

LEGISLATIVE COUNCIL**Tuesday, 4 July 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.

*Bills***SUPPLY BILL 2017***Assent*

His Excellency the Governor assented to the bill.

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

His Excellency the Governor assented to the bill.

ANANGU PITJANTJATJARA YANKUNYTJATJARA LAND RIGHTS (SUSPENSION OF EXECUTIVE BOARD) AMENDMENT BILL*Assent*

His Excellency the Governor assented to the bill.

*Parliament House Matters***CHAMBER BROADCASTING**

The PRESIDENT (14:20): Before I call the Minister for Police, I advise the council that we will go on live streaming on 4 September after the winter break. We will be distributing rules that have been looked up for this live streaming and we will also be having a briefing for members of parliament. I do advise you all to get fully acquainted with the rules and also to attend the briefing.

The Hon. D.W. RIDGWAY: Mr President, you said 4 September. We sit again, I think, late in September.

The PRESIDENT: Is that late September? Do I have the wrong date?

The Hon. D.W. RIDGWAY: Sir, can you get the right date? It would be handy for us not to turn up—

The PRESIDENT: Order! Sit down.

Members interjecting:

The PRESIDENT: Order! The date is 26 September. I would also advise you that it is quite an elaborate set-up. I would advise people to go and have a look. You will be given a demonstration. There is a specific camera aimed at me at all times, so I am under pressure, consistently.

*Bills***PUBLIC INTEREST DISCLOSURE BILL***Conference*

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:22): I seek leave to move a motion without notice concerning the conference on the bill.

Leave granted.

The Hon. P. MALINAUSKAS: I move:

That the sitting of the council be not suspended during the continuation of the conference on the bill.

The Hon. M.C. PARNELL (14:22): As a member of this conference, I can tell you that it only met once. The Attorney-General was not in attendance and I have had no communication from anyone as to whether the conference will continue, the reason being it did not really take place in the first instance. Each day, we start with this motion. I am wondering whether the minister or someone is able to tell us whether this conference is, in fact, going to continue?

The Hon. P. MALINAUSKAS: I can confirm, to the best of my knowledge, that the government is seeking to continue the conference, hence the motion.

Motion carried.

Parliamentary Procedure

PAPERS

The following papers were laid on the table:

By the Minister for Employment (Hon. K. J. Maher)—

Regulations under the following Acts—

- Emergency Services Funding Act 1998—Declaration of Levy
- Fees Regulation Act 1927—Public Trustee Administration—Fees No. 3
- Land Tax Act 1936—Fees No. 3
- Local Government Act 1999—Fees No. 3
- Mines and Works Inspection Act 1920—Fees No. 3
- Mining Act 1971—Fees No. 3
- Opal Mining Act 1995—Fees No. 3
- Petroleum and Geothermal Energy Act 2000—Fees No. 3
- Petroleum Products Regulation Act 1995—Fees No. 3

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

Regulations under the following Acts—

- Adoption Act 1988—Fees No. 3
- Aquaculture Act 2001—Simplify
- Botanic Gardens and State Herbarium Act 1978—Fees No. 3
- Children's Protection Act 1993—Fees No. 3
- Crown Land Management Act 2009—Fees No. 3
- Environment Protection Act 1993—Fees No. 3
- Fisheries Management Act 2007—Fees No. 5
- Food Act 2001—General
- Heritage Places Act 1993—Fees No. 3
- Historic Shipwrecks Act 1981—Fees No. 3
- Livestock Act 1997—Fees No. 3
- Marine Parks Act 2007—Fees No. 3
- National Parks and Wildlife Act 1972—
 - Hunting—Fees No. 3
 - Protected Animals—Marine Mammals—Fees No. 3
 - Wildlife—Fees No. 3
- Natural Resources Management Act 2004—
 - Fees No. 3
 - Financial Provisions—Fees No. 3
- Pastoral Land Management and Conservation Act 1989—Fees
- Plant Health Act 2009—
 - Fees No. 3
 - Simplify

Primary Produce (Food Safety Schemes) Act 2004—
Eggs—Fees No. 3
Meat Industry—Fees No. 3
Plant Products—Fees No. 3
Seafood—Fees No. 3
Radiation Protection and Control Act 1982—Fees No. 3
Retirement Villages Act 1987—Fees No. 3
South Australian Public Health Act 2011—
Legionella—Fees No. 3
Wastewater—Fees No. 3
Supported Residential Facilities Act 1992—Fees
Water Industry Act 2012—Fees No. 3

By the Minister for Police (Hon. P. B. Malinauskas)—

Regulations under the following Acts—
Associations Incorporation Act 1985—Fees No. 3
Authorised Betting Operations Act 2000—
Fees
Taxation
Births, Deaths and Marriages Registration Act 1996—Fees No. 3
Building Work Contractors Act 1995—
Fees No. 3
Simplify
Burial and Cremation Act 2013—Fees No. 3
Controlled Substances Act 1984—Fees No. 3
Conveyancers Act 1994—
Fees No. 3
Simplify
Co-operatives National Law (South Australia) Act 2013—Fees No. 3
Coroners Act 2003—Fees No. 3
Criminal Law (Clamping, Impounding and Forfeiture of Vehicles) Act 2007—Fees
No. 3.
Criminal Law (Sentencing) Act 1988—Fees No. 3
Dangerous Substances Act 1979—
Dangerous Goods Transport—Fees No. 3
Fees No. 3
Development Act 1993—
Fees No. 3
Open Space Contribution Scheme No. 2
State Agency Development
Disability Services Act 1993—Fees No. 3
District Court Act 1991—Fees No. 3
Electoral Act 1985—
Funding, Expenditure and Disclosure
Special Assistance Funding
Employment Agents Registration Act 1993—Fees No. 3
Environment, Resources and Development Court Act 1993—Fees No. 3
Evidence Act 1929—Fees No. 3
Expiation of Offences Act 1996—Fees No. 3
Explosives Act 1936—
Fees No. 3
Fireworks—Fees No. 3
Security Sensitive Substances Fees No. 3
Fair Work Act 1994—Fees No. 3
Freedom of Information Act 1991—Fees No. 3
Gaming Machines Act 1992—Fees No. 3

- Heavy Vehicle National Law (South Australia) Act 2013—
 - Expiation Fees—Fees No. 2
 - Fees No. 3
- Hydroponics Industry Control Act 2009—Fees No. 3
- Land Agents Act 1994—
 - Fees No. 3
 - Simplify
- Liquor Licensing Act 1997—Fees No. 3
- Lottery and Gaming Act 1936—Fees No. 3
- Magistrates Court Act 1991—Fees No. 3
- Motor Vehicles Act 1959—
 - Accident Towing Roster Scheme—Fees No. 3
 - Expiation Fees No. 3
 - Simplify
- Partnership Act 1891—Fees No. 3.
- Plumbers, Gas Fitters and Electricians Act 1995—
 - Fees
 - Simplify
- Police Act 1988—Fees
- Private Parking Areas Act 1986—Fees No. 3
- Public Trustee Act 1995—Fees No. 3
- Real Property Act 1886—Miscellaneous
- Residential Tenancies Act 1994—Landlords Notice
- Road Traffic Act 1961—
 - Activities on Roads
 - Expiation Fees No. 3
 - Miscellaneous—Fees No. 3
 - Road Rules—Activities on Roads
- Second-hand Vehicle Dealers Act 1995—
 - Fees No. 3
 - Simplify
- Security and Investigation Industry Act 1995—
 - Fees No. 3
 - Simplify
- Sheriff's Act 1978—Fees No. 3
- South Australian Civil and Administrative Tribunal Act 2013—Fees No. 2
- State Records Act 1997—Fees No. 3
- Summary Offences Act 1953—Fees
- Supreme Court Act 1935—Fees No. 3
- Survey Act 1992—Simplify
- Tobacco Products Regulation Act 1997—Fees No. 3
- Work Health and Safety Act 2012—Fees No. 3
- Youth Court Act 1993—Fees No. 3
- Rules of Court—
 - Magistrates Court—Magistrates Court Act 1991—Amendment No. 61
 - South Australian Employment Tribunal—South Australian Tribunal Act 2014—
 - General No. 2

By the Minister for Emergency Services (Hon. P. B. Malinauskas)—

- Regulations under the following Act—
 - Fire and Emergency Services Act 2005—Fees No. 3

*Parliamentary Committees***LEGISLATIVE REVIEW COMMITTEE**

The Hon. J.E. HANSON (14:27): I bring up the report of the committee, entitled Inquiry into the Operation and Impact of the Graffiti Control (Miscellaneous) Amendment Act 2013 (SA) Amendments to the Graffiti Control Act 2001 (SA).

Report received and ordered to be published.

*Ministerial Statement***NORTHERN ADELAIDE FOOD PARK**

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (14:28): I table a copy of a ministerial statement made in the other place by the Minister for Agriculture, Food and Fisheries, entitled Northern Adelaide Food Park.

YOUNG OFFENDERS BILL

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:28): I table a copy of a ministerial statement made in the other place by the Attorney-General regarding serious young offenders to be sentenced as adults.

*Question Time***STATE MAJOR BANK LEVY**

The Hon. D.W. RIDGWAY (Leader of the Opposition) (14:30): I seek leave to make a brief explanation before asking the Minister for Employment a question about the state bank tax.

Leave granted.

The Hon. D.W. RIDGWAY: The Labor government has slugged South Australians with another \$370 million tax at a time when we have the highest electricity prices in the country, the highest unemployment in the country for the last 30 months and when people are still grappling with a \$360 million increase of the emergency services levy imposed by this government. No-one, not even this government, believes this tax will create one new job—not one. My question to the minister is: does the minister believe the state bank tax will create any jobs for South Australians and, if so, how many?

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) (14:31): I thank the honourable member for his question in regard to the bank levy that was part of the budget measures announced in the recent budget. One of the programs that has been operating since a year ago, since the last state budget, is the \$109 million Job Accelerator program that I think has ticked just over 10,000 applicants for that program. That's 10,000 jobs that may not have been there without that. That is a \$109 million program.

In this budget, there was also a \$200 million Future Jobs Fund announced that will provide many, many more jobs. With \$109 million from a year ago, 10,000 more jobs and a new \$200 million Future Jobs Fund—that's applications, not just inquiries—this is a very significant difference between us and the Liberal Party. We are proposing to put a levy of less than one-third of 1 per cent on the super profits that the big banks make. According to the commonwealth—

Members interjecting:

The PRESIDENT: No prompts, by the way, the Hon. Ms Lensink. He hasn't finished his—

The Hon. K.J. MAHER: And I haven't finished—

Members interjecting:

The PRESIDENT: No, sit down—

The Hon. P. Malinauskas interjecting:

The PRESIDENT: Will the honourable Minister for Police please desist. The Leader of the Government is trying to answer a very important question. It would be respectful of the opposition to allow him to do it without an interjection. Minister.

The Hon. K.J. MAHER: According to the commonwealth, the big banks are undertaxed to the tune of \$4 billion. This is what we are told by the Liberal federal government. An imposition of a levy of less than one-third of 1 per cent on the \$30 billion of profits that the big banks make is a fair and just measure for South Australia to have programs that provide jobs in South Australia. We saw, when this was announced, the Leader of the Opposition, the member for Dunstan, come out immediately and say, 'We're not sure about this, but we certainly won't be blocking the measure in parliament.' He then rolled over a little bit and said, 'Oh, I don't know about it.' He has had about six different positions on this in the space of a couple of weeks.

He doesn't know what he's doing. Apparently, according to reports, he has capitulated entirely to pressure from the conservative side of the Liberal Party in South Australia, and that's why the Hon. David Ridgway is laughing now. He is laughing because he rolled his leader. The conservatives put pressure on and forced the Leader of the Opposition here to do the hypocritical and cowardly thing and support big banks.

We saw the Leader of the Opposition, 'No, no, no, we won't vote against this.' He was hauled in to see the big banks in meetings. He stepped out of meetings with the top end of town, and all of a sudden, it was, 'No, I won't be supporting this, and I've been rolled, and we're going to vote against it.' He was rolled, and he is going to vote against it. I can tell you what: on a public debate between sticking up for the top end of town—sticking up for your mates in the Adelaide Club—or sticking up for small businesses in South Australia, I know which side of the argument I would want to be on, Mr President.

STATE MAJOR BANK LEVY

The Hon. D.W. RIDGWAY (Leader of the Opposition) (14:35): On a supplementary: what economic modelling did the government request on this tax, especially around what employment—

Members interjecting:

The PRESIDENT: Order!

The Hon. D.W. RIDGWAY: What economic modelling did the government commission for their own state-based bank tax?

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) (14:35): As I already said—and it's an inconvenient truth for the Hon. David Ridgway—his own mates in Canberra have stated that the banks are undertaxed to the tune of \$4 billion. Now, if he is calling his mates in Canberra a liar that would be a turn-up—for him to disagree and for his party to disagree for the first time with what their overlords in Canberra want to do. It is the modelling from the federal Liberal government that they are undertaxed to the tune of \$4 billion.

I welcome the fact that he and his conservatives—the grandmaster flash faction of the state Liberal Party—have rolled the member for Dunstan on this because I think it provides a great point of difference between the priorities of the Labor government for small businesses in this state and the Liberal opposition, who kowtow to the top end of town.

STATE MAJOR BANK LEVY

The Hon. D.W. RIDGWAY (Leader of the Opposition) (14:36): On a supplementary: why didn't the government, as reported in the media, not ask the advice of their senior economic adviser, Rob Chapman, former deputy chairman of the Economic Development Board and good friend of your so-called friend, Martin Hamilton Smith?

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 (14:36): Again, Mr President, his own mates in Canberra say the big banks are undertaxed to the tune of \$4 billion a year. What we saw when the federal government announced the identical measure in their budget was not a whimper—not a whimper from this mob, Mr President, not a single thing. But it happens in this state, and they roll over. They get tickled by the top end of town and play dead.

We will support South Australia, we will support small businesses, we will support workers here and we are very, very happy if they want to support big banks. I think it would be described as a courageous move.

STATE MAJOR BANK LEVY

The Hon. R.L. BROKENSHERE (14:37): I have a supplementary question—

Members interjecting:

The Hon. R.L. BROKENSHERE: —when the children settle down, sir. Supplementary to the minister's very bold answer: can the minister guarantee that his brand-new tax will not in any way whatsoever be passed down to pensioners, mums and dads, young people buying a car, farmers and business people? Can you categorically guarantee it will not be passed down, minister?

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): These are the same things we didn't hear a single word about from the Hon. Robert Brokenshere—not a single word—when the federal government introduced exactly the same measures. He wasn't up there asking for guarantees from his mates in the federal parliament.

The Hon. R.L. Brokenshere: I'm not in the Senate, mate; I'm in the Leg. Co.

The Hon. K.J. MAHER: He may not have made it to be a senator, but he still dabbles in federal politics from time to time. We didn't hear a single whimper out of him, not a single whimper. He was happy at home with his cows, happy not to get involved when they did it. As soon as it happens here the Hon. Robert Brokenshere reveals his true colours. He is a stooge for the Liberal Party on most of these things, and he has proved it again. I repeat: the federal government told us that the banks are undertaxed to the tune of \$4 billion a year.

STATE MAJOR BANK LEVY

The Hon. R.L. BROKENSHERE (14:38): Supplementary, sir: can the minister categorically rule out that his big bad new tax will not affect the pockets of mums and dads, pensioners, farmers, small business people and young people trying to buy a car and get ahead? Can you categorically guarantee it—yes or no?

Members interjecting:

The PRESIDENT: Order!

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) (14:39): I thank the honourable member, the honourable member who in his little amount of time as a minister, going back a decade or two, introduced the emergency services levy. So, he knows all about taxing people.

The big banks made about \$30 billion profit in the past year—\$30 billion profit. A tax of less than one-third of 1 per cent can easily be absorbed in their profits, and considering the fact that we have heard a number of times already today that they are undertaxed to the tune of \$4 billion, they can well afford these levies out of their taxes, just as was talked about when the commonwealth introduced the same measure. The Hon. Robert Brokenshere fell completely in line at the time with that.

STATE MAJOR BANK LEVY

The Hon. R.I. LUCAS (14:40): I have a supplementary question arising out of the minister's answer.

The Hon. K.J. Maher: Original answer?

The Hon. R.I. LUCAS: Original answer. Does the minister support the federal government's bank tax?

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) (14:40): Federal Labor supported it and we support the federal government's initiative, as the state Liberal opposition here seemed to at the time. They made no comment about it. I would challenge the Hon. Rob Lucas to say that at the time he supported the federal government's initiative. As shadow treasurer in this state, what measures did he take in condemnation of his federal counterparts at the time? I am sure he is going to get up and in his next supplementary list all the public comments he made condemning his federal counterparts. If he can't, it shows the absolute hypocrisy of that bloke opposite.

STATE MAJOR BANK LEVY

The Hon. J.M.A. LENSINK (14:41): Equally, I look forward to the minister's comments about the Medicare levy increase to fund the NDIS. However, I seek leave to make a brief explanation before asking the Minister for Employment a question about the state bank tax.

Leave granted.

The Hon. J.M.A. LENSINK: The South Australian public has come out in an almost unprecedented move opposing this government's new state bank tax.

Members interjecting:

The PRESIDENT: Order! It's very disrespectful to laugh at a member of this chamber while they are asking a question. Allow the member to ask her question.

The Hon. J.M.A. LENSINK: Yes, Mr President. Thank you for your protection. They doth protest too much. Aside from ordinary South Australians worried about being slugged with yet another Labor government tax, industry and business lobby groups have come out and said that this tax will cost South Australian jobs.

The Hon. I.K. Hunter: Bank lobbyists.

The Hon. J.M.A. LENSINK: Business lobbyists, if you were listening to the question. Industry groups representing thousands of small and medium South Australian businesses and employers have slammed the tax. They include Business SA, the Australian Retailers Association—the former minister is a member of that beloved union—Primary Producers SA, the Property Council, the Real Estate Institute, the Urban Development Institute of Australia, the Australian Hotels Association, and Restaurant & Catering South Australia.

These industry groups represent tens of thousands of employees and businesses, including pubs, restaurants, farmers, winemakers and so forth, and they all oppose the tax. My question to the minister is: does the minister disagree with all of these organisations and actually believe that the state bank tax will create jobs?

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) (14:43): Yes.

STATE MAJOR BANK LEVY

The Hon. J.M.A. LENSINK (14:43): Supplementary: does the minister disagree with industry and believe this tax will increase business investment in South Australia?

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) (14:43): Yes.

STATE MAJOR BANK LEVY

The Hon. J.M.A. LENSINK (14:43): Does the minister disagree with industry and believe that this tax will improve South Australia's business reputation?

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) (14:43): Yes.

The Hon. J.M.A. Lensink: You're a fool!

The PRESIDENT: Order! That's totally uncalled for. The Hon. Mr Wade.

The Hon. K.J. Maher interjecting:

The PRESIDENT: Order! Will the Leader of the Government desist. The Hon. Mr Wade has the floor. Allow him to ask a question.

Members interjecting:

The PRESIDENT: Order! Take a seat, Hon. Mr Wade. I think I have said this quite a number of times. It's very disrespectful to be talking while a member is asking a question. Allow the member to ask the question and then the minister can proceed to answer it. The Hon. Mr Wade.

PRISON ADMINISTRATION

The Hon. S.G. WADE (14:44): I seek leave to make an explanation before asking the Minister for Correctional Services a question in relation to prisons.

Leave granted.

The Hon. S.G. WADE: In the last few weeks a series of incidents have arisen in the state's prisons. In particular, I highlight to the council a security breach involving the delivery of shotguns to the Adelaide Women's Prison, a security breach at Mobilong Prison when a laptop was used by up to 10 inmates to access the internet without supervision, departmental admissions that police cells were being used beyond legal authority, the trebling of assaults against prison officers in the last three years, and the Adelaide Remand Centre being locked down after prison officers were attacked by a prisoner.

My question to the minister is: has he made a deliberate decision to take a hands-off approach to our prisons unless it involves a good news story, or is it just that this tired government has no idea on how to respond to the challenges of his portfolio?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:45): I thank the honourable member for his important question. As has been repeatedly reported on in this place, this state government has a short-term and also a long-term strategy in place in order to be able to deal with an ever-rising prison population in this state. Frequently, the opposition seeks to characterise each and every incident that occurs within the prison system, which, within its own nature, is an incredibly complex and volatile area of government, and somehow tries to attribute the issue to one regarding overcrowding. It is simply not correct.

It strikes me as rather opportunistic that the opposition tries to characterise a delivery of important security-related materials into our prison system as somehow a failure on the department's behalf, when in many respects this incident has been attributed to the actions of a third party. Nevertheless, the Department for Correctional Services is in the process of conducting an internal investigation in terms of how the shotguns were delivered to the women's prison. They were destined for a different section of Corrections, being the Operational Security Unit, to ensure that all equipment is safe, given the reporting and location of the equipment and necessary availability to the emergency response group.

DCS has also conducted a stocktake of weapons that confirms that all arms are present and accounted for in the appropriate locations. The chief executive of the department has sent formal correspondence to the couriers involved in this particular delivery in respect of the incident, requesting that they make their employees available to the investigation. I understand also that one

of the couriers has already commenced its own investigation into that matter. DCS has also instigated a statewide review of access control procedures in relation to all external deliveries to secure locations.

In regard to the laptop incident of 25 June, to which the honourable member refers, the PSA notified the Department for Correctional Services of a dispute in relation to the safety and security concerns in the offender development building at Mobilong. This dispute arose following a report that indicated that a laptop computer was left unsecured in the building. The laptop was immediately removed and an audit of the laptop was undertaken. There was no evidence to suggest that any prisoner had accessed the laptop.

It was discovered that access was not able to be made with the network, and instead only a laptop hard drive. The department's information and technology staff are undertaking a further review of the accessibility of the laptop, and the department has met with the PSA and worksite representatives to discuss the concerns.

The department did temporarily close the offender development building to prisoners as a precaution, and acted immediately to implement appropriate resolutions. I can advise that the offender development building reopened on 4 July (today) without issue, and services have been reinstated in the area. The department has agreed to the installation of two security cameras in the building and temporary staffing for four weeks during the transition and a reopening period, with those staff to be removed, on 31 July 2017.

The nature of Corrections, of course, is that its core business is securely housing approximately 3,000 criminals. It will not come as a surprise to those members present that the individuals who are being secured in our custodial facilities aren't necessarily people who have a predisposition to compliance with the law, or compliance generally. So, there is, naturally, a risky environment that our Correctional staff have to deal with on a day-to-day basis.

I think, by and large, our Corrections staff and the department generally do a good job fulfilling their primary function, which is to maintain the security and good order of our Correctional Services system. I have stated repeatedly that they are doing this in a challenging environment. We have had a sustained period of prisoner growth in this state for some time. That is not something that this government is apologetic for. I think that much of the fact that we have had, all in all, almost a 30 per cent reduction in crime during this term of office of government, or during the life of this government, is very much attributable to the outstanding work of our men and women in uniform in police and that, in turn, has resulted in a rising prison population.

The great challenge for the state, though, is working out how better we can deal with those people in the state's custody while they are incarcerated. That speaks entirely to this government's long-term strategy to reduce the rate of reoffending. It is currently 46 per cent and we have put in place a target to reduce that by 10 per cent by the year 2020. If we are able to achieve that, we want to not only have less people coming back into the prison system, which makes greater availability of bed space, but we will also be creating a safer community. That is our government's long-term strategy, to be able to tackle the challenges before the Correctional Services system. We have a plan in place. It is something that I passionately believe in and I think it will serve the state very well for many years to come.

DAVENPORT COMMUNITY COUNCIL

The Hon. T.T. NGO (14:51): My question is to the Minister for Aboriginal Affairs and Reconciliation. Can the minister outline what investment the state government is making to assist at-risk young people in the Port Augusta region?

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) (14:51): I thank the honourable member for his question and his interest in Aboriginal affairs. In the decade and a half or so that I have worked in Aboriginal affairs policy areas I have got to know the leadership at the Davenport community (outside Port Augusta) well. I pay tribute to them for their passion in improving the opportunities and outcomes for, particularly, young people. I know that's always been at the forefront of the decision-making of the leadership of Davenport and the Davenport Community Council.

Recently, I was pleased to be in Port Augusta to announce the Davenport Community Council as a successful recipient in this year's Crime Prevention and Community Safety Grants program. The Crime Prevention and Community Safety Grants program was established in 2006. Grants are provided annually to community-based organisations and local councils to fund once-off local crime prevention and community safety projects. Now in its 11th year, the grants program has provided more than \$6 million in funding to support many grassroots initiatives across South Australia.

I am informed that, this year, 10 projects secured funding totalling over \$735,000. The Davenport Community Council has been awarded \$100,000 for its Growing Strong project. The Growing Strong project is a 12-month whole-of-community supported program providing the tools for young people to shift from being at risk of harmful behaviours to being empowered, connected and positively engaged in their decisions, life and future. The approach is to use established partnerships with key stakeholders and elders, providing participants with opportunities for mentoring and learning.

The project will bring culture back into the lives of young Aboriginal people, something that the community has said in many instances has been sadly lacking. The funding will enable Aboriginal youth in Port Augusta the opportunity to be part of an extensive training program and to receive mentoring provided by Aboriginal elders, with the aim of equipping them with the skills to gain employment and positive life skills.

One of the special things about this project is that one of the key drivers will be the participants themselves. Up to 15 participants will be recruited, in consultation with local Aboriginal elders. The initial part of the program will concentrate on the participants and providing them with tools to identify who they are, where they fit in and what their culture means. This will include cultural connection activities, including ceremonies and visits to sacred places, while the sharing of knowledge by the elders will support and empower young people to challenge current assumptions and accessing available supports to make better life choices and decisions going forward.

The participants will be involved in developing their life skills one day a week. The second day will have participants volunteering alongside elders in the community. This will provide valuable learning that will assist in overcoming some of the difficulties that many of the young people face in this area, while contributing to behavioural and safety issues confronting the community.

The grant funding for the Growing Strong project also complements other community and government initiatives in this region, signalling that the Davenport Community Council is committed to working with regional communities and local groups to provide support to create safer communities and prevent crime. I congratulate the Davenport Community Council for being successful in receiving this once-off funding as part of this year's Crime Prevention and Community Safety Grants, and I look forward to seeing how this program succeeds over the next 12 months.

WATER MANAGEMENT

The Hon. J.A. DARLEY (14:55): I seek leave to make a brief explanation before asking the Minister for Sustainability, Environment and Conservation a question regarding water planning.

Leave granted.

The Hon. J.A. DARLEY: I understand Victoria has recently established an integrated water management framework. According to the Melbourne Water website, and I quote:

Integrated water management brings together all facets of the water cycle to maximise social, environmental and economic outcomes. By considering the whole water cycle when planning and delivering services, we can take advantage of links between different elements and develop solutions that have broader benefits over a long period of time. This wouldn't be possible if we managed each system in isolation.

Can the minister advise if there are any plans for South Australia to introduce a similar approach to water management?

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 thank the honourable member for his most important question. I guess the obvious answer for him is that we

already have. In fact, it's not stretching the bow too far to say that we have been leading the country in water management planning for many, many years now. He may remember our policy document, Water for Good, which was brought into practice in, from memory, around about 2008 but has been refined since then, of course.

We have had to have a strong record in water management and policy development for many, many reasons, one being that we are at the end of the River Murray and for decades have suffered overextraction of water in the upper reaches of the Murray in New South Wales and Victoria, which had cascading effects on South Australia's water entitlements, Mr President. As you will also recall, we stopped issuing water licences, or permissions to extract, in I think it was 1959 or the 1960s, recognising even back then that the asset, the resource, that was the River Murray was being overextended and overextracted.

Coming forward several years, again, the millennium drought meant that the state had to focus on an integrated plan to make the best use of all the water assets that we had available, and we did that. It was, as I say, in response to the drought, and we looked at safeguarding Adelaide's water supply, and all those country towns that rely on our reticulated water supply, by diversification of our water resources and trying to put in place a plan that would actually utilise some of the water that was being wasted through stormwater or, indeed, through sewerage water being taken out to sea.

The honourable member would have heard me talk in this place many times about some of those programs but, to briefly recap, we have diversified our water resources away from just having the River Murray and our catchments, our dams, in the Mount Lofty Ranges, and also our groundwater supplies in various parts of the state, particularly the South-East and Eyre Peninsula. We now have the capacity, through multiple programs, partly funded by the federal government and partly funded by local government, to harvest about 20 gigalitres of stormwater across metropolitan Adelaide.

The initial estimates would be that, over a number of decades, we should be able to maximise that at around about 60 gigalitres, but the ability to capture the water, clean it up and then pump it back underground into some of our holding aquifers was really dependent on the geological construction of those aquifers, not all of them being sturdy enough to take water under pressure. Some are quite crumbly, I understand, but are sufficient, at least, to plan for about 60 gigalitres. As I say, we have already managed to do that with 20 gigalitres.

We have, of course, our rainfall-independent source of drinking water, the Adelaide desalination plant that in a dry year, up to at least 2050, will be able to supply at least half of Adelaide's drinking water requirements. We have a modern legislative framework for driving efficiency and innovation in the water industry in the form of the Water Industry Act 2012 and, again, it is a reference to our good innovative thinking and policy development that we have been commended highly for the approach we have taken to water trading through these processes.

It has certainly been said to me by people from the Eastern States and the commonwealth that, without having put in place these policies and the legislative ability to trade water up and down the system, we would not have been able to put that water that was under such stress in times of drought to its highest, most efficient and effective use, but by utilising and making available water trading regulations we have allowed that to happen. It has been put to me that that is the only reason that our farmers came through the drought in such a good state as they did.

We have, of course, one of the highest levels of rainwater tank ownership in the country and we have the highest level of wastewater recycling per capita across the nation. As a result of significant investment over decades, as I said, by state government, federal government and also local government, we now have access to six sources of urban water: water from our catchments in the Ranges, water from the River Murray, desalinated sea water, groundwater, stormwater, and wastewater.

Traditionally, these resources have been managed in isolation across a variety of state and local government organisations. This government considers that there has been a significant opportunity to build on the reforms of the past—particularly those from our water security plan, Water for Good, as I mentioned before—by developing a new plan for urban water for Adelaide that will

ensure that we maximise the social, economic and environmental opportunities that our diverse water mix provides.

This sets a long-term direction for urban water access across Greater Adelaide. We are building that into some of our planning documents in terms of waterwise use of stormwater run-off and how we can actually put in place more rain gardens around the city, Mr President. Again, we are working hand in hand with local government to put those into place and you may have seen some of them popping up in your suburban roads. Also, to ensure that we meet the further challenges of the future, we need to make sure that we concentrate on this area of urban planning and water use in cities and towns.

Given the significant interest that the community and industry have in how our urban water resources are managed, it is critical that we continue to have a strong process of engagement with communities. I think it was in 2014 or thereabouts that I announced in this place that we had the engagement process kick-off for the urban water plan for Greater Adelaide. We released an issues paper to facilitate discussion with stakeholders in the community on the possible scope and priorities of the plan, and a constructive consultation process has continued.

At this stage, I am advised, a draft plan will be released for another formal process of engagement later in the year. It is a complicated area, as the honourable member intimated in his question, trying to sew together these previously disparate aspects of water management and planning across so many jurisdictional levels, but it is one we have to do if we are going to exercise efficiency in terms of water.

We know that we will come in, with dangerous global warming advancing on us, with periods of time when we will be challenged again with dryness and, indeed, drought. It is only by putting all our water resources to their highest possible use that we can drive these efficiencies and keep ourselves in a state where we will have water for critical human needs, water for agriculture and water for industry to safeguard our economy into the future. The short response is that we are doing it and we will continue to do it. I am very happy to hear that Victoria is following our lead in this matter.

MANUFACTURING SECTOR

The Hon. R.I. LUCAS (15:04): I direct my question to the Leader of the Government. On 1 June, I asked a question about the reasons why there was zero funding for manufacturing works from the budget year 2018-19 onwards. My question to the minister is: given that the budget has now been released, what, if any, is the funding allocated to manufacturing work for budget year 2018-19 and for subsequent years?

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): This budget has a \$200 million Future Jobs Fund, of which advanced manufacturing is one of the key components. So, for manufacturing in South Australia, it shares in the \$200 million Future Jobs Fund.

MANUFACTURING SECTOR

The Hon. R.I. LUCAS (15:04): Supplementary question arising out of the minister's answer: is the minister confirming that the existing 17 programs listed for manufacturing works are all continuing and will continue to be funded out of the \$200 million 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) (15:05): I am not confirming or denying that. I'm happy to take away the existing program—

The Hon. J.S.L. Dawkins: You don't know; you never know.

The Hon. R.I. Lucas: You said it was going to keep the funding out of it.

The Hon. K.J. MAHER: I'm happy to take that question on notice. Certainly, many of the programs out of manufacturing works continue to be funded. Many that sit under there continue to

be funded out of budget allocations. In addition, there is a \$200 million Future Jobs Fund. I'm happy to take that on notice and bring back a more complete answer.

An example of an extension of funding that sits under manufacturing works are auto programs. The Automotive Supplier Diversification Program has been given an additional \$5 million over and on top of the almost \$12 million that was provided some years ago. We take the transition of the South Australian economy very seriously. That's why there is a \$200 million Future Jobs Fund—that's on top of the \$109 million jobs accelerator that was announced in the last budget. In relation to the various programs that sit under manufacturing works, I'm happy to take that on notice and bring back an answer about the status of all of those programs for the honourable member, in due course.

MARINE PARKS

The Hon. J.E. HANSON (15:06): My question is to the Minister for Sustainability, Environment and Conservation. Will the minister inform the chamber about how people can engage with our marine parks this winter and how the government is supporting our marine parks system?

The Hon. J.S.L. Dawkins: That was an incisive question.

The Hon. K.J. Maher: It was good, wasn't it? He's very good.

The PRESIDENT: Order!

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (15:06): I thank the honourable member for his most important question. Clearly, he has thought long and hard about our marine parks and the value that they contribute to our state and wants to hold me accountable to that high degree. I am very pleased—

The Hon. J.S.L. Dawkins: I think he was tongue-in-cheek about the question being written by your office, that's what I think he was.

The Hon. I.K. HUNTER: —to hear about his escapades in marine parks, Mr President. As you remember—

The Hon. J.S.L. Dawkins: I think he was being tongue-in-cheek.

The PRESIDENT: Order! The Hon. Mr Dawkins, please allow the minister to answer the question.

The Hon. K.J. Maher: He's a bully, Mr President.

The PRESIDENT: Can honourable Leader of the Government please desist from these unwanted remarks.

The Hon. J.S.L. Dawkins: I could take offence to that.

The PRESIDENT: Order!

The Hon. I.K. HUNTER: You could—and I think it was very tongue-in-cheek, Mr President, as interjections often are in this place. The state has 19 marine parks and 83 sanctuary zones and they are home to Australia's most iconic species, such as bottlenose dolphins, leafy sea dragons, Australian fur seals, as well as mangrove forests and seagrass meadows.

The South Australian government's creation of a marine parks network is one of the most significant conservation programs ever undertaken in this state. Our marine parks were developed using the best available local, national and international science, and each marine park is zoned to provide for conservation and ongoing community and industry use. While our marine parks are critical for conservation and were developed by experts with access to the best available science, they are also a great asset for our local communities. I am advised that a public perception survey carried out in 2016 indicates that almost 90 per cent of South Australians support marine parks.

Scientists, local businesses, tourists and the South Australian community are getting behind our marine park network. They understand it's not only important for preserving biodiversity, but it's also in our economic interest to do it. That is why it is so incredibly surprising to hear that Mr Steven

Marshall, the member for Dunstan and the Leader of the Opposition, has been out in the media having a classic whinge about marine parks. He does have a whinge occasionally about a few things, but you suspect that whinging about marine parks wouldn't really be in his interests, particularly in the electorate of Dunstan.

I would encourage the member for Dunstan to consider the booming shark viewing industry out of Port Lincoln for one, generating \$13 million annually, currently employing around 80 people, I am advised, and ready to build bigger boats and create more jobs, all underpinned by our marine park network. It does astound me that Steven Marshall, the member for Dunstan, would proudly declare on 16 June on FIVEaa radio that his party 'worked very hard to scale back the marine park legislation', showing off about his party's position that is not only anti-jobs, anti-tourism and anti-science but also runs counter to the opinion of the vast majority of South Australians (much like his approach to the bank tax) who recognise the value of our marine park network to our economy and our environment and our job creation aspirations.

Despite the negativity of the member for Dunstan and his colleagues, South Australians continue to enjoy visiting our marine parks and will do so throughout this winter. When people think about visiting marine parks, they usually think about summer activities, of course, but there are some amazing things happening under the water in the colder months. Those brave enough to venture out are usually well rewarded. As we speak today, thousands of giant Australian cuttlefish are on their way to Whyalla for their annual migration. Many are there already. Each winter, the giant Australian cuttlefish congregate in the Upper Spencer Gulf Marine Park at Point Lowly near Whyalla to breed—they were last week, when I was there.

The Hon. T.J. Stephens: Last winter.

The Hon. I.K. HUNTER: Last winter they were there, in fact. Last winter was one of the greatest aggregations, in fact, the Hon. Mr Stephens. This is a visually spectacular event, but also an important scientific phenomenon. The cuttlefish start to congregate in mid-May, but the best time of year to experience them, I am advised, is June and July, when the breeding season is in full swing. Thanks to prime conditions in the gulf, the giant Australian cuttlefish population has been thriving over the past few years. Reports on population size are: roughly 57,000 in 2014, 131,000 in 2015 and 177,000 in 2016.

Experiencing Marine Sanctuaries (EMS) offers guided snorkelling tours so visitors can get close to these creatures and learn about their breeding and migration patterns. Last year, EMS snorkelled with over 180 people, I am told, which brought much-wanted business to Whyalla. The Minister for Regional Development in the other place has put \$85,000 towards upgrading the visitor facilities at the cuttlefish aggregation area through the Upper Spencer Gulf and Outback Futures Program. This upgrade will cost about \$200,000 in total and includes funding from the Whyalla city council and Port Bonython Fuels and will include improving the viewing area, a new car park, better seating and better signage.

Part of the upgrade, including realigning the road and intersection used in this area, started earlier this year. Works will commence again when the cuttlefish season ends. Winter is not just great for cuttlefish, it's also the time of year to view southern right whales. Between mid-May and early October each year, whales can be found in large numbers along the Far West Coast Marine Park, the Head of Bight, within the Encounter Marine Park in Victor Harbor and Middleton and around the coast. The annual migration of whales to South Australian waters occurs during the cooler months when they mate, give birth and nurse their young. Encounter Bay, off the Victor Harbor coast, is known as a breeding ground for southern right whales. Last year, there were two southern right whales born there.

Some of the state's best vantage points for whale watching are along the Victor Harbor coastline, although I understand that recently a whale was sighted just inside the Noarlunga reef in the last few weeks. That's particularly exciting. Whales can give birth in water just five metres deep, and we do see them very close to shore, occasionally. Last year, around 250 whale sighting reports were made to the South Australian Whale Centre. The Far West Coast Marine Park and adjoining Great Australian Bight Commonwealth Marine Reserve, as well as Encounter Marine Park, all help

create a safe place for the endangered southern right whales' breeding and calving and, of course, a place for people to go and look at them in their natural habitat.

Thanks to the collaborative effort between the Whale Centre and the City of Victor Harbor, the Whale Trail now has 14 upgraded educational signs between Goolwa and Waitpinga cliffs for families to learn about South Australia's annual visitors. Whale watching has become one of the fastest-growing nature-based tourism activities in the world. In South Australia, about 400,000 people take part in this activity each year, injecting, I am advised, more than \$9 million into the economy.

Of course, there are summer activities in our marine parks that appeal more to those who would rather wait for the warmer months to enjoy our unique aquatic environment—and those warmer months are coming. The Department of Environment, Water and Natural Resources' Immerse Yourself summer holiday activity program ran between 18 December 2016 and 31 January 2017. This statewide program aims to encourage people to use our marine parks and learn about our diverse, unique and fragile aquatic and coastal environments.

Activities were held in each region of the state, and they ranged from beach and rock pool rambles to snorkelling tours and seagrass planting days. Over 1,500 people were engaged in activities in and around marine parks in January 2017 through this process, I am advised. These activities aren't exclusive to the Adelaide coastline. Some of our most diverse and pristine aquatic environments are in our regional areas, which is great for locals and for regional tourism.

The Eyre Peninsula region held 10 community snorkelling events through Experiencing Marine Sanctuaries in four locations, from Tumbay Bay to Streaky Bay, with 154 people getting their goggles on. An additional 70 people took part in the Sea Country Craft session as part of the Tunarama Festival in Port Lincoln. On Kangaroo Island, 41 volunteers helped with a community seagrass planting event, and the local marine park coordinator held drop-in days near marine parks and spoke to dozens of visitors.

In Northern and Yorke region, the rangers at Innes National Park held rock pool rambles where participants could discover weird and wonderful critters of the intertidal zone. DEWNR's Coastal Connections program ran for two weeks in the South-East, with numerous activities held in and around marine parks at Kingston, Robe, Beachport and Port MacDonnell to showcase the unique and diverse coastal habitats of the South-East region. In the Adelaide Mount Lofty Ranges region, Nature Play SA featured Encounter Marine Park as park of the month in January and released their new product, 40 Things to do in Encounter Marine Park, with a social media reach of over 18,000 people.

The Hon. J.S.L. DAWKINS: Point of order, sir: once again, we have had an example of the minister providing an eight-minute response

Members interjecting:

The PRESIDENT: Order!

The Hon. J.S.L. DAWKINS: —to an incisive question from his backbench, which was no doubt written by his own office. I ask you to bring him to a conclusion.

The PRESIDENT: Minister, can you please get to the conclusion?

The Hon. I.K. HUNTER: I would have concluded by now, Mr President, if the honourable member had not jumped to his feet. But that just goes to show you that the Liberals hate marine parks. They hate the environment. They want to destroy it. They want to side with big business. The Liberals are against anything to do with the environment. How on earth can the member for Dunstan in the other place live with himself when he talks about trying to pull apart marine parks and marine sanctuaries? This is exactly what the Liberals stand for: the destruction of the environment. It is appalling.

Other marine-themed family activity ideas were promoted through marine parks' websites and National Parks' Facebook. These included visiting the Adelaide Dolphin Sanctuary or getting involved in the Whale Centre activities and commercial tours in our marine parks. The new beachcombing guide was also released for summer activities, with hundreds given to participants up

and down the coast. This guide is a user-friendly resource for the public to identify all sorts of interesting flotsam and jetsam that washes up on our shores.

The Hon. J.S.L. Dawkins: A bit of flotsam and jetsam with this answer.

The Hon. I.K. HUNTER: Some of it travels long distances on ocean currents and can be pushed by wind and wave action, carried from offshore islands, reefs and seagrass beds. I think the Hon. Mr Dawkins was reflecting that the member for Dunstan in the other place might shortly be flotsam and jetsam as he is ejected from the leadership of the Liberal Party in due course.

Last summer's program was a huge success. These programs are a great way to inform people about the wonderful plants and animals that live in and along our coastlines. When people are more informed, it means they have a greater awareness of the importance of looking after our coast and the life it supports. By engaging our young people in marine parks, supporting them to develop a relationship with our coast and aquatic environment, we can be hopeful they will have a lifelong interest and commitment to coast protection and marine biodiversity and will stand up to the Liberals when they try to destroy their marine parks.

MARINE PARKS

The Hon. J.M.A. LENSINK (15:17): Supplementary question: would the minister like the telephone number of the Northern Zone rock lobster fisherman who I spoke to this morning, who reported that the industry over there is in real trouble, even though it is environmentally benign compared to an activity such as shark cage diving that involves berleying?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (15:18): The Liberal Party in this state again just peddle the lies that come from interested parties who don't support marine parks. All fishers were invited to put their case if they believed that they had lost business through this process and give the documentation and we would give it consideration for compensation. That process is live. If anyone the Hon. Michelle Lensink is talking to believes that is the case, then I invite her to encourage them to approach us and put their case.

But if they haven't got the material because in fact it's had no negative or deleterious effect on them, then they are just peddling untruths for base political purposes. The Liberal Party in this state hate marine parks. If they are ever elected to government they will destroy them, just like their commonwealth comrades in Canberra have by failing to put in place regulations under the national marine parks legislation.

The PRESIDENT: Just before this question the honourable Leader of the Government made a statement calling the Hon. Mr Dawkins a bully. The reality is it is inappropriate to have that on *Hansard*, even though it was said in jest. I would like you to withdraw it.

The Hon. K.J. MAHER: I withdraw absolutely my suggestion that the Hon. John Dawkins is a bully. He is nothing of the sort.

STATE ECONOMY

The Hon. R.L. BROKENSHERE (15:19): I seek leave to make a brief explanation—

The PRESIDENT: The Hon. Mr Brokenshere has the floor.

Members interjecting:

The PRESIDENT: Order!

The Hon. R.L. BROKENSHERE: I am not sure whether the Leader of Government Business thinks he is the President or the Leader of Government Business, but he does make your job difficult.

The PRESIDENT: The honourable Leader of the Government gets a little bit excited now and again.

The Hon. R.L. BROKENSHERE: I seek leave to make a brief explanation before asking the Leader of Government Business a question regarding South Australia's economy.

Leave granted.

The Hon. R.L. BROKENSHERE: In June 2017, the University of Adelaide South Australian Centre for Economic Studies put out an economic briefing report. In the executive summary, the report says:

The businesses that can deliver this growth, small, medium and large, are in the main acclimatised to operating in an open economy and now have a relatively low reliance on protective trade policies. This means they will need to compete directly with overseas suppliers for markets and for investment.

It then says in the final sentence:

In that competition, the South Australian cost structure is an important influence on the decisions that ultimately are taken, and policy makers—

meaning particularly the government of the day—

need to avoid undue impositions on those costs.

Given that the minister could not rule out his big new bad bank tax being passed on to every mum and dad, every pensioner, every young person trying to buy a car or get ahead, every business and every farmer, does he now agree that, in light of this report and those key points raised, structural increases in tax will be an impost on businesses trying to survive and grow in South Australia?

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) (15:22): I thank the honourable member for his question. I can say that I completely and utterly disagree with the premise behind his statement and his questions.

Members interjecting:

The PRESIDENT: Order! I think the only arrogant one here at the moment is the Leader of the Opposition. The minister is on his feet trying to answer a question by the Hon. Mr Brokenshere, and I don't think it is appropriate that the two of you are interjecting while he is trying to answer it. The honourable minister, continue.

The Hon. K.J. MAHER: What the honourable member has indicated in his question is exactly support for the measures this government is taking. It is exactly support for the measure this government has taken. He has spoken of the importance of small and medium business, but what the former Family First, now the Australian Conservatives, prefer to do, like the Liberal opposition in South Australia, is protect the top end of town.

They want to protect the \$30 billion in profit, the \$4 billion in undertaxation from the big banks, in preference—let me make this very clear—to support for small and medium business in South Australia. That's what the Hon. Robert Brokenshere wants to do; that's what he wants to do. It is his choice, and I think voters will judge accordingly at the next election whether they think it is a good idea to be supporting and protecting the \$30 billion in profits that the banks make or putting money towards supporting small and medium-sized enterprises in this state, measures like the \$200 million Future Jobs Fund.

Even before that, we have seen about a \$220 million decrease in workers compensation fees for businesses, a very significant competitive advantage for business in this state. We have seen payroll tax decrease. We have seen the abolition of stamp duty on business transactions. This government has introduced very significant concessions to help business in this state, and we have introduced further support for small and medium-sized business in this state: a \$200 million Future Jobs Fund.

What the Hon. Robert Brokenshere wants to do is support the big banks, the top end of town. That's his view: let's protect the super profits that banks make. Don't worry about small and medium-sized business in this state; his whole question was geared towards supporting what this government is doing. I welcome the support that he has given, unwittingly, in the explanation to his question, but I utterly reject the conclusion that he somehow drew, after supporting, with his premises, what we are doing for South Australia.

STATE ECONOMY

The Hon. R.L. BROKENSHIRE (15:25): Supplementary, based on the minister's answer: is the minister categorically ruling out that his big bad bank tax will not be passed on to small and medium-sized businesses, farming families, pensioners, young people and families? Are you ruling that out, based on your answer—yes or no? Tell the facts!

The Hon. I.K. Hunter: You don't understand a thing about it.

The Hon. R.L. Brokenshire: Mate, I understand a lot.

The PRESIDENT: Order!

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) (15:25): I thank the honourable member for his question and his continued support, for some reason, again for the top end of town. What I can say is that we support absolutely the initiatives in this budget to help South Australian businesses: a \$200 million Future Jobs Fund, and grants and loans to small and medium-sized businesses in this state to support jobs.

The Hon. Robert Brokenshire keeps wanting to support the top end of town, to protect the super profits the banks make, even though his former party, the Liberal Party, in their federal budget deliberations, told us that the big banks are undertaxed to the tune of \$4 billion. So, again, I am happy to be on this side of the argument.

Members interjecting:

The PRESIDENT: Order!

ABORIGINAL REFERENCE GROUP

The Hon. A.L. McLACHLAN (15:26): I seek leave to make a brief explanation before asking the Minister for Correctional Services a question.

Leave granted.

The Hon. A.L. McLACHLAN: In a media release dated 16 September last year, the minister indicated that the government's Aboriginal Reference Group was to provide advice to the strategic advisory panel on factors that contributed to Indigenous reoffending rates in South Australia. The strategic advisory panel was then to submit its advice to the government by December 2016. Will the minister advise the chamber whether the Aboriginal Reference Group has provided their advice, and, if so, what are the recommendations of the group?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (15:27): I thank the honourable member for an important question regarding a particularly important subject. The Aboriginal Reference Group has been working closely, and continues to work closely, with the department. Previously, the reference group was specifically put in place to work with our strategic policy panel to contribute towards the government's strategy to address the issue of reducing reoffending.

I stated in this chamber previously all the benefits and the importance of reducing the reoffending rate, which sits currently at 46 per cent in South Australia, and our target is to reduce that by 10 per cent. What is not widely known, of course, apart from the fact that there is a massive over-representation of Indigenous people within our correctional institutions in terms of those people in custody, is that Indigenous people are also disproportionately represented when it comes to the reoffending rate.

That means that, when it comes to tackling our objective of reducing the rate of reoffending, or achieving our 10 per cent reduction, it is particularly important that the government is conscious of delivering a policy response to the unique needs of Indigenous people within the Correctional Services system: hence, the reference group being put together.

The government shortly will announce our holistic strategy in response to the strategic policy panel that worked with the Aboriginal Reference Group to make sure that our strategy to deliver our

10 per cent reduction in reoffending takes into account those recommendations. I expect that will be released in coming weeks, and I am more than happy to ensure that the honourable member is provided with a copy of that report once it is publicly released.

METROPOLITAN FIRE SERVICE

The Hon. J.M. GAZZOLA (15:29): My question is to the Minister for Emergency Services. Will he update the chamber about the newest fire truck delivered to the Metropolitan Fire Service?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (15:29): I would like to thank the honourable member for his important question on a fantastic piece of kit that has now been fully delivered to the Metropolitan Fire Service by this government. Last month, I had the pleasure of getting out to Bowden—a great suburb, Mr President, and one in which I reside—with the assistant chief officer, Michael Morgan, and also the member for Reynell, to see the Metropolitan Fire Service's newest combination aerial pumping appliance, more commonly known in the MFS as a CAPA. These are state-of-the-art fire trucks which can combine aerial—

The Hon. I.K. HUNTER: On a point of order, Mr President: we are still in question time, and we have conferences happening in the back of the chamber and conferences on the side, and no-one can hear the honourable minister on his feet.

The PRESIDENT: You are right. I was having difficulty listening to these two while you were speaking, minister. So, please be a little bit more thoughtful next time.

The Hon. P. MALINAUSKAS: Mr President, I understand they have got to get their updated instructions from the Australian Bankers Association; it's entirely appropriate that they do so!

The latest truck delivered to the MFS is the sixth and final appliance of a \$7.8 million project announced by the government in 2004 and is funded entirely out of the state's emergency services levy. The appliance is now operational, based at Christie Downs MFS station, and joins the other five trucks delivered by this government to the MFS fleet, strategically positioned at Adelaide, Oakden, Woodville, Mount Gambier and also the Whyalla MFS station.

What members may not be aware of is that these CAPAs are unique and were designed by our very own Metropolitan Fire Service team as yet another example of our world-class and highly resourced sector. They are believed to be the only of their kind in the world, and it is perhaps no surprise then that they have also drawn significant interest from emergency services agencies from not just across Australia but also abroad.

Some of the key features of the CAPAs include a tight turning circle as well as room to navigate narrow streets, not to mention the ability to reach 22 metres high in 60 seconds, which is around three times faster than the previous Skyjet appliances used by the MFS. Bowden provided a fitting backdrop to this announcement, as the appliance demonstrated its swiftness, manoeuvrability and safety within high-density living arrangements which are transforming the profile of developments across certain sections of the metropolitan area.

We have already seen the strong benefit of these appliances during large emergency operations such as the Edinburgh plastics factory fire in January and also a recent cliff rescue in the South-East and a high profile rescue at Whyalla last month. In particular, the Para Hills West wooden pallets fire in May is also a great example of how incredibly useful this appliance is. After attending the scene of that fire early in the morning I was blown away at how quickly and professionally the MFS had managed the incident, which meant that the employees of the factory were able to resume work that very same day.

The delivery of these six high-tech appliances to the MFS demonstrates yet again that this government will do everything it can to ensure we have a well-resourced emergency services sector. South Australians can be proud of the MFS for their unique fire truck design and can be assured that they will receive a swift, effective and world-class response in their time of need. The fact that this truck is being sought by other fire agencies globally and domestically I think is a great tribute to the men and women of the MFS, particularly those people who specifically went about the business of designing this unique truck that will serve South Australia for many, many years to come.

*Bills***STATUTES AMENDMENT (DRINK AND DRUG DRIVING) BILL***Committee Stage*

In committee.

Clause 1.

The Hon. A.L. McLACHLAN: Whilst those seeking to assist the minister are organising themselves I will advise the chamber that from the Liberal Party's perspective there have been two sets of amendments: one by the Hon. Kelly Vincent and another by the honourable Minister for Police. I have a number of questions or queries arising from the minister's summing-up at the second reading that I will raise at clause 1.

However, I am minded that I may well seek to report progress at clause 1 to give an opportunity to the Liberal Party members to consider the government's amendments which they have only seen today. I do not know if any other honourable member wishes to comment on that, otherwise I will proceed to some of the issues arising from the honourable minister's second reading summing-up.

The Hon. P. MALINAUSKAS: I am more than happy to accommodate the Hon. Andrew McLachlan's questions and hopefully we are in a position to be able to answer them speedily today. The government is very keen to progress this as far as possible, notwithstanding that I am conscious of the fact that the government submitted an amendment recently. That is, though, very much in response to some of the opposition amendments themselves and are not particularly complex.

I am more than happy to try to answer the honourable member's questions, along with any other members' questions for that matter, but the government is very keen to seek to progress this as far as we reasonably can today in the committee stage and would desire the indulgence of the chamber to go further than clause 1.

The Hon. A.L. McLACHLAN: I thank the honourable minister and his staff for a comprehensive summing-up of the second reading. There were two matters that the minister indicated he would seek further information about and I ask if that is now available. There was a reference to seeking advice from Forensic Science SA on its procedures, which you undertook to provide to me, and also, near the end of the second reading summing-up as transcribed by *Hansard*, you said:

I note the Hon. Mr McLachlan has asked for figures on geographical areas in which drivers have been caught drug driving. I am seeking these figures and will provide them to the member once they are received. We will also seek advice from the courts on conviction data and update the member.

The Hon. P. MALINAUSKAS: I am advised that I can provide the following information to the honourable member. I am advised that Forensic Science SA has provided the following information on their procedures. Case receipt officers receiving oral fluid samples at Forensic Science SA are trained to follow specific protocols to ensure that every sample accepted for analysis meets stringent requirements.

The officers ensure that samples and accompanying paperwork are correctly labelled with unique identifiers and donors' details, and that samples are appropriately sealed and chain of custody is maintained. These protocols are outlined in controlled documentation readily accessible to staff. Once samples are accepted, they are directly transferred to a secure freezer where they are kept until analysed by a qualified analyst. At any time from sample receipt to the time of sample dispatch or disposal, the identification, appropriate storage conditions, preservation of integrity and security are maintained.

The methodology and reporting of results used at Forensic Science SA is a validated procedure and is accredited against international standards. The technique unequivocally identifies the presence or absence of a prescribed drug. Mandatory peer reviews are performed throughout the analytical process.

During my reply speech, I provided the council with statistics on the number of drug-driving detections in the five-year period from 1 January 2012 to 31 December 2016. As requested, SAPOL has now provided a breakdown of these detections in geographical areas. I am advised of the following numbers: the Barossa LSA, 999 detections; the Eastern Adelaide LSA, 1,582; the Elizabeth LSA, 2,799; the Eyre and Western LSA, 1,083; the Far North LSA, 843; the Hills Fleurieu LSA, 1,593; the Holden Hill LSA, 2,411; the Limestone Coast LSA, 1,335; the Murray Mallee LSA, 1,722; the South Coast LSA, 1,971; the Sturt LSA, 2,212; the Western Adelaide LSA, 3,388; the Yorke Mid North LSA, 1,615; and 82 are unknown. That is a total of 23,605.

I also sought information from the Courts Administration Authority on the number of drug-driving convictions. The courts have advised that they hold data for the past five years only. Between 1 July 2012 and 31 December 2016, there were 7,418 charges laid in relation to section 47BA and section 47 of the Road Traffic Act. Of those 7,418 charges, there were 6,806 recorded as a conviction, and there were another 356 charges that may have resulted in a conviction but were recorded as either consolidated with another court case or transferred to another court, remanded or sentenced. It must be noted that a section 47BA offence of driving with a prescribed drug in oral fluid or blood is expiable for a first offence in accordance with section 47BA(6) and (7) of the act.

Hopefully that addresses, I think rather comprehensively, the honourable member's questions. I am also able to inform the honourable member that I have recently been provided with a written letter that will provide him with that detail, which I am happy to sign as soon as possible.

The Hon. A.L. McLACHLAN: I thank the minister for that response, and I will look forward to receiving the letter and reading it into *Hansard*. I note the minister said, in response to my question in relation to interstate data, that the primary focus is on South Australia. To some extent, that is fair. The reason I asked that question was to try to understand the experience interstate or try to understand a benchmark for how we are going to define success for these measures.

If they are not successful and the stick or the punishment is not working, then we are going to have to potentially spend more money on community education, and in my view there is a balance between the two. I do not ask just to hold up the debate. In developing the policy, has there been regard to the interstate experience? Can the minister enlighten the chamber? Have there been dramatic reductions because of the introduction of their initiatives that we are effecting here, which are increasing the penalty and specifically focusing on drug driving?

The Hon. P. MALINAUSKAS: I can inform the chamber that naturally, in the development of this legislation, the government, I am advised, did contemplate what other jurisdictions are doing in respect of their penalty regimes. In some instances, this brings South Australia in line with what other jurisdictions are doing. I am not in a position to provide the honourable member with any sort of empirical evidence in terms of what has happened statistically regarding drug driving incidence as a result of those changes interstate.

However, what I can say is that we know anecdotally that getting the appropriate penalty in place does send the right message to the community about what behaviour is tolerated and what is not. Particularly in the case of repeat offenders, there is an equally important need to ensure that the licence of those people who have a propensity to regularly do the wrong thing is withheld, not just as an issue around deterrence to other members of the community but also to protect members of the community from those individuals who seek to do the wrong thing on a repeated basis.

Withholding their licence forms an impediment to that individual who would be a repeat offender in getting behind the wheel of a car. There is not just a deterrence element to this but also a protection of the community element which, I would suggest, should be a significant factor in the contemplation of members of the chamber when they cast their vote on this.

The Hon. A.L. McLACHLAN: I thank the minister for that answer. As the minister knows, the Liberal Party is not seeking to amend the structure of the bill or the penalty. In a future time when the chamber reflects on a bill like this, possibly it is going to be the case that the politics of the day are, 'Well, the penalties need to go up,' and there is always this circular debate of how much the Motor Accident Commission should have spent or not spent on advertising and what is the most effective. I think that is probably as far as we can take that. In the second reading summing-up, the minister said:

Further to that, research in South Australia has found that increased penalties and the risk of being caught motivate people to change behaviour.

I am not contesting that statement, but I am interested in what research was relied upon for that statement to be given to the chamber.

The Hon. P. MALINAUSKAS: I have been advised that some of those remarks were based on research that was conducted by the Motor Accident Commission.

The Hon. A.L. McLACHLAN: Whilst I do not want to unnecessarily delay the debate, I wonder if the minister could give an undertaking that he could supply my office with the research? It is not contingent upon the passage of this bill, but I would be interested in the actual research that has been relied upon.

The Hon. P. MALINAUSKAS: If there is documented research that is published that speaks to the question the Hon. Mr McLachlan has, I am more than happy to provide him with a copy of that, if it is practicable to do so.

The Hon. A.L. McLACHLAN: Thank you, minister, I accept the undertaking. The minister may well appreciate that these issues do not go away in the parliament, they tend to be revisited, so it will not go to waste. I am sure I will be referring to it with the minister on future occasions. It is important to get on the record what the foundations of these sorts of initiatives are so that in the future—and that is the motivation for my questioning—we can reflect and see whether we are taking the right approach for reducing, and one day the dream of having, driving without being influenced by drugs or alcohol.

Does the minister have any information in relation to the intended MAC campaign, as in spend and duration? I appreciate that they may well be awaiting the passage of this bill, but can the minister give an indication of what MAC's actual intention is? Is it this year, or possibly next, and what is the nature of the campaign?

The Hon. P. MALINAUSKAS: My advice is that it is likely to be an updated version of the MAC campaign that is already in place but will probably add an element in terms of what the new penalties are. I have not received any advice as to what the prescribed spend is on this particular issue or what has been forecast. Indeed, as the Hon. Mr McLachlan said in his question, that, of course, is contingent upon the passage of the bill. I think it is a question of: we have to walk before we can run. We have to get the bill passed first and then we will start planning things from there. I understand that MAC does intend to run a campaign if, indeed, this legislation passes.

The Hon. A.L. McLACHLAN: Thank you, minister. I note the minister's comments in relation to the Motor Accident Commission uses a third-party research agency to evaluate the campaign against its objectives. If I understand that correctly, the Motor Accident Commission would be assessing, as it would any campaign, like a corporate entity, the degree of awareness by surveys—I am wondering whether the minister can assist me with that—whereas, as a parliament, we would be interested in that, but ultimately our measure of success will be in addition to that. People being aware would be a reduction in primary testing and conviction. I would be interested in the minister's comments on that.

The Hon. P. MALINAUSKAS: Yes, the honourable member is right, MAC does substantial research in and around its campaigns, particularly the substantial ones, to ascertain whether or not the campaigns have had cut-through with the target audience in terms of its messaging. Naturally, the honourable member will appreciate that this is not always a particularly exact science, but indeed there are ways to test this, and MAC does that on a regular basis. Through MAC's processes, before a substantial spend has taken place (particularly a spend of a campaign that has already occurred previously), as road safety minister I ask questions of MAC to satisfy myself that campaigns are getting the traction they are intended to have before we go spending taxpayer dollars on them. I think that is a reasonable position to have.

The honourable member is right to say that a test of success of any legislative change in this area could be a reduction in the number of people caught drug driving. However, there would be other tests that could equally be applied, as well. That would simply be one measure. Of course, what would be difficult for the parliament or for any agency to ascertain is the number of offences

that have not taken place as a result of the protection or deterrence element of the legislation passing. I would argue that this is a case of no harm done, but very much potentially being of benefit to the public by adjusting the offence's scale in this area, particularly around this issue of repeat offences, as I said earlier.

Withholding a licence from someone who is a repeat offender in this area mitigates the likelihood of them getting behind the wheel of a car again and reoffending. Of course, we cannot guarantee that because we know, in reality, that some people who have had their licence taken away still do elect to get behind the wheel of a car and offend accordingly. Nevertheless, it does create an opportunity for a pause of thought in the mind of someone who does not have their licence before they get behind the wheel of a car. So, there is a range of variables that needs to be taken into account when assessing the success of this bill.

The honourable member refers to one measure that could be looked at, but I want to make it clear that there are a number of variables that are inputs into what happens to drug-driving statistics, apart from this legislation itself. Education campaigns is one of them, also what is happening to drug consumption in the community generally, a rising population and a rising number of people getting access to licences. There is a range of different variables that could impact on what is happening to drug-driving statistics, generally. This is one of them, but it is one that is within our control and is worth addressing.

The Hon. A.L. McLACHLAN: I thank the minister. Moving on to another topic, the minister has explained why three specific drugs have been targeted by the roadside test. I am interested, if at a future date the governor of the day should choose a fourth or fifth drug, whether the roadside test can accommodate that.

The Hon. P. MALINAUSKAS: My advice is that the apparatus currently deployed by SAPOL only has the ability to test for those three drugs. Naturally, the government may revisit that, whether it be revisiting it through the legislation or revisiting it through the potential tools and equipment that are available to SAPOL. However, as it stands, the testing device that is deployed by SAPOL at the moment only has the capacity to test for those three drugs.

The Hon. A.L. McLACHLAN: In the second reading summing up you set out, in response to a question, what would happen if you have a positive drug test at the roadside. SAPOL officers will issue a direction in writing and then there is a direction that you should not drive for a set period of time, depending on what is in your system. I would like some clarity around a situation in which the person has obeyed the direction and can establish that they had no other drugs in their system—they had not taken a subsequent drug—but then fails a further test. What is the situation there in respect to the law?

The Hon. P. MALINAUSKAS: I just wanted to confer with the officer from SAPOL, and my suspicion is right. The direction not to drive is not an implicit instruction that somehow the drugs can be out of the system during that period. It is a direction not to drive. If someone follows that direction and then subsequently gets behind the wheel of a car again—whether or not they have taken any more illicit substances is irrelevant—and then tests positive, then they test positive again and they have breached the law again. The instruction not to drive should not be taken by the individual as somehow being a green light to drive after that instruction has expired.

The Hon. A.L. McLACHLAN: Thank you, minister. I anticipated that answer. I just wanted it for my own clarity and for the benefit of *Hansard*.

The Hon. P. MALINAUSKAS: Your own clarity? Just in case?

The Hon. A.L. McLACHLAN: My own clarity, just in case. I do not profess perfection, not in the chamber at least, anyway. It is coming to an end, from my perspective, but I still have it in my mind to seek to report progress in respect of the amendments. Can the minister advise what the current wait times are for Forensic Science SA to return the laboratory analysis results for oral fluid samples?

The Hon. P. MALINAUSKAS: I am advised that it is two weeks.

The Hon. A.L. McLACHLAN: Can the minister advise how many people have passed the drug dependency test but then reoffended? In other words, can the minister advise how many offenders have committed third and subsequent offences?

The Hon. P. MALINAUSKAS: I can undertake to try to get that number for the Hon. Mr McLachlan. Are there any other questions the Hon. Mr McLachlan is sitting on here? This is an important piece of legislation that has public safety at its heart and that the government is keen to get passed. Notwithstanding the honourable member's diligent exercise in trying to make sure he is developing an informed view, I am just a bit concerned that if the answer is not going to somehow inform the way the opposition is going to vote on the issue, we may be just delaying the process unnecessarily.

The Hon. A.L. McLACHLAN: I will be at some point moving to report progress. I know that some other members have some questions. That was my last question at this moment in time. I would say to the minister that it is important in public policy debate, particularly with bills like this that will be revisited at some point in time, that the considerations of the chamber are on *Hansard*.

I can give the minister some advice, as a newer member from a slightly older member, that it is critical to get these things on *Hansard* before they are lost in time, and that the crystallisation of the debate allows mature reflection in subsequent revisiting of the bill. So, I do not ask lightly. It also informs the Liberal opposition and other members of the chamber about their own policy positions in respect of these bills. That was my last question for the moment.

The Hon. M.C. PARNELL: My question of the minister relates to the process that is gone through after someone has lost their licence for drink or drug driving. So that I have it crystal clear: let us say a person has been disqualified from driving for a period of, say, 12 months. Under the existing law, and even under the new amending bill, you are not going to get your licence back until you have satisfied the registrar that you are not dependent on alcohol or drugs.

So, my first question is: once the person has lost their licence, with what assistance does the state provide people in order to prepare for or get ready for that time in 12 months' time when they will go and ask for their licence back again? What help do you give them? Where do you send them, what free services are available and what mechanism exists to help people pass the test by either convincing the assessor that they are not dependent or, preferably, no longer being dependent? What help do you give them?

The Hon. P. MALINAUSKAS: The government, obviously, has a range of services that it provides through Drug and Alcohol Services South Australia (that is a separate agency that is not present here today). Of course, I appreciate and understand the intent of the honourable member's question, but it is not the job of police or DPTI to provide drug and alcohol services—that is done by other government agencies, mainly DASSA, which has a range of services in place for people who suffer from substantial addictions.

Similarly, there are plenty of non-government organisations out in the community that seek to assist people who are suffering from an addiction. Of course, addictions occur at very different levels. Some people suffer more severe addictions and can often find themselves in residential rehabilitation facilities like the Woodshed, which is a state government service, but then there are lower-level addictions, and a lot of those people get access to services in non-government organisations.

But, to be perfectly honest in answer directly to your question: no, when someone commits a drug-driving offence we do not have SAPOL taking that person by the hand and providing them with services to come clean. We require that person to come clean and pass a drug dependency assessment before they can get their licence back. The exercise of taking someone's licence away is principally an exercise in protecting members of the community from people driving under the influence of drugs or alcohol. When someone gets behind the wheel of a car and they are under the influence, they put other road users at risk. They literally do jeopardise the lives of others. That is one of the principal objectives here.

I appreciate—and I am just going to ad-lib it for a moment—the tone of the question or one of the intents behind the question is: why does the government not use a person committing a

drug-driving offence as an opportunity to see that they get rid of their addiction? That is a question that is utterly justified. It is something that I explored aggressively in putting this legislation together.

I think the Hon. Mr Darley might be interested in this particular point. I was very keen to pursue a legislative change that would see to mandatory treatment of people, particularly if they demonstrated as a repeat offender, because if they were a repeat offender you could reasonably assume that they might be suffering from an addiction as distinct from getting caught from something that is more to do with recreational use.

All of the advice that was given to me—and I had some pretty robust meetings with agencies about this—is that you cannot use mandated treatment with much effect. There is very little evidence out there that suggests that when you mandate someone to have a form of treatment it delivers a result. Overwhelmingly, all of the evidence suggests that people being able to relinquish themselves of an addiction more often than not occurs when someone has elected to make a decision to get over their addiction.

Once they do that, once they make that decision and get access to appropriate help, the prospect of success, of relieving themselves of that addiction, dramatically increases. But if the state seeks to impose mandatory treatment as a form of punishment, or otherwise, then the prospect of success dramatically reduces. Hence, a decision was made, reluctantly—I aggressively asked because I thought it made sense—to not include provisions along those lines in the bill but instead to focus on the dependency assessment as a protective measure.

The Hon. M.C. PARNELL: I thank the minister very much for his very thoughtful answer. It is clear from his answer that he appreciates the dilemma. He hit the nail on the head. My question goes to the fact that here we have an opportunity; here we have a person who has come to the attention of authorities who may or may not have a problem.

It is probably not the time now to debate the merits or otherwise of compulsory versus voluntary treatment, but I accept what the minister is saying, that there is a wealth of evidence that people need to want to be helped before they can be helped. I understand that. Even if I rephrase the question at a fairly pedestrian level: when you have lost your licence, is it someone's responsibility, whether it is the police or DPTI, to give the person a brochure to say, 'You've lost your licence. This is the process you're going to have go through to get it back. Here are the treatment options. Here are things that are free and provided by the state. Here are some private options you might want to consider'?

I am not going to say I entirely agree, because there is a silo approach here, but if we are looking at road safety, and the police and DPTI do not see themselves as being at the front line of drug rehabilitation or helping people to get over alcohol addiction, then it seems to me that a person brought before the attention of the authorities does provide a great opportunity for some level of intervention. I am not talking about compulsion necessarily but just pointing them in a direction they might want to go. You are holding something over them. You have something they want back—their licence.

At some point they have to realise they are not going to get that licence back unless they change. I guess the question is: is there any literature, information or advice that authorities can give people that might help them to not become dependent or addicted and therefore to get their licence back?

The Hon. P. MALINAUSKAS: I asked this question of myself earlier in the context of a question asked by the Hon. Mr McLachlan. When a person is in the lead-up to having to go through a drug dependency assessment, they are written to by either the Registrar of Motor Vehicles or the delegate, outlining the process they have to follow in order to comply with the drug dependency assessment. They are not, as it stands, provided with a brochure referring them to any treatment services or making them aware of what is available. I am more than happy to undertake to see that that is addressed. I do not think doing that via legislation is the appropriate way to do it.

However, upon hearing that information, literally in the last 15 minutes, I am more than happy to undertake to use my authority as minister to see to it that some sort of information or brochure is made available with this correspondence that is sent to that person, saying, 'You are going to have to submit to a drug dependency assessment. Here are some services that you should perhaps

familiarise yourself with in order to ensure that you pass that assessment'—if you are suffering from an addiction.

The Hon. M.C. PARNELL: Again, I thank the minister for his answer. I do not want to pursue this too much further but I will perhaps invite the minister to take some questions on notice. Certainly, we had a briefing and it was explained to us how the assessment process occurred and I think it would be good to get some of that on the record.

I am interested in an explanation of the mechanics of how the assessment is arranged. You have just said that the person gets sent a letter. What sort of waiting period is there? Might someone who has had their licence disqualified for, say, 12 months, end up having to wait 18 months because they cannot get an appointment at the assessment clinic, for example—if that is the case? What does it cost to get the assessment done? Also, what is the nature of the assessment?

I am no expert in this field but I would expect that there are two sides to it, perhaps a physical side and then a social side. The physical side is someone who comes in with perpetually bleary eyes and they are shaking with delirium tremens—yes, that might be an indicator. Socially, I expect they ask questions such as, 'Have you had a drink today? Can you get through a day without a drink?' Again, we are talking about professional expertise.

I recently saw a poster on a wall of an old Carlton United advertisement from the 1890s, which states, 'I allus has wan at eleven', and it was a bloke with a bushy beard who always has a beer every day at 11 o'clock. Is he dependent on alcohol? Does the quantity of his consumption—perhaps one beer at 11 o'clock every day—lead to an inability to drive? Would he be 0.05? Probably not.

Is there any information the minister can put on the record about the nature of the assessment, whether it is physical or social? I am not looking for the minister to put information on the record that would become a coaching manual, telling people how to answer questions that guarantee you are going to get your licence back, but I would be interested in a bit more information about how that process works.

The Hon. P. MALINAUSKAS: The dependency assessments are currently conducted by the Corporate Health Group, which is approved by the Minister for Health. They have a team of medical practitioners, qualified psychologists and nurses who conduct drug and alcohol dependency assessments so that the registrar can determine if people are fit to drive. Training was provided to the Corporate Health Group by Drug and Alcohol Services South Australia specialists, with ongoing training to Corporate Health Group's clinicians by their addiction medicine specialists.

The assessments investigate both the physical and psychological symptoms of alcohol or drug dependency. Blood samples and a urine drug analysis are undertaken for a drug dependency assessment. The mental health symptoms of dependence are assessed using the criteria in the Diagnostic and Statistical Manual of Mental Disorders. This is a widely accepted guideline for the diagnosis of mental health disorders and is produced by the American Psychiatric Association. It is used widely in Australia for diagnostic criteria for mental health disorders.

If the assessment determines that there is a dependence on alcohol or drugs, the Registrar of Motor Vehicles is then informed. The registrar then notifies the driver accordingly, and the Corporate Health Group refers all clients who are assessed as dependent on either alcohol or drugs to DASSA as a matter of course.

That is a step that occurs after dependency has been determined, which I suspect is appropriate. Notwithstanding what I said earlier, once an initial offence has occurred, or in the lead-up to a drug dependency assessment occurring, I think we should be providing access to information about services that are available. Again, I will undertake to see if we can do that.

The Hon. M.C. PARNELL: I can see how that system works. If the person receives a letter stating, 'You attended your assessment; you failed,' for want of a better word, or have not passed, or, rather more clinically, 'We have deemed that you are still dependent on drugs or alcohol,' the person knows that they are wasting their time applying to get their licence back because the registrar is legally obliged not to give them their licence back unless they have a more positive report from the assessment.

Again, back on the mechanics, do they get another letter stating, 'Book in again. Have another go'? In how long—six months, a year? I am trying to work out how this works mechanically. How does the person ever get their licence back if they fail that first assessment? Do they just voluntarily ring up and say, 'It was a bad week last week, but I am better now and I will be better into the future. Can I come back for another assessment?' How does that process work? In regard to the money, my understanding is that the person has to pay over \$400 per assessment. Could you explain how that works?

The Hon. P. MALINAUSKAS: My advice is that it is \$450, and it is four to six weeks before you can get in. The letter is sent out six months in advance of that, so you get six months' notice that you need to get your dependency assessment, and then you have four to six weeks to get in, which is more than enough time to accommodate that. If you fail, you cannot get back in for another six months, which I must say is utterly logical. If someone is deemed to be dependent on drugs or alcohol, it seems somewhat unlikely that within a week, to use your example, that dependency would conclude.

The Hon. M.C. PARNELL: I do not have any further questions, but I want to make an observation on what the Hon. Andrew McLachlan said, which was that he was inclined to report progress fairly soon before we get to the government amendments that were tabled today. For the benefit of the chamber, whilst I do not want to unduly delay this bill, I am inclined to at least report progress so we can have a good look at the amendments.

The only other thing I would say is I have the permission of the Hon. Kelly Vincent to move her amendment, if she is not available to do it herself. I will prosecute that on her behalf when we get to it, perhaps tomorrow.

The Hon. R.L. BROKENSHERE: On clause 1, I have one question of clarification to the minister. When we had our briefing, I noted that the bill removes a requirement to authorise SAPOL officers to conduct drug screening tests. We were advised that there are 687 SAPOL officers authorised to undertake drug screening tests and 362 authorised to conduct oral fluid analysis.

We were also advised that this removal will allow up to 5,000 sworn officers to be trained and able to conduct drug tests. Clearly, then, the measure will increase the number of police officers able to administer drug tests. We are delighted that there will be more police officers able to drug test because Australian Conservatives have argued for some time that we were too restricted in the number of police officers who had been trained, and the government had been very slow in getting more officers trained. My question is: in that briefing—

The Hon. P. Malinauskas: There are so many more officers now, Brokey, since you were around.

The Hon. R.L. BROKENSHERE: We could talk about that. We could talk about 313 and how you actually did not want to do 313 even though you promised for two years. I will stand proudly on my record for as long as I live, minister, that I was able to get plenty of additional police officers at a time when your government had financially destroyed the state—destroyed the state (and doing it again), but still had the opportunity of growing police officers. That is for the public record. To get back to the point: is it an arbitrary figure, that 5,000 sworn officers? What was the reason for the 5,000? I would be very happy if we had 6,000 police officers, okay, so why the 5,000?

The Hon. P. MALINAUSKAS: As the Hon. Mr Brokenshire would be acutely familiar with, despite his innate desire to be police commissioner himself, this government values—genuinely values—the separation between the responsibilities of the government and the legislature versus the responsibilities of the police commissioner in terms of being able to conduct operational matters in the way that best achieves public safety outcomes.

The object of this legislation is to remove the legislative or regulatory impediment that has existed in the past to giving all SAPOL officers the capacity to conduct these tests, as the honourable member foreshadowed. That is our objective here. Removing it, however, does not automatically mean that every officer within SAPOL will start conducting tests. Naturally, there is an element of training that is required of police officers before they go about conducting drug tests, so just removing the impediment does not instantaneously mean that every police officer will be conducting tests.

Before they go about conducting tests those officers will have to undertake the appropriate training, and naturally the police commissioner should have the flexibility to be able to determine how many people that is. He has to contemplate that in the context of a whole range of different constraints: budgetary constraints, other operational necessities and requirements, so there is a range of things. What we want to do as a government is give the police commissioner the flexibility to be able to make that call.

The Hon. R.L. BROKENSHERE: And I 100 per cent agree. I did not close police stations when I was in government, but this government has closed police stations, which should be an operational decision, not a decision of government—when you open them or close them—if you are going to be consistent.

My question and point is: is there going to be a figure? I think it should be left up to the commissioner, but I also believe that the parliament, in embracing the intent of this legislation—and clearly we are all embracing the general intent—would expect the government to support the police commissioner as much as possible within the budget to have as many operational police as possible trained and out there. So, my question is: there is no fixed number, it is going to be left completely to the discretion of the commissioner?

The Hon. P. MALINAUSKAS: Yes. The answer is that is correct. What is not correct is the preamble from the honourable member suggesting that somehow this government is closing police stations. We have been dramatically increasing the budget of SAPOL.

The Hon. R.L. Brokenshere: Hallett Cove, McLaren Vale.

The Hon. P. MALINAUSKAS: We have been dramatically increasing the budget of SAPOL. Decisions that have been taken to change operational hours of police stations, or indeed closing a couple, are decisions not made by a politician, but decisions that have been made by the police commissioner. So, before the Hon. Mr Brokenshere goes on these rants he should check his facts. These are operational decisions that have been made by the police commissioner to facilitate an ever-increasing number of police officers who are available to SAPOL—sworn officers—to go out on the beat and do their job.

There is only one party represented in this place that currently has an official policy to override the police commissioner's discretion on operational matters, and that is the opposition. The opposition is the only party in this place that has a position that it is going to start telling the police commissioner what to do in respect of police station hours. That, I think, is concerning to many members of the South Australian public. Nevertheless, that will be an issue that we prosecute up until the election.

I very much hope that other parties represented in this place, including the newly formed Australian Conservatives, support the government in giving the police commissioner operational discretion, as distinct from the policy position of the alternative government of the state, which is to instruct the police commissioner which officers are behind desks and which officers are out on the beat catching criminals.

The Hon. R.L. BROKENSHERE: Further to that, then, I do have to ask this question relevant to the bill. When you actually talk privately to police officers in relation to the main intent of this review into policing that will be announced at some point in the future—and hopefully before that we will get answers to questions on how many fewer inspectors there will be, how many fewer sergeants, and so on and so forth, and what the savings will be—they will tell you that it is no secret whatsoever that the main reason for this transforming and review process of policing at the moment is budget problems.

Therefore, I ask the minister: can he assure the council that, if we pass this legislation, if more buccal swabs are required, as more officers are trained, that the resources as well as the training will be there so that police can randomly drug test the same as they randomly breath test? We all know that the buccal swabs are quite expensive but, if we are actually serious about this, I think the parliament needs to know that the resourcing will be there within reason, not to restrict what we are doing right now with giving a stronger opportunity for drug-driving and drink-driving testing, but particularly with respect to drug driving.

The Hon. P. MALINAUSKAS: The government regularly considers requests on behalf of SAPOL regarding resourcing in different areas. The honourable member would be aware that, during the course of the Ice Taskforce, a comprehensive exercise was gone through to see what additional resources SAPOL might desire in order to go about the business of tackling drugs generally in the community. Such requests are received, and they will be considered in the context of the usual budget processes.

Again, without wanting to continue to exacerbate the exchange of banter between the former police minister and myself, it should be noted that the honourable member's remarks are wrong in saying that the police commissioner's efforts to reform SAPOL are somehow a consequence of budget cuts. The SAPOL budget is at its highest ever level, at a record \$888 million. It is the highest level of the SAPOL budget in history.

We are going to have more active sworn police officers in the police force than at any time in history and certainly a lot more police officers in the police force than was the case when the Hon. Mr Brokenshire was the minister for police. Also, an important statistic that I think is worth noting is that we have more police officers now in South Australia on a per capita basis than in any other state in the commonwealth. That is a record we are pretty proud of and it stands in stark contrast to that of the former police minister.

The Hon. A.L. McLACHLAN: I have a question in relation to a response of the minister in relation to the operation of the bill. I make a quick comment that the minister's characterisation of Liberal Party policy and intent is somewhat misdirected and incorrect, but I am not going to descend into the debate that the minister has with the previous police minister because I have not been police minister so I do not necessarily feel I am qualified to enter into those exchanges.

By way of clarification, regarding a response to a query by the Hon. Mr Parnell in relation to the drug dependency test, I understand that you are not allowed to seek another drug dependency assessment for another six months. Is that six-month rule set by the agency doing the assessment, and therefore it is an administrative rule, rather than a legislative or regulatory rule, that is being anticipated?

The Hon. P. MALINAUSKAS: My advice is that that is not a six-month requirement that is mandated through regulation or legislation, but rather a policy the Corporate Health Group has in place. I think, as I said earlier, there are probably some good reasons for that.

The Hon. A.L. McLACHLAN: If honourable members have no further questions I will move that we report progress, and my reason for doing so is that this will give us the opportunity to consider the amendments of the Hon. Kelly Vincent and the government.

Progress reported; committee to sit again.

CHILDREN AND YOUNG PEOPLE (SAFETY) BILL

Committee Stage

In committee.

(Continued from 22 June 2017.)

Clauses 9 to 11 passed.

Clause 12.

The Hon. A.L. McLACHLAN: I move:

Amendment No 3 [McLachlan-1]—

Page 11, after line 9 [clause 12(2)]—Insert:

; and

- (c) achieving the objects set out in the preceding paragraphs (as well as reducing the incidence of the removal of Aboriginal and Torres Strait Islander children and young people) by encouraging Aboriginal and Torres Strait Islander people, their children and young people and State authorities to act in partnership when making decisions about the

placement of Aboriginal and Torres Strait Islander children and young people under this Act.

This is a clause, as I indicated, that we are inserting having regard to the submission of the stakeholders. It is the stakeholder group submission that says that we are already failing to meet the obligations of the Aboriginal placement principle by placing unacceptably large numbers of Aboriginal children and young people outside kinship and without connection to culture and family. This clause, in effect, is designed to encourage the Aboriginal and Torres Strait Islander people to act in partnership, or the government to act in partnership, or the state, when making decisions regarding the placement of children of that kin.

The Aboriginal placement principle runs much deeper than the placement practices. It requires a level of partnership and making decisions about the best interests of Aboriginal and Torres Strait Islander children and young people within their communities. As I indicated, the genesis of this amendment, as with many of the other amendments that the opposition is putting forward, comes from the group of stakeholders that the Liberal Party have consulted and have placed weight on their submissions.

The Hon. P. MALINAUSKAS: The government opposes the amendment. The amendment seeks to amend clause 12(2) of the bill, which addresses Aboriginal and Torres Strait Islander child placement principles by inserting an additional paragraph that seeks to enshrine the participation of Aboriginal and Torres Strait Islander people in placement decisions made under this legislation. The government is opposed to this amendment as it adds nothing further to the principles as currently drafted. I draw members' attention to subclause (2)(b), which clearly states that one of the two objects of the principles set out in clause 12 is to enable Aboriginal and Torres Strait Islander people to participate in the care and protection of their children and young people.

Further, existing subclause (3)(c) expressly and in detail sets out the participation that Aboriginal and Torres Strait Islander people are to have, namely, in the form of a recognised Aboriginal or Torres Strait Islander organisation, as declared in the *Gazette* by the minister.

The Hon. T.A. FRANKS: The Greens indicate we will be supporting the opposition amendment. We note with interest that the opposition amendment is indeed supported by many in this sector who live and breathe child protection. The government's argument that it adds nothing is not an argument to oppose; it is an argument for a government that did not listen to this sector in the first place.

The Hon. R.L. BROKENSHIRE: As I read this, all that the opposition amendment from the Hon. Andrew McLachlan is doing is adding an additional clause, which actually strengthens the objects around Aboriginal and Torres Strait Islander people and state authorities acting in a partnership when they make decisions about the placement of Aboriginal or Torres Strait Islander children and young people under this act.

I heard the minister's explanation, but it does not really make sense to me that, if the government is focused—and I take it and trust that they are—on both the interests and the safety of the children, there is something wrong with strengthening a clause simply to give more consideration and integration in the placement decisions in a partnership model. What is wrong with that? Or is it just that we are supposed to not move any amendments and just rubber stamp? I cannot see what is wrong with strengthening a clause.

The Hon. P. MALINAUSKAS: The government is of the view that the clause as it is drafted provides an appropriate level of protection in terms of the objects that we are all collectively trying to seek. We believe that what is currently written in the bill represents a reasonable accommodation of our desired objective.

The Hon. R.L. BROKENSHIRE: This is a very sensitive area, generally speaking, and particularly when you have an historical look at the situation around what has happened with Aboriginal and Torres Strait Islander children and misplacement and other issues in the past. Based on not being confident that there is any reason that the government has given to not support this amendment, the Australian Conservatives will support this additional clause to strengthen the partnership, deliberation and consideration of the welfare of the child and the family who are involved

in a tragic situation, as they all are, where there has to be some placement. So, we will support the amendment.

The Hon. J.A. DARLEY: I indicate I will be supporting the opposition's amendment.

The Hon. A.L. McLACHLAN: Before we put the amendment to the vote, I would like to respond to something the minister has said in relation to the effect of the clause—because this debate is going to come up again in respect of this bill—which is its symbolism, the symbolism and the intent, which is also a clear expression of the intent of this parliament.

As the minister has expressed, the drafting of this provision may or may not, but is unlikely to, add much more to the objects, but it adds so much to those who will be applying this bill if it becomes law. Part of the problem, as expressed in many of the reviews and inquiries, has been that the act itself has been unclear for those bureaucrats applying it, or indeed public servants who are seeking to apply it.

It is not just the intent. It is a specific approach by the Liberal Party in relation to this bill to set out in no uncertain terms the legislative framework that it wishes, accompanied by a symbolic intent of how it wishes the children of South Australia, no matter their origin or their location in the state, to be treated going forward. I will address similar issues to that in respect of other amendments.

Amendment carried; clause as amended passed.

Clause 13.

The Hon. A.L. McLACHLAN: I move:

Amendment No 4 [McLachlan-1]—

Page 12, line 24 [clause 13(3)]—Delete 'or the Chief Executive'

I alert honourable members that this will be a test clause, because there are a number of other amendments that seek to make the minister primarily responsible for the outcomes of the effect of this act, as opposed to the chief executive. As the bill was drafted, the minister is removed from much of the responsibility as expressed in the bill. In a consultation with stakeholders, they have made it very clear that they wish the minister to be expressed throughout the bill as having responsibilities. This is not just symbolic, but it sends a clear message that the minister responsible for the welfare of children is clearly accountable for the same.

Much has been said in another context regarding ministerial responsibility. The Liberal Party has a different view on ministerial responsibility as expressed by the government in relation to Oakden. Therefore, the Liberal Party does not resile from these amendments. We think they are important. The minister will in due course delegate responsibilities, but I think it is paramount to send a message to the community, if this bill should pass, that the parliament expects that the minister in name, in one of the most significant bills regarding the removal of children, is the primary responsible person.

The Hon. P. MALINAUSKAS: This amendment is consequential to amendment No. 16 and also amendment Nos 23 and 25 inclusive, which are the chief amendments that the opposition has filed to reinstate the status quo under the Children's Protection Act 1993, that a minister remain vested with the guardianship and custody of children and young people who are at risk of harm.

The government opposes the amendment, and all other related consequential amendments that seek to reinstate the minister in this capacity. Given the nature and extent of the legislative reform proposed in this bill, the government is of the view that it is more appropriate that the functions of guardianship and custody be undertaken by the chief executive, as is the approach taken by other Australian jurisdictions.

The government acknowledges that divesting the minister of guardianship and custody functions in this bill is a reform that does not arise from a specific recommendation of the Child Protection Systems Royal Commission report. It was determined, in developing a response to certain recommendations of the Child Protection Systems Royal Commission report, that the repeal of the Children's Protection Act 1993 and the drafting of a new bill was the opportune time to consider other reforms that may be needed.

Notwithstanding this, the government submits that divesting the minister of guardianship and custody functions, and conferring this upon the chief executive, is in fact consistent with the royal commission's recommendation No. 9 to enable decision-making to occur at the closest possible level to the child. The opposition amendment seeks to undermine that and return to the status quo of the Children's Protection Act 1993. For these reasons, I urge members to oppose this amendment and those consequential to it.

The Hon. R.L. BROKENSHERE: I have a question of the mover of the amendment. We acknowledge that, ultimately, these children are under the guardianship of the minister. At the moment, I think we have something like around 3,000 children and, unfortunately and sadly, they are growing in number. Ultimately, the responsibility comes back to the minister, but from a practical viewpoint I ask the mover how he sees removing—it says 'of the minister or the chief executive'—as I understand it, the chief executive?

Does he see that as being an unworkable impost on the minister, because the minister ultimately will be responsible? It is law that he is the guardian of the children, but there are the practical issues as well around logistically managing this. I ask the mover whether he could go into a bit more detail on what he really wants and means by removing that.

The Hon. A.L. McLACHLAN: I thank the honourable member for his question. The minister, as I understand in my preparation for the debate, will be able to delegate. So, in essence, the minister will not be overburdened, but it is the view of the Liberal Party, informed by the stakeholders, that, leaving aside the symbolism, we have had a situation where we have had Oakden and a public debate about what ministers should and should not do. The current government position is that ministers should sit around and wait for the problem to come to them, rather than going out and seeing whether there is a problem and seeking to solve the same.

Therefore, given the criticality of this bill, and given the litany of sad stories that have come from this part of our community and the response of the government—we must realise that we have had reviews, inquiries and almost a royal commission—it is our view that the bill should express, where it can, that the minister primarily is responsible. It is up to the minister to decide how they delegate that. At the end of the day, they will be responsible for the way they delegate and how they manage those delegations.

The Hon. R.L. BROKENSHERE: Further to that, I take your point to an extent, but I would think that, if a constituent comes to us and reports that a situation is of concern to them, then we are all duty bound to make sure we follow that through, be it to the minister, the CEO or both. The minister is ultimately duty bound, too, but are we actually putting an impost there, directly or indirectly, on a minister, which then makes the job more difficult in what we want him to do, namely, to improve the safety and interests of that child? The reality is that, when you are a minister, you have to rely, ultimately, on your CEO.

The CEO is there on a day-to-day basis and sees the lot and gets a lot of the reports. You may well be in government in March, who knows, but has it been thought through that this is actually a little unfair on the minister? We are not talking about taking away the charter and all of that, but it is pretty straight and hard on the minister, so I just ask that question.

The Hon. A.L. McLACHLAN: I will answer it in two parts. The first is that, obviously, these amendments have been approved by our party room and put to our party room by the shadow minister, so I can assure the honourable member that the shadow minister does not resile from these amendments and the impact that they may have on that person should the Liberal Party form government in 2018.

I come back to the second part to respond to the question of whether there is an unfair impost on the minister. My response to that is, as I said in response to the honourable member's previous question, that we are not dealing with a usual bill. We are here from a long and winding road of misery. This is not just an ordinary bill, nor will be its companion bills that are coming. We have seen significant moral failings and, therefore, that has informed the Liberal Party's thinking and has made it amenable to the suggestions of both the Law Society and other key stakeholders that this is an important amendment, not just symbolically but to hold the minister to account.

As I said, they can delegate. I can understand the government's argument in one sense in that they want the chief executive to run it and that is, in reality, what is going to happen, but this bill symbolically holds the minister to account. There will be no escaping a situation in child protection or child safety issues that is similar to Oakden—we have had it in Oakden. We have had reports and reviews not brought to the attention of the public and ministers doing nothing. That is the reason why this is going in. This is a burden and the minister must take it; otherwise, the protection of the vulnerable may well be an ongoing issue for this state. We need to take corrective action here and now.

The Hon. T.A. FRANKS: I wish to indicate that the Greens will not be supporting the opposition's amendment. In our briefings, we asked questions similar to those the Hon. Robert Brokenshire has just been asking of the opposition, for justification of why we should support this amendment.

Political polemics about Oakden and conflating issues do not provide the answer that we are seeking to give any support to this particular amendment. Having said that, we are also cognisant that, in modern legislation and across the country, it is the chief executives who have taken on this position, and we find it curious that any member of this chamber would want to impose another level of bureaucracy that would slow down any processes and give rise to any confusion about who is responsible here.

The Hon. J.A. DARLEY: I indicate that I will be supporting the opposition's amendment and all similar amendments.

The Hon. R.L. BROKENSHIRE: I thank the mover for answering my questions, but I advise that, whilst the Australian Conservatives are strong on the charter and strong on the review and everything else, if they get there, they will find that they will not want that in the act, and I will not be supporting it.

The committee divided on the amendment:

Ayes 8
 Noes 9
 Majority 1

AYES

Darley, J.A.	Dawkins, J.S.L.	Lee, J.S.
Lucas, R.I.	McLachlan, A.L. (teller)	Ridgway, D.W.
Stephens, T.J.	Wade, S.G.	

NOES

Brokenshire, R.L.	Franks, T.A.	Gazzola, J.M.
Hood, D.G.E.	Hunter, I.K.	Maher, K.J.
Malinauskas, P. (teller)	Ngo, T.T.	Parnell, M.C.

PAIRS

Lensink, J.M.A.	Hanson, J.E.	Vincent, K.L.
Gago, G.E.		

Amendment thus negatived; clause passed.

Clause 14.

The Hon. A.L. McLACHLAN: I move:

Amendment No 5 [McLachlan-1]—

Page 13, lines 26 and 27 [clause 14(1)(c)]—Delete 'and support evidence-based programs delivering preventative and support services directed towards strengthening and supporting families' and substitute:

, support and adequately resource evidence-based programs delivering preventative and support services directed towards strengthening and supporting families, reducing the incidence of child abuse and neglect

This amendment is based on advice from the stakeholders in submissions. Recommendation No. 49 of the Nyland report indicated that longer term funding arrangements for prevention and early intervention services should be instituted. It adjusts the wording in clause 14 for the additional functions of the minister to not only promote and support evidence-based programs but also to promote and support and adequately resource evidence-based programs. It does not bind the minister or the Treasurer on how much is going to be spent. It simply focuses the mind of the minister that one of their responsibilities is to adequately resource.

We do need a refocusing on what we are spending in relation to this area of community service. We have also put in 'reducing the incidence of child abuse and neglect', maximising the wellbeing of children and young people. It is a recasting of that clause. It is to focus the mind of the minister to accommodate the thoughts of the Nyland royal commission. It was strongly supported by the stakeholders, whom I identified early in the committee stage and also in my second reading.

The Hon. P. MALINAUSKAS: The government opposes the amendment. This is the first of a series of amendments the opposition has filed that are presuming to address ongoing concerns by certain interest groups that early intervention has not been adequately addressed by the government, either in the bill or generally. Specifically, this amendment seeks to further amend clause 14 of the bill, which currently sets out the additional functions of the minister to insert a requirement that programs be adequately resourced and that the set programs be limited to reducing the incidence of child abuse and neglect.

The government opposes this amendment on the basis that it is not the appropriate legislation for this provision. As the Attorney-General made clear in the other place, the Child Protection Systems Royal Commission report made a range of recommendations targeted at improving wellbeing and early intervention of children and young people at risk. Some of these recommendations did require law reform but most did not. The absence of extensive early intervention measures does not mean that early intervention and wellbeing are not being addressed.

On behalf of the government, I invite members to review the government of South Australia's response to the child protection royal commission report for further information to this point. I wish to remind members that the government is firmly of the view that it is not the objective or purpose of this bill to provide for extensive measures addressing wellbeing and early intervention for children and young people at risk, and separate work is being undertaken to address this by the Department for Education and Child Development.

Irrespective of this, the government did file amendments in the other place to seek to address the ongoing concern voiced against certain interest groups, resulting in the inclusion of clause 9 in the bill, which places an obligation upon state authorities to have regard to early intervention as a priority. Furthermore, the government filed amendments to expand the functions of the minister at clause 14 of the bill to enshrine in legislation the minister's responsibility to contribute, advocate and promote wherever possible the wellbeing and early intervention of children and young people at risk.

These amendments recognise the minister's important role in participating in a cross-government effort in early intervention and prevention but not resting all of it upon the minister responsible for the Department for Child Protection. For these reasons, the government opposes this amendment.

The Hon. T.A. FRANKS: The Greens rise to support this amendment. We find it extraordinary that the government would argue that this is not the place for this amendment. The difference here is that the opposition seeks to ensure that these evidence-based programs and preventative support services that strengthen and support families and reduce the incidence of child abuse and neglect are adequately resourced. That is the difference between the government's wording and the opposition's wording. If you are seriously arguing that this chamber should not

accept that they be adequately resourced, I think that the South Australian people would have other ideas than those that the government is putting forward as an argument.

The Hon. J.A. DARLEY: For the record, I will be supporting this amendment. It is essential that the government resources the services properly.

The Hon. R.L. BROKENSHIRE: I think it is important at this stage to get some comments on the record from the government regarding this particular clause, and then I would like to indicate what the Australian Conservatives will be doing with respect to the amendment of the Hon. Andrew McLachlan. From what I understand, it is possible that we may be the only party that ultimately supports the government at the third reading, but I am already on the public record indicating that the Australian Conservatives will be supporting the third reading, providing there is some reasonable amendment to the bill that would make it a better bill.

I say to the minister right now that this is one tool. There is an argument through the sectors that when Justice Nyland actually submitted her royal commission report, she did not necessarily say that she wanted a brand-new bill. She actually made recommendations on how you could improve the situation in relation to the safety, interests and wellbeing of young people at risk, and there has been a lot of argument that this bill actually did not pick up some of the good parts of the legislation that is currently the law.

What I am concerned about, and what I would like the minister to comment on to the council, is that when we meet with interest groups and key stakeholder groups we are often told that there will be another bill that will be focused on assisting families, on early intervention and on proactivity. It is fair to say that this bill is more about when the ambulance is at the bottom of the cliff, rather than the ambulance being on top of the cliff in case someone falls off. It is a reactive bill, and it is fair to say that in all respects.

I understand that we already have per capita the highest number of children under the guardianship of the minister of any state in Australia and, whilst we know the good intent of the government in relation to this bill, we know that there must be much more comprehensive and broad opportunities for early intervention, prevention and support.

The minister may not be in a position to answer this right now but, through the minister, I would like to ask the Hon. John Rau, who introduced the bill, in his responsibility roles for child safety and protection: would the government consider an urgent round table to fast-track this other bill that it has, I understand, said it will bring in regarding assistance to families—in other words, early intervention?

After Thursday, we actually only have a few sitting days. Then we get up for the winter recess and come back on 26 September. If the government was serious about, parallel to this, running a round table of key stakeholder groups, I believe they would be in a position to have the next bill ready when we come back at the end of September. The reality is that we will probably only have a couple of months of sitting. I doubt that we will sit the optional sitting week in December this year. I will be very surprised—unless there is something that is really good for the government, and then, rest assured, we will be sitting, but if it is not all that good, then we will not be sitting.

What I am saying is that we are not going to have a lot of time. Then, we are going to go to an election, and then effectively the parliament will not be in a position to move any legislation until probably May. Depending on the outcome of the election, it could easily be May. So, we are looking at a very, very long time before we can actually do the proactive work with another piece of legislation to assist families, namely, through early intervention and support.

My question to the minister is: where is the government up to with that side of the new bill? Can the minister assure the council that that is also a priority as much as this is, because there are people out there with bona fide reasons saying that this is more about the government getting something through so that when they go to the next election they can actually say to the people, 'We've done something very quickly when it comes to this issue of child safety as a recommendation of the royal commission of Justice Nyland,' but then we have not gone any further than that to actually get proactive on the early intervention and so on. My question, first of all, to the minister is: what is the government's plan?

The Hon. P. MALINAUSKAS: I thank the honourable member for his question. It is a good one, and a fair and reasonable one. The government takes seriously its commitment that it has already made in this respect and the minister responsible, being the Minister for Education, has already met with key players, including SACOSS, on this issue and has also met with parliamentary counsel. This is something the government is keen to progress as quickly and as reasonably as it can and, of course, is committed to putting together some legislation as quickly as it can practically do so.

The Hon. T.A. FRANKS: Previously, when we were in the committee stage of this bill, the government indicated that they had met with the stakeholders, including SACOSS, in the previous month. Have they since met with the stakeholders?

The Hon. P. MALINAUSKAS: The answer to that question is no. I am advised the reason for that is that when the first meeting took place those present agreed that, in order to progress it, the next stage would be that parliamentary counsel would draft a bill, which could then be brought back to those stakeholders to progress its development.

The Hon. T.A. FRANKS: Have those instructions been given to parliamentary counsel?

The Hon. P. MALINAUSKAS: My advice is that the answer to that question is yes, parliamentary counsel were indeed present at one of those meetings.

The Hon. R.L. BROKENSHERE: There has been some expression in the second readings that I have heard from colleagues where they said that there was not enough consultation on this legislation, particularly with what we would call a round table of key stakeholder groups, and that has come back to the Australian Conservatives as well from the sectors.

So, can the minister firstly reassure the council that, once this draft is done for the early intervention proactive intent of the next bill to help the families, there will then be proper consultation and that the round table will be included in the consideration of and deliberation on that so that it is transparent and open? Can the minister assure us of that? Secondly, I still need an answer: is it the intention of the government to then get that bill through and gazetted before we rise for the end of this year?

The Hon. P. MALINAUSKAS: As I said earlier, the government is committed to this exercise, hence the meetings that have already taken place and parliamentary counsel's engagement. The government is committed to developing this bill and bringing it here as soon as it practicably can. I do not know how much clearer the Hon. Mr Brokenshere wants this to be, but the government's intention is to develop this bill and bring it to the parliament as soon as it practically can.

The Hon. S.G. WADE: I was wondering if I could explore what the minister meant when he told us that there was a meeting of stakeholders and that parliamentary counsel was present and that from that parliamentary counsel had the instructions for the bill. Does that mean that the consensus between the stakeholders and the government was so much in unison that nobody needed to write it down, and parliamentary counsel just knew?

The Hon. P. MALINAUSKAS: I might seek to clarify. I am not sure that the honourable member fully understands the intent behind what I said. What I said earlier was that there was a meeting with stakeholders—I am advised that parliamentary counsel was present—and there was agreement or consensus, I am advised, at that meeting that in terms of the process of the development of the bill the next stage should be that in order to progress discussions it would be easier to do so to have a working document (i.e. a draft bill) to discuss. So, parliamentary counsel, I am advised, is in the process of developing that, with the view of then bringing it back to stakeholders to have a further discussion.

I was not intending to suggest—in fact, I did not suggest—that somehow there was a consensus at the meeting that was informing the instructions. It was, rather, that the engagement of parliamentary counsel in the development of a draft bill, I understand, has been done as an exercise in order to progress the discussions, which I am sure the honourable member can appreciate.

The Hon. S.G. WADE: It would be fair to say that the development of child protection legislation has been some of the most passionate legislation that this parliament has had to consider. I am just a bit surprised, considering the strength of feeling that people have shown in relation to this bill and others, that there would be such unanimity that parliamentary counsel could take that on. I cannot think of any other legislation where parliamentary counsel has been the originator of the first draft, particularly on something as dramatic as this. I just want to clarify that again. Are we really saying that parliamentary counsel came out of a meeting and thought that, without instruction, they could develop legislation? I am just incredulous.

The Hon. P. MALINAUSKAS: With all due respect, I think the honourable member is trying to misrepresent what has been described as being a process with good intent. There was a meeting that took place, and the general principles and objects of what this bill would seek to achieve were more or less agreed, but of course, as the honourable member appreciates, like all these things, the devil is always in the detail, something this chamber is all too accustomed to familiarising itself with.

So, in order to progress the discussions, it was agreed that a draft bill would be put together—a skeleton bill, if you like—representing the object and intents of what the bill seeks to achieve, with a view to then bringing that back and assessing the detail to inform the process. There are a number of ways, as I am sure the honourable member can appreciate, that processes can be put in place to develop bills. The government can go about drafting a bill and then presenting it to stakeholders and saying, 'See, here you go, what do you think?' or it can engage stakeholders from the beginning and step it all through. But at some point or another, there needs to be a working document for people to contemplate.

I think that this process is a pretty familiar one: meeting with stakeholders, discussion about objects and intent, forming a more or less general view about that, and parliamentary counsel going about the business of putting that into a draft bill. From there, substantially more consultations can take place. To do it in any other way jeopardises the object that I think the Hon. Mr Brokenshire holds dear, which is actually getting a bill into the parliament before the end of the year.

The Hon. T.A. FRANKS: Was a direction given to parliamentary counsel to make sure that the bill ensures all early intervention in child protection is adequately resourced, as we are discussing in this clause?

The Hon. P. MALINAUSKAS: I was not present, but parliamentary counsel is going about the exercise. Once the draft bill is formulated, I am advised that stakeholders will be engaged with, and they can make that assessment as it is presented.

The Hon. R.L. BROKENSHERE: We take it, then, minister, that parliamentary counsel are presently drafting a bill. I have spoken to the industry key stakeholder groups, like lots of my colleagues, and they are knowledgeable and live with all of this every day, so they know a lot more about it than any of us ever will, I suggest. They are ready to work closely and proactively with the government on this next bill.

In fact, they said to me that they think they could help to expedite it because of their knowledge and proactivity in getting this next bill drafted. I have already suggested that maybe that could all be done during the winter recess, which is about six weeks. In order for the Australian Conservatives to make a final decision on this amendment of the Hon. Andrew McLachlan, I need to know: is it the intent of the government to have the next bill through and passed before we get up at the end of this year?

The Hon. P. MALINAUSKAS: This might be an opportune time to report progress.

Progress reported; committee to sit again.

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

Second Reading

Adjourned debate on second reading.

(Continued from 18 May 2017.)

The Hon. A.L. McLACHLAN (17:32): I rise to speak to the Land and Business (Sale and Conveyancing) (Beneficial Interest) Amendment Bill. I indicate to the chamber that I will be speaking on behalf of my Liberal colleagues and that we will be supporting the second reading. The government has indicated that the genesis of this bill lies in a number of recent failed prosecutions of agents under section 24G of the act due to technicalities within the current act. A common scenario the government pointed to has been where relatives of real estate agents have been used to purchase properties lower than the market value, but the relative has not fallen within the technical definition of an associate and therefore escaped prosecution.

The government advises the Liberal opposition that this is the first time section 24G has been reviewed and amended since the introduction of the section back in 2008. Essentially, the bill before us seeks to improve the protections of consumers by expanding the scope of forbidden transactions. It achieves this by extending the vicarious liability provisions, expanding the definition of an associate to include relatives and step-relatives of agents, increasing the fine for obtaining a beneficial interest from \$20,000 to \$50,000, and introducing aggravating features to the offence provisions.

I would like to address the aggravated offence provisions, as the Liberal Party has filed some amendments in respect of these provisions. As drafted, the bill introduces three aggravating circumstances for the offence of obtaining a beneficial interest. These include when the vendor was, firstly, a protected person under the Guardianship and Administration Act; secondly, suffering from a mental incapacity; or, thirdly, 60 years of age and over.

The Liberal opposition agrees with the principle of setting aggravating offences for those who suffer a loss and who are elderly or unable to understand a transaction. However, we disagree with the setting of the age limit for that threshold, and have filed amendments seeking to increase this from 60 to 70 years of age.

Our amendment seeks to implement a recommendation from the Australian Institute of Conveyancers, which provided us with a submission dated 28 March 2017. I will read a paragraph from that submission, as follows:

We consider the age of 60 years too low, capturing a significant portion of the market, most of whom are more than capable of entering into a contract and understanding the relationship between the agent and the purchaser. We consider 70 years of age more appropriate for the purposes of this section.

It is our view that these amendments reflect contemporary standards and expectations that someone of the age of 60 would still be of sound mind, fit and able. As recently as 16 May, the Parliamentary Committee on Occupational Safety, Rehabilitation and Compensation tabled its report entitled '67 is the new 40'. The report says:

Although ageing is associated with some physical changes, such as deteriorating muscle strength, aerobic capacity and cognition, many older workers are healthier than previous generations.

The report also stated:

The workforce participation rate of mature aged workers has increased in the past 20 years, with particularly significant increases in the employment of older women.

When the member for Hartley tabled this amendment in the other place, which proved unsuccessful, the Attorney-General said:

The point is that we have a federal constitution that states that judges of the High Court can be there until they are 70. Many people in the legal profession, as the member for Hartley would know, say that it should be 75 or something. I think that in some states Supreme Court judges are there until they are 73 or 75.

He went on to add:

I am very taken by the propositions being advanced by the member for Hartley about the people who turn 60 not automatically thereby being befuddled. I am the last person to say that that is a good reason for us to pick 60 because I do not necessarily think that, because it is a national scheme, it is necessarily right.

He then indicated that he would look at it further. Since that time I have been provided with the Consumer and Business Services' response submission from the Australian Institute of Conveyancers. In it Consumer and Business Services indicates that the age 60 for aggravated offences is consistent with other legislation, in particular the Criminal Law Consolidation Act.

The Liberal Party submits that the Criminal Law Consolidation Act serves a very different purpose from the Land and Business Act. The age 60 might be more appropriate for aggravating a violent criminal act, but we must remember that in this bill we are concerned with the capacity to enter into a business transaction, rather than frailty or infirmity.

The government has not put forward any other rationale to setting the age limit at 60, other than consistency. I note that the government commonly uses this rationale, often implementing what is done in other jurisdictions, but failing to provide any evidence that has proven to be of tangible benefit to those jurisdictions. Whilst it might be desirable in certain circumstances to achieve consistency across legislative jurisdictions, the ultimate effect of the provision is paramount. With those remarks, I look forward to the committee stage.

Debate adjourned on motion of Hon. T.T. Ngo.

INDUSTRY ADVOCATE BILL

Second Reading

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (17:39): I move:

That this bill be now read a second time.

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

Leave granted.

This bill will secure local jobs in South Australia in the building and construction industry, along with other key industries, by establishing the role of the Industry Advocate as a statutory position and strengthening its powers to hold contractors to the commitments they make to utilise South Australian workers or materials.

Three years ago, the South Australian government took a nation-leading approach and introduced the economic contribution model which forms the basis of the South Australian Industry Participation Policy.

A key priority for the South Australian government is to grow the economy, create jobs and support the diversification of South Australia's industry sectors. One of the practical ways government can do this is by making sure that businesses creating jobs in South Australia are given every opportunity to deliver the goods and services to government itself.

The South Australian Industry Participation Policy recognises that the economic contribution to the state is a legitimate purchasing consideration for the government and it focuses on local jobs, investment and supply inputs.

It is fair to say that the state's Industry Participation Policy and the role of the Industry Advocate have made a marked difference for local businesses and the economy. Since the government incorporated the meaningful measure of economic benefit as part of the tender evaluation in 2014, the buying behaviour of both government agencies and head contractors has changed noticeably.

In developing this bill, the government has taken into account the strong desire from South Australian business leaders and industry associations to see the Industry Advocate role be given more teeth.

The bill recognises the important role the Industry Advocate plays in advocating to resolve complaints, removing impediments to South Australian businesses and improving procurement practices and processes.

The bill establishes a statutory role for the Industry Advocate and confers stronger powers on the advocate to hold contractors to their commitments to utilise South Australian workers or materials.

Under Industry Advocate Ian Nightingale's watch local products, materials and labour now make up an average of nearly 80 per cent of South Australian goods and services procurements or around 90 per cent of major infrastructure projects.

We want to continue to build on this success and make smart procurements central to the development of public projects, from conception through to delivery, and ensure that maximum economic activity is generated in South Australia, giving local producers, entrepreneurs and businesses every opportunity to be successful.

The bill requires the South Australian government to maintain an industry participation policy that seeks to promote -

- (a) government expenditure, the results in economic development for South Australia;
- (b) value for money in public expenditure;
- (c) the economic development of the steel industry and other strategic important industries for South Australia; and

- (d) full, fair and reasonable opportunities for capable South Australian businesses to participate in government contracts.

The government's steel policy has delivered outstanding results for Arrium and the steel industry more broadly. For instance, the Northern Connector road project, won by Lendlease Engineering, will use about 7,500 tonnes of reinforcing or structural steel from the Arrium steelworks in Whyalla in the \$985 million construction project.

The functions conferred upon the Industry Advocate under the bill include advocating on behalf of businesses and investigating complaints about industry participation. This could include how government agencies and authorities are applying the policy through to enforcing the commitments made by businesses under the industry participation plan.

The bill provides some powers and functions for the Industry Advocate to ensure compliance with the South Australian Industry Participation Policy. The Industry Advocate will develop an enforcement strategy in consultation with key stakeholders to ensure these powers are carried out in a fair, transparent and measured way. This will include a strong emphasis on education, advice and persuasion in the first instance, before escalation to a more formal response.

The bill includes a power for the Industry Advocate to be able to require participants contracting with the government to provide information or documents in his or her possession.

The Industry Advocate must issue a notice to the participant and specify a reasonable time for the information or documents to be provided. What is a reasonable time will depend upon the nature of what is being requested. If a participant does not provide the documents or information within the time specified, a penalty of up to \$20,000 can be applied. If a participant is found not to be complying with their contractual obligations, the Industry Advocate can direct the participant to comply with their obligations.

Following the principles of natural justice, the participant must be provided with an opportunity to respond to the notice and explain why their actions are reasonable and justifiable in the circumstances.

If after considering the participant's response the Industry Advocate remains satisfied that the participant should be required to comply with the direction, the advocate may refer the matter to the minister with recommendations for further action. The minister can decide to pursue a breach of contract in serious cases of noncompliance.

The bill is a flexible and modern piece of legislation that carefully balances obligations on participants in government contracts with the value of work being tendered for so as to not create unnecessary red tape.

The role to investigate and monitor a contractor's compliance with the commitments made will also extend to participants in local government contracts where councils have chosen to adopt industry participation policies. It is not the intention of this bill to require councils to adopt industry participation policies, but it is a function of the Industry Advocate to encourage them to do so.

The other important aspect of the Industry Advocate's role is building the capability and the capacity of businesses based in South Australia. The Office of the Industry Advocate has run many very successful Meet the Buyer events over the past few years, with almost 5,000 businesspeople attending.

To ensure the integrity of the position, the Industry Advocate will be a statutory officer. Under the Public Sector Act 2009, the advocate will be required to produce an annual report, which will be tabled in parliament, and is a senior official for the purposes of the Public Sector (Honesty and Accountability) Act 1995.

The bill evidences the government's commitment to ensuring that the procurement practices of the state government will provide long-term benefit to the state by supporting economic diversity and employment growth, rewarding businesses that want to work in our state, employing South Australians and creating jobs, and, at the same time, investing here and buying supply inputs from South Australian businesses.

I commend the bill to the house and seek leave to have the second reading explanation inserted in Hansard without my reading it.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

These clauses are formal.

3—Interpretation

This clause defines certain terms used in the measure.

Part 2—Establishment of SAIPP

4—Establishment of SAIPP

This clause requires the Minister to establish and maintain the South Australian Industry Participation Policy.

Part 3—Industry Advocate

5—Industry Advocate

This clause provides for an Industry Advocate to be appointed by the Governor.

6—Functions

This clause sets out the functions of the Industry Advocate (including taking action to further the objectives of the SAIPP).

7—Ministerial direction

The Minister may give directions to the Industry Advocate in accordance with this section.

8—Terms and conditions of appointment

The Industry Advocate is to be appointed for a term not exceeding 5 years and on conditions determined by the Governor (and will be eligible for reappointment at the end of a term). The clause also sets out grounds for termination of appointment.

9—Deputy and Acting Industry Advocate

The Minister may appoint a Deputy Industry Advocate or an acting Industry Advocate.

10—Honesty and accountability

The Industry Advocate, the Deputy and any person appointed to act as the Industry Advocate are senior officials for the purposes of the *Public Sector (Honesty and Accountability) Act 1995*.

11—Staff etc

This clause makes provision for staff of the industry Advocate.

12—Delegation

The Minister and the Industry Advocate may delegate functions and powers. The Industry Advocate may not however delegate any prescribed powers and functions.

13—Power to require information and documents

The Industry Advocate may, by written notice, require a participant in a contract to provide (within a reasonable time specified in the notice) information or documents in the participant's possession that the Industry Advocate requires for the performance of the Industry Advocate's functions. Failure to comply is punishable by a maximum fine of \$20,000, however the clause does not override the privilege against self-incrimination or legal professional privilege.

14—Issue of directions

The Industry Advocate may give directions to a participant in a government contract if the Industry Advocate reasonably believes that they are not complying with their contractual obligations in respect of the SAIPP. The participant may provide a response if they believe the failure is reasonable and justifiable.

Part 4—Miscellaneous

15—Reports to Minister

The Industry Advocate may report to the Minister on relevant matters and must report in relation to any failure to comply with a direction under clause 14 (unless the Industry Advocate is satisfied that the failure to comply with the obligations was reasonable and justifiable).

16—Confidentiality

This clause provides for confidentiality of personal information, information relating to trade secrets or business processes or financial information acquired in connection with the administration of this Act, except in certain circumstances.

17—Application of Freedom of Information Act 1991

The Industry Advocate is to be an exempt agency under the *Freedom of Information Act 1991* except in respect of—

- (a) financial and administrative information relating to the operations of the Industry Advocate; and
- (b) statistical information that does not identify any particular person or business.

18—Regulations

The Governor may make regulations for the purposes of the measure.

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

At 17:40 the council adjourned until Wednesday 5 July 2017 at 11:30.