforce.

The Bureau of Statistics considers anyone over the age of 45 to be a mature age person. The proportion of people aged over 65 is increasing and is expected to double by 2025. South Australia's population has more mature age people than the nation as a whole, which presents us with both challenges and opportunities. While there is no longer a compulsory retirement age, many people choose to retire when they become eligible for the age pension, but, for a variety of reasons, more people are deciding to work for longer.

Nationally, people aged over 55 make up about one-quarter of the population but only 16 per cent of the workforce. A report into the workforce participation rate of workers aged over 55 compared to 34 other OECD countries found that while New Zealand ranked second behind Iceland, Australia achieved the midway point—a lowly 16th. In 2013, the Economic and Finance Committee found the workforce participation rate of people over 55 in South Australia was below the national average.

Many women in older age groups are now working more than in previous generations, but the male workforce participation rate has been declining. This is largely due to the technological change that impact on many traditionally male occupations. The Australian Human Rights Commission and COTA SA found the main barriers to workforce participation for older people included things such as discrimination due to underlying assumptions and stereotypes associated with ageing; lack of workforce flexibility; lack of retraining and upskilling opportunities; or physical injury and illness.

Good work is beneficial for physical and mental health but unsafe, unhealthy work reduces the prospect of healthy ageing and places increasing pressure on public health and social services. We are all living longer, but white-collar workers have a longer life expectancy than blue-collar workers because their jobs involve more risks to health and safety. Due to the nature of work undertaken by many blue-collar workers, they are more likely to suffer serious physical injury and illness. Lower levels of education reduce their opportunity to move into other areas of employment and successfully continue retraining.

Physical and emotional demands of workers in aged care and many health-related fields adversely affect the ability of those workers to work longer. There is an increasing need for employers to prevent work-related injuries and reduce the risks of ageing associated with the work processes by redesigning work and work practices, ensuring healthy work environments and providing training and opportunities for promoting health-related programs.

Most employers are aware of the importance of maintaining a healthy workforce but may have limited knowledge of what they can do. Lack of flexible work arrangements may prevent workers from investing in their own health and wellbeing, and they may not be aware what actions they can take. Workers who retire prematurely or lose their job risk the double jeopardy of having insufficient funds for their retirement and not being able to find other suitable employment.

White-collar workers are likely to live longer and usually have access to healthy work environments and flexible work arrangements and are able to transition to retirement by reducing their hours of work or the number of days they work. However, flexible work arrangements are not available for everyone, because the South Australian Fair Work Act does not provide similar provisions to the commonwealth legislation in enabling people to make an application to their employer.

Flexible work arrangements are important for all workers. Flexible work arrangements benefit young workers who have family responsibilities and older workers who are diverse in their needs and interests. Some feel that now they are free of family responsibilities they can concentrate on career, while others have caring responsibilities for elderly parents or grandchildren. Many want to continue to work to enhance their financial circumstances and provide for a better retirement. Some want to combine working with volunteering, which is worth around $5 billion annually to the state's economy.

Flexible work arrangements, combined with transition to retirement, allows older workers to combine working with being actively engaged with other interests, activities and family responsibilities. Many large employers embrace a multigenerational workforce and support older workers to transition to retirement. Many small employers would like to do the same. Flexible work arrangements will benefit all workers. For this reason, the committee recommends that the South Australian Fair Work Act be amended to reflect flexible working arrangements as laid out in the commonwealth legislation.

The committee found that there is a wide range of information available to assist older workers, but it is scattered. It is not easy for older people to locate information that supports their interests or wellbeing and the economic opportunities that may be available to them. For this reason the committee recommends that the Minister for Ageing develop a whole-of-government internet gateway to address this gap.

The committee recognises the limitations of this particular inquiry and considers this an ongoing matter for the committee to monitor. The committee prides itself on making practical recommendations. Overall, four recommendations have been made to address identified policy gaps that will assist both employers and older workers.

Macroeconomic factors beyond the control of any one individual are affecting the labour market, and technology is changing the way business is conducted and operates. Organisations that embrace a multigenerational workforce and acknowledge the different contributions of all workers will benefit from these economic and technological changes.

In closing, I would like to thank the Hon. Susan Ryan for her attendance at the committee and for ReturnToWorkSA's assistance in providing statistical and research reports that assisted the committee in its deliberations. I would like to thank all those who made submissions to the committee and COTA SA for their substantial submissions and for giving of their time to appear before the committee.

As a new member of this hardworking committee, I would like to thank the presiding member, the Hon. Steph Key, whose commitment to this important area of interest is, of course, well known. I would also like to thank the member for Fisher and the member for Schubert. I would also like to thank the Hon. Gerry Kandelaars, who recently retired, the Hon. John Dawkins and the Hon. John

Darley for their contributions. I would also express my appreciation to the committee staff, including the executive officer, Ms Sue Sedivy, and the research officer, Mr Peter Knapp.

The Hon. J.S.L. DAWKINS (16:18): I am pleased to rise to endorse the remarks of the Hon. Mr Hanson. I think this is the first committee report—certainly of this committee—that he has brought to the chamber, and, as a relatively new member of the committee, he has already taken up some of the cudgels previously employed by the Hon. Mr Kandelaars.

The committee is a very interesting committee, which I think has done some pretty significant work in the last several years that I have been on it. Obviously, a fair bit of that work has been in the area of mental health and suicide prevention, but certainly the work we are currently doing in relation to return to work is around the psychological area.

I think very much in relation to issues around people working longer, are the psychological aspects of that. I think everybody has a judgement on other people's retirement age. If someone chooses to retire early, lots of people, probably including myself, have made judgements, 'Oh well, make sure you keep yourself busy,' and there will inevitably be people who will say, 'Oh, why do you want to keep working at your age?'

It is a personal choice, but the reality is that community pressures have always been placed on people for their decisions about whether they want to continue to work. Sometimes it may be that they need to continue to work for financial reasons, but it is also relevant to know that some people will quite proudly want to retire early and stay retired, and if they can do that and that is their wish then they should be able to do so.

The committee made some recommendations, to which the Hon. Mr Hanson has referred in his remarks. I will quickly highlight them. The committee recommended that the Minister for Health market the Healthy Workers—Healthy Futures initiative to assist employers to provide healthy workplaces for older workers. I would reiterate the fact that healthy workplaces obviously need to be places that are mentally healthy and that do care for the wellbeing of those workers.

The committee also recommended that the Fair Work Act 1994 be updated to include provision for employees to request flexible work arrangements so that it is consistent with the Fair Work Act 2009 of the commonwealth. The Hon. Mr Hanson referred to that. The committee also recommended that the Minister for Higher Education and Skills brief the committee on what grant funding and programs are available to assist older workers who wish to retrain and/or re-enter the workforce, and how the information is communicated to older workers.

The committee also found that, while a wide range of information is available for older workers, there is not one central point where older people can obtain information to assist them if they want to continue to work or return to the workforce after having left it either voluntarily or otherwise. So, the committee recommended that the Minister for Ageing develop a whole-of-government internet gateway containing information resources and advice to assist older people to engage with the labour market and to work longer.

I will not delay the council any longer. I commend this report. I have never been a great fan of titles on reports, but I think, as I explained to some people at lunchtime, the use of the title '67 is the new 40' is a very useful way of describing what is otherwise mentioned as 'An inquiry into work health and safety and workers compensation issues associated with people working longer'. I think the short, brief title is a very good one.

I also commend the work of the committee, which is enhanced very much by the leadership of the presiding member, the Hon. Steph Key, whose passion in this area is well known. Obviously, we also have the valuable contributions from the members for Schubert and Fisher in another place. The Hon. John Darley and the Hon. Mr Hanson, as I mentioned earlier, contributed very much to this inquiry, but also to the ongoing work of what is a busy committee.

In closing, I thank the executive officer, Ms Sue Sedivy, for her ongoing work. I think we are delighted that she now, very deservedly, has an additional member of the team on board, the research officer Mr Peter Knapp, and we look forward to continuing the ongoing work of the committee into matters relating to occupational safety, rehabilitation and compensation.

The Hon. J.A. DARLEY (16:25): In rising to support this report, I realise that I am the exception to the rule and I am lucky enough to still be working, despite having turned 80 on Monday. People often ask me why I am still working. My response is always, 'Why not?' I enjoy what I do and I am fortunate enough to be in a position which supports me so that I can continue to work effectively. However, this is often not the case with other workplaces.

The global financial crisis resulted in some people being unable to retire, or worse, being forced to return to work after retirement due to a lack of return on investments. Jobless workers over 55 are often unemployed for long periods, either due to the stigma of being older or because they had entered retirement. Long periods of unemployment is often unattractive to employers, yet without older workers in the workplace the burden on the social services can be higher. Workplaces need to be flexible to accommodate older workers. Older workers are often stereotyped to be mentally slower, less creative and less productive, which employers believe will only cost them time, resources and, ultimately, money.

However, this is far from the truth, as older workers are often creative as they have learnt to resolve problems without modern technology. They have priceless life experience and are generally more loyal to employers than younger counterparts. Whilst older workers may need a little more support at the beginning, many employers will find that the trade-off is well worth it. Undoubtedly, as the population continues to age, this will continue to be an issue which will need attention as time goes by.

I want to thank the committee members and staff, Ms Sue Sedivy and Peter Knapp, for their work on this matter. I commend the report to honourable members.

Motion carried.

Bills

ELECTRICITY (FEED-IN PRICING) AMENDMENT BILL

Introduction and First Reading

The Hon. M.C. PARNELL (16:27): Obtained leave and introduced a bill for an act to amend the Electricity Act 1996. Read a first time.

Second Reading

The Hon. M.C. PARNELL (16:28): I move:

That this bill be now read a second time.

This bill relates to the retailer solar feed-in tariff. It is the amount of money that electricity retailers pay to the owners of solar panels for the electricity that is exported from rooftop solar panels back into the electricity grid. In other words, it is electricity that is surplus to the requirements of the owners of the solar panels.

As members would appreciate, the solar panels that are now on one in four rooftops in South Australia generate electricity which can be used by the householder. If the householder happens to be at work, for example, and there are not many appliances running but the sun is shining brightly, there is excess electricity and that is exported back to the grid. The question is: given that that electricity is going back into the grid where it can be onsold and reused by other electricity customers, what is a fair price for the electricity companies to pay the owners of those panels?

In the very early days of solar panels, the price was effectively the same price that we paid the electricity companies for electricity they sold to us. It was effectively one-for-one. The reason it was a one-for-one price was because most of us had old-fashioned spinning disk meters. In other words, when you purchased electricity from the grid, your electricity meter disk would spin in a certain direction. If you had solar panels and you exported electricity back to the grid, your disk would spin in the opposite direction. It is a bit like winding back the odometer on a car—not that I have ever done such a thing, but I have seen people do that in movies. It was similar for electricity.

Then, we had a system of import-export meters, where the meter was able to separately identify electricity that was imported into the home and electricity that was exported out. Around the same time, the government-legislated programs for feed-in tariffs came in. The very first of those

feed-in tariffs—we are going back to about 2008 or 2009, from memory—was for 44¢ per kilowatt hour. That was a 20-year scheme and that is still going. There was a subsequent scheme for 16¢ per kilowatt hour. That was limited to five years. That scheme has now come and gone; it has ended.

What happened when these legislated feed-in schemes came in was that the electricity companies decided not to pay anything for the electricity. In other words, they relied on the feed-in tariff that had been collected from other consumers and did not put any of their own money into compensating solar panel owners for the electricity that the electricity companies effectively got for free and could then onsell to other customers at an absolute profit. They had not had to pay for it. They were given free electricity, which they could then onsell.

As a result of what I labelled back then as the great solar rip-off, the government introduced measures which provided for the Essential Services Commission to set a fair price for the retailers to have to pay solar panel owners for the electricity that was exported back to the grid. That regime has been operating for a number of years. The amount per kilowatt hour has gone up and down, but just in these last few months—in fact, just before Christmas—the Essential Services Commission decided that they would not set a minimum price. In doing so, they effectively set the minimum price at zero. That means that electricity companies are quite within their rights legally to not pay anything for excess electricity that solar panel owners export back into the grid.

When they made their pronouncement, the Essential Services Commission of South Australia basically said to the electricity companies, 'We're watching you.' They said, 'If you go back to your bad old ways and stop paying anything for electricity, then we will re-enter the market and we will re-regulate for a minimum price.' Effectively, what the Essential Services Commission has said is that they are going to trust the market to do the right thing; they have set no minimum price.

As of the last month or so, it looks as if most electricity companies are continuing to pay 5¢ or 6¢ per kilowatt hour for electricity. The question that arises is: how do they calculate that amount and is that a fair amount for the electricity that is generated? To answer that question, I think it is informative to look at how the exercise has been done in other states. For example, if we look across the border into Victoria, we can see that their Essential Services Commission has set a minimum payment of 11.3¢. In other words, it is twice what the last South Australian minimum payment was and an infinite amount more than the current minimum amount in South Australia, which is zero.

The way they came up with that figure is they had a look at what was the true value of the solar energy that was being exported back into the grid. They had a look at what the electricity companies were saving by not having to buy electricity from another provider—whether it was coal or gas or wind, it did not matter. In other words, the wholesale price of electricity was the cost avoided by the retailer. If they can get their electricity from someone's solar panels they did not have to then buy it on the market. That was one part of it, but the Victorians also had a very good look at other benefits that solar power provides to the network.

We know that there are benefits in terms of transmission losses that are avoided because your excess electricity from your solar panels does not go back to the power station, it flows next door. It basically hangs around the neighbourhood. If we were able to sort of DNA-track every little electron that was moving through the wires, you would see that you are avoiding a lot of the transmission losses and the costs of transmission that would flow from power that had been generated centrally from a remote power station.

The Victorians also had a look at the positive benefits for greenhouse gases. They had a look at positive benefits for health, because we know that fossil fuel power stations are bad for the health of local communities. When they put all of these things into the mixing pot, they came up with 11.3¢. Similarly, if we have a look across another border to New South Wales, we find that just this month, in fact on 1 May, their version of the essential services commission, the Independent Pricing and Regulatory Tribunal (IPART), has now released what they call a draft benchmark range for voluntary solar feed-in tariffs.

The reason it is described as that is that they do not have the same laws as us where they mandate how much the electricity companies have to pay for solar power. They basically have a

recommended rate, which all of the electricity companies then adopt. It might not be quite as strict a regime as in Victoria and South Australia, but nevertheless they went through the same exercise and asked: what is the true value of solar to the retailers? What would be a fair price for the retailers to pay the owners of solar panels? They have come up with a range of 11.6¢ to 14.6¢ per kilowatt hour.

At the top of that range, it is three times what people in South Australia are generally being paid. What that says to me is that the Essential Services Commission of South Australia needs a little bit more guidance to help them determine the true value of the electricity that is exported to the grid. That, effectively, is what my bill does. I have extracted from the Victorian legislation the list of criteria that have to be taken into account in setting the minimum feed-in tariff for solar and I have incorporated those criteria into South Australian law.

As a result, the next time the Essential Services Commission undertakes this task they will probably come up with a similar result to Victoria. In fact, I reckon they will come up with a higher result because, as we know, the wholesale price of electricity is going up, largely as a result of the gas situation and the lack of competition in the market, and whilst in South Australia wholesale prices for electricity went down for about eight years, largely as a result of cheap wind energy, they are now going up as a result of expensive gas energy.

I expect that when ESCOSA undertakes this task again, if this bill were to pass and they were to take into account all of the benefits that solar power provides to the network, to the economy and to the community, then they will come up with a number probably similar to what the situation is in New South Wales.

At the risk of stating the obvious, I probably need to point out that it is not enough to just mandate that electricity companies must pay a certain amount for solar power because, if they were minded to, they could structure their tariffs in such a way that they appeared to be very generous in paying for solar power but were charging customers an extortionate amount for electricity that they imported into their homes. Customers still need to have a look at the range of offerings and how much they will be paying for electricity they buy from their retailer, as well as how much they will be paid for electricity they sell back to their retailer, to make sure that they are getting the best offer.

If history is any guide, the history in South Australia is that, given half a chance, the electricity companies will go back to their bad old ways and will pay zero—they will pay nothing. That is what they were doing 10 years ago, not paying a brass razoo, not paying anything for the electricity, effectively taking it from customers and selling it to other customers at a profit. We cannot go back to those days. So, I do want to see a legislated minimum tariff.

The other consequence, of course, which will flow from a regime where solar panel owners are not fairly compensated is that an increasing number of people will decide that it is just not worth their while to stay on the grid anymore. Think about it: if you have five, 10 or more kilowatts of panels on your roof, you are not using a lot of that power yourself, you are exporting the vast bulk back to the grid, you are not part of any other feed-in tariff and you are getting virtually nothing for it, then why on earth would you not invest elsewhere? You would ring up Mr Musk (I understand the Premier has his phone number) and say, 'Send us down some of those batteries.'

An honourable member: Twitter.

The Hon. M.C. PARNELL: Sorry, we have the Twitter handle for Mr Musk; we could contact him that way. People will start to think, 'Well, it's not worth my while to generate so much power that I am effectively donating back to these big power companies.' People will decide to try to be self-sufficient. They will start putting batteries on, in extreme cases, but in a growing number of cases they will disconnect from the grid. People might think that is fair enough, but I think we need to be quite careful about a situation where the electricity grid simply becomes a last resort option for people who cannot afford solar panels. That would have a bad social outcome, so I do not think we want to go there.

South Australia was a leader in renewable energy, and certainly a leader in rooftop solar. We were the first state in Australia to have a statutory feed-in tariff. The best figures I have seen show that most people no longer get that tariff. People who have put panels on in the last six years certainly are not getting any feed-in tariff at all by virtue of the statutory scheme. I think if South

Australia wants to retain, or regain, its role as a leader in renewable energy and rooftop solar in particular, we need to make sure that our Essential Services Commission properly values the contribution that solar power is making to the grid, to the economy and to society as a whole. I commend the bill to the council.

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

Motions

OAKDEN MENTAL HEALTH FACILITY

The Hon. S.G. WADE (16:43): I move:

1. That a select committee of the Legislative Council be established to inquire into and report on matters relating to the management of the care of residents of the Older Persons Mental Health Service at Oakden since December 2007, with a particular focus on:
   - (a) the experience of residents and/or their families and carers as they raised concerns about the quality and safety of the care provided at Oakden;
   - (b) the effectiveness of statutory officers and other government employees appointed, in part or in whole, to monitor the quality and safety of care provided at Oakden, including:
     - (i) the Office of the Chief Psychiatrist;
     - (ii) the Office of the Public Advocate;
     - (iii) the Office of the Principal Community Visitor;
     - (iv) the Health and Community Services Complaints Commissioner; and
     - (v) the Mental Health Commissioner;
   - (c) the policy and practice of SA Health and the Northern Adelaide Local Health Network in responding to concerns raised about Oakden;
   - (d) the identification of any legislative or regulatory deficiencies in the oversight arrangements for Oakden that may have contributed to systemic problems at Oakden not being identified and addressed earlier;
   - (e) the identification of any deficiencies in culture, governance, staff recruitment and training, and management which may have contributed to lower quality and less safe older persons mental health services; and
   - (f) any other relevant matters.
2. That standing order No. 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 No. 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.

The motion relates to seeking to establish a select committee in relation to the Older Persons Mental Health Service at Oakden. In recent days, the parliament and the public of South Australia have become aware of a decade of neglect and abuse in relation to that service, neglect that relates to a lack of planning. We saw a recommendation from the Cappo report that older persons mental health services be a particular focus of planning, and nothing was done.

We saw an attempt to develop a model of care, but the lack of leadership within SA Health, including a whole conga line of ministers, meant that that model of care went no further than a draft. We saw a decade of neglect in terms of capital investment. My understanding is that there were a number of capital renewal programs suggested in relation to Oakden and none of them got past the minister's desk.

We have learned of serious understaffing of this very challenging mental health service over a number of years and also, in terms of staffing, an appalling mix. Considering that this was one of

the most challenging mental health services in the state, there was a serious lack of allied health support in particular.

Since the community has become aware of those issues, the Groves report—the Oakden review, as it is commonly known—has been released. That has led on to a whole series of other reviews. There is a commonwealth review of accreditation processes and SafeWork SA has announced a review of nursing homes, as I understand it, right across the state. SA Health has announced a clinical audit of aged-care services right across this state and, of course, there is a coronial inquest into the death of one of the residents at Oakden.

I note the calls by members of families that resources be made available to the Coroner to enable him to look at other deaths at Oakden. I also note the concerns of the Principal Community Visitor. He believes that a number of the deaths that occurred in the last 10 years need to be looked at again in terms of whether or not they raise issues that should be given consideration by the Coroner. As well as the Oakden report itself, there is a number of pieces of work that are being done to try to understand what has happened in the past decade and to try to make sure it does not happen again.

Very early after the release of the Oakden report on 20 April, the Hon. Kelly Vincent and I held a joint press conference outside the Oakden facility and called for a parliamentary committee to look at Oakden. Both the Hon. Kelly Vincent and I are members of the Joint Committee on Matters Relating to Elder Abuse, and we suggested that that would be an appropriate vehicle. We were pleased to note that, soon after, the member for Fisher, Nat Cook, who is the chair of the joint committee, endorsed the value of an inquiry. There are reports that the minister also indicated that she would welcome an inquiry.

My view is that the current terms of reference of the Joint Committee on Matters Relating to Elder Abuse do encompass the whole of the Oakden saga. Nonetheless, the government, through the member for Fisher, moved an amendment in the other place to add Oakden as a specific term of reference. Likewise, on behalf of the Liberal team, I moved an amendment in this place in our last sitting week to reinforce the fact that Oakden comes within the terms of reference by adding a specific term of reference.

In my speech on moving that amendment, I recognised that there was concern that the joint committee might get overwhelmed by the Oakden reference. Let us remember that when the Hon. Kelly Vincent and I suggested that the joint committee might take the task on, it was two days after the Oakden review was released. It would be fair to say that almost every day since has delivered yet another revelation that raises further concerns. So, the issues have become much more prolific. In that sense, the task that we were hoping the joint committee might be able to assist us with has become more challenging.

The Liberal team in the joint party room considered the best way forward at our meeting this week and resolved that the best way to do justice to both the broader issue of elder abuse and the specific issues in relation to Oakden is that we establish a separate select committee on elder abuse, so that is the motion that I am moving today in the Legislative Council.

I will briefly highlight how I would characterise these terms of reference. In drafting them, the Liberal team has been very respectful of the other inquiries that are going on. Also, to be frank, we are humble as to what value-add a parliamentary committee can give. In that regard, I would suggest that there are two particular themes in these terms of reference. The first theme is in relation to the role of statutory officers and other government employees in receiving concerns raised by residents and their families and carers, which of course is a significant responsibility of parliament. We appoint statutory officers, or at least relate to statutory officers, in their role as fully or partially independent officers, if you like, working with the parliament to provide oversight of the executive.

Point (c) in the terms of reference refers to the policy and practice of SA Health and the local health network in responding to those concerns. One thing that has been very chilling in the Oakden saga is the deafness of the local health network and the whole conga line of ministers in responding to the concerns as they were raised. I pay tribute to this council and particularly the leadership of the Hon. Michelle Lensink, who in 2009 fought the government to insist on amendments to the Mental Health Act to establish the role of the Principal Community Visitor to oversee mental health facilities.

When the histories are written—and we are far too close to it to know yet—I think the role of the Principal Community Visitor in exposing the neglect and abuse at Oakden will be seen as a significant contribution. To be frank, if this council did not assert its independence and insist on that role being established in 2009, I do not believe the role would exist even now. I would suggest that terms of reference (a) to (c) are very much appropriate for a parliament that invests its trust in officers, such as the Principal Community Visitor, to actually see why, since the Principal Community Visitor has been issuing reports since 2011, all the red flags were ignored.

There was a whole series of monthly reports since 2011. The parliamentary Select Committee on Transforming Health was advised by Jackie Hanson, the CEO of NALHN, last week that, in spite of all of those reports, only once did a concern in relation to Oakden manage to get itself onto the risk register of the local health network and that was only in the last quarter of last year. I suspect it got onto the risk register because the matter was already being escalated within the minister's office following a direct approach from the Principal Community Visitor to the minister in October 2016.

My understanding is that there was then a referral to the CEO from the minister's office in November and then meetings with the CEO of NALHN, the Chief Psychiatrist and the Deputy Chief Executive of Systems and Performance in December. If parliament wants to continue to put its trust in statutory officers to provide independent oversight, we have to be confident that the executive and the public sector is respectful and responsive to those officers as they do their work.

The next theme, I would again submit, is very much in the focus of the parliament in the sense that term of reference (d) focuses on any legislative or regulatory deficiencies in the oversight of Oakden that may have contributed to systemic problems at Oakden not being identified and addressed earlier. Term of reference (e) is in relation to the general culture, governance, staffing and management, and I believe it is appropriate that, as a parliament, we provide general oversight of the performance of the executive in providing quality and safe services.

In providing that oversight, I think it is very distressing that today we learned of yet another assault at the Oakden facility. That is the second assault that has come to public attention since the Oakden report was tabled on 20 April. The minister has been assuring us for months now that, even before the Oakden report was received, she was taking all the actions she needed to take to protect the Oakden residents, to the point that seven weeks ago, on 28 March, she told the House of Assembly:

> …the Northern Adelaide Local Health Network was taking, and continues to take, immediate steps to ensure that the quality of care at Oakden is of the highest standard and that all residents are safe.

How chilling those words are now—'all residents are safe'. In spite of that, on 28 March, she made that statement. On 20 April, she belatedly released the Groves report, yet on 9 May, a resident was reportedly assaulted and another yesterday, on 17 May. I believe that minister Vlahos has failed in her duty to protect patients and ensure that the services at Oakden are safe. It is a month since she received the Chief Psychiatrist's report and clearly she does not have the leadership capacity or the understanding of her portfolio to drive positive change.

I reiterate the calls of my leader, Steven Marshall, the member for Dunstan, on the Premier to sack the minister. She clearly has no intention of resigning. When she continues to fail in her duty to provide safe quality services to our most vulnerable elderly South Australians, I believe that the Premier and the minister are duty bound to have her relinquish her role. It is very important that we take immediate action to make the services safe and to start planning future services.

The fact that she has no grasp of her portfolio was demonstrated in the House of Assembly this week, or it might have been last week. On Tuesday, she managed to demonstrate that, if she had read the Oakden report, she certainly did not understand it. When the Leader of the Opposition in the other place asked her a question in relation to model of care, she queried whether he was referring to a report in a footnote. I am sorry: model of care is a chapter, 30 pages long. You cannot read the Oakden report and understand it and not realise that it is addressing models of care.

Again, in House of Assembly question time today, she was being quizzed about tier 7 clients. These are clients who have the most extreme form of behavioural and psychological symptoms of dementia. She clearly did not understand that the clear policy direction of the Chief Psychiatrist's

report is that clients with tier 7 BPSD cannot be accommodated in the private nursing homes network: they need a specialist mental health service and that needs to be in the public sector. This minister clearly cannot deliver safe services. Clearly, she cannot manage or understand her portfolio. It would do this state a great service if she were relieved of her post.

Coming back to the terms of reference, obviously the failure of a whole series of ministers to provide leadership and appropriate management of services all contributed to a decade of neglect and abuse. I believe there are significant failures in management and in terms of policy and planning of service delivery. Certainly, very important issues need to be addressed.

Considering the array of select committees we have, I believe that the issues raised in relation to Oakden and older persons' mental health services generally are of such grave concern that this Legislative Council should take the step of establishing a select committee. In the context of the range of inquiries that are underway, it is very important that we do everything we can to make services safe for some of our most vulnerable elderly South Australians.

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

STATE DEBT

The Hon. R.I. LUCAS (17:01): I move:

That this council notes the level of total state debt in South Australia since the early 1990s and the factors that have influenced that level of state debt.

In speaking to this motion, I want to trace the history of the issues that relate to the level of the state's debt, going back to the period of the early 1990s, and look at some of the factors that influence that debt. In doing so, at the outset, I seek leave to incorporate in *Hansard* a statistical table in relation to the level of non-financial public sector debt from 1992 through to an estimated debt in 2019-20.

Leave granted.

Non-financial public sector debt	
	$ million
1992-93	11,610
1993-94	10,550
1994-95	8,844
1995-96	8,432
1996-97	8,170
1997-98	7,927
1998-99	7,657
1999-00	4,355
2000-01	3,223
2001-02	3,317
2002-03	2,696
2003-04	2,285
2004-05	2,126
2005-06	1,786
2006-07	1,989
2007-08	1,611
2008-09	2,872
2009-10	4,487
2010-11	6,541
2011-12	7,996
2012-13	8,949
2013-14	10,964
2014-15	10,676

Non-financial public sector debt	
	$ million
2015-16	10,912
2016-17	13,628
2017-18	14,062
2018-19	14,085
2019-20	14,006

The Hon. R.I. LUCAS: Similarly, I seek leave to incorporate in *Hansard* without my reading it a statistical table on general government net operating balance from the year 2003 through to estimated for 2019-20.

Leave granted.

General Government net operating balance	
	$ million
2002-03	448
2003-04	385
2004-05	224
2005-06	202
2006-07	209
2007-08	464
2008-09	-233
2009-10	187
2010-11	-53
2011-12	-258
2012-13	-948
2013-14	-1071
2014-15	-189
2015-16	300
2016-17	300
2017-18	382
2018-19	424
2019-20	456

The Hon. R.I. LUCAS: In incorporating those two statistical tables in *Hansard*, it outlines, in the first instance, in relation to the level of the total non-financial public sector debt, so not just the general non-government sector debt (or budget debt, as the current Treasurer would like to refer to) but the total public sector debt, which includes organisations like SA Water and a variety of other public authorities that are not included in the general government or budget sector.

That table shows clearly that, back at the time of the State Bank financial disaster of 1992-93, the level of state debt was $11.6 billion. It steadily declines over the period through to the change of government in 2001-02, and at the time of the change of government the level of state debt was in and around $3 billion; in 2001-02 it was $3.3 billion; and in 2002-03 it was $2.6 billion. So, the level of state debt during that particular period declines from $11.6 billion to around $3 billion.

For a period of time it then further declines and then steadily increases over the majority of the years of the current state Labor government—the 15 years of the state Labor government—with its latest forward estimate being that it will peak at about $14.1 billion in 2017-18 (next year). Again, in summary, at the State Bank it was $11.6 billion, it declines to about $3 billion at the time of the transfer of government to a Labor government and is now increasing to just over $14 billion.

In looking at that second table I have tabled, which is, in essence, a measure of the net operating balance—which is a technical term for whether or not we are in surplus or deficit in terms of our annual expenditure—that shows that, under the 15 years of this state Labor government and with the benefit of the GST deal that was signed in 2001-2 by the former government, the rivers of gold that flowed into the state from that particular period, 2002 onwards, together with, to be fair, the massive boom in property tax as a result of the property boom during that period of 2002 through to 2007 or 2008, we saw some significant surpluses during that particular period—surpluses over six budgets, on the back of the GST and the property boom—a total accrued surplus in that period of about $2 billion.

Since 2008-9, in six of the eight budgets, we have seen significant deficits. In two of those years we have seen surpluses, in 2009-10, on the back of the federal government bailout of the states—the massive grants that they made to the states post GFC—and as a result of that we had a modest surplus in 2009-10, and then again a surplus in the last financial year that has been concluded—2015-16—of $300 million on the back of the proceeds of the Motor Accident Commission privatisation, which, in total, will add up to about $2½ billion; not all of which impacts on the measure of the net operating balance, but enough to help generate the surplus.

In the six of the other eight years there have been significant deficits, which add up to about $2½ billion. What we have seen is, in part, the growth in the state debt has been as a result of annual over-expenditure; that is, not being able to manage your annual expenses. It is related to the current debate that is going on at the federal level, where there is the debate about what supposedly is good debt and what is bad debt: the definition of good debt being debt which is used to help finance productive infrastructure, for example the building of roads or ports or utilities infrastructure, and the bad debt is the debt that is used to pay your annual operating expenses and bills.

Under that scenario, that $2½ billion over the last eight years is very clearly in the bad debt category. It is the result of government and Treasurers being unable to manage their annual operating expenses and revenue and generating huge deficits which add to the level of debt that the people of South Australia have inherited and will have to continue to pay off for many a year.

Looking at this particular issue, I am minded, as I look at the parliament, both in this chamber and another chamber, that there are only two members of parliament left who were actually here at the time of the State Bank financial disaster: one on the opposition side and one on the government side—the Speaker of the House of Assembly, Mr Atkinson, from the government side, and myself from the opposition side. There has been a huge turnover of membership of the parliament—in particular over the last six to 10 years—in what would appear to be a relatively short period of time, but is not, when one goes back to the early 1990s. It is quite clear that virtually all the members of this parliament, state and federal, were not here and did not live through, in a parliamentary and political sense, the trauma of the State Bank financial disaster and the impact that it had.

In discussions that I have with many new MPs on both sides of the political fence I know that they have little or no knowledge of what actually went on during the State Bank financial disaster. Yes, they know that it was huge and that billions of dollars were lost; yes, they know that it impacted on our debt; yes, they know that it had a traumatic effect on the psyche of the South Australian community, both financial and social. They are aware of those general things, but they do not realise the detail of the financial atrocities that were committed by both the bank and those who were meant to be in charge of the bank, and that was the then Labor government. My purpose in speaking to this motion today is to place on the public record again—for all those members, who, as I said, have little or no knowledge—what actually went on at the time of the State Bank financial calamity.

In summary, on Sunday 10 February 1991 was the first public acknowledgement by the government—by then premier Bannon—of the financial disaster of the State Bank. It did not indicate the final extent of the financial disaster and the bailout that was required—ultimately, that came to be $3.15 billion, and it was not revealed until much later, but it was nevertheless monumental in terms of its impact on that particular Sunday.

It is interesting in looking back; when you look at the history of the time you see that the Premier was squeezing the final details of how he announced on behalf of the government the state bailing out the State Bank while at the same time was busily engaged in the launch of the Adelaide

Crows, which was occurring in and around that time of February 1991. History shows he was juggling public announcements in relation to the Crows with private briefings in terms of what he should say and would say in terms of the State Bank bailout. One can certainly say that the Crows have gone from strength to strength over a period of time; subsequently, the impact of the State Bank on South Australia cannot be viewed in the same way.

The first questions in relation to the State Bank financial disaster were raised in February or March of 1989, just prior to the 1989 state election and about two years prior to the first public announcement of the bailout. Having been in the parliament at the time, what occurred within the opposition at that stage was that advice was provided to the leader of the opposition's office—the leader of the opposition at that time was John Olsen. That information came from a prominent person in another bank within South Australia, who gave a briefing in terms of their view of the problems the State Bank was confronting.

At that particular time there had been publicity about the first of some major non-performing loans or investments of the State Bank, in particular in relation to investments in a company called Equiticorp and a couple of other companies as well. At the time banking circles were rife with rumours about what had been the approach of the State Bank in South Australia since the late eighties in terms of its lending practices.

One of John Olsen's senior advisers at the time, Mr Richard Yeeles, who I am delighted to say has come back on board in terms of assisting the Liberal Party at the moment, and the then leadership group decided that the information was so important that the issue needed to be pursued by way of questions in the parliament. The then shadow treasurer, Jennifer Cashmore, the member for Coles, commenced the first of a series of questions on behalf of the Liberal Party in relation to the State Bank.

As you would expect, knowing Adelaide and South Australia, the proverbial hit the fan. It raised a furore in the business and banking circles, in media circles and in political circles. There was quite undisguised anger at the fact that the Liberal Party had raised questions about the lending practices of the State Bank. There was anger from the board level and management and public relations department at the State Bank directed at the Liberal Party. There were calls to the leader of the opposition and to Jennifer Cashmore and to other Liberal members at the time.

There was anger expressed from me at the media in terms of the questions that were being asked. There were significant business people in South Australia and significant donors to the Liberal Party who rang the then leader of the opposition and other members of the parliamentary party telling the Liberal Party to pull their heads in, and that there were not to be any questions raised or asked about the financial performance of the State Bank.

It is a credit to the leader of the opposition at the time, to Jennifer Cashmore and to others that, in the public interest, they were prepared to continue to ask serious, carefully researched questions about the performance of the State Bank and the exposure that the taxpayers of South Australia had at the time. It might have been very easy to have cowered under the avalanche of criticism that descended upon the Liberal members of parliament at that time and to decide not to further pursue any questions for the sake of an easy life.

Of course, that attack was championed by the Labor Party in South Australia. On 13 April 1989—so immediately after those questions were raised in February and March—the later-to-be premier Rann, but then MP Mike Rann (I forget which electorate he represented at the time; it might have been Ramsay), moved the following motion:

> That this house condemns the opposition for its sustained and continuing campaign to undermine the vitally important role of the State Bank of South Australia in our community.

In moving that motion, Mr Rann made the following statements:

> …the State Bank is one of South Australia's greatest success stories.
>
> No-one of significance in the Australian financial community would not acknowledge that the success of the new bank is, in a large part, due to the brilliance of its Managing Director, Tim Marcus Clark. His appointment in February 1984 was a major coup that stunned the Australian banking world; it was a major coup for this State.

There is hardly any aspect of South Australia's social, cultural and economic life which is not touched by and is not better off because of the activities of the State Bank.

Our bank is entrepreneurial and aggressive as well as careful, prudent and independent.

It is interesting to note that, in one of his reports, the State Bank royal commissioner noted:

The Member of Parliament who proposed the motion condemning the Opposition for attacking the Bank spoke in glowing terms of the Bank's role and performance, so praiseworthy indeed as perhaps to cause the State Bank Centre to blush to a deeper shade of pink.

The royal commissioner also commented about the period during which this motion was moved, as follows:

In the second half of the year, for those who wished to hear, or to ask questions so that they could hear, the noises of impending disaster were reaching a crescendo.

That was the political environment at the time in the late eighties and the early nineties where, as I said, there was an avalanche of criticism of Liberal MPs for raising issues in relation to the State Bank financial performance. During that period there was a massive expansion of lending. You will hear now from bankers—although I am not sure how openly all of them were saying it at the time—that it was quite clear that a number of their customers to whom they would actually say, 'No, your banking proposition or your investment is not bankable, it's too risky, we're not going to provide you with finance,' would immediately turn on their heels and march across to the State Bank and immediately get funding and finance from the State Bank for the exact same deal.

The royal commission highlighted some of the financial practices of the State Bank at the time. At its height, the bank had branches in London and New York, it had tax havens in the Cayman Islands, it was financing ventures such as the new Rundle Mall Myer complex, the renovation of London's Wembley Stadium, mezzanine financing of apartments in New York, office blocks in Sydney and Melbourne, as well as holiday resorts on the Gold Coast.

There was also reference to the management of the bank and the board having access to a lavish Gold Coast apartment for recreation and for business purposes, and access to an $850,000 luxury yacht moored somewhere off Western Australia for some bizarre reason. Again, management and board had access to recreational use of that particular luxury yacht.

In terms of the losses that the bank incurred, there was the Adsteam Group, $83 million; Collinsville Stud Group, $31 million; the Hooker Group, $78.5 million; the REMM development, $290 million written off, plus provision for $129.5 million; the Oceanic Bank, $84 million; UBS, $123 million; together with a range of others. The bank had a 50 per cent interest, subsequently converting to full ownership, in a stockbroking firm, SVB Dave Porter and Co. It had a 50 per cent stake in a private real estate company, Myles Pearce and Co. Pty Ltd in November 1986. It built the State Bank Centre, and the royal commissioner noted:

Despite advice raising 'significant' concerns about the feasibility and negative financial impact of the State Bank Centre, the govt & Treasurer pressured the Bank to proceed w the project…

- the decision to finance the project off balance sheet meant the project was immune from public & Govt scrutiny…
- 'Although, as events will show, the project turned out to be a commercial failure, if not a disaster, criticism of the Govt can be made even without the wisdom of hindsight.'…

In relation to some of the overseas investments, the royal commission noted:

No one, it seems, from the Treasurer downwards, paused to inquire how such operations in London and Hong Kong were of benefit to the people of the State.

- 'The Treasurer indicated he was enthusiastic about the possibility of an expansion of overseas activity'…

That is a brief summary of some of the investments. There were many more, obviously, that went bad in relation to the government's handling of a variety of those, in particular some detail in relation to the Cayman Island investments, the disaster of the REMM Myer complex and others, but I will not go through all the detail of those. Certainly, the royal commission report makes them available.

In relation to looking at the issues of responsibility for the State Bank, two general themes applied at the time and even since then have applied in relation to political responsibility or

accountability for the State Bank financial disaster. The first general theme is essentially that this was an independent body or bank and responsibility was significantly the responsibility of the board and the management. The government operated in a hands-off way and ultimately, whilst the state government was held to account, that was a bit unfair because essentially it was an independent body.

The second theme is essentially that the government did have responsibility, as the ultimate guarantor, for prudential oversight of the operations of the State Bank, and this particular theme does highlight—and I want to highlight in my contribution—many examples of where, when it suited the purposes of the then Labor government, they very much put their hands on and did not adopt the hands-off attitude that would appropriately relate to an independent banking authority. They intervened when it suited their particular purposes.

The nature of the recommendations of the royal commission report was that the royal commissioner certainly supported the second general notion that I have just outlined, and that is that the government did have responsibility for prudential oversight, which it did not, in the end, fulfil.

For example, in the first royal commission report, retired Supreme Court judge Samuel Jacobs QC, in November 1992, said Mr Bannon, also the state treasurer, 'failed to listen to the messages of doom' as the bank headed toward disaster, branding his hands-off attitude 'myopic'. He said Mr Bannon was 'dazzled' by Mr Marcus Clark and a 'plethora of signs of impending peril' in the 1989-90 financial year 'failed to evoke an appropriate reaction' from Mr Bannon.

In terms of looking at the examples of where the government intervened, I turn to the particular issue of the government's role in intervening in the setting of interest rates at politically sensitive periods in the late 1980s. Commissioner Jacobs found that the treasurer was willing and anxious to sacrifice profit-oriented decisions of the bank for the short-term political advantage of his government on the occasion that he influenced the bank's decision to freeze interest rates in September 1985.

Subsequently, the commission looks at similar interventions in 1987 and 1989, and I want to look at those particular interventions in some detail. The royal commission's final report, under the heading of 'Interest rates', states:

> As noted in the Commission's First Report, the topic of proposed rises in retail interest rates was one of routine notification to the Treasurer. The Commission investigated three different occasions on which the Treasurer possibly exerted influence to keep interest rates down pending an election.
>
> The first occasion was the State Election in December 1985.
>
> > In evidence, [before the Commission], both Mr Clark and the Treasurer confirmed that [in light of the election due on 7 December 1985] the Treasurer had asked the Bank not to raise its rates until after Christmas, unless forced to do so by inexorable pressure of market forces.
>
> The Commission found in the First Report that the Treasurer's involvement then was in marked contrast to the way he had previously approached the issue of interest rates, and in even greater contrast to the equanimity with which he accepted the Bank's decision to increase rates soon after the election.
>
> While the Commission considered it to be an 'irresistible conclusion that the Treasurer temporarily forsook his "hands off" rule and his perception of a commercially independent Bank' the Commission did not suggest on the evidence that the Treasurer gave any specific direction or made any explicit request to the Bank to adopt that interest rate freeze. In addition, there was at the time public reporting referring to the perceived role of the Treasurer in having so acted.
>
> The second occasion was about the time of the Federal election in 1987. The Treasurer confirmed in evidence that in mid June 1987 he urged the Bank not to continue with a proposed interest rate increase until after the Federal election on 11 July 1987. He gave as his reasons that he did not want the Bank to be seen to be taking a political stance by increasing home loan interest rates immediately before a Federal election. As noted in the First Report:
>
> > It is difficult to understand or justify his reasoning because his request inevitably did require the Bank to take such a stance.
>
> Whatever the validity of that reasoning, it is the view of the Commission that it did represent the basis upon which the Treasurer communicated to the Bank on the topic, and so long as that reason was genuinely held it does not give rise to the prospect of proceedings, even if the consequence also in fact involved some political benefit.

The third and most significant occurrence of an interest rate freeze related to a $2 million interest rate subsidy paid to the Bank by the Government in exchange for the deferment of an interest rate increase until after the State election on 25 November 1989. The circumstances surrounding this subsidy were dealt with extensively by the Commission in its First Report and there is little point in repeating all of the details here. In brief, there is evidence before the Commission that:

- On 15 September 1989 Mr Clark advised the Treasurer that the Bank could not contain its housing loan interest rates at the current level.
- On 26 September 1989 the Treasurer requested the bank to hold down its housing loan interest rates for a time (although whether the relevance of the oncoming election was mentioned at the time was not clear).
- On 28 September 1989 the Board decided to defer increasing interest rates for a time 'pending satisfactory arrangements with the Treasury'.
- The possibility of compensation from the Government was raised with the Bank. The Bank at that time was unable to cover the cost of funds borrowed to provide housing loans. The matter was raised following the Reserve Bank decision which, to some extent, provided a competitive advantage to non-State banks, and the compensation proposed was presented on the basis of getting compensation for the consequences of that decision.
- On 2 October 1989 the Treasurer agreed in principle to the Bank receiving a subsidy to compensate for revenue foregone by holding interest rates at their existing level, leaving it to the Bank and Treasury to complete discussions on the topic.
- Mr Clark and the Under Treasurer discussed the quantification of the Government's subsidy at a meeting on 31 October 1989. Shortly after this an arrangement was made for the Bank to receive $2 million as compensation.
- In a letter to the Bank dated 24 November 1989 the Under Treasurer proposed that $2 million of the Bank's indebtedness to SAFA be foregone.
- On 13 December 1989 the Board resolved to increase its interest rates from 1 January 1990.

The Commission commented in its First Report:

> It is plain…that, whether or not the election had been announced, Mr Simmons and Mr Clark and the Board all understood that the Treasurer's comments at the meeting of 26 September 1989 were in the context of an imminent election, and that their understanding was shared by Mr Bannon's advisers.
>
> The evidence does not warrant an affirmative finding that Mr Bannon himself made a proposal at this meeting in terms of a categorical request for political favours. But he knew that the proposal to hold interest rates involved the Bank acting to its financial detriment in a way which would avoid political odium and might well attract support to his Government; and he could not have failed to realise that the Bank Board was alive to that implication.

After careful consideration of all of the circumstances surrounding the influence of the Government on the Bank in relation to the holding down of interest rates, the Commission does not consider that those findings disclose a deliberate or wilful decision to act in a manner inconsistent with the respective obligations of the Treasurer and Under Treasurer as public officers. Their actions may be open to political criticism but they do not amount to 'wilful neglect' as that concept applies under the law. The Commission accepts that both the Treasurer and the Under Treasurer acted in the honest and reasonable belief that they were entitled to act in the way that they did, bearing in mind their perception of public interest in holding down interest rates.

That was a summary of the final report of the royal commission. On the way through, in the early report of the royal commission, the royal commissioner said (and this is in relation to the 1985 arrangements in relation to deferring interest rates, prior to the 1985 state election):

But, whatever the attitude of the Bank, the rationale for the Treasurer's intervention is clear. It is not and cannot be suggested on the evidence that he gave any direction or made any explicit request, but it is an irresistible conclusion that the Treasurer temporarily forsook his 'hands off' role and his perception of a commercially independent Bank. Contrary to his expressed desire on other occasions that the Bank's decision-making should recognise the advantage to the State of profit-oriented decisions, he was willing and anxious on this occasion to sacrifice that advantage in the short term for the political advantage of his Government.

The royal commissioner was saying that it was quite clear, from the decisions treasurer Bannon was taking in that period just prior to the 1985 state election in relation to interest rates and the discussions he was having with the bank, that he was willing and anxious on this occasion to sacrifice that advantage in the short term for the political advantage of his government.

In relation to the interest rates decision of 1987, which was prior to the federal election, the royal commissioner's findings are as follows:

> It is plain from the above that:
>
> - The Bank reversed a commercial decision to increase housing-loan interest rates, and deferred consideration of the proposed increase until after the July 1987 federal election at the instigation of the Treasurer.

It is quite clear. To continue:

> - The formal Executive Committee minutes are misleading about the reasons given for that decision, or at least do not tell the full story.
>
> - The Treasurer requested the Bank to review its decision on the expressed grounds that he did not want the Bank to be seen as taking a political stance. It is difficult to understand or justify his reasoning because his request inevitably did require the Bank to take such a stance. By postponing its decision to increase rates, it avoided the risk of electoral damage to the Government then in office in Canberra, which was of the same political persuasion as Mr Bannon's Government. For the Bank to take a political stance in private if it perceived such a stance to be to its advantage may well be justifiable; it is much less so if taken at the behest of the political ally of a government in office, and in conflict with an earlier decision.
>
> As a postscript, the Bank did in fact reduce some home-loan interest rates shortly after this election. This lends some credibility to the reason for postponement that appears in the Executive Committee minutes, but it does not invalidate the finding that the whole of the evidence compels: that the Bank responded to an initiative taken by the Treasurer to avoid the risk of electoral damage to a particular political party.

But the doozy of the lot is the state election in late 1989 and the conclusions of the royal commissioner. I seek leave to conclude my remarks at a later stage.

Leave granted; debate adjourned.

Resolutions

JOINT COMMITTEE ON MATTERS RELATING TO ELDER ABUSE

The House of Assembly passed the resolution to which it desires the concurrence of the Legislative Council:

(1) That it be an instruction to the Joint Committee on Matters Relating to Elder Abuse in South Australia that its terms of reference be amended by leaving out at the end of paragraph (j) the word 'and' and paragraph (k) and inserting the following new paragraphs—

(k) the findings of the Oakden report by the Chief Psychiatrist of South Australia;

` (l) the selection and screening of staff working in the aged-care sector; and

(m) any other related matter.

Bills

STATUTES AMENDMENT (UNIVERSITIES) BILL

Introduction and First Reading

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

LIQUOR LICENSING (LIQUOR REVIEW) AMENDMENT BILL

Introduction and First Reading

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

LAND AND BUSINESS (SALE AND CONVEYANCING) (BENEFICIAL INTEREST) AMENDMENT BILL

Introduction and First Reading

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

NATIONAL GAS (SOUTH AUSTRALIA) (PIPELINES ACCESS-ARBITRATION) AMENDMENT BILL

Introduction and First Reading

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

SUMMARY PROCEDURE (INDICTABLE OFFENCES) AMENDMENT BILL

Committee Stage

In committee.

(Continued from 11 May 2017.)

Clause 7.

The Hon. P. MALINAUSKAS: I move:

Amendment No 1 [Police–2]—

Page 31, after line 28 [clause 7, inserted section 125]—Before inserted subsection (7) insert:

(6a) If a defendant in proceedings for an indictable offence in a superior court fails to comply with disclosure requirements applying under section 124, the failure may be made the subject of comment to the jury by the prosecutor or the judge (or both).

This amendment seeks to re-enact existing sections 285BC(5)(b) and 285C(4) of the Criminal Law Consolidation Act 1935. Both sections 285BC and 285C are located in part 9, division 8 of the Criminal Law Consolidation Act 1935, which is repealed by clause 9 of schedule 2 of the bill.

As honourable members are aware, the provisions repealed by this clause have been largely reproduced in the bill. Section 285BC is the existing provision in the Criminal Law Consolidation Act dealing with expert evidence. It was inserted into the Criminal Law Consolidation Act by the Statutes Amendment (Criminal Procedure) Act 2005, based on recommendations by the Duggan committee and following the Kapunda Road Royal Commission. It commenced in March 2007.

There was no intention by the government to resile from this provision by the introduction of the bill. Accordingly, section 285BC has been substantially re-enacted via proposed clauses 124 and 125 of the bill. For example, sections 285BC(1), (2) and (4) are substantially re-enacted in clauses 124(1), (4) and (7) of the bill. Section 285BC(6) is substantially re-enacted in clause 125(3) of the bill. Section 285BC(5)(b) was not separately re-enacted in the bill because it was 'covered' by the inclusion of clause 125(6). The passing of the opposition amendment, removing clause 125(6), necessitates this amendment in order to ensure that the status quo is maintained.

Section 285BC(5)(b) currently provides that, if a defendant fails to comply with a requirement under that section relating to the introduction of expert evidence for the defence, the prosecutor or the judge may comment on the noncompliance to the jury. That provision has been part of the overall package of provisions relating to expert evidence since 2007. There has been no suggestion that this has created any unfairness on an accused in that time. There is no reason to change the existing position. Similarly, section 285C is the current provision relating to alibi evidence. It has been part of the existing law for even longer than section 285BC, being introduced in 1984. It was not separately enacted in the bill because, like section 285BC, it was covered by the inclusion of clause 125(6).

The passing of the opposition amendment removing clause 125(6) necessitates this amendment in order to ensure the status quo is maintained. It provides that noncompliance with the section, requiring notice to be given by a defendant if they intend to raise evidence of alibi at trial, may be made the subject of comment to the jury. Again, there has been no real suggestion that this provision has created any unfairness to the accused. There is no reason to resile from this provision now. This amendment seeks to maintain the status quo by substantially re-enacting existing sections 285BC(5)(b) and 285C(4).

The Hon. A.L. McLACHLAN: I indicate that the Liberal opposition will support this amendment. In layperson's terms, in effect the government has accepted the vote of the chamber in respect of the amendments that were moved by myself and as a consequence is seeking to put this

new bill and its new structures but, in relation to these provisions, on the same footing as the law as it currently exists. For that reason the Liberal opposition will support the amendment.

The Hon. M.C. PARNELL: Just as a point of clarification so that I can try to understand how these provisions fit in with the bill we have currently, including the Liberal amendments: what was struck out was this idea that the defence must, in their case statement, disclose what is their defence, including any particular defences. Having struck that out, that still stands, but effectively it has been watered down by the reinclusion of these provisions.

In other words, you do not have to disclose that your defence was one of provocation, you do not have to disclose that your defence was intoxication or whatever it is, but if you intend to lead any evidence in relation to any of those defences you have to disclose the fact that you are going to lead the evidence, therefore you are effectively disclosing your defence. Have I understood that right?

So, in your case statement you do not have to say formally what is your defence, but if any of your defences require evidence to be led, whether it is expert evidence or even evidence from the defendant himself or herself, then you do have to do that, and if you do not do it that can result in an adverse inference. Have I understood that correctly?

The Hon. P. MALINAUSKAS: My advice is that what has been proposed essentially is to reinstate what is already currently the existing law.

The Hon. A.L. McLACHLAN: From the Liberals' perspective, the offending provisions that were removed were broad, so there was a broad provision that required in the case statements a delivery of a defence, and then as a consequence of that, or any other failure to deal with the case statement requirements, a commentary could be made, so these amendments are narrower. That is what has convinced the Liberal Party. Not only is it the existing law, but it is narrower because amendment No. 1 deals with expert evidence and only expert evidence.

The second amendment relates only to a set of circumstances where the prosecution has to apply to the court. In those circumstances they are narrower. That is the basis on which the Liberal Party is accepting the amendments.

The Hon. M.C. PARNELL: It is technical and it is complicated, but I do not propose to delay the chamber. If these are existing provisions, whilst there might be a case for amending them further or removing them, it is not something I am inclined to do at this stage. We will not be objecting to either of these amendments.

The Hon. J.A. DARLEY: For the record, I will be supporting the government amendments.

Amendment carried.

The Hon. M.C. PARNELL: I move:

Amendment No 1 [Parnell–1]—

Page 32, lines 9 to 11 [clause 7, inserted section 126(2)]—Delete subsection (2)

Amendment No 2 [Parnell–1]—

Page 32, lines 12 to 20 [clause 7, inserted section 126(3)]—Delete inserted subsection (3) and substitute:

(3) A master or judge must not grant an application under subsection (1)(b) unless satisfied that it is in the interests of justice for the subpoena to be issued.

Both of these amendments relate to the same clause and the same page, so I will deal with them together. The issue that was put to me was that the ability to preserve evidence through the use of a subpoena is an important element in the justice system. The question arose then about whether there were any restrictions on the ability of the defence, in particular, to be able to apply for a subpoena to preserve evidence.

Under the bill, as it was drafted, there were restrictions and there were gaps of time when it was not legally possible for the defendant to apply for a subpoena. So, the effect of these amendments is quite simple: it basically closes the gap, if you like. Whether case statements have been filed or not, whether we are looking at before or after arraignment, whilst the proceedings are

all underway, there should not be any period of time when it is ineligible for the defendant to apply for a subpoena. That is the simplest way I can describe it.

My understanding is that the government likes the idea of having more leverage on defendants by limiting their ability to apply for subpoenas if they have not put their case statement in yet. I do not subscribe to that view. If evidence comes to light that needs to be preserved, then regardless of when that is, the defendant should be able to go to court and ask for a subpoena to preserve that evidence.

The Hon. P. MALINAUSKAS: The government opposes this amendment. The proposed amendment seeks to remove a restriction on the issuing of subpoenas unless the party seeking it has filed their case statement. That restriction applies to both the prosecution and defendants. The restriction is in place to ensure that subpoenas are only issued when it is likely that the material sought will be relevant to the matters that are in issue as disclosed in a case statement. The case statements are, amongst other things, directed towards narrowing the issues that are generally in dispute in contested matters to allow the parties and the court to focus on those issues, rather than wasting time and resources preparing to address issues that are not seriously in dispute.

The provision ensures that subpoenas are not issued that would enable fishing expeditions; that is, when a subpoena is sought to be issued, to see what documents might exist rather than for specific documents or a specific class of documents, or subpoenas which are oppressive or seeking irrelevant material. It provides the court with the ability to determine what is genuinely in issue in a major indictable matter and thus whether the material sought is likely to be relevant to the matter. It is an appropriately balanced approach to safeguard the interests of those who may be issued with a subpoena, while ensuring that a party is able to subpoena all genuinely relevant material that they need to. Therefore the amendment is opposed.

The Hon. A.L. McLACHLAN: The Liberal opposition is supporting the amendments, for the reasons articulated by the Hon. Mr Parnell. Whilst we understand the approach of the government, which is to effectively tie the subpoena to the case statements and the case statement process, it does not take into account the situation that occurs when a defendant may need their counsel to seek a subpoena to protect evidence or seek evidence or a package of evidence, which they may feel assists them with a trial.

Therefore, we believe that, unamended, the subpoena process does not take into account, maybe, unusual circumstances, but nonetheless an opportunity for the defendant to protect their interests. We do not accept that it needs to be tied to the case statements. In any event, it is on application to the court and the court is best placed to determine the merits of the application.

The Hon. J.A. DARLEY: I will be supporting both of the Greens' amendments.

Amendments carried.

The Hon. P. MALINAUSKAS: I move:

Amendment No 2 [Police–2]—

Page 35, after line 19—After inserted section 133 insert:

133A—Power to require notice of intention to adduce certain kinds of evidence

(1) A court before which a defendant is to be tried on information may, on application by the prosecutor, require the defence to give the prosecution written notice of an intention to introduce evidence of any of the following kinds:

(a) evidence tending to establish that the defendant was mentally incompetent to commit the alleged offence or is mentally unfit to stand trial;

(b) evidence tending to establish that the defendant acted for a defensive purpose;

(c) evidence of provocation;

(d) evidence of automatism;

(e) evidence tending to establish that the circumstances of the alleged offence occurred by accident;

(f) evidence of necessity or duress;

(g) evidence tending to establish a claim of right;

(h) evidence of intoxication.

(2) Before making an order under this section, the court must satisfy itself that—

(a) the prosecution has provided the defence with the prosecution case statement in accordance with section 123; and

(b) the prosecution has no existing, but unfulfilled, obligations of disclosure to the defence.

(3) Non-compliance with a requirement under subsection (1) does not render evidence inadmissible but the prosecutor or the judge (or both) may comment on the non-compliance to the jury.

(4) A court before which a defendant is to be tried on information may require the defence to notify the prosecutor, in writing, whether the defendant consents to dispensing with the calling of prosecution witnesses proposed to be called to establish the admissibility of specified intended evidence of any of the following kinds:

(a) documentary, audio, visual, or audiovisual evidence of surveillance or interview;

(b) other documentary, audio, visual or audiovisual evidence;

(c) exhibits.

(5) If the defence fails to comply with a notice under subsection (4), the defendant's consent to the tender of the relevant evidence for purposes specified in the notice will be conclusively presumed.

This amendment seeks to re-enact section 285BB of the Criminal Law Consolidation Act. Like sections 285BC and 285C, section 285BB is located in part 9, division 8 of the Criminal Law Consolidation Act 1935, which is repealed by schedule 2, clause 9 of the bill. Section 285BB was introduced into the CLCA at the same time as 285BC. It also commenced in March 2007.

Similar to the situation I have already outlined for sections 285BC(5)(b) and 285C(4), and section 285BB of the Criminal Law Consolidation Act, it was not separately re-enacted in the bill because the inclusion of clause 123(4)(g) had the effect that it would no longer have any work to do. The passing of the opposition amendment removing clause 123(4)(g) necessitates this amendment in order to ensure the status quo is maintained.

The Hon. A.L. McLACHLAN: The Liberal opposition indicates that it will support the amendment. Perhaps my intended explanation of amendment No. 1 strayed into an explanation of amendment No. 2, but, for similar reasons, the government, having accepted the will of the chamber in relation to the amendments that it has made to the bill, is seeking to restore provisions that are currently applicable. On that basis, the Liberal opposition is accepting of the amendment.

Amendment carried; clause as amended passed.

Clause 8.

The Hon. P. MALINAUSKAS: I move:

Amendment No 1 [Police–1]—

Page 61, after line 8 [clause 8, inserted section 180(6)]—After the definition of *court* insert:

firearm has the same meaning as in the *Firearms Act 2015*;

offensive weapon means—

(a) an article or substance made or adapted for use for causing, or threatening to cause, personal injury or incapacity including—

(i) a firearm or imitation firearm (ie an article intended to be taken for a firearm); or

(ii) an explosive or an imitation explosive (ie an article or substance intended to be taken for an explosive); or

(b) an article or substance that a person has—

(i) for the purpose of causing personal injury or incapacity; or

(ii) in circumstances in which another is likely to feel reasonable apprehension that the person has it for the purpose of causing personal injury or incapacity.

This amendment is of a technical nature. As was made clear in the explanation of clauses upon the second reading of the bill, clause 180 of the bill substantially re-enacts section 299A of the Criminal Law Consolidation Act. Both the terms 'firearm' and 'offensive weapon' are referred to in that section. Both terms are defined in the interpretation section of the Criminal Law Consolidation Act; however, the definitions do not currently appear in the Summary Procedure Act 1921. This amendment is to ensure that clause 180 continues to be interpreted in the same way as it would if it had not been moved from the Criminal Law Consolidation Act.

The Hon. A.L. McLACHLAN: I have already indicated that the Liberal opposition will be supporting this amendment.

Amendment carried; clause as amended passed.

Remaining clauses (9 and 10), schedules 1 and 2, and title passed.

Bill reported with amendment.

Bill recommitted.

Clause 7—reconsidered.

The Hon. P. MALINAUSKAS: I move:

Page 9, after line 41, delete new section 103A.

The Hon. M.C. PARNELL: I would love to hear the minister tell us why he thinks 103A should be excluded.

The Hon. P. MALINAUSKAS: Put simply, we are seeking to do this for all the same reasons that we articulated to our original opposition earlier.

The Hon. A.L. McLACHLAN: I think it is appropriate to set out the Liberal opposition's position at this time. Honourable members will recall that we supported the amendment that the government is now, on recommittal, seeking to strike out of the bill, or delete from the bill. We are certainly attracted to this provision and its effects, but since the break from when we last considered this bill in committee, the Attorney and the shadow attorney have met, and the government made submissions to the Liberal opposition based on advice that it had received from the Director of Public Prosecutions. The position of the government has been set out to the Liberal opposition in a letter to the shadow attorney in the other place from the Attorney in the other place, dated 15 May.

In essence, the government takes the view that it will have unintended consequences by being inserted in this bill and that it is better placed in the Victims of Crime Act. Because they are inserted into this act, it may cause judicial officers to consider that they need to take rulings in relation to it. I am not really paraphrasing the letter; I am trying to pick out the key points.

The Liberal opposition, based on the briefing and its understanding of the advice given by the Director of Public Prosecutions, has decided that it will support the government in this instance, but states to the chamber that it has sympathy for this amendment and if an amendment were to come to the Victims of Crime Act in a similar effect it would be inclined to support it, having regard to the context at the time.

The Hon. M.C. PARNELL: The Greens supported this amendment when we were last in committee. We were attracted to the idea that in these proceedings it is now generally recognised that victims have some rights. The debate is: what are those rights? Where do we draw the line? They certainly have a right to put in a victim impact statement, for example. What the honourable member's amendment sought to do was basically to ensure that, if the prosecution dropped or downgraded charges, the victim would be consulted.

When we debated this last time, there was some discussion around what might be the practical effect of that consultation. It is pretty easy to see a situation where the victim says, 'I'm not happy that you've dropped the charges,' or, 'I'm not happy that you've downgraded them.' The prosecution tries to explain to the victim, 'We just didn't have enough to get them on murder. We

thought the best we could do was get them on manslaughter, so we have dropped the charges.' Ultimately, that is a matter for the DPP. They are going to determine what they think they can get, but the victim, under this amendment, would have to be consulted.

The way the amendment was worded was that the prosecutor would have to advise the court whether consultation had occurred. I understand the dilemma was that if the prosecution had not done their job then the judge might say, 'I am going to adjourn until you go away and do your job. Go and tell the victim what you have done and why you have done it, and come back and tell me what their response was.' Still, I cannot see that a whole lot flowed from it because in our system it is the state that prosecutes cases, it is not the victims.

The victim would not have any capacity at all to say, 'I am really unhappy with the DPP,' express that unhappiness to the judge—even via the prosecutor—and then expect that some different result might happen. It is just not going to happen. I think that was one of the Attorney's big concerns, that what might seem to be a fairly simple issue of politeness, consideration or respect for victims, that they be kept informed, might end up resulting in real outcomes in court that could include delays and expense. That is my understanding of the problem.

I have not brought it with me, but I saw that the victims of crime commissioner was very supportive of this. His role is to make sure that the voice of victims is heard, and this is one area where victims feel they need to be heard; that is, in the dropping of charges or the downgrading of charges. It is perhaps a little outside the scope of this, but if we look at the whole range of victims' rights, from the commission of an offence right through to the sentencing, there is a situation where victims do not actually have rights until it enters court. In other words, a victim would have the right to be told that charges are being dropped, but they do not have any right to be told why charges were never laid in the first place.

I understand that is a slightly different issue but, in terms of this contribution, what I would like to hear from the minister is: what commitment is the minister prepared to give on behalf of the government that the victims of crime legislation—if that is the most appropriate place to put these issues of victims' rights, whether it is consultation or negotiation, either before charges are laid or after charges are laid and subsequently dropped—will be reviewed at some stage in the near future, when we can reagitate these issues if they are not going to get up today?

The Hon. P. MALINAUSKAS: The government's position is simply that we believe the Victims of Crime Act, as it currently stands, provides suitable opportunities and protections for victims of crime to have a legitimate say in the process.

The Hon. M.C. PARNELL: I am disappointed that the government is not able to go a little bit further than that other than to say they are happy with the act and that they are not proposing to even think about any further changes. In light of that response, I am going to continue with my support for the Hon. John Darley's amendment. I can see that it does have some problems. Another one that was raised was: what if the victim does not want to be found, does not want to have a say? There is a whole range of scenarios we can imagine. I do not want to let this principle just get lost when we have moved on to the next bill, after this one.

I urge the government to revisit the issues the victims of crime commissioner has raised and also the issues that I have raised. I think it is time to revisit not just victim impact statements but a bit more involvement, where victims of crime are told early on either why the charges laid were preferred, why other charges were not made, why charges were upgraded or downgraded or why a person was not charged in the first place. I think they would be sensible reforms. If we are not going to get them through this bill, then I would like to see the government bring back some amendments to the victims of crime legislation so we can deal with them.

The Hon. P. MALINAUSKAS: The government understands Mr Parnell's position but, in quick reference to one point that he made in his most recent remarks, is it is important to note that, for instance, section 9A of the Victims of Crime Act provides:

> A victim of a serious offence should be consulted before any decision is made—
>
> (a) to charge an alleged an offender with a particular offence; or
>
> (b) to amend a charge; or

(c) to not proceed with a charge;

Those entitlements already exist.

Amendment carried; clause as further amended passed.

Bill reported with amendment.

Third Reading

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (18:14): I move:

That this bill be now read a third time.

Bill read a third time and passed.

At 18:16 the council adjourned until Thursday 17 May 2017 at 14:15.