

**LEGISLATIVE COUNCIL****Tuesday, 8 May 2018**

The **PRESIDENT (Hon. A.L. McLachlan)** took the chair at 14:14 and read prayers.

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

*Parliamentary Procedure***PAPERS**

The following papers were laid on the table:

By the President—

Report of the Environment Resources and Development Committee on Commissioner for Kangaroo Island Act 2014—Review of Act, authorised to be published pursuant to section 17(7) & (8) of the Parliamentary Committees Act 1991 on 27 February 2018

By the Treasurer (Hon. R.I. Lucas)—

National Education and Care Services Freedom of Information & Privacy Commissioners & Ombudsman, Report, 2016-17  
Reports, 2017—  
Department for Education & Child Development  
SACE Board of South Australia  
Regulations under the following Acts—  
Southern State Superannuation Act 2009—Insurance No. 2

By the Minister for Trade, Tourism and Investment (Hon. D.W. Ridgway)—

Reports, 2016-17—  
Adelaide Hills Wine Industry Fund  
Apiary Industry Fund  
Barossa Wine Industry Fund  
Cattle Industry Fund  
Citrus Growers Fund  
Clare Valley Wine Industry Fund  
Eyre Peninsula Grain Growers Rail Fund  
Grain Industry Fund  
Grain Industry Research and Development Fund  
Langhorne Creek Wine Industry Fund  
McLaren Vale Wine Industry Fund  
Pig Industry Fund  
Riverland Wine Industry Fund  
Sheep Industry Fund  
South Australian Grape Growers Industry Fund

*Ministerial Statement***STATE PRODUCTIVITY COMMISSION AND INFRASTRUCTURE SOUTH AUSTRALIA**

**The Hon. R.I. LUCAS (Treasurer) (14:18):** I lay on the table a copy of a ministerial statement made in the other place today by the Premier on the issue of significant progress in establishing a productivity commission and Infrastructure South Australia.

**MURRAY-DARLING BASIN ROYAL COMMISSION**

**The Hon. R.I. LUCAS (Treasurer) (14:18):** I lay on the table a copy of a ministerial statement made in the other place today by the Deputy Premier and Attorney-General on the issue of the Murray-Darling Basin Royal Commission.

*Parliamentary Committees***JOINT PARLIAMENTARY SERVICE COMMITTEE**

**The Hon. R.I. LUCAS (Treasurer) (14:25):** I move:

That pursuant to section 5 of the Parliament (Joint Services) Act 1985, the Hon. J.S. Lee be appointed as an alternate member to the honourable President of the Joint Parliamentary Service Committee, the Hon. R.P. Wortley be appointed as an alternate member to the Hon. I.K. Hunter, and the Hon. D.G.E. Hood be appointed as an alternate member to the Hon. T.J. Stephens and that a message be sent to the House of Assembly transmitting the foregoing resolution.

Motion carried.

*Parliamentary Procedure***SITTINGS AND BUSINESS**

**The PRESIDENT (14:26):** Honourable members, before we go into question time, I thought I might make a few points of clarification on asking questions and responding, as much for new members as for existing members. Before calling upon honourable members desiring to ask questions on notice today, I would like to remind the council that the object of question time is to elicit information and, when leave is sought, to make a brief explanation prior to asking a question. Such explanation should be as brief as possible. The granting of such leave does not in any way permit members to make any inferences or imputations, give opinions or debate the matter.

I feel it is necessary to remind members of standing order 109 concerning questions, which reads:

In putting any Question, no argument, opinion or hypothetical case shall be offered, nor inference or imputation made, nor shall any facts be stated or quotations made...except by leave of the Council and so far only as may be necessary to explain such Question.

Blackmore enlarges on the point in these words:

As the object of questions is simply to elicit information, they are surrounded by the law of Parliament, with strict limitations, which extend also to replies...In the matter of questions, the rule is most strict against anything approaching debate or the introduction of debatable matter in either question or answer.

With respect to answers to questions, May's *Parliamentary Practice*, 23<sup>rd</sup> edition, at page 354 states:

An answer should be confined to the points contained in the question, with such explanation only as renders the answer intelligible, though a certain latitude is permitted to Ministers of the Crown; and supplementary questions, without debate or comment, may, within due limits, be addressed to them, which are necessary for the elucidation of the answers that they have been given.

I would add that, in giving a reply, ministers should not debate the matter and should avoid expressions which call for observations from other members and excite debate.

As honourable members know, some latitude is allowed in respect of questions without notice when leave is granted to enable the member to explain his or her question, but such leave is granted unanimously by the house and if, during the statement, any honourable member objects to it, he or she has only to draw attention to the fact and the statement must immediately cease and the question be asked. I hope that assists the honourable members.

*Question Time***PUBLIC SECTOR EMPLOYEES**

**The Hon. K.J. MAHER (Leader of the Opposition) (14:28):** My question is to the Treasurer. What does the Treasurer understand to be a minister's role in the hiring and firing of public servants below chief executive level?

**The Hon. R.I. LUCAS (Treasurer) (14:29):** My understanding is informed by the provisions of the Public Sector Management Act and indeed other forms of guidance that are provided to incoming ministers based on the Public Sector Management Act. Put simply, ministers are in a position where they don't have the power to hire and fire anybody. It is the Premier who has the sole capacity in the government to hire and fire chief executive officers. Ministers don't have the power to hire and fire even chief executive officers. Secondly, the power of the Premier representing the government is limited to the position in relation to chief executive officers.

I guess it is arguable in relation to the appointment of ministerial staff, which are gazetted. As the Leader of the Opposition would be aware, ministerial staff actually have a contract with the Premier of the day. So I guess it is certainly arguable that ministerial staff also are subject to hire and fire arrangements from the Premier of the day—again, not the minister of the day. As it relates to members of the Public Service at levels below the chief executive officer, a minister—he or she—has no power to hire or fire in relation to those particular positions.

#### **PUBLIC SECTOR EMPLOYEES**

**The Hon. K.J. MAHER (Leader of the Opposition) (14:30):** Supplementary arising from the answer of the Treasurer: has the Treasurer been involved in any discussions regarding the employment of public sector employees that may have led to a detrimental impact to their employment?

**The Hon. R.I. LUCAS (Treasurer) (14:31):** I think the Leader of the Opposition, if he is going to go on a fishing expedition, would need to be much more specific than that. What is his definition of 'detrimental impact'? That covers a wide variety of potential circumstances. Unless the Leader of the Opposition is prepared to be more specific in terms of what his question is or what it is leading to, then I am not in a position to respond intelligently to the question.

Certainly, if it relates at all, given that it was a supplementary question, as I gather, to the first question, which was about the termination of persons other than the chief executive, I have certainly not been involved in any discussion with anyone in terms of urging the sacking of someone other than a chief executive officer or, indeed, even in relation to a chief executive officer, because it is not within my power to just hire or fire a chief executive officer.

#### **PUBLIC SECTOR EMPLOYEES**

**The Hon. K.J. MAHER (Leader of the Opposition) (14:32):** I have a further supplementary arising from the original question. Just for the sake of clarification, I think an answer was given that tended towards it, but arising from the original question: can the minister confirm he has not been involved in any discussions regarding the termination of any chief executives?

**The Hon. R.I. LUCAS (Treasurer) (14:32):** I am not going to go into discussions that I have with cabinet colleagues and, indeed, with the Premier. That was the position of the Leader of the Opposition when he was a member of the cabinet. Discussions that are covered by cabinet confidentiality will not be outlined by me in relation to any discussions that might have occurred.

The bottom line is there is nothing that prevents a minister or indeed anyone who wants to put a point of view or have a discussion in relation to a particular chief executive officer's appointment. The Public Sector Management Act does not render that unlawful. What is rendered unlawful is if a minister, for example, was to terminate the position or seek to terminate a position of either a chief executive officer or indeed any officer at a level below a chief executive officer.

I don't intend to outline discussions I may or may not have had with the Premier. They are confidential discussions that I would have had with the Premier both, I would imagine, before the state election when neither of us had the authority to take any action or indeed subsequent to the election when certainly the Premier is the only person who would have had the authority to take action should he have so chosen.

#### **PUBLIC SECTOR EMPLOYEES**

**The Hon. K.J. MAHER (Leader of the Opposition) (14:33):** A further supplementary arising from the original answer: has the Treasurer had any discussions regarding the termination of employment with any public sector employee below chief executive level?

**The Hon. R.I. LUCAS (Treasurer) (14:34):** Again, I am not going to go into any discussions that I may or may not have had with the Premier in relation to executives below the level of chief executive officer. Frankly, the question doesn't make much sense because the Premier or indeed I as minister have no power to dismiss anybody at a level below the position of chief executive officer. Certainly, I have no authority in relation to that. Any discussions I have with the Premier in relation to the Public Sector Management Act issues are discussions that I have with the Premier and I don't intend to outline them to the house.

**The PRESIDENT:** I'm going to allow you one last supplementary.

#### **PUBLIC SECTOR EMPLOYEES**

**The Hon. K.J. MAHER (Leader of the Opposition) (14:34):** Supplementary question: can the Treasurer confirm that, apart from the Premier, he has held no discussions about the termination of public sector employees below chief executive level?

**The Hon. R.I. LUCAS (Treasurer) (14:35):** The Leader of the Opposition is going to have to be much more specific than that. Conversations I have with my wife and partner, with my family, for example, may traverse a whole range of issues, so the Leader of the Opposition is going to have to get much better at crafting his questions if he is going to try to elicit information from me as the Leader of the Government.

*The Hon. K.J. Maher interjecting:*

**The PRESIDENT:** Order!

**The Hon. R.I. LUCAS:** I have all sorts of conversations with my family, acquaintances, parliamentary colleagues, advisers and others, but can I assure both you, Mr President, and the Leader of the Opposition that in no way would I commit an act which was unlawful under the Public Sector Management Act, and it makes it quite clear under the Public Sector Management Act that I have no authority as a mere minister in the government to dismiss a chief executive officer or, in the case of the supplementary question, dismiss someone at a level below a chief executive officer.

**The PRESIDENT:** I think we will go to the next question, Leader of the Opposition.

#### **MINISTERIAL RESPONSIBILITY**

**The Hon. K.J. MAHER (Leader of the Opposition) (14:36):** My question is to the Minister for Health. Will the minister advise if he fully understands his duties as minister. In particular, will the minister advise:

1. Has he read and understood all of his incoming government briefs?
2. Has he received any further advice beyond the incoming government briefs and if he fully understood that advice?
3. Does he fully understand his role as minister and his legislative powers and roles under legislation attributed to him?
4. Has he received any briefings on building and/or operating a high dependency unit at Modbury Hospital and will he outline the content of such briefings for the benefit of the chamber?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:36):** I have received a set of incoming briefs and numerous briefs since then. I continue to read and digest them and seek further briefs from agencies.

In relation to the high dependency unit, which is about the only specific item the minister referred to, not only have I read the incoming government brief but I have actually visited the Modbury Hospital and met with three local members—all of those who stood on a platform of reinstating the Modbury Hospital high dependency unit.

I remind the honourable member that one of those was a former member of the Weatherill Labor government, the honourable member for Florey, Frances Bedford. She was a former Labor member and one of the fundamental issues where she differed with the former Labor government was whether or not the people of the north deserved to have fair critical care. The other two members

present were the member for Newland and the member for King, both Liberal members, both elected on a clear platform of reinstating a high dependency unit at Modbury Hospital.

Let's be clear what the Labor Party is standing up for when it criticises the reinstatement of critical care services at Modbury. Under Transforming Health, approximately half of the critical care beds available to northern hospitals were closed. If the people of the north believe that the Labor Party is standing up for them—when they believe that, in spite of the growth of that region, they can cope with half as many critical care beds—I would love to see a Labor member try to explain that.

One of the reasons why the Labor Party was so hard to find on the ground during that campaign, in my view, was because they couldn't even run that lie. The fact of the matter is that we made a clear commitment to the people of the north-east and we will continue to work through the issues to make sure that a high dependency unit is available to not only support care for the people of the north-east in relation to the current range of services but also so that we can look for opportunities to strengthen moderate to complex surgery on that site which can only be delivered with the provision of critical care services.

We are committed to a Modbury Hospital high dependency unit. We are continuing to work through with the clinicians about the service mix that will undergird that, and we look forward to delivering that and a whole raft of promises that the people of South Australia fully endorsed at the last election.

#### **MODBURY HOSPITAL**

**The Hon. K.J. MAHER (Leader of the Opposition) (14:39):** Supplementary question arising from the answer: in relation to the last part of that question, has the minister received a briefing from his department specifically on the high dependency unit as outlined in what was then the opposition's, now the government's, policy to re-establish a stand-alone high dependency unit?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:39):** Yes.

#### **MODBURY HOSPITAL**

**The Hon. K.J. MAHER (Leader of the Opposition) (14:39):** A supplementary arising from the original question: will the minister please outline for the benefit of this chamber the contents of that briefing and what it said about the promise to establish a stand-alone high dependency unit at the Modbury Hospital?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:40):** The fact of the matter is that there is a range of clinical opinions in relation to Modbury Hospital.

**The Hon. K.J. MAHER:** What does your department say? What's it say? What does your department tell you? That's the question.

**The PRESIDENT:** Order! Let the minister speak. He is on his feet.

**The Hon. S.G. WADE:** They were the range of clinical opinions that we took into account in setting our policy.

**The Hon. K.J. MAHER:** What does your department say?

**The Hon. S.G. WADE:** Sorry, Mr President, I'd like to answer the question.

**The PRESIDENT:** Let the minister answer, Leader of the Opposition.

*The Hon. K.J. Maher interjecting:*

**The PRESIDENT:** Leader of the Opposition, let the minister respond to his question.

**The Hon. S.G. WADE:** The honourable Leader of the Opposition wants to chatter in the background, 'What does the department say? What does the department say?' This is one of the problems of the Labor government: after 16 years, you only listen to the bureaucrats. We got out there, listened to clinicians, not only the clinicians who managed to get successful appointments under the Transforming Health regime, but all clinicians, front line and a whole range of contexts. Also, we have the ongoing willingness to speak to a range of clinicians.

Let me give you some more detail about what happened when I went to Modbury Hospital. I sat down in the room with people who were former clinical ambassadors for Transforming Health. I sat down in the room with people who had publicly criticised Transforming Health in the media and within the health networks and everybody in between, because we do not believe that there is a monochromatic view. We don't believe in just doing what the department says.

This is the appalling arrogance of a government that believes, 'We are a party of the left. The bureaucrats are all on our side. If we just do what the department says, we will all be fine.' That was the hypocrisy that led to the tragedy of Transforming Health. If the honourable Leader of the Opposition, a former minister in a failed government, wants to spend the next four years asking me, 'What did the department say?' I will just say that I will listen to what the people said. The people said they backed our plans to restore services to the north-east after your government, your former government, cut critical services by half to the north-east.

### MODBURY HOSPITAL

**The Hon. K.J. MAHER (Leader of the Opposition) (14:42):** This is a new question. My question is to the Minister for Health. I thank the Minister for Health for confirming that he will not listen to departmental advice in relation to how he undertakes his duties.

**The PRESIDENT:** You are debating the question and making comment, and you have not asked leave to make a personal explanation. It is a straight question.

**The Hon. K.J. MAHER:** My question without debate or comment is: will the minister please outline the views of the South Australian branch of the AMA in relation to the establishment of a stand-alone high dependency unit at Modbury Hospital? Will the minister also outline the views of the College of Intensive Care Medicine about his plan to establish a stand-alone high dependency unit at the Modbury Hospital and will the minister outline a single relevant specialist who thinks it's a good and safe thing to do to establish a stand-alone HDU at Modbury?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:43):** In relation to the AMA, I don't answer for the AMA, but I refer the minister to the AMA's website; it is published there. In relation to the intensive care college, I also don't answer for the intensive care college and I am not aware of any public statement by that college in relation to this issue. In terms of the range of clinicians, I will continue to take advice from a whole range of clinicians and I will continue to balance them and take into account not only the department's advice but that of a whole range of clinicians.

*The Hon. K.J. Maher interjecting:*

**The PRESIDENT:** Order! Let him answer the question. Show him the courtesy that you were shown as a minister.

**The Hon. K.J. MAHER:** That I was shown as a minister? I am happy to extend exactly that same courtesy, Mr President.

**The PRESIDENT:** Perhaps from me on the floor.

### MODBURY HOSPITAL

**The Hon. K.J. MAHER (Leader of the Opposition) (14:44):** Supplementary question: can the health minister name one single specialist who thinks his idea to establish a stand-alone HDU at Modbury, against what appears to be departmental advice, is a good idea? One single specialist; can he name one?

**The PRESIDENT:** That's the question, Leader of the Opposition. Minister.

**The Hon. K.J. Maher:** Just one.

**The PRESIDENT:** Order! You've asked your question. Allow the minister to speak.

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:44):** The fact of the matter is that we have received a large range of submissions from clinicians, particularly—

*The Hon. K.J. Maher interjecting:*

**The PRESIDENT:** Order! You've had your chance at asking a question. We are taking up time from the crossbench. Minister, please respond to the question.

**The Hon. S.G. WADE:** The fact of the matter is that we have received a consistent stream of support from clinicians, particularly in the Modbury Hospital, to be frank. The Modbury Hospital is very keen for this restoration because what they believe is that the people of the north-east are entitled to a genuine community hospital. Unlike the former Labor government which turned this facility into basically a geriatric care and rehabilitation unit, the fact of the matter is that—

*The Hon. K.J. Maher interjecting:*

**The PRESIDENT:** Order!

**The Hon. S.G. WADE:** The fact of the matter is that the advice that we have taken and the advice that we will act on is a whole range of clinical advice—

*The Hon. K.J. Maher interjecting:*

**The PRESIDENT:** Restrain yourself, Leader of the Opposition.

**The Hon. S.G. WADE:** But I want to stress for the Leader of the Opposition that we are not proposing to open a high dependency unit today. What the Liberal Party policy said, and is quite clear in saying, is that we want to do a fundamental reassessment of the services in the north-east and we want to transfer back a range of complex surgery that was taken away from the Modbury Hospital, transferred particularly to the Lyell McEwin but also to the Royal Adelaide Hospital. As I said in relation to my first answer, so that we can not only increase the range of complex patients who can receive the current range of services but also so that we can provide higher complexity surgery to a whole range of patients. So, we believe that there will be a fundamental reallocation of services towards the Modbury Hospital and that will justify a HDU. We never said that we would open a HDU on day one. We made it clear in our policy and that is a policy that we will implement.

**The PRESIDENT:** I am not going to allow you further—

**The Hon. K.J. MAHER:** This is in relation to the original answer and it will be a very quick question.

**The PRESIDENT:** No, you've had a fair go. We have had 30 minutes into question time, Leader of the Opposition, and I am keen to get to the crossbench. We have one from the Liberal Party. The Hon. Mr Hood, I call you to your feet.

#### AUSTRALIAN TOURISM EXCHANGE

**The Hon. D.G.E. HOOD (14:46):** My question is to the Minister for Tourism. Could the minister please tell the chamber about the success of the most recent Australian Tourism Exchange held from 15 to 19 April this year at the Adelaide Convention Centre?

**The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:47):** Well, I thank—

*Members interjecting:*

**The PRESIDENT:** Order! Let us hear from the minister.

**The Hon. D.W. RIDGWAY:** I thank the honourable member for his very important question and I just happen to have some notes at hand. As members would know, the Australian Tourism Exchange is a particularly important event. It's Australia's largest annual travel and tourism business-to-business event. It brings together Australian tourism businesses to promote their products directly to tourism wholesalers and retailers from around the world through a combination of scheduled business appointments and networking events. We have played host to this incredible event twice in the past and now, after an eight-year hiatus, we had the pleasure of hosting the who's who in tourism and travel to our state, and the feedback was that it was the best ATE yet.

The ATE is an excellent opportunity for international tourism buyers to experience South Australia's world-class and diverse range of tourism offerings. It was attended by over

2,200 delegates in the tourism sector from around Australia and the world. As a government which is committed to showcasing this wonderful state to the world, it was wonderful to see participants of the global market converge on South Australia and return home with a unique array of South Australian tourism products to offer their markets. Undoubtedly, there would have also been some very positive feedback circulated amongst families, friends and social groups of the participants.

Held in the newly redeveloped \$400 million Adelaide Convention Centre, the very best of South Australia's food, beverage and tourism offerings were showcased. It was especially great to see that this year's ATE event was timed to coincide with another fabulous South Australian event, Tasting Australia, which I remind the chamber was an event that was launched and created under the former Liberal government some 16 or 20 years ago, so it is something that we can be very proud of.

The food and wine experience for ATE delegates was heightened to an exceptional level, which is all part of the story which participants will take home to their customers, family and friends. At previous events, there have been around 700 international travel buyers from more than 30 countries, and 78 media from 20 countries. Around 240 operators this year were used for trade and media famils. Those included wineries, other attractions, tours and transfer operators, accommodation and restaurants.

Very importantly, around 610 famils were filled this year, and what is great to see is that all 11 tourism regions were represented. I believe there were 88 different famil itineries developed for the ATE trade and media delegates. So, whilst the hub of the ATE and Tasting Australia were city based, delegates had an opportunity to experience our beautiful and unique regions, which contribute more than \$2.6 billion to the South Australian visitor economy.

In a day and age where social media plays an extensive role in the success of our visitor economy, it was fantastic to report that the social media reach was very strong, and generated tens of thousands of likes amongst Instagram users in particular. Our visitor economy is worth a record \$6.6 billion, and we are committed to continue to grow the visitation and expenditure in our state.

The economic benefits of hosting ATE in South Australia are predicted to be between \$9 million and \$11 million, and this doesn't include the future economic activity that will flow from the event in the years to come. In the longer term, ATE will assist South Australia and the broader Australian tourism industry to reach its Tourism 2020 goals. In particular, I congratulate the South Australian Tourism Commission and Tourism Australia on collaborating on this great event and providing such a magnificent showcase to our state, and in particular the staff and team at the South Australian Tourism Commission for the great work they did during the event.

#### **AUSTRALIAN TOURISM EXCHANGE**

**The Hon. R.P. WORTLEY (14:51):** Supplementary question: what was the cost to taxpayers to host this event?

**The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:51):** I don't have those figures at hand. I will make some inquiries with the agency to see whether I am able to disclose them. Of course, it was won under the previous government, so I am surprised you are not aware of that figure, but I will bring it back to the chamber.

#### **QUEEN ELIZABETH HOSPITAL**

**The Hon. J.A. DARLEY (14:51):** My question is to the Minister for Health. Can the minister advise whether the new Liberal government has any plans to restore health services at The Queen Elizabeth Hospital?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:51):** I thank the honourable member for his question. This is another example of Labor forgetting its base. We had a Labor government at the last election that went into the 2014 election promising the stage 3 redevelopment at The QEH. I think it was the second time they had promised it, and soon after the 2014 election they came in and cancelled that project.

Under Transforming Health, for two years they tried to tell the people of the north-west, particularly people around The QEH, that it was good for them that they were downgrading their



emergency department, particularly diverting cardiac emergency cases and transferring a whole range of services to the RAH. In June last year, with, I think, minister Mullighan, minister Snelling and then premier Jay Weatherill—all scared for their seats—they went to The QEH and started the process of the smoke and mirrors of the Transforming Health backdown.

**The Hon. I.K. HUNTER:** On a point of order, Mr President: in line with your directions and guidance at the beginning of this session, I think you made it very clear that you will not be allowing members to engage in debate or opinions. The minister on his feet has been talking about smoke and mirrors and other aspects, which are clearly opinion and debate, and I ask that you rule and remind him of that.

**The PRESIDENT:** I am happy to remind the minister of my direction, but the minister is getting some latitude.

**The Hon. S.G. WADE:** Thank you, Mr President. I remind the honourable member that that was the political context that this government has inherited.

The fact of the matter is that the Marshall Liberal government comes to this parliament, having received the endorsement of the people of South Australia, to wind back the damage done by Transforming Health, and The QEH is a key facility in that regard. This government will proceed with the redevelopment, so often cancelled by the former government, but it will be a substantial redevelopment. I have already been to The QEH and been briefed by Jenny Richter, the CEO of the hospital, by Guy Maddern, the Director of Surgery, and by members of the critical care team, and have inspected some appalling facilities.

To be frank, The QEH emergency department that I witnessed on that occasion was the worst emergency department that I have seen in the state anywhere, yet this is what happens in a Labor district after 16 years of Labor.

**The Hon. I.K. HUNTER:** Point of order, Mr President: despite your ruling and your degree of latitude, the honourable member is clearly engaging in debate again, giving his opinion, not answering the question that was asked of him.

**The PRESIDENT:** I ask the minister—

*Members interjecting:*

**The PRESIDENT:** Order! I ask the minister to have regard to the point of order, but he is stating the facts as he sees them as I understand at the moment.

**The Hon. S.G. WADE:** With all due respect to the honourable member, I don't think the state of The QEH emergency department is a matter of opinion: it's a matter of fact. It's appalling. What clinicians told me was that there was actually—in fact, let me illustrate—

**The Hon. K.J. Maher:** You are listening to clinicians now, are you?

**The PRESIDENT:** Order!

**The Hon. K.J. Maher:** He couldn't name any before.

**The PRESIDENT:** Order!

*Members interjecting:*

**The PRESIDENT:** Order! Let the minister answer his question.

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. S.G. WADE:** There is a part of this emergency department which is going to be closed down by health accreditors because it expects people to operate without solid walls. So, you expect people, in an emergency department context, to be under intense pain and intense distress; that's why they turn up in the emergency department. But there were six cubicles there. I think it was six.

I could be wrong on the number, but certainly we were being told that that part of the emergency department would not be able to continue to operate because a former Labor government, after 16 years, after cancelling, time after time, commitments to upgrade that emergency department, had still not done it. So, that emergency department, which is already significantly under stress from time to time, may well face being under more stress because of a failure of the former government to deliver on its promises.

**The Hon. I.K. HUNTER:** Point of order, Mr President.

**The Hon. S.G. WADE:** But I assure you that this Marshall Liberal government—

**The PRESIDENT:** Minister, please be seated. There is a point of order.

**The Hon. I.K. HUNTER:** The question is about relevance, Mr President. The honourable minister was asked what are his plans. He has spent the last 15 minutes talking about the previous government's.

**The PRESIDENT:** I appreciate your point of order—

**The Hon. S.G. WADE:** I assure the council that this government will deliver on a new emergency department at The Queen Elizabeth Hospital.

**The Hon. I.K. HUNTER:** Point of order, Mr President.

**The PRESIDENT:** Yes, the Hon. Mr Hunter?

**The Hon. I.K. HUNTER:** Mr President, you were about to rule on your point of order and the honourable minister jumped to his feet.

**The PRESIDENT:** Please be seated, minister. I am giving the minister some latitude on an important question. Minister.

**The Hon. S.G. WADE:** The redevelopment of the emergency department at The Queen Elizabeth Hospital is going to be a fundamental component of the Marshall Liberal government redevelopment of The QEH site. Other elements will be the operating theatre and the day surgery, a new imaging suite, outpatient clinics and, in particular, the rehabilitation facilities.

I acknowledge the sterling work done by the Hon. John Darley and the Hon. Tammy Franks as part of the Transforming Health select committee, which showed the gross negligence of the former Labor government in their proposal to compress the rehabilitation facilities from the Hampstead hospital into The QEH site without any additional build. In fact, what you were going to do under the former Labor government's proposal was actually lose 23 beds at the same time as we were transferring a whole range of highly specialised rehabilitation services.

*Members interjecting:*

**The PRESIDENT:** Order! Let the minister answer the question.

**The Hon. S.G. WADE:** So, with the proposal under Transforming Health, not only have they cancelled—

*The Hon. K.J. Maher interjecting:*

**The PRESIDENT:** The Leader of the Opposition, please be quiet.

**The Hon. S.G. WADE:** Not only had they cancelled the much promised, repeatedly promised redevelopment of The QEH, but then, under the Transforming Health plan, they were going to compress about half the facilities from the Hampstead site into The QEH site. Sorry, I should pause and acknowledge the contribution of the Hon. Tung Ngo on the Transforming Health select committee because he, together with the honourable members I have already mentioned, highlighted the barmy plans that the former health minister in the Weatherill Labor government had. He was going to do all this redevelopment and not provide additional car parks. You had an horrendous situation where people in an acute period of healthcare need—

**The Hon. I.K. HUNTER:** Point of order, Mr President.

**The PRESIDENT:** Minister, there is a point of order.

**The Hon. I.K. HUNTER:** Mr President, I have been listening very closely, looking for an answer to the question that was asked. The minister again is traversing aspects of the past. He is not answering the question as to what are your plans for The Queen Elizabeth Hospital.

**The PRESIDENT:** The minister is entitled to answer the question as he sees fit.

*Members interjecting:*

**The PRESIDENT:** Order! Let the minister complete his answer.

*The Hon. K.J. Maher interjecting:*

**The PRESIDENT:** Order! Let the minister complete his answer.

**The Hon. S.G. WADE:** Fair cop, Mr President. The fact of the matter is, the reason why we need to build a car park is because the former government didn't. There is a connection here. It's 16 years of Labor neglect that produces the need to do what we are doing. The fact of the matter is that we—

*An honourable member interjecting:*

**The Hon. S.G. WADE:** He winked at me. The fact of the matter is that this government is being forced, by the neglect of Labor of 16 years of its own heartland, to invest more than \$100 million in capital redevelopment there. But I think we can also be proud that we actually have a QEH that can be saved because, if the former Labor government, the Weatherill government, had succeeded in compressing the rehabilitation services from the Hampstead site into The QEH site before we had the opportunity to go back to the people in March 2018, I fear what would have been left to salvage.

The fact of the matter is that they were talking about dislocating palliative care patients from a purpose-built facility and putting rehabilitation patients from Hampstead in a facility that was not purpose built. We actually had the prospect of spinal recovery patients being in corridors where two wheelchairs couldn't pass in the one corridor. This is how poorly planned the whole Transforming Health debacle was.

**The PRESIDENT:** Minister, are we coming to a conclusion, since you have had a reasonable hearing?

**The Hon. S.G. WADE:** I can assure the honourable member that, as I have outlined in my answer, the government has a whole range of initiatives planned for The QEH, but I am doubly proud of the fact that, together with yourself and other members of this council, we protected The QEH so that we can make the best possible health services for the people of the north-west in the years ahead.

#### QUEEN ELIZABETH HOSPITAL

**The Hon. J.E. HANSON (15:01):** Supplementary question arising out of the original answer: will the minister guarantee that 24/7 cardiac emergency services will be restored at The QEH within 100 days, as outlined in the Liberal Party's election commitment, and can the minister guarantee that no clinical services will be removed from The QEH?

**The PRESIDENT:** That's skating on thin ice, but I am going to allow the supplementary.

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:01):** I did mention 24/7, so I think it's completely open to the honourable member to ask that. Yes, we are going to restore 24/7.

*An honourable member interjecting:*

**The PRESIDENT:** Order!

#### QUEEN ELIZABETH HOSPITAL

**The Hon. J.E. HANSON (15:01):** A further supplementary arising from the original question: within 100 days, as outlined in the Liberal Party's election commitments?

**The Hon. K.J. Maher:** Yes or no.

**The PRESIDENT:** You cannot put words in the minister's mouth, Leader of the Opposition, and you should know, having been a minister. Minister.

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:02):** My understanding is that the restoration will be done within 100 days. Certainly, I know that that restoration is in train. I will clarify with my department to see whether the date is within 100 days—

**The Hon. K.J. Maher:** You're going to listen to them?

**The PRESIDENT:** Order!

**The Hon. S.G. WADE:** —and I will come back and advise the member.

**The Hon. K.J. Maher:** He's going to listen to his department now.

**The PRESIDENT:** Honourable Leader of the Opposition, we are interested in hearing from the minister, not your commentary.

### HEALTH SERVICES

**The Hon. I.K. HUNTER (15:02):** I direct my question to the Minister for Health and Wellbeing. My question is: will you, minister, rule out privatising any hospital and any clinical services?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:02):** Let's be clear—

**The Hon. K.J. MAHER:** Yes or no.

**The PRESIDENT:** Minister, sit down. You cannot scream out putting, 'Yes or no.' You should know. You have a law degree, minister, and you should know that you cannot—well, I assume you have—put questions, 'Yes or no.' Please restrain yourself during question time. Minister.

**The Hon. S.G. WADE:** The Marshall Liberal government has made it clear that we will not be privatising any public hospital, going forward. In relation to services, how dare the Labor Party come in this house and preach against privatisation? We have a \$2.4 billion hospital built on the western part of Adelaide, with a \$12 billion, 40-year project—a partnership with the private sector—vehemently opposed by the ANMF, one of its, shall we say, ideological fellow travellers. The fact of the matter is that the ANMF has vigorously opposed Labor's privatisation through their PPP. The fact of the matter is that we won't take lectures from the Labor Party, which has so appallingly managed the health system over the last 16 years, and the privatisation through the PPP is only one of many examples.

### HEALTH SERVICES

**The Hon. I.K. HUNTER (15:04):** A point of clarification, sir. I wasn't interested in anything about lectures. I am asking what your policies are in terms of privatisation and any plans you have for privatisation of clinical services. Will you rule that out?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:04):** The fact of the matter is that we will not rule out partnerships with the private sector. Let's take some examples of options facing me now, which are exactly the same options that were facing the Labor Party last year. Did the Labor Party stand up against privatisation when it decided to lease 12 beds from the Flinders Private Hospital? Did the Labor Party stand up against privatisation when they placed 20 step-down beds at the ViTA facility? Did the Labor Party stand up against privatisation when they (I don't know if they actually took up the contract) made arrangements to place public patients in private hospitals to cope with last year's winter demand?

The fact of the matter is, the Labor Party was more than willing to contract private services. We will continue to cooperate with non-government providers and private sector providers—whatever we think is in the best interest of public health in South Australia. We will continue to deliver the best outcomes, not only for South Australian taxpayers but also for South Australian patients.

**The PRESIDENT:** The Hon. Mr Hunter, I can feel that this is a supplementary question coming on.

### HEALTH SERVICES

**The Hon. I.K. HUNTER (15:05):** It is, and it is about clarification. Perhaps the minister, to give him the broadest leeway, didn't hear my question. I wasn't asking about contracting with private services to provide additional services. My question is: will you rule out privatising any existing clinical services?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:06):** The fact of the matter is, we will continue to look at options for providing services to public patients from both within and beyond the public sector, exactly as your government did.

### COUNTRY HOSPITALS

**The Hon. J.S.L. DAWKINS (15:06):** My question is directed to the Minister for Health and Wellbeing. Will the minister advise the council of any steps being taken to address capital works at country hospitals?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:06):** I thank the honourable member for his question. I can understand the context of the member's question. The fact of the matter is, this government has taken power after 16 years of Labor where basically, except for money that they spent that was handed on from the commonwealth, the state Labor government spent very little on capital works in country South Australia, so much so that the outgoing government admitted that the capital works backlog was more than \$140 million.

What we found in the last Labor budget was that \$1.1 billion was dedicated for public hospitals—not a single dollar was for country hospitals. We have about 25 to 30 per cent of our population in country South Australia. There are some members who are suggesting that people elected to this house represent—

**The Hon. I.K. HUNTER:** Point of order, Mr President: I know the honourable member is a new minister, but, really, he should have learnt by now that he should be addressing you, not the chamber.

**The PRESIDENT:** Thank you for pointing out that courtesy, Hon. Mr Hunter, but I wasn't taking it personally. Minister.

**The Hon. S.G. WADE:** I thank the honourable member for reminding me, and the President for his—

**The PRESIDENT:** His compassion.

**The Hon. S.G. WADE:** —compassion and tolerance. As I was saying to the house, through you, Mr President, the honourable member's question is very much in the context of Labor's neglect. It is all well and good for the Labor Party to celebrate a couple of members who have regional backgrounds in this house, but let's remember that the people of South Australia were sorely neglected by the former Labor government, and in the context of the \$1.1 billion in the last budget, the government could not even find the \$2 million that was needed for the Mount Gambier renal unit.

What happened in that context? What we found was that the hospitals were having to turn to their HACs, to their Health Advisory Councils, for capital works investments that you would normally look to from government. That had a double whammy effect. It meant that people were less likely to give to HACs because what they saw was what they thought they were getting through their taxes they were having to provide through their donations. It was also undermined by the fact that the government was continually enforcing ministerial approval requirements.

So, you had people who saw their own hospitals being neglected and yet when their community-raised funds were being allocated they actually had to get the approval of the minister who was denying them the taxpayers' funds to provide those facilities. I pay tribute to the country people for their continued patience with the state government in terms of health investment because, in spite of that bleak environment, people did continue to donate. Donations did fall, I must admit, but people did continue to donate.

So, let's see what has happened in recent months because of the stellar community spirit in country South Australia. South Australian country hospitals and an aged-care facility are undergoing

a range of upgrades thanks to the ongoing commitment of regional communities through their HACs. The health advisory councils are funding upgrades at the Laura hospital in the Mid North, Tumbly Bay Hospital on Eyre Peninsula, Angaston hospital in the Barossa Valley and hospitals in Waikerie, Karoonda and Meningie in the Riverland, Mallee and Coorong.

So, in a situation where the state government put down a health capital works budget of \$1.1 billion—it couldn't find a dollar for country hospitals—we found the bequest going to the Waikerie HAC, where the council elected to renovate and convert rooms at the Waikerie aged-care facility into single rooms, costing around \$1.8 million. I imagine the irony would not have been lost on the people of Waikerie that the Labor government in the city was spending \$2.4 billion building a hospital with single rooms when they had to put up their \$1.8 million to convert their aged-care facility into single rooms.

At Karoonda the HAC is spending \$100,000 resurfacing the car park. At Laura hospital the HAC is spending \$317,000 this financial year, and \$470,000 in total, renovating and enlarging the kitchen and equipping it with freezers. People, I think, have the right to say, 'Doesn't every hospital have to have a kitchen? Why are we having to use our community raised funds because of the former Labor government's lack of willingness to invest in country hospitals?'

Meningie hospital will receive a \$50,000 facelift to its outdoor landscaping of gardens, Tumbly Bay Hospital will be having a laundry refitted and asbestos cladding removed at a cost of \$100,000, while at Angaston hospital the HAC will spend \$150,000 refurbishing consultants' rooms.

As a move to the next budget, this government will be delivering on its commitment to invest in country hospitals, but on behalf of the people of South Australia, particularly the people of country South Australia, I would acknowledge the stellar contribution of HACs over many years.

*The Hon. K.J. Maher interjecting:*

**The PRESIDENT:** I can look after myself, Hon. Leader of the Opposition. The Hon. Ms Bonaros—sorry, a supplementary; sorry, Mr Hanson; I thought you were jumping the gun.

#### **COUNTRY HOSPITALS**

**The Hon. J.E. HANSON (15:12):** Normally I am over there, but now I'm here. It is sad, I know. A supplementary question arising out of the original answer: given the minister's stated great understanding of regional South Australians and the stated commitment to invest in community and country hospitals, will he guarantee that country hospitals will be exempt from any government efficiency dividends going forward?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:12):** The fact of the matter is that we will be working with the Treasurer to develop the budget going forward. What I do know is that the Marshall Liberal government was elected on a commitment that health efficiencies will be reinvested in health. I will be happy to continue to achieve better, efficient services in health, confident that under a Marshall Liberal government they will be reinvested in health.

#### **COUNTRY HOSPITALS**

**The Hon. J.E. HANSON (15:12):** A further supplementary arising out of the original answer: given the minister's stated understanding of difficulties in regional hospitals and any kitchens they may have, will he guarantee that not one regional hospital or community service will have any kitchens removed under a Marshall Liberal government?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:13):** I have no plans to remove any kitchens.

#### **FAMILY COURT OF AUSTRALIA**

**The Hon. C. BONAROS (15:13):** I seek leave to make a brief explanation before asking the Treasurer, representing the Attorney-General, about judicial appointments to the Adelaide Registry of the Family Court of Australia.

Leave granted.

**The Hon. C. BONAROS:** On 3 March 2017, the Hon. Christine Dawe retired as Justice of the Family Court of Australia, Adelaide Registry, after 20 years of outstanding service to the court, leaving vulnerable families in South Australia with only one Family Court judge. The failure to replace the Hon. Christine Dawe has had a devastating impact on families in South Australia.

**The PRESIDENT:** The honourable member is starting to go into opinion in this statement, so keep it concise and contextual, please.

**The Hon. C. BONAROS:** Matters are now taking up to three years or more to reach conclusion. The problem is further compounded by the failure to replace former judge of the Federal Circuit Court Stuart Lindsay, who retired in 2014. My question is: does the government concede that separating families in the Adelaide Registry are disadvantaged because of the federal government's failure to make judicial appointments in a timely manner? What is this government doing to ensure that a replacement for the Hon. Christine Dawe is made without further delay?

**The Hon. R.I. LUCAS (Treasurer) (15:14):** I am happy to refer the honourable member's question to my colleague the Attorney-General and bring back a reply as soon as possible.

### HEALTH SERVICES

**The Hon. J.E. HANSON (15:15):** My question is to the Minister for Health and Wellbeing. Will the minister guarantee that all health services across South Australia will be exempt from any government proposed future efficiency dividends?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:15):** Action replay. I can assure the people of South Australia that the Marshall Liberal government will deliver on its commitment that every single dollar saved in health will be invested in health. As for the detail, I am continuing to have constructive discussions with the Treasurer, but I can assure you that it's going to be a whole lot better under a Marshall Liberal government than after 16 years of Labor's neglect and, in particular, Labor's transforming toxic plan.

**The PRESIDENT:** A Liberal member has forgone his question so I will go straight to the Greens and the Hon. Ms Franks.

### NATIONAL RELAY SERVICE

**The Hon. T.A. FRANKS (15:16):** I seek leave to make a brief explanation before addressing a question on the topic of the National Relay Service to the Minister for Human Services.

Leave granted.

**The Hon. T.A. FRANKS:** Since 1995, Australia's National Relay Service has provided a bridge to the wider community and is a vital service for people who are deaf, hard of hearing, deaf-blind or who have speech impairment. However, on 4 April this year, the federal government released a request for tender for the next National Relay Service that, under the existing arrangements, is far less than is currently enjoyed.

Under the existing arrangements telecommunications companies making in excess of \$25 million pay a levy to fund the service. Under the new arrangements recently announced by the federal government, however, this levy has reduced, resulting in a cut to the NRS budget of \$10 million, down to \$22 million from the current \$32 million. This will result in a change from around-the-clock services on every day of the year to operation only in business hours, with the exception of what are defined as emergencies.

My understanding is that will mean, for example, that 131 444 is not available but 000 will be available. However, of course, the service of 131 444 is not necessarily the service that somebody in a difficult situation may need, which may not yet be an emergency. Should this go ahead many people will have restricted access to services, including, of course, state services. My question to the minister is: what will the state government do to support people who are deaf, hard of hearing, deaf-blind or have speech impairment being able to access the state services and federal services that they so need?

**The Hon. J.M.A. LENSINK (Minister for Human Services) (15:17):** I thank the honourable member for her important question. Clearly, any services that provide independence and dignity to

people with disability are incredibly important to enable them to live their lives as the rest of us do. I was not aware of that particular matter but I will take it up with the commonwealth government and get a response for the honourable member as soon as possible.

### HOSPITALS, WINTER DEMAND

**The Hon. T.T. NGO (15:18):** My question is to the Minister for Health and Wellbeing. As we approach winter has the minister put in place a winter demand strategy for this flu season and can the minister outline that strategy?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:18):** I thank the honourable member for his question. The fact of the matter is that within a couple of weeks of being elected I was starting to work with the department on the winter demand strategy. One of the reasons why I was particularly concerned was that the former Labor government, in spite of promises time and time again, closed the Repat Hospital last November. So, this year, for the first time, we face a winter without one of our key assets in the southern region.

One of the early steps I took was to meet with my department to talk about the winter demand strategy, but I also took a number of other actions. I listened to clinicians, clinicians from the emergency department at the Royal Adelaide Hospital, who said to the government, in the context of a very serious overcrowding situation on 9 April, that they were very concerned about EPAS, in relation to the rollout of the second stage of the EPAS IT. The Australasian College of Emergency Medicine did not believe that EPAS was fit for purpose in an emergency department.

On the basis of that advice, and the advice of a range of other clinicians I had received in relation to EPAS, I took the decision that the second stage of EPAS would not be rolled out. That, in my view, was an important part of being ready for winter. How could the former Labor government think that it would be safe to roll out the second stage to our biggest hospital, a hospital that is already experiencing significant stress?

We will also be taking action in relation to the awareness of people to be vaccinated in relation to influenza. There will be an advertising campaign. We have introduced influenza vaccines for children under the age of five. We have already identified a range of facilities that could be used for winter surge, and we will be continuing to develop those plans and implement them as needed, depending on how the season develops.

### HOSPITALS, WINTER DEMAND

**The Hon. T.T. NGO (15:21):** Supplementary question arising from the answer: apart from the vaccination program for children under five that the minister mentioned, does the minister have any plans in terms of opening further beds to deal with winter flu?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:21):** I did actually mention that in my answer. I indicated that we are identifying beds that might be available. I see where the honourable member is going: he wants me to talk about the Repat again. One of the options is that now that we have terminated the contract of the Repat—

*The Hon. K.J. Maher interjecting:*

**The PRESIDENT:** Honourable Leader of the Opposition, let the minister answer the question.

**The Hon. S.G. WADE:** Yes, I think that sort of bullying behaviour belongs in the House of Assembly. The fact of the matter is that, with the termination of the Repat contract, one of the other opportunities before the government is to activate some of the wards at the Repat facility. That will be one of a number of options that will be considered in readiness. We want to be ready for winter. Instead, the former Labor government was willing to roll out EPAS, one of the most troubled IT programs in the history of health IT in Australia, on the eve of winter.

This is not risk management; it's lunacy. This is the same government that decided that the best time to open the new Royal Adelaide Hospital was at the peak of winter. On 5 September 2017, the former Labor government opened the new Royal Adelaide Hospital at the west end of North Terrace. On 15 September, 10 days later, the then minister, minister Snelling, surrounded by a group



of union and health officials, was having to implement a hospital emergency plan. This is the lunacy of the Labor government; that is exactly why they were voted out on 17 March.

#### **HOSPITALS, WINTER DEMAND**

**The PRESIDENT:** Mr Ngo, is this another supplementary?

**The Hon. T.T. NGO (15:23):** Yes, another supplementary.

*The Hon. K.J. Maher interjecting:*

**The PRESIDENT:** The Leader of the Opposition, you are interrupting one of your own members attempting to ask a supplementary. Show courtesy to your own side.

**The Hon. T.T. NGO:** The minister mentioned 9 April. That's when he was briefed regarding the flu vaccination program that needed to be boosted. Could the minister advise the house whether the minister instructed the Chief Medical Officer to purchase further supplies of the flu vaccination or whether that had already been planned ahead by the previous minister?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:23):** First of all, I don't agree with the dates given. I don't recognise the dates that the honourable member is referring to, but let me go to the nub of the question, which was, as I understand it: were the orders for the flu vaccines for under fives in place before the government was elected? I can assure you that the advice I received was that the previous government's commitment in relation to flu vaccinations was made without knowledge of availability. My understanding is that the order was not placed before this government came to power. In fact, it was some time into the government that I was advised that supplies had been secured and it was safe to make an announcement. If the honourable member has advice to the contrary, I urge him to table it. I certainly was of the understanding that the order was placed after the election.

#### **HOSPITALS, WINTER DEMAND**

**The Hon. T.T. NGO (15:24):** Was that under your instruction?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:24):** I feel as though I am in jeopardy here.

**The Hon. K.J. Maher:** You're always in jeopardy.

**The Hon. S.G. WADE:** The Labor opposition is suggesting that somehow I have inappropriately—

**The PRESIDENT:** The honourable Leader of the Opposition, we do not need your commentary.

**The Hon. S.G. WADE:** —suggested to the Chief Medical Officer that it might be a good idea to put an order in for influenza vaccines under the age of five. The fact of the matter is, I have had discussions with the Chief Medical Officer. The Chief Medical Officer has said that he has been able to secure supplies. I didn't order him to put the order in; I am very glad he did.

**The PRESIDENT:** Mr Ngo, I am going to allow you one more supplementary.

#### **ENTERPRISE PATIENT ADMINISTRATION SYSTEM**

**The Hon. T.T. NGO (15:25):** Another supplementary question about EPAS. The minister mentioned earlier that he has stopped the rollout of the second stage of EPAS at the new Royal Adelaide Hospital. Has the minister got plans as to what will replace EPAS in the meantime or can he outline what the process is now that he has ordered the second stage to be stopped?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:26):** The pausing of the EPAS rollout at the Royal Adelaide Hospital relates to the Royal Adelaide Hospital alone. I think the next two EPAS rollouts were going to be FMC and Mount Gambier later in the year, but the pause in relation to Royal Adelaide will mean that the reactivation of stage 2 at the Royal Adelaide Hospital will occur, if at all, after the EPAS review.

We made a clear commitment as an opposition, and we will deliver it as the Marshall Liberal government, that we won't just continue to spend hundreds of millions of dollars after hundreds of millions of dollars on EPAS without stopping, checking, reviewing and taking the best advice not only from IT specialists but also change managers to see what South Australians need going forward.

This is a program which has already cost hundreds of millions of dollars beyond what the former Labor government originally estimated it would cost and we are going to do what a responsible government would do, which is to pause the program, to review it independently and not just take an internal 'what does the department say' approach. We are going to review it independently and see what South Australia Health needs.

**The PRESIDENT:** I think we have prosecuted that issue sufficiently. The Hon. Mr Pangallo.

### FREEDOM OF INFORMATION LAWS

**The Hon. F. PANGALLO (15:27):** I seek leave to make a brief explanation before asking a question of the Hon. Rob Lucas, Treasurer, representing the Attorney-General, the Hon. Vickie Chapman, about freedom of information laws in South Australia.

Leave granted.

**The Hon. F. PANGALLO:** Recently, the South Australian Ombudsman, Mr Wayne Lines, was highly critical of the state's current FOI laws, saying that ministers and heads of government departments should face penalties for delaying and obstructing the flow of documents. An expert in FOI, Professor Rick Snell from the University of Tasmania, described them as 'worse than the rules of a Third World country'. Last year, there were 10,555 FOI applications. In 1991-92, when the law was introduced, there were just 1,208, so there is now a huge demand for transparency and information.

Therefore, my question to the Attorney-General through the Treasurer is: in light of the criticism levelled, will his government now conduct a total overhaul of the act, as they indicated when in opposition, and include recommendations made by Mr Lines; and does the government intend to release documents if they are requested by the State Ombudsman, the Coroner and the Independent Commissioner Against Corruption, Judge Lander, including those cabinet documents relating to the Oakden scandal?

**The Hon. R.I. LUCAS (Treasurer) (15:29):** I am happy to take the honourable member's questions on notice, refer them to the Attorney-General and bring back a reply. I think, in relation to the last question, the Attorney-General, on behalf of the government, has already made some public comment. That is the provision of documents requested by the ICAC commissioner in certain circumstances, and I am happy to have included in the reply what the government has already put on the public record. In concluding my response, having been an avid user of freedom of information for many, many years, I am looking forward to answering many of the FOI requests I have made, which remain unanswered, on the passage of the 16 years.

### NATIONAL HEALTH REFORM AGREEMENT

**The Hon. R.P. WORTLEY (15:29):** I seek leave to make a brief explanation before asking the Minister for Health and Wellbeing a question regarding the national health agreement.

Leave granted.

**The Hon. R.P. WORTLEY:** The national health agreement was considered by the COAG Health Council on 13 April 2018. It is understood that signing up to the national health agreement will result in South Australia's public hospitals being \$1 billion worse off compared with the original agreement signed between South Australia and the commonwealth. My question to the minister is: did you receive any advice at all that signing up to the federal national health agreement would deliver a worse outcome for South Australia than the previously signed federal hospital funding agreement?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:30):** I received a range of advice, both internally and externally. I will indicate that, as honourable members would have known, in the election campaign the ANMF suggested that we should not sign the agreement. But let's see who did sign the agreement: Western Australia, a Labor government; ACT, a Labor government; and

New South Wales, Tasmania and South Australia have all signed up. That is five out of seven jurisdictions—

**The Hon. I.K. Hunter:** Did they get a cut?

**The PRESIDENT:** Order, Mr Hunter.

**The Hon. S.G. WADE:** —that have signed up to the national health—

**The Hon. I.K. Hunter:** You took a cut and they didn't.

**The PRESIDENT:** Order! The Hon. Mr Hunter, let the minister answer the question.

**The Hon. S.G. WADE:** Five jurisdictions, Liberal and Labor, that signed up to the National Health Reform Agreement. The 2016 agreement, which is where this 45 per cent commonwealth share was struck, I remind members, was before the last federal election. So, if the Labor Party jurisdictions felt that there was any prospect of a federal Labor government increasing that share from 45 to 50 per cent, they only had to go to the last election to see what Labor promised then. Labor did not promise to increase the 45 per cent share to 50 per cent.

By signing up to the agreement, I believe that we were getting the opportunity to be a participant around the table when the National Health Reform Agreement is negotiated. That is very important for the Marshall Liberal government because one of the national health priorities in that agreement is that we pursue preventative health, and that is one of the key planks of the Marshall Liberal government agenda in health.

In my view, and the view of the government, there was no prospect of the commonwealth changing its longstanding position, whether that was a Liberal government or a Labor government, because Labor did not promise it at the last federal election. We saw an important opportunity to be at the table when this agreement is being drafted, and we believe that being at the table will drive better health outcomes for South Australians.

**The Hon. R.P. WORTLEY:** Supplementary question—

**The PRESIDENT:** Time is complete, the Hon. Mr Wortley.

**The Hon. R.P. Wortley:** He didn't answer the question.

**The PRESIDENT:** You can take that up with him at the next question time. I call on the business of the day.

*Address in Reply*

**ADDRESS IN REPLY**

**The Hon. R.I. LUCAS (Treasurer) (15:33):** I bring up the report of the committee appointed to prepare the draft Address in Reply to His Excellency the Governor's speech:

1. We, the members of the Legislative Council, thank Your Excellency for the speech with which you have been pleased to open parliament.
2. We assure Your Excellency that we will give our best attention to all matters placed before us.
3. We earnestly join in Your Excellency's desire for our deliberations to serve the advancement of the welfare of South Australia and of its people.

**The Hon. J.S. LEE (15:34):** I move:

That the Address in Reply as read be adopted.

Thank you for the call, Mr President. First, I congratulate you on your elevation to the prestigious role of President, and we have every confidence that you will be fair and diligent and serve the role with distinction. I am honoured to be on the Address in Reply committee, and it is a privilege and pleasure to rise and support the adoption of the Address in Reply given by His Excellency. It was a great honour to have His Excellency the Governor of South Australia, the Hon. Hieu Van Le AC, open the First Session of the Fifty-Fourth Parliament, following the grand tradition of the Westminster system, calling all members of both houses together for the dispatch of business in the Legislative Council.

I would like to take this opportunity to congratulate His Excellency and express my gratitude to the Governor and Mrs Lan Le on their incredible commitment to service to the South Australian community. His Excellency and Mrs Lan Le are providing an outstanding service and demonstrating a high level of respect and courtesy to the people of the state, and are great ambassadors for South Australia.

As we all already know, the Governor and Mrs Lan Le came here as Vietnamese refugees and had a humble start to a new life in Australia. Their amazing journey is a remarkable story that has been told over and over again to remind all of us of the generosity and openness of Australia as a nation. I truly believe South Australia is one of the most successful multicultural places in the world, where people arrive from different parts of the world to enrich us and be a part of our wonderfully diverse community. My family and I are a part of this migrant story.

It is so important that all sections of the community have the opportunity to choose people who can represent them and their interests in parliament. Thank you, South Australia. Thank you to the decisive vote of confidence by the South Australian community on 17 March 2018, where the clear election results delivered a new majority Liberal government. I am incredibly proud to be an integral part of the Marshall Liberal government. My heartfelt congratulations to the new Premier of South Australia, the very dynamic Hon. Steven Marshall, together with all of our esteemed parliamentary colleagues and candidates on their outstanding efforts in the election. Their hard work and leadership on their remarkable campaigns has delivered a new, exciting government.

South Australia has voted for a strong plan for real change—the real change to install a much needed, new Liberal government to end the 16 years of chaos and mismanagement under Labor. While the House of Assembly election results on 17 March 2018 were clear, the counting of the Legislative Council votes to determine which 11 members would be elected was not as straightforward as in the lower house. The Electoral Commission declared the upper house votes on Monday 23 April—more than five weeks since polling day. It has taken longer than before for the Electoral Commission to tackle the results of the new Legislative Council voting laws.

I would like to take this opportunity to thank the team at the Electoral Commission for their diligent work on the long, arduous task of managing the election process. It was reported by the commission that there is a tenfold increase in preferential voting compared with previous state elections. Some 58 per cent of voters marked a single number one above the line, but 42 per cent of voters either had multiple preferences below the line or made informal votes. Of course, I was one of those who was waiting patiently, paying very close attention to the counting process. There is a number that I will not forget easily, which is 3,127. Yes, it took 3,127 counts for me to be re-elected back into the Legislative Council!

I want to express my deep gratitude to my family, particularly my wonderful husband, Eddie Liew, for his unconditional love and support throughout the intensive campaign period, and I want to sincerely thank my team of friends, supporters, volunteers and my parliamentary colleagues, the Liberal Party members, for their enormous faith and belief in me. My re-election to this place would not have been easy without the incredible support from so many amazing people in my life. I place on the record my sincere thanks and heartfelt gratitude to all of them.

On the day of the declaration of the poll, if there had ever been a time when I felt that I could truly appreciate the phrase 'better late than never', it would have been on that day. It was a humbling experience to be absolutely sure, without a single doubt, having seen the final result, that I had been successfully re-elected, after waiting for more than five weeks. I am sure the Hon. Tammy Franks can relate to how I felt on the day. Her result was declared not long after mine, and she was then followed by the Hon. Clare Scriven.

I would like to firstly convey my congratulations to my Liberal colleagues—the Hon. David Ridgway, the Hon. Stephen Wade and the Hon. Terry Stephens—on their successful re-election to the Legislative Council. I must say that we look pretty sensational on the government bench joining the Leader of the Government the Hon. Rob Lucas (Treasurer), the Hon. Michelle Lensink and the Hon. John Dawkins. I welcome the Hon. Dennis Hood, who has joined us in government, and also the distinguished President, the Hon. Andrew McLachlan, who is looking really sharp up in the chair. We together are the government members in the upper house.

May I place on record my congratulations to the opposition members across the chamber—the Hon. Emily Bourke, the Hon. Justin Hanson, the Hon. Irene Pnevmatikos and the Hon. Clare Scriven—on their successful election. Congratulations also to the other new faces in the council: the Hon. Connie Bonaros and the Hon. Frank Pangallo from SA-Best. Last but not least, a big shout out to the Hon. Tammy Franks for securing a comeback to the Legislative Council. The honourable member and I were both elected in the same year, 2010. We were in the class of 2010, so I fondly welcome you back. I look forward to working with all honourable members for the advancement of South Australia.

I want to take a moment to thank and acknowledge two MLCs who sadly lost their seats in the 2018 election. The Hon. Kelly Vincent has already drawn lots of praise from all members because of her strong advocacy for the Dignity Party and hundreds of South Australians in terms of inclusion and disability. I want to thank Kelly for her remarkable contribution to this place during her eight years of service.

I also want to thank the Hon. Robert Brokenshire, who represented Family First and later the Australian Conservatives, for his longstanding and passionate contribution to the South Australian parliament. Many members, particularly the Hon. Dennis Hood, provided a detailed contribution acknowledging the service of the Hon. Robert Brokenshire, and I concur with those remarks. Two Labor members—the Hon. John Gazzola and the Hon. Gail Gago—retired at the 2018 election. I also thank them for their contribution to parliament and wish them and their families well in their future endeavours.

In the Governor's opening speech, His Excellency stated that there are 19 new members in the Fifty-Fourth South Australian Parliament. This is such a welcome change that inspires renewal and reflects the aspirations of the South Australian community. I offer my sincere congratulations to all the newly elected members and wish them well in their deliberations.

Since taking office on 17 March 2018, the new Premier of South Australia the Hon. Steven Marshall and his cabinet ministers have wasted no time in implementing our strong plan for real change that the Governor outlined in his opening address. After 16 years of Labor, South Australia needs and deserves a principled and competent government committed to delivering for our state.

The Marshall Liberal government will work to rectify Labor's failures by ensuring that health services are provided where they are needed, including the reopening of the Repat to help tackle the elective surgery backlog, lowering cost-of-living expenses and implementing a comprehensive solution to fix the electricity crisis.

As outlined in His Excellency's address, the Liberal government is committed to delivering tax cuts to households, providing opportunities for our businesses to grow and expand and reigniting our state's economy. South Australia has welcomed the new government because we will work hard to reinvigorate South Australia and create more jobs, lower costs and provide better services. South Australia now has a bright future under the Marshall Liberal government.

Since being sworn in only six weeks ago, His Excellency has highlighted that the Marshall government has already implemented extensive machinery of government changes and undertaken a series of high-level meetings with the federal government to restore collaborative and constructive relationships. Instead of always fighting with the commonwealth government, as the Labor government did, we are working with the federal government to deliver outcomes that best serve South Australia's interests. For instance, the Marshall Liberal government has welcomed the federal government's \$1.8 billion infrastructure investment in South Australia, announced recently ahead of the federal budget.

The federal government's significant infrastructure investment in South Australia includes the \$177 million Pym Street to Regency Road section of the north-south corridor, \$220 million for the completion of the Gawler line electrification, \$160 million for the Joy Baluch Bridge and \$1.2 billion for further sections of the north-south corridor. This \$1.8 billion investment will help build and improve critical infrastructure in South Australia and, importantly, create more jobs. This investment demonstrates very clearly why and what the state Liberal government is able to deliver for

South Australians by working constructively and collaboratively with our federal counterparts. The new state government is getting on with the job and delivering for South Australians.

In a rapidly changing world, government investment in training must be connected to the needs of the broader economy to lead to real jobs and better investment outcomes. In particular, our state needs to better prepare for the naval shipbuilding jobs boom by reinvesting in the skilled jobs training sector to guarantee that the lion's share of new shipbuilding jobs goes to South Australians.

The Marshall government will invest \$100 million in a push for South Australia to be the first state to access funding through the federal government's Skilling Australians Fund to help create 20,800 apprenticeships and traineeships in South Australia. Young South Australians need a range of pathways to the jobs of the future, and this investment in apprenticeships and traineeships is a central plank of our jobs policy.

South Australians gave us a clear mandate to deliver more jobs, so skilling our workforce is critical. That is why we are progressing our agenda for lower taxes and lower costs for businesses, which complements our push for funding through the Skilling Australians Fund, so that there are more jobs created and more businesses are attracted to invest and set up in South Australia.

I would now like to turn my attention to education, particularly in the area of literacy. A strong foundation in literacy in the early years is vital for students to succeed in later levels of education. That is why the Marshall government is pushing ahead with implementing our literacy guarantee package, including phonics screening checks. The Marshall government is delivering on our commitment to implement a comprehensive program to improve literacy and numeracy outcomes for all students, with the benefit to be most profound for those students with dyslexia, students from culturally and linguistically diverse backgrounds and students with other learning difficulties.

The Marshall Liberal government will give our students the skills they need to start a business, innovate and contribute to our economy by investing in entrepreneurial subjects and schools. This will include developing new business-focused SACE subjects available to all schools, creating four specialist entrepreneurial high schools. Two of these schools will be in the metropolitan area and two will be in regional areas, with business leaders, entrepreneurs and other relevant community leaders engaged as role models and mentors.

We need more South Australian entrepreneurs to provide growth and jobs in our economy. Our children are our future business leaders and entrepreneurs. We must ensure that they have the education, training and skills to turn their aspirations into reality here in South Australia. That is why the Marshall Liberal government will ensure that our students get the chance to learn the skills they need, not only to get a job and a career but also to be entrepreneurs to create jobs.

Under the previous Labor government, South Australian businesses were doing it tough, operating under some of the highest cost structures in Australia and, in some instances, the world. South Australia's \$1.2 billion of annual payroll tax remains one of the most uncompetitive in the nation. Payroll tax is a tax on jobs. In an economy that is reliant on small and medium size businesses, we cannot expect employers to grow and create more jobs if government is constantly adding to the cost base, especially to the cost of employing South Australians. That is why we will remove this disincentive to businesses, creating more jobs. A Marshall Liberal government will scrap payroll tax for all small businesses in South Australia. Our reform will reduce the payroll tax paid by small and medium size businesses and will allow businesses to create thousands of extra jobs.

International education is South Australia's largest service export, totalling more than \$1 billion. We believe there is much room to grow this crucial economic sector. The Marshall Liberal government, together, of course, with the Minister for Trade, Tourism and Investment, will grow one of the biggest exports in international education by implementing a range of measures to boost international student enrolment in South Australia. We will increase funding to StudyAdelaide to \$2.5 million per annum to support their key role in promoting Adelaide as a centre of education excellence, encouraging more students to live and spend in Adelaide.

We will grow our national market share in international student enrolments, growing our economy and creating jobs. We are also committed to implementing a suite of measures to boost exports, grow our economy and create jobs. A priority for the Marshall Liberal government, which was outlined by His Excellency, is the establishment of South Australian trade offices in Shanghai,

Japan, Malaysia, Dubai and the United States. These priorities will increase the export potential of businesses and create new market opportunities. His Excellency outlined that legislation will be introduced in this place to establish a South Australian productivity commission and Infrastructure South Australia. These two agencies will drive more efficient service delivery.

Under Labor, government has become much more involved in our daily lives, but the more laws and regulations we have, the more they cost us to implement and administer. Often, this red tape is unnecessary and inefficiently applied and stops businesses employing more people. As Liberals, we believe government should get out of the way of business wherever possible. That is why we will establish a South Australian productivity commission to ensure the government is focused and efficient, allowing businesses to thrive.

A prime example of unnecessary government red tape affecting all of us is our restricted shop trading hours. They simply do not reflect the society that we live in. A Marshall Liberal government will deregulate shop trading hours and allow businesses to remain open, South Australians to keep working and consumers to keep buying what they want, when they want. These changes will provide greater choice for consumers and more opportunities for South Australians working in retail. Our reforms will expand to removing restrictions that currently prevent retailers selling certain types of goods on Sundays and public holidays.

His Excellency confirmed in his speech that the Liberal government will introduce a bill to extend the hours shops can trade in the greater Adelaide shopping district and proclaimed shopping districts. This will create more jobs and provide consumers with greater choice.

In 2014, the Labor government imposed a massive tax increase on family homes, businesses, farms, churches, community organisations, independent schools and many other groups via an increase to the emergency services levy. This impact has cascaded through the entire economy and community. This is placing increasing pressures on household budgets and strangling our economy. That is why the Marshall Liberal government will slash the ESL immediately so that South Australians will benefit from 1 July 2018.

With council rates one of the biggest taxes property owners pay, this will save households and businesses money, increase business confidence and help to attract investment to our state. That is why the Marshall Liberal government is committed to lowering costs for families and businesses by delivering this reform. The Liberal government will implement a local government rate capping scheme to prevent ratepayers having to cop excessive increases in council rates year on year. We will also restrict increases for other local government fees and charges to further reduce rising cost-of-living pressures on South Australian households and businesses.

I would like to thank the Premier of South Australia for his trust and confidence in appointing me as the Assistant Minister to the Premier. I am proud to be a part of the Marshall Liberal government that will continue to work with all South Australians to deliver more jobs, lower costs and better services that will make South Australia a stronger and more prosperous state.

With my contribution today, I join with honourable members to assure His Excellency that we will give our best attention to all matters placed before us and join His Excellency in our deliberations to apply our best abilities to serve the state that we all love, for the advancement and the welfare of South Australia and its people. I commend this motion to the council.

**The PRESIDENT:** Before I call on the Hon. Ms Scriven to second the motion and proceed to make her speech supporting the Address in Reply, I remind members this is the honourable member's maiden speech and the honourable member is entitled to be heard in silence.

**The Hon. C.M. SCRIVEN (15:58):** I rise to second the motion. Mr President, I congratulate you on your election as President of this chamber. I am sure you will carry your dedication to duty, as exemplified through your previous military service, into this role and be a model of fairness and adherence to the standing orders. I thank His Excellency the Governor for delivering the speech that opened this Fifty-Fourth Parliament of South Australia.

In 1946, a man set out on a journey from Glasgow to London. He walked that journey. He had to leave his wife and five children. He had owned a small trucking business, but his trucks had

been requisitioned by the government to assist in the Second World War. There was, of course, no compensation—it was for part of the war effort.

The war had now ended, his business was no more and, like countless other men, he could find no work in Scotland, so he did the only thing he could. He walked to London, 387 miles, to get employment and somewhere to live so that he could then send for his wife and children to join him. His goal was simple: to have a home and to have a job to support his family. His was a journey of perseverance, sacrifice and hope in pursuit of opportunity.

Twenty years later, another journey began. A man and a woman and their two young children crossed vast oceans to travel to the other side of the world. Their goal was also simple: to have a home of their own for their family. In outer London, this family had lived in two rooms upstairs with only cold water, sharing a bathroom with a family who lived below. The man worked long hours in suffocating conditions in a foundry, yet his wage was short by 10 shillings per week of the amount needed merely to apply for a subsidised council home loan. The waiting list for a council rental home was more than 10 years, so they did the only thing they could. They left family and friends and all they had known to travel and emigrate to Australia. Their journey, too, was a journey of sacrifice and hope in pursuit of opportunity.

The first journey was that of my grandfather and the second was that of my parents. I have been the beneficiary of both of those journeys because of the opportunities I have in this country—a country where the daughter of a foundry worker can become a member of this state's parliament. These simple goals of work and home ownership are still the goals of many people today. Many are still denied the opportunities that other people take for granted.

I believe the underpinning purpose of government is to foster opportunities, and this is the reason for my membership of the Labor Party: the acknowledgement that people are born into very different opportunities but that all have a right to reach their full potential, that all are deserving of dignity by the very nature of their humanity and that all should be able to expect a safe workplace and a livable wage. These are the traditional values of the Labor Party and are the foundation of everything that I hope to achieve while in this place.

By many people's standards, as I grew up, our family was poor. My late father worked in jobs that were considered unskilled and therefore only paid a little bit better than minimum wage. My mother, who I am delighted is able to be here today, did occasional paid work but considered that her career was raising her family. Her example of devotion to her family has been a profound inspiration to me and I thank her for her love and commitment.

But my parents ensured that myself and my sisters rarely felt poor. They always cherished the fact that we could go on holiday every year, no matter that it was in a tent. They valued family time far above any material goods and, of course, they treasured the fact that we owned a home: a home with three bedrooms and a bathroom and a garden.

I was raised in Penola and Mount Gambier in our state's beautiful South-East, where I now live again. I worked there after leaving school and then moved to Adelaide for uni. Of course, moving was the only option for myself as a country kid, before the days of internet and online study and before there was a university in the Limestone Coast. Similar issues remain today for many country residents. I believe I am the only member of this place who lives more than 100 kilometres from Adelaide. As a regional MLC, I want to ensure that there is a stronger focus on regional issues and a better consideration of the impact on country residents when we consider legislation here.

I had moved to Adelaide for university, but living on Austudy was hard, especially after being used to a full-time income, so I left and went to work again. My career since then has encompassed many different roles in the public sector, the private sector and self-employment. As my husband also runs his own business, we understand firsthand the ups and downs of self-employment. As a couple, we have been fortunate to have had one of us at home as the main caregiver for our children for most of their lives. This has certainly been difficult at times.

As any small business person knows, a frequent challenge is to actually get paid in a reasonable time for the work that you have done. I remember one particular year when my husband was waiting to be paid for a job. It reached two days before Christmas, we had exhausted all our financial reserves and there was still no payment in sight. At that time we had three young children



and I remember doing our Christmas shopping at the op shops that year. I can assure you there is not much left in the op shops two days before Christmas.

This type of experience is usual for many families, and they have little expectation, often, that it will change. They live from week to week financially. That is why failure to pay wages on time, deliberate underpayment of staff or seeking to remove the penalty rates on which many people rely can be devastating. These are all threats to the livelihoods of individuals and families and they are wrong. The terrible uncertainty that comes with these threats to one's livelihood takes its toll on people's mental health, as well as in many other ways, and is one of the many reasons why the people of our state need a Labor government. I hope that they will have one once again in four years' time.

I remember many conversations around the dinner table at night about such matters as I was growing up. My mother says she did not think that we were a political family, but discussions about justice, fair treatment and powerlessness versus collective action were all part of my formative years. My father was strongly Labor and strongly union. I asked him once why he was not the shop steward at his workplace and he laughed and said in his Scottish accent, which I am very poor at imitating, 'Lassie, those blokes are not ready for my kind of unionism.' Dad's view was that the Liberal Party was for the rich and big business and that Labor was for the working man. It was a very simple description, but in all the years since I have seen much that supports his view.

The Governor's speech confirmed that this new Liberal government has, for example, committed to further deregulating shop trading hours, uncaring of the fact that this will hurt small traders, possibly sending them out of business. It is only the biggest retailers that will benefit and consumers will pay the price, literally, of reduced competition in years to come. Sadly, those opposite are never true friends to small business.

As I mentioned, I quit uni the first time round, but thankfully the flexibility in study that has emerged in recent decades meant that I was able to return to study later while working and raising children, gain postgraduate qualifications in management and undertake an MBA. More flexibility in study options, recognition of prior learning and work-based study projects have all come about in relatively recent years and are a huge step forward in lifting skills and qualifications. As the world's economies change and develop and new industries emerge, it is essential that we become more flexible and innovative in our approaches to training and education, and I emphasise again how important flexibility is to regional residents in particular.

I return again to the theme of opportunities. I had the opportunity to be a member of this place when I was in my 20s, but I chose to decline. At the time, I would have been the youngest woman to enter the state parliament and a number of other firsts. I was warned that opportunity only knocks once. Well, I am living proof that is not so. I am glad to come to this chamber older, hopefully wiser, and with a wealth of life experience to guide me. I have a new first: I believe that I am the first woman with six children to become a member of this place, and given that large families are becoming less common, it is a record that I expect to hold for a very long time.

I am grateful to many who have made my entry to this place possible. First of all, to the Australian Labor Party: thank you. Thank you for being the voice of the powerless and the disadvantaged while progressing our state for the good of all. Thank you to the former member for Croydon, the Hon. Michael Atkinson, who first encouraged me to join the party in 1989, and to Senator Don Farrell. Both of them encouraged me to pursue multiple opportunities, including one that saw me as the youngest woman ever elected to the national executive of the ALP. Thank you for eventually forgiving me for not entering this place at my first opportunity.

Thank you to the Hon. Jack Snelling, former member for Playford, my friend and supporter through many years, and to the Hon. Tom Kenyon, former member for Newland. You will be missed, both of you, from this parliament. Add to these also the member for West Torrens, the Hon. Tom Koutsantonis, whom I likewise have known since Young Labor days. I also thank the new member for Croydon, the Hon. Peter Malinauskas, who I know will be an honourable and inspirational leader, and very much look forward to working as part of the team being led by him.

I thank the SDA, Sonia Romeo and Reggie Martin for your support in my preselection in the recent campaign. I have learned much from you, for which I am grateful. I also thank Aemon, Steven and all those at party office.

I also want to thank those steadfast ALP supporters who worked for the Labor campaign in Mount Gambier and MacKillop. It is not easy to fly the Labor flag in seats such as those and you should be rightly proud of your commitment and hard work. Thank you, Geoff, Mary, Chris, Brad, Travis, Trish, Mark, 'Comrade' Willie, and also Phil and Karen. Thank you to my friends Jenny and Liz. Both of you have supported me in innumerable ways which have lifted me up and helped me to persevere. Also to Joan and Helen, Sandra, Caroline and Paul, and Robert, I will always be grateful for your support.

I welcome the other new members to this place and congratulate you on your election as well as those who were re-elected. I particularly congratulate my Labor colleagues, the Hon. Emily Bourke, who I know well, and the Hon. Irene Pnevmatikos, who I know only a little so far. I look forward to working with you both.

It is a pleasure to note that on this side of the chamber three of the four Labor members elected in March were women. Indeed, I was watching the proceedings of the other place earlier today and I was struck by the abundance of men's blue suits on the government side of the chamber. I confess to being baffled by how the Liberal side of politics continues to believe that it selects people based on merit when they have only four women out of their 24 members in that place, and only two out of nine in this one. It is clearly a different sense of merit.

Mr President, I have saved the best until last. My deepest thanks must go to my dearest friend, my husband Gerard. My election to this place is certainly a story of sacrifice on his part for he would not choose a life in the limelight himself. His love, his strength, and his faith, have been my most treasured gifts and their value is far beyond words. To our children, Felicity, Isabel, Monica, Julian, Oliver and Genevieve, you have also endured the upheaval of my political voyage so far and have borne with it and supported me through it all. I thank you.

I began by talking about journeys of hope in pursuit of opportunity. I hope to spend my time in this place in furthering the economic and social measures that will mean that those in our community who are vulnerable, who lack a voice, who lack opportunities, are able to benefit from traditional Labor principles of justice and opportunity so that they can fulfil their own potential. If we achieve that as members of this place, our journeys will have been worthwhile.

Debate adjourned on motion of Hon. I.K. Hunter.

**The PRESIDENT:** Before I call on the next matter, may I add my congratulations to the honourable member on her election and her maiden speech, and I also extend a welcome to your friends and family.

#### *Citizen's Right of Reply*

#### **CITIZEN'S RIGHT OF REPLY**

**The Hon. R.I. LUCAS (Treasurer) (16:13):** I move:

That, during the present session, the council make available to any person who believes that he or she has been adversely referred to during proceedings of the Legislative Council the following procedure for seeking to have a response incorporated into *Hansard*—

1. Any person who has been referred to in the Legislative Council by name, or in another way so as to be readily identified, may make a submission in writing to the President—
  - (a) claiming that he or she has been adversely affected in reputation or in respect of dealings or associations with others, or injured in profession, occupation or trade or in the holding of an office, or in respect of any financial credit or other status or that his or her privacy has been unreasonably invaded; and
  - (b) requesting that his or her response be incorporated into *Hansard*.
2. The President shall consider the submission as soon as practicable.
3. The President shall reject any submission that is not made within a reasonable time.

4. If the President has not rejected the submission under clause 3, the President shall give notice of the submission to the member who referred in the council to the person who has made the submission.
5. In considering the submission, the President—
  - (a) may confer with the person who made the submission;
  - (b) may confer with any member;
  - (c) must confer with the member who referred in the council to the person who has made the submission and provide to that member a copy of any proposed response at least one clear sitting day prior to the publication of the response; but
  - (d) may not take any evidence;
  - (e) may not judge the truth of any statement made in the council or the submission.
6. If the President is of the opinion that—
  - (a) the submission is trivial, frivolous, vexatious or offensive in character; or
  - (b) the submission is not made in good faith; or
  - (c) the submission has not been made within a reasonable time; or
  - (d) the submission misrepresents the statements made by the member; or
  - (e) there is some other good reason not to grant the request to incorporate a response into *Hansard*, the President shall refuse the request and inform the person who made it of the President's decision.
7. The President shall not be obliged to inform the council or any person of the reasons for any decision made pursuant to this resolution. The President's decision shall be final and no debate, reflection or vote shall be permitted in relation to the President's decision.
8. Unless the President refuses the request on one or more of the grounds set out in paragraph 5 of this resolution, the President shall report to the council that in the President's opinion the response in terms agreed between him and the person making the request should be incorporated into *Hansard* and the response shall thereupon be incorporated into *Hansard*.
9. A response—
  - (a) must be succinct and strictly relevant to the question in issue;
  - (b) must not contain anything offensive in character;
  - (c) must not contain any matter the publication of which would have the effect of—
    - (i) unreasonably adversely affecting or injuring a person, or unreasonably invading a person's privacy in the manner referred to in paragraph 1 of this resolution; or
    - (ii) unreasonably aggravating any adverse effect, injury or invasion of privacy suffered by any person; or
    - (iii) unreasonably aggravating any situation or circumstance; and
  - (d) must not contain any matter the publication of which might prejudice—
    - (i) the investigation of any alleged criminal offence;
    - (ii) the fair trial of any current or pending criminal proceedings; or
    - (iii) any civil proceedings in any court or tribunal.
10. In this resolution—
  - (a) 'person' includes a corporation of any type and an unincorporated association;
  - (b) 'member' includes a former member of the Legislative Council.

In speaking to this motion, as members will know from the brief discussions I have had with members outside the chamber, this is a traditional motion that has been moved for a number of years now. It provides the opportunity for a citizen's right of reply for those citizens who might feel aggrieved at something that one of us may have said in the chamber. This outlines an opportunity and a process

that a citizen can follow in terms of, potentially at the end of that process, having their objection approved and tabled in this house.

I do not believe, other than for perhaps some of the new members, that I need to speak at any greater length than that. As I said, it is in exactly the same format as has been moved previously; it has been supported by all members on all previous occasions. I do not ever recall a debate where someone has opposed the motion, and I therefore urge members to support the motion before us.

**The Hon. K.J. MAHER (Leader of the Opposition) (16:15):** I second the motion and note that this is a motion we routinely move to allow anyone who thinks they have been aggrieved to have a process in which to redress that. I note that on some occasions some in this chamber do happen to say things under parliamentary privilege about which people do feel aggrieved, so it is important that we have this motion on the books.

**The Hon. M.C. PARNELL (16:15):** I also support the motion and I do not propose to speak at any great length because, as the Leader of the Government has said, it is a fairly regular motion introduced at the start of sittings, so I think there is no doubt that it will pass.

I want to make a few observations in relation to the motion. The first, perhaps, has been made already, but it is a motion that has rarely been used. I have been here 12 years; I can recall two or three times where a member of the public has taken advantage of this motion, written to the President and sought a right of reply in *Hansard*. So, it is not something that will occupy a great deal of our time.

In terms of the test to be applied by yourself as President, I note that the words include whether a person claims to have been adversely affected in reputation or in respect of dealings or associations with others. It is an interesting test. I guess in some ways the test that the civil courts might apply in a case for defamation comes to mind, where certainly the concept of diminished reputation applies there. Of course, the big test in a court case, in a defamation case, is that what the person said was wrong, that it was false. It is a hurdle that has to be overcome before proceedings go too far.

Interestingly, the motion requires that in considering a submission from a person the President may not take any evidence—and I think that makes sense: we are not going to turn this chamber into a courtroom and bring in people to argue the pros and cons of what the honourable member might have said or meant—but also that the President may not judge the truth of any statement made in the council or in the submission made to the President.

I guess common sense has always prevailed (and I hope it will prevail), that if what a person says in this chamber is factually correct, if it is true, it may harm a person's reputation, and that may be deserved. I urge the President to use this facility judiciously and also preferentially towards individuals who might contact the President in relation to a right of reply.

The reason I say that is that the definition of 'person' does include corporations. I am sure I am not Robinson Crusoe in having, in this place, named and shamed corporations for things they have done in the community. The famous case of Marathon Resources springs to mind. I think I described it as a cowboy operation that was trashing the Arkaroola Wilderness Sanctuary. Did that affect its reputation? I hope it did: that was the intention.

Corporations are covered by this. I am not aware of any corporation ever having written to the President saying that they feel their reputation was harmed by something that was said by a member of this place. I do not want to be accused of nitpicking, because the practical reality is that this facility is rarely used. I am only aware of it ever having been used in relation to individuals who were named, rather than corporations, and I hope and expect that will continue to be the case. With those observations, the Greens will support the motion.

Motion carried.

*Parliamentary Procedure*

## **ANSWERS TO QUESTIONS**

**The Hon. R.I. LUCAS (Treasurer) (16:19):** I move:

That, during the present session, once a notice of question has been given and placed on the *Notice Paper* pursuant to standing order 98b, an answer to the question shall be delivered to the Clerk, pursuant to standing order 98c, not more than 30 days after the date on which it had first been printed on the *Notice Paper*.

Again, brevity is the order of the day. This does not need a long explanation. It has been a subject of much public debate over the last 16 years and some frustration from a number of members, including myself, at the significant number of questions on the *Notice Paper* that remained unanswered for, in some cases, up to 16 years.

What this does is consistent with most other jurisdictions, albeit the days slightly vary. I think in some jurisdictions it is 35 days and in some it is 30. I think in one jurisdiction it might be 45 days. This sessional order places a requirement on a minister to at least bring back an answer to a question on the *Notice Paper* within that 30-day period. One cannot always, as is the case in question time, guarantee that the questioner will be satisfied with the quality or indeed the answer that is provided; nevertheless, a minister will be required to provide a response to a question on notice within that 30-day period. I urge members to support what is, in essence, a sensible sessional order.

The other point I should put on the public record is that, in the discussions I have had with the Leader of the Opposition and other crossbench members, I have indicated two things. One is I hope, Mr President, with your concurrence, that the Standing Orders Committee will undertake a body of work in terms of the standing orders of the Legislative Council.

We have made one significant amendment, after decades of not recognising the political reality of the chamber, in appointing for the very first time a prominent member of the crossbench to the Standing Orders Committee to provide his input into the issue of sensible amendment of standing orders. I have had informal discussions with members as to how that process might work. Again, Mr President, it will be an issue for discussion with yourself as a member of that particular committee.

In the long term, most other jurisdictions have this particular requirement in their standing orders, and it would sensibly reside in the standing orders if there was agreement from all parties, which I am sure there will be, but in the absence of being able to bring the Standing Orders Committee together to do that, the sessional order option is a convenient way of doing it, at least for this session, whilst the work of the Standing Orders Committee can be undertaken and at some stage presented to the Legislative Council chamber. With that, I urge support for the motion.

**The Hon. I.K. HUNTER (16:22):** I rise to indicate that the opposition will be supporting this motion, but I do so now, upon the remarks of the Hon. Mr Lucas, with some trepidation. I advise you most strongly, Mr President, following the remarks the Hon. Mr Lucas has made, to hold to the glorious traditions that the Legislative Council has inherited and to resist most strongly the revolutionary tendencies of the Hon. Mr Lucas to bring about change to this chamber. It is something that we have done very rarely in the past and I think that is probably for good reason.

In relation to the motion before us, the government tell us that they want to make themselves more transparent and more accountable to parliament. That is all well and good, but then I wonder why, in this motion, the government has chosen such a cut-down version of this process that has been adopted by our sister parliaments around the country. As I say, I am not in any way resisting this. I am seconding it and offering our support, but the Hon. Mr Lucas might like to consider some questions that I will now raise and, either now or in due course, provide us with some response.

What happens if a member of the government and the ministry fails to achieve the timetable that we are outlining here? What punishment is to be meted out to that recalcitrant member who, Mr President, I am sure you will be responsible for superintending? Are we to have a swear jar placed up here next to the Black Rod every time a minister misses his or her due date to give a response, and are they to then cough up \$100 out of their own pocket into that swear jar? That would be an encouragement indeed. I wonder, what is the punishment?

What is the recourse should a minister not, in fact, deliver an answer within 30 days? This has obviously been considered around the country. Perhaps the Hon. Mr Lucas has considered this and has advised that it may not be, in fact, workable. I do not know, that is why I am asking the question. However, in Victoria and the ACT, I understand the standing orders outline procedures whereby members can hold ministers to account for failing to meet the required time frame for answering questions without notice. In these jurisdictions, I have been advised that members are

able to demand an explanation of the minister and, if one is not given, they are able to move motions without notice relating to that abject failure of ministers to reply.

In the Western Australian Legislative Council, a member who fails to bring an answer to a question on notice is required to stand up after question time and explain when an answer can be expected. I am also advised that the Australian Capital Territory specifies that provisions for answers to questions on notice also extend to questions taken on notice during question time—another revolutionary approach that the Hon. Mr Lucas might be tending towards. As I say, the Hon. Mr Lucas may have already considered this and decided that it is not workable or that it does not work elsewhere. I seek his response to that question. If not, why has the government decided to leave these recourse actions out?

Again, we are supporting the motion. If the government is serious about meeting its election commitments on accountability to parliament, it certainly has a way to go, and this may be a missed opportunity with this cut-down version of the provision. I await the Hon. Mr Lucas's considered response.

**The PRESIDENT:** I understand there are no other speakers to the motion. Treasurer, you have an opportunity to sum up the debate, if you so choose, and respond to those questions, although the honourable member did give you the opportunity to respond later.

**The Hon. R.I. LUCAS (Treasurer) (16:26):** Mr President, I will do both. I will respond briefly. I have looked at the provisions that exist in some other jurisdictions. There have been mixed reports to me. Even though it might be a revolutionary move, as the Hon. Mr Hunter has described it, I think the issue would be actually activating the Standing Orders Committee and having the temerity to invite a crossbencher onto that committee. Revolutionary it may be, but it is the first time I have ever been called a revolutionary.

**An honourable member:** No, that can't be right.

**The Hon. R.I. LUCAS:** It is, I can assure you. This is the sort of issue that could sensibly be addressed in the Standing Orders Committee. I hope that my three colleagues in this chamber will never have to address that particular set of circumstances; that is, that my colleagues and I will treat this with the seriousness it deserves and that the issue of not providing a response within the 30-day period will never arise. I would hope that is the case and that there is certainly not a flagrant, arrogant ignoring of the sessional order.

Ultimately, my advice in the short term is that it is within the prerogative of the chamber, under our current standing orders arrangements, in terms of either moving motions against ministers or, indeed, insisting on various requirements of a minister in this chamber. All those current powers remain and they are options for the chamber should it so choose. As I said, I hope that we do not have to get to that situation because ministers actually abide by the intention of the motion.

Another technical issue has been raised with me, albeit I do not know that we have run into the problem, and that is: what happens when the house gets up for 35 or 40 days, whatever it is, for that session in August or September—I do not know if it is that long this time—and questions have been asked a week or two weeks before that? We are sure the Hon. Mr Hunter, in those circumstances, would not take offence if they were tabled on the first sitting day after the winter adjournment or, indeed, after the Christmas and New Year adjournment.

Those are the sorts of issues that I understand are technical problems with some of the other jurisdictions as well, but good sense prevails. As long as the minister tables them on the first sitting day. It may well be, when we come to a standing order, that it says 30 days or, in the event that there is an adjournment, the first sitting day after the break, or something. We did not think, in practical terms, given we made this commitment, that it was worthwhile delaying the implementation of the sessional order. We thank the Hon. Mr Hunter for his support for the motion, and that it would appear that the rest of the members in the chamber are going to support the motion as well.

Motion carried.

*Motions***BUDGET AND FINANCE COMMITTEE**

**The Hon. R.I. LUCAS (Treasurer) (16:30):** I seek leave to move the motion in amended form.

Leave granted.

**The Hon. R.I. LUCAS:** I move:

1. That a committee, to be called the Budget and Finance Committee, be appointed to monitor and scrutinise all matters relating to the state budget and the financial administration of the state, any related policy matter and any other related matter.
2. That the standing orders of the Legislative Council in relation to select committees be applied and accordingly—
  - (a) That the committee consist of seven members, that the quorum of members necessary to be present at all meetings of the committee be fixed at four members and that standing order 389 be so far suspended as to enable the Chairperson of the committee to have a deliberative vote only;
  - (b) That this council permits the committee to authorise the disclosure or publication, as it sees fit, of any evidence or documents presented to the committee prior to any such evidence being reported to the council; and
  - (c) That standing order 396 be suspended to enable strangers to be admitted when the committee is examining witnesses, unless the committee otherwise resolves, but they shall be excluded when the committee is deliberating.
3. That members of the council who are not members of the committee may, at the discretion of the Chairperson, participate in proceedings of the committee but may not vote, move any motions or be counted for the purposes of a quorum.
4. That members of the council who are ministers of the Crown are unable to serve on the committee or participate in committee hearings, except as a witness called before the committee.
5. That a full-time research officer position be made available to assist the work of the committee.

I thank honourable members for their forbearance in working our way through what was going to be two sets of further amendments to be moved by two separate members. I have now moved the motion, with the government's agreement, to incorporate both those sets of amendments. The bottom line is that there have been two motions moved, one by the government today, because we do believe in the important work of the Budget and Finance Committee. It was something that was originally moved in about 2007 by myself and we believe, on behalf of the Legislative Council and the people of South Australia, that the committee has done much good work in holding governments, ministers and departments to account.

We said in opposition that we believed, if ever in government—we did not know that it would take that long to get back into government—that this was an important committee that should continue, irrespective of the colour and nature of the government of the day. The fact that we have moved the motion as a government motion in Government Business is indicative of our good faith in that particular political ideal. The honourable Leader of the Opposition had moved a similar motion for private members' business tomorrow. The amendment that I have moved today incorporates the differences in the honourable member's motion and the government's motion.

Put simply, there was one amendment that in essence confirms what has been the existing convention: that ministers do not serve on the committee. It was certainly never the government's intention that ministers would serve on the committee, so we were happy to support that. The wording has changed slightly from the honourable Leader of the Opposition's motion, in that it would have prevented a minister from actually sitting in the public gallery and observing the proceedings of the Budget and Finance Committee, as some former Labor ministers did during the past 10 years. The Leader of the Opposition indicated that was not the opposition's intention in terms of the drafting, so the new draft allows a minister to observe if he or she wishes to attend a public hearing of the committee but not to sit on the committee as a member of the committee.

The other change was that the research officer position has now incorporated the words 'full-time'. I remember passing the motion 'full-time' many years ago but, under the former government, for many years we did not get any full-time or part-time research officer position. I think in the last 12 to 18 months we had a part-time position that was essentially about 15 or 20 hours' work per week. Essentially, it will be left up to the committee and the committee Chair, together with the Legislative Council and the Legislative Council budget, to make provision for that. We as a government certainly believe that, for the committee to do the required work, it should get the assistance of someone with technical expertise in the research officer position.

The final issue, which has been the subject of much negotiation between all parties and individuals in the Legislative Council, is that the committee has grown from five to six to seven members. The subsequent motion that I will move in terms of the membership of seven will be that there be two government members, two opposition members and three crossbench members, as I understand it.

At one stage it appeared that there might only be support—not from the government members, but support from other members—for only one government member being on the committee. I place on the record the reasons that we would have strongly opposed that, because we have always, in opposition, supported the notion of the government having two members on the Budget and Finance Committee. It is one of the harder-working committees of the parliament. It meets at least every two weeks. If, as a government, you were to have only one member, when he or she inevitably was sick, away or travelling, it would mean the government would not be able to have a member on the committee.

**The Hon. D.W. Ridgway:** Of course, the previous committee had a very hardworking Chair; it won't be replicated again, I wouldn't think.

**The Hon. R.I. LUCAS:** I won't be diverted. It would be a position where it would be unfair for the government not to be able to have representation on the committee if we were, in essence, by vote of this chamber, reduced to just a single member. As we understood it, the only compromise was to increase the size of the committee to six and then ultimately to seven.

With that, I indicate the government's strong support for the Budget and Finance Committee. We wish the committee members who are about to be nominated and elected well in the task that they have ahead. It is an important task in terms of keeping government departments to account in terms of their financial administration of the state. We look forward to their ongoing work on the committee.

**The Hon. K.J. MAHER (Leader of the Opposition) (16:38):** I thank the honourable Leader of the Government in this place for moving this motion. I also thank him for moving it in an amended form such that it incorporates the aspects of the motion that I had given notice to move in private members' business tomorrow. I can indicate, on the basis of the amended form in which this motion has been moved, that I will not be proceeding with moving my motion in private members' business as I had originally given notice.

It is a committee that has worked hard. I was a former government member on that committee, as a backbencher, when I first came into this place, and it does work hard. It plays an important role. I look forward to the committee continuing to play that important role. I thank not just the government for moving this motion but also the crossbenchers who have participated in a lot of discussion about this committee. I thank the crossbenchers for that discussion. I look forward to serving on this committee and holding the new government to account in relation to financial matters of this state.

Motion carried.

*Parliamentary Committees*

**BUDGET AND FINANCE COMMITTEE**

**The Hon. R.I. LUCAS (Treasurer) (16:39):** I move:

That the committee consist of the Hons. J.A. Darley, D.G.E. Hood, K.J. Maher, F. Pangallo, C.M. Scriven, T.A. Franks and T.J. Stephens.



Motion carried.

**The Hon. R.I. LUCAS:** I move:

That the committee have power to send for persons, papers and records to adjourn from place to place and to report on 4 December 2018.

Motion carried.

#### **SESSIONAL COMMITTEES**

The House of Assembly notified its appointment of sessional committees.

#### **JOINT PARLIAMENTARY SERVICE COMMITTEE**

The House of Assembly notified its appointment of the committee.

#### **STANDING COMMITTEES**

The House of Assembly notified its appointment of standing committees.

At 16:45 the council adjourned until Wednesday 9 May 2018 at 14:15.