

LEGISLATIVE COUNCIL

Wednesday, 7 November 2018

The **PRESIDENT (Hon. A.L. McLachlan)** took the chair at 11:00 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—

District Council of Elliston, Report, 2017-18

By the Minister for Human Services (Hon. J.M.A. Lensink)—

Reports, 2017-18—

Department for Environment and Water

Environment Protection Authority

Green Industries SA

Maralinga Lands Unnamed Conservation Park (Mamungari) Board

Premier's Climate Change Council

South Australian Water Corporation

Water Amendment (Murray-Darling Basin Agreement) Regulations 2017 (Commonwealth)

Parliamentary Committees

LEGISLATIVE REVIEW COMMITTEE

The Hon. T.J. STEPHENS (14:16): I bring up the 10th report of the committee.

Report received.

Parliamentary Procedure

ANSWERS TABLED

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

Question Time

AMBULANCE RAMPING

The Hon. K.J. MAHER (Leader of the Opposition) (14:19): My question is to the Minister for Health and Wellbeing. Does the minister agree with statements from the Ambulance Employees Association and the Salaried Medical Officers Association that ramping in hospitals under this Liberal government is worse than it has ever been in our state?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:20): I agree with the Ambulance Employees Association and SASMOA that it will require long-term and sustained efforts by this government and by its stakeholders to remedy the serious situation at our hospitals in relation to hospital demand. Clearly, one of the symptoms of that is the ramping on our hospital ramps that occurs from time to time, but the reality is that the stakeholders meetings that we have had in recent months consistently supported the fact that we need a series of strategies, short term, medium term and long term.

The government has already been active in increasing bed capacity. In recent months we have made 30 beds available in country hospitals, 20 beds in the private system, 11 mental health beds and only last week announced the opening of 20 beds for long-term patients at the Repat, as well as committing to ongoing funding for 20 beds at the ACH.

Certainly, we are continuing to experience hospital demand which is putting pressure on our system. That is hardly surprising, considering the situation we inherited from the former Labor government. Within the next week we celebrate, or shall we say commemorate, the former government's breaking of its promise that it would never, ever close the Repat, with a net loss of 100 beds. There is no doubt that the loss of those beds—

The Hon. I.K. Hunter interjecting:

The PRESIDENT: Order! The Hon. Mr Hunter, order! And some of that language was a bit unparliamentary, too.

The Hon. S.G. WADE: —significantly contributed to the pressure that the system is under now. In relation to capacity, though, I would remind the honourable members that I have consistently stated that dealing with hospital demand will not just be a matter of capacity, it will also be a matter of flow.

The Hon. I.K. Hunter: Tell that to the patients that have been ramped because of your incompetence. Tell them they've got to wait for the flow to be fixed.

The PRESIDENT: The Hon. Mr Hunter, you have ample time to ask questions over the next hour.

Members interjecting:

The PRESIDENT: Don't engage, the Hon. Mr Stephens. You two can leave if you wish to have a private conversation. The minister has the call.

The Hon. S.G. WADE: As I was saying, the government has taken action to increase capacity, but as Associate Professor Elizabeth Dabars of the Australian Nursing and Midwifery Federation highlighted on this morning's radio, it is not just a matter of capacity. She made this statement:

It seems that throwing more beds at the problem is not the single solution. We never said it would be, and we never expected it would be. But what we need is some rapid action on those other strategies, such as keeping people out of hospital and moving people through the system seamlessly.

That is why the government is engaging with employee organisations and with our department on a whole range of short-term, medium-term and long-term strategies.

I have already mentioned the short-term strategies in terms of country patients and private beds; we have medium-term strategies in terms of the interhospital transfer taskforce; and there is a series of long-term strategies particularly focused on forensic mental health and the mental health nursing workforce.

This situation has been fundamentally delivered to the people of South Australia by 16 years of Labor mismanagement of health. It will take more than a few months for this government to get the health system humming as it should be, but that's what we will do.

Members interjecting:

The PRESIDENT: The Hon. Mr Hunter, I heard you the first time. Order! Sit down, minister. Would you like to continue?

The Hon. S.G. WADE: I've finished.

The PRESIDENT: You have finished. The Hon. Mr Hunter, I missed that last bit. It might well have been important.

AMBULANCE RAMPING

The Hon. K.J. MAHER (Leader of the Opposition) (14:24): Supplementary arising from the answer: minister, is ramping now worse than it has ever been?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:24): The fact of the matter is that in recent weeks we have actually had improvements in the indicators—

The Hon. K.J. Maher interjecting:

The PRESIDENT: Leader of the Opposition, you cannot put words into people's mouths. You have a law degree; I know that and you should know that.

The Hon. K.J. Maher: He keeps coming back after misleading, so I'm trying to help him before he makes a mistake again.

The PRESIDENT: Leader of the Opposition, this is not a conversation where you can verbal me or the minister. Minister, please continue.

The Hon. S.G. WADE: As I was trying to explain to the house before the Leader of the Opposition continued with his disrespectful behaviour, the fact of the matter is that there has been some data which has shown improvement in recent weeks. Of course, we will continue to have surge days and we have had surge days early this week.

AMBULANCE RAMPING

The Hon. K.J. MAHER (Leader of the Opposition) (14:25): Supplementary arising from the answer about ramping being the worst it has ever been in this state, Mr President.

The PRESIDENT: Do not stretch the friendship, Leader of the Opposition; do not put assertions into the supplementary. I am going to allow you to ask it but you're on a short leash.

The Hon. K.J. MAHER: My supplementary arising from the original answer is: will the minister explain why data has been missing from SA Health's online emergency department dashboard for peak times of ramping and Code Whites over the past two nights? What is he trying to hide?

The PRESIDENT: We have the question. The Hon. Mr Stephens, I couldn't hear all of that question so—

Members interjecting:

The PRESIDENT: Minister, do you wish the member to repeat the question?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:26): No, I will answer the bit I heard. I indicate to the member that I am aware of interruptions to the dashboard. I have received some advice that there has been some IT work been done, but in terms of the data, let's be clear: unlike the previous government, which had the dashboard down for extended periods and never sought to provide the data, I will undertake to the council—

Members interjecting:

The PRESIDENT: Order!

The Hon. S.G. WADE: —to ensure that when the data is available I will make it available to stakeholders who have already asked me for it and anybody else who seeks it.

AMBULANCE RAMPING

The Hon. K.J. MAHER (Leader of the Opposition) (14:26): Final supplementary arising from the original answer: will the minister implement the ambulance employees' call for the waiving of ambulance fees for patients who were ramped in emergency departments, given that it is the worst it has ever been?

The PRESIDENT: The last bit is not appropriate for a supplementary, you know that, Leader of the Opposition, but I am going to allow the first bit because I am feeling generous towards you today, but do not stretch the friendship.

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:27): Yes, I am aware of the Ambulance Employees Association's suggestion but the government does not intend to implement that suggestion at this time.

MENTAL HEALTH SERVICES

The Hon. C.M. SCRIVEN (14:27): My question is to the Minister for Health and Wellbeing. Given there have been reports from clinicians that there have been many mental health patients stuck for days in emergency departments, will the government now back down on its budget commitment to cut 880 SA Health doctors, nurses and other staff this year?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:27): The simple answer to the member's question is that the government has clearly stated that, in implementing its budget targets, no doctor or nurse will be sacked.

MENTAL HEALTH SERVICES

The Hon. C.M. SCRIVEN (14:28): A supplementary, despite the inadequacy of the answer: how long will the government continue to open the 20 beds in private hospitals that the government has leased?

Members interjecting:

The Hon. C.M. SCRIVEN: It's regarding mental health patients so of course it's relevant to the original answer.

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:28): None of the private hospital beds relate to mental health patients.

The PRESIDENT: Just sit down for a moment. Can I remind the government benches that if they wish to raise a point of order, please stand and address me and articulate your case. Commentary from the government benches is just as bad as commentary from the opposition benches.

Members interjecting:

The PRESIDENT: This is not a debate.

Members interjecting:

The PRESIDENT: I am now awaiting the Hon. Ms Scriven's further supplementary.

MENTAL HEALTH SERVICES

The Hon. C.M. SCRIVEN (14:28): Is the minister saying that the use of beds in private hospitals and other arrangements have nothing to do with the flow within hospitals which impacts on mental health patients waiting in emergency departments?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:28): I am not aware of any of the private beds being inpatient mental health beds, but if I am advised otherwise I will let the honourable member know. However, in terms of flow, mental health patients don't flow into private hospital beds, they flow into mental health beds. That is the problem which we have inherited from the former government both in terms of capacity and in terms of the full operation of the new Royal Adelaide Hospital.

MENTAL HEALTH SERVICES

The Hon. C.M. SCRIVEN (14:29): A further supplementary: will the government ensure that the beds in Hampstead Ward 2A that the government has slated to close at the end of October will stay open indefinitely?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:29): My answer is that that has absolutely nothing to do with the original question.

The Hon. C.M. SCRIVEN: So you won't answer that question?

The PRESIDENT: The Hon. Ms Scriven, that is not—

Members interjecting:

The PRESIDENT: Have we finished the conversation? The President is here; if you want to raise a point of order—

The Hon. K.J. Maher interjecting:

The PRESIDENT: Leader of the Opposition, you are talking over me. If you wish to make a point of order, you stand and you make your case. I don't rule on casual conversations from the backbenchers. The Hon. Ms Bourke.

SHOP TRADING HOURS

The Hon. E.S. BOURKE (14:30): Thank you, Mr President. I seek leave to make a brief explanation before asking a question of the Treasurer regarding shop trading hours.

Leave granted.

The Hon. E.S. BOURKE: Yesterday, the Treasurer made a ministerial statement advising that he had in fact received a submission from the SDA on Christmas shop trading hours. According to the Treasurer, the email containing that submission was captured by an email filter. This means that the Treasurer has failed to consider the views of thousands upon thousands of retail workers across this state.

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

The Hon. E.S. BOURKE: I am glad you see that as funny. The Treasurer also said that he would correct the record wherever he was asked to correct the record. My questions are:

1. When will the Treasurer apologise to the SDA and the tens of thousands of retail workers he has overlooked and correct the record in all media outlets that he previously made the comment in?
2. Will the Treasurer explain why he, or any of his staff, did not think to call the SDA to ask for their submission?
3. Given the Treasurer's consultation on the Christmas trading hours exemption he intends to issue was clearly incomplete, because of his failure to consider the views of tens of thousands of workers, will the Treasurer cancel the exemption and restart a fair process?
4. Can the Treasurer advise why, unlike previous years, the Christmas trading hours exemption consultation process was not coordinated by SafeWork SA but instead by the Treasurer's office?
5. Does the Treasurer agree that the unorthodox approach he took to conducting this process was merely political pointscoreing?

The Hon. R.I. LUCAS (Treasurer) (14:32): The answer to one of the questions—I forgot the actual number—is no, I won't be withdrawing the exemptions and starting the whole process over again. There is a simple answer to that, and that is no.

The Hon. K.J. Maher: Have you sought some legal advice about whether you should?

The Hon. R.I. LUCAS: I don't need advice from the Leader of the Opposition, a member of a failed Labor government, on any issue, Mr President, ruly or unruly, in order or out of order. Indeed, if I was seeking legal advice, he would be the last person in the nation that I would be seeking legal advice from.

In relation to the honourable member's question, it is incorrect and inaccurate to say that I have conceded that I had received a submission from the SDA. I didn't receive a submission from the SDA. It was junked, for the reasons that I outlined yesterday. I didn't receive it. I didn't see it, albeit, as I said on a number of occasions, repeated again yesterday, I am well aware of the views of the shoppies union in relation to shop trading issues.

As I said to a number of members of the media this morning, you don't have to be a Rhodes scholar to know what the attitude of the shoppies union is to shop trading hours deregulation. Indeed, in relation to public holiday trading, for every public holiday, almost, for the last eight years, the shoppies union and fellow travellers have put their position, and the Liberal Party has put their position, both in opposition and in government, in relation to trading on public holidays. You don't have to be, as I said, a Rhodes scholar to know the attitude of the shoppies union.

In relation to the issue of the junking of the shoppies union email, I said I would share further information.

The Hon. J.E. Hanson interjecting:

The PRESIDENT: The Hon. Mr Hanson, it's getting annoying now. Treasurer.

The Hon. R.I. LUCAS: It was just white noise for me, Mr President; it was just white noise. It was just something in the background; just something over there.

Members interjecting:

The Hon. R.I. LUCAS: I said that I was happy to share information. I know members of the Labor Party need to report to their union bosses in the shoppies union, so let me, through them, provide some advice to the shoppies union in relation to why the techos in government believe this particular email might have been junked. I advise that government uses industry-leading email filtering systems to limit the volume of spam, phishing and malicious emails permitted into the organisation. I am advised, again by the techos, that this email contained a number of words, phrases or content identifiers that filtering products regularly use to identify potentially malicious content. In the interests of security, I won't indicate—

The Hon. I.K. Hunter: Like the word 'union'.

The Hon. R.I. LUCAS: —all of the identifiers that were malicious—

The Hon. I.K. Hunter: It's like the word 'union' has been crossed out of its servers.

The Hon. R.I. LUCAS: I said yesterday that I did rule out that I hadn't issued any instruction to automatically junk any union emails, because my very good friends and comrades in the PSA regularly correspond with me, and their emails never get junked. We are on first name terms. Without actually identifying all of the security elements, I have a couple of suggestions to the shoppies union bosses, which are evidently telltale signs to this automatic industry-leading email filtering system: don't use generic email sender addresses, which evidently the shoppies union used. In general terms, don't use a generic salutation such as 'Dear Treasurer'. If they want to get it through to me—

Members interjecting:

The Hon. R.I. LUCAS: —use the term 'Dear Rob', 'Dear Comrade', 'mate' or 'Minister Lucas'. I am only sharing information from the techo experts. This is not my view. Anyway, there are a number of other indicators, evidently, in this industry-leading email filtering system, which I must admit was installed, evidently, under the former Labor government. It has nothing to do with the new Liberal government. Without indicating all the others, because that would indicate the details in the security systems, the techos have advised my office that as the number of these identifiers—there are a number of them, and I haven't revealed all of them—increase with any one email, as per the email in question, there is an increase in the likelihood of the email being flagged as suspicious. The techos have advised that's the reason why this particular email from the shoppies union was junked and deemed—

The Hon. K.J. Maher: Because it said 'Dear Treasurer'?

The Hon. R.I. LUCAS: No, because there are a number of identifiers which the system—

The Hon. K.J. Maher: You said 'Dear Treasurer' was one of them.

The Hon. R.I. LUCAS: Well, it was. It's not in and of itself—

Members interjecting:

The Hon. R.I. LUCAS: Mr President, this is a system set up by the government of former minister Maher and former minister Hunter. So this is the system that the former government set up. There's a little bit of advice to my good friends and comrades in the shoppies union—

The Hon. E.S. Bourke: When are you going to apologise?

The Hon. R.I. LUCAS: I won't be, in relation to that unruly interjection. I had indicated publicly, and I did so again today. I do accept—

The Hon. K.J. Maher: That you misled parliament.

The Hon. R.I. LUCAS: No, I didn't. I do accept that the shoppies union did try to send a submission. For the reasons that were being identified, I didn't receive the submission, which is correct and what I said on the record. I didn't receive the submission, for the reasons that have been outlined; it had been junked. I have provided some general advice to my very good friends in the shoppies union to assist them in the future in relation to ensuring that they always get through to me—a bit like the PSA's letters to me, because they clearly don't get junked or treated as having malicious or suspicious content.

SHOP TRADING HOURS

The Hon. E.S. BOURKE (14:39): Supplementary arising from the answer: can we clarify the definition of 'sending an email' when you put in the correct address, the address provided by yourself that you were not aware existed, and also the fact that when you press the send button, is everyone who sends an email with the correct address then meant to follow up with a phone call to ask whether you have received an email?

The Hon. R.I. LUCAS (Treasurer) (14:39): No, but I must say, though, that a lot of unions and others do actually send emails and then follow up with hard-copy letters.

The Hon. E.S. Bourke: You didn't request it; you asked for only an email.

The Hon. R.I. LUCAS: I am only trying to assist the honourable member and her bosses in the shoppies union. I am just saying that the practice of a number of other stakeholders is that they email and then they follow up with a hard copy letter later. That is not an uncommon practice in relation to it. I cannot provide any more advice. As I said, the PSA and any number of other unions, the AEU, have never had a problem in terms of getting emails and submissions through to me or to my office. On this particular occasion, for some bizarre combination of factors according to this particular system, this particular email was junked, and it was certainly beyond my control or indeed influence.

SHOP TRADING HOURS

The Hon. E.S. BOURKE (14:41): Supplementary arising from the original answer: what other submissions has the Treasurer received that have ended up in his junk box or inbox filter (whatever file you would like to refer to it as), and has he been in contact with those since then?

The Hon. R.I. LUCAS (Treasurer) (14:41): The advice I got is that no other submission—

The Hon. K.J. Maher: Just the SDA?

The Hon. R.I. LUCAS: Just the SDA. The Leader of the Opposition can choose to misinterpret the advice I have placed on the record.

The Hon. K.J. Maher: It's what you said. You said that because it was to 'Dear Treasurer' it was less likely to be read.

The Hon. R.I. LUCAS: It's not what I said. The Leader of the Opposition can deliberately misinterpret the tech advice I shared with the chamber. The tech advice was that there was a range of issues—I won't repeat them—

The Hon. K.J. Maher: One of them was saying, 'Dear Treasurer'.

The Hon. R.I. LUCAS: Exactly, and that was one of the ones I have been advised. It was actually a generic salutation, which evidently is one of the many levels of security check that this particular automatic system uses.

SHOP TRADING HOURS

The Hon. I.K. HUNTER (14:42): Can the Treasurer advise the chamber how many other submissions had the header or the same generic salutation of 'Dear Treasurer'?

The Hon. R.I. LUCAS (Treasurer) (14:42): I don't know, but as soon as question time finishes, or indeed tonight, I will spend plenty of time checking exactly what the salutations were. Again, the Hon. Mr Hunter, if what he is seeking to do indicates that that is in some way in and of

itself sufficient to junk an email, he is misunderstanding again the techo advice I have shared. The mere use of a generic salutation in and of itself is not sufficient to junk a particular email; it is one of a number of indicators. The Hon. Mr Hunter can choose to delude himself, as indeed the Hon. Mr Maher can delude himself as well, that in some way, in and of itself, that particular salutation would junk something.

The Hon. I.K. Hunter: It's the one you picked.

The Hon. R.I. LUCAS: Well, because I'm not going to put all of them on the public record. Why would I, on the public record, indicate all the levels so that those people who want to direct malicious emails to government can try to trash the systems? Why would I put all the security measures on the public record? I was just trying to help my good friends and colleagues within the shoppies union to assist them to get through the system in future: just say, 'Dear Rob, 'Dear Comrade' or 'Dear Minister Lucas', and, maybe if they want to, follow it up with a hard-copy letter.

SHOP TRADING HOURS

The Hon. E.S. BOURKE (14:44): Supplementary: can the Treasurer confirm if these were not his words in this very chamber yesterday, and immediately correct the record and apologise to those who might have been offended?

The Hon. R.I. LUCAS (Treasurer) (14:44): I have immediately corrected the record; I did so yesterday afternoon.

The Hon. K.J. Maher: And apologised?

The Hon. R.I. LUCAS: There was no need for an apology, because my statement in relation to, 'Had I received a submission?' was in fact correct: I hadn't.

ASK FOR ANGELA SCHEME

The Hon. J.S. LEE (14:44): My question is to the Minister for Human Services about the safety campaign to help those feeling vulnerable on a night out. Can the minister please provide an update to the council about the launch of Ask for Angela and the program's role in increasing community safety and wellbeing across South Australia?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:45): I thank the honourable member for her question. On 1 November, the Attorney-General and I had the pleasure of launching the Ask for Angela campaign in South Australia, which is a campaign allowing patrons at any participating licensed venue to 'ask for Angela' at the bar if they require assistance to leave an unsafe or difficult situation. Venue management are asked to participate by preparing their staff to assist patrons who 'ask for Angela', including organising safe transport from the venue or calling police if required.

The Ask for Angela campaign originated in Lincolnshire in the UK and has been also used in New South Wales. It aims to help combat violence, abuse and harassment, including sexual violence. It is just one measure available to encourage respectful treatment of all people within South Australian licensed venues. In developing the campaign, the Office for Women has worked closely with Consumer and Business Services, SAPOL, Music SA, YWCA, Yarrow Place and the Australian Hotels Association (AHA). We particularly thank the Australian Hotels Association for their support and participation.

I should say for the record, too, that at the launch Wendy Bevan from the AHA reiterated the fact that all patrons and staff in licensed venues have a right to feel safe and can always ask for assistance at any time. The Ask for Angela campaign adds a marketing mechanism, if you like, to increase the awareness for people who may be in a particular situation and may not have thought to actually seek assistance from the staff. The AHA is supportive of this as a voluntary program about which they have written to all of their licensed venues to ask them if they would be interested in participating. Materials are being produced by Consumer and Business Services and being distributed through the Women's Information Service in a range of areas.

This initiative is also available to men as well as to women. A number of people can find themselves in situations where they may have set up a date with someone or ended up receiving unwanted attention from someone in a licensed premise or they may fear that someone has spiked

their drink. The Ask for Angela campaign adds another tool in the toolkit to keeping people safe and we encourage people to 'ask for Angela' if they think they need assistance.

ASK FOR ANGELA SCHEME

The Hon. C.M. SCRIVEN (14:47): Supplementary: how much funding is the government providing towards this initiative?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:47): It may well be within existing resources. There are a range of different agencies which are involved in this collaboration but I will see if I can seek some information and, if possible, I will provide that to the honourable member.

CORRECTIONAL SERVICES MONITORING DEVICE OUTAGE

The Hon. C. BONAROS (14:48): I seek leave to make a brief explanation before asking the Minister for Health and Wellbeing, representing the Minister for Police, Emergency Services and Correctional Services, a question in relation to GPS tracking bracelets.

Leave granted.

The Hon. C. BONAROS: At the outset, can I point out to the minister that I have given prior notice of this question to the Minister for Police in the hope that we can have an answer. The Premier has ordered a full investigation after the recent Telstra hardware failure sparked a complete breakdown of South Australia's electronic monitoring system for 774 people on parole or home detention bail, including convicted child sex offenders.

Can the minister confirm whether the 90 or so domestic violence offenders fitted with GPS ankle bracelets as part of a current trial were also affected by the hardware failure? If so, did the government inform the victims of the outage and whether they were at risk of harm? If the domestic violence offenders fitted with the bracelets were affected, was the minister aware of this at the time and what contingency plans were deployed to deal with these offenders to ensure victims were not placed at risk of harm?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:49): I thank the honourable member for her question. I do not have an answer for that question but I will take it on notice and get an answer from the minister in another place.

ROYAL ADELAIDE HOSPITAL INCIDENT

The Hon. T.T. NGO (14:49): My question is to the Minister for Health and Wellbeing. Has the minister inquired about the assault of a doctor at the RAH emergency department on Monday night? If so, what information has he been provided?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:50): I am not aware of any briefing being given to me in relation to the report of an assault on Monday night. I would certainly be keen to ensure that any complaints are fully investigated.

The fact is that the doctors, nurses and other health professionals in our emergency departments deserve our respect and thanks, not aggression. During my time as minister I will be keen to ensure that SA Health works to support workers in pursuing complaints they have, including police complaints where that is relevant.

ROYAL ADELAIDE HOSPITAL INCIDENT

The Hon. T.T. NGO (14:51): A supplementary: will the minister launch an independent investigation once he has received a briefing from SA Health?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:51): I certainly give an undertaking to the honourable member to seek information from SA Health, first, whether or not a complaint has been lodged and, secondly, if not, whether they can give me any other information in relation to workers' safety on Monday night.

LIFESTYLE SA RETIREMENT VILLAGES

The Hon. D.G.E. HOOD (14:51): I seek leave to make a brief explanation before asking the Minister for Health and Wellbeing a question about Lifestyle SA villages.

Leave granted.

The Hon. D.G.E. HOOD: Lifestyle SA has recently advised residents' committees that they are no longer able to sell liquor or prepare and sell meals for profit within its 11 villages. The committees are disappointed that they are unable to continue to operate a bar and provide catering for events, and have expressed concern with both the changes and the limited consultation by Lifestyle SA on this matter. Will the minister update the council on the state government's response to residents' concerns?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:52): I thank the honourable member for his question. I do understand that Lifestyle SA has made a decision to prohibit residents' committees from selling alcohol or cooking and serving meals for profit within their villages and has advised residents that, going forward, functions will need to be BYO food and alcohol.

The provision of alcohol and food by residents' committees or otherwise is not covered under the Retirement Villages Act 2016 and associated regulations. This is a matter for the residents' contracts and the rules of the village. Prior to this decision each Lifestyle SA village established an incorporated association which held a liquor licence, enabling it to sell alcohol to residents. In December 2017, changes to the Liquor Licensing Act 1997 came into effect whereby retirement villages no longer needed to hold a liquor licence.

I am advised that as a result of this change Lifestyle SA requested that all the associations surrender their liquor licences, and informed the residents' committees that they were unable to undertake activities previously carried out by the associations, such as selling alcohol and food to residents, meaning the committees would be operating commercial businesses. This is against village rules. Lifestyle SA contracts prohibit any commercial activity in a residence or on common areas of a village without approval. The sale of liquor and meals by the committees are viewed by Lifestyle SA as being commercial in nature.

The government wants villages to be happy, social and community focussed. Residents love this social interaction. Banning residents' committees from running such social activities is in no-one's interest. It is in the best interests of everyone to adopt policies and practices that enhance the ambience and sense of community in their village. We should be encouraging social activities that make residents happy rather than standing in their way.

The committees have been critical in organising and catering for these events, and are keen to continue to do so. For its part, the government is concerned that Lifestyle SA is curtailing residents' socialising, and I urge Lifestyle SA to reconsider this interpretation. It is not in their residents' interests.

I appreciate that residents are upset at this change of direction and that there is considerable frustration resulting from Lifestyle SA's lack of consultation with residents. Understandably, residents would like an opportunity to ask questions and seek clarification on the new arrangements and, in particular, allay any concerns that the changes will result in the ceasing of regular social activities in the villages.

The Office for the Ageing has advised Lifestyle SA that they have an obligation to consult with residents and residents' committees, in accordance with clauses 5 and 6 of the regulations. I am advised that Lifestyle SA will undertake consultation with all residents' committees in the coming weeks. The Aged Rights Advocacy Service is funded by the South Australian government to operate the retirement villages resident advocacy service, which provides information and advocacy support to residents of retirement villages. I encourage any residents requiring support in their dealings with Lifestyle SA or in understanding their rights to contact this service.

I will be writing to the residents' committees in each of the 11 Lifestyle SA villages outlining that the provision of alcohol and food by residents' committees or otherwise is not covered under the Retirement Villages Act 2016 and drawing their attention to the availability of the retirement villages

resident advocacy service should they need support in dealing with this matter. The government will consider what action may need to be taken once these processes are concluded.

ENVIRONMENT PROTECTION AUTHORITY

The Hon. M.C. PARNELL (14:56): I seek leave to make a brief explanation before asking a question of the Minister for Human Services, representing the Minister for Environment and Water, about misleading EPA advertisements.

Leave granted.

The Hon. M.C. PARNELL: Earlier this year, there was a great deal of controversy over a proposal by Flinders Ports to widen a seven-kilometre stretch of the shipping channel at Outer Harbor in order to accommodate larger vessels. The controversy was largely triggered by the fact that the last time such a dredging operation took place, back in 2005-06, the resulting turbidity destroyed 1,600 hectares of valuable seagrass meadow. That was the conclusion of the EPA's aerial photography investigation at the time.

Another aspect of the controversy this year was the failure by both the State Planning Commission and the EPA to release the EPA's assessment of the current dredging proposal. In fact, it was only as a result of pressure from the Greens that the document was finally released. However, it was only released after the planning commission hearing, which meant that none of the representors, especially the fishing industry and conservation groups, had the chance to respond to it at the hearing.

This history of secrecy and disrespect for public input is why it was doubly concerning to see today the EPA publish an advertisement in *The Advertiser* concerning an application by Flinders Ports for an EPA licence for the dredging and dumping of 1½ million cubic metres of material. This advertisement is buried in the public notices on page 52 of the paper. In the advertisement, the EPA erroneously claims that it is legally obliged to issue the licence and the only matters up for discussion are details of licence conditions. This is wrong in law and, if not corrected, it will have the effect of the EPA improperly and unlawfully rejecting valid submissions. If not corrected, any representors who find their submissions disregarded would have a solid case for judicial review. My questions of the minister are:

1. Was the minister aware that the EPA had misled the public over the Flinders Ports licence application advertisement in *The Advertiser* this morning?
2. Will the minister now ask the EPA to readvertise for public submissions in a way that does not attempt to illegally constrain the subject matter of submissions?
3. Will the minister ask the EPA to amend its website, which includes the same misleading information?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:58): I thank the honourable member for those questions. I will take those on notice, seek a response from the responsible minister in another place and bring back a reply.

ROYAL ADELAIDE HOSPITAL

The Hon. J.E. HANSON (14:58): My question is to the Minister for Health and Wellbeing. The minister has confirmed that any assaults which do happen will be fully investigated, but what action has the minister taken to ensure medical staff are not put in harm's way due to any problems caused by ramping and overcrowding in the first place?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:59): The fact of the matter is that I rely on SA Health management at the hospitals to continue to maintain a safe workplace and also, to be frank, I rely on the oversight of bodies such as SafeWork SA to highlight issues. Certainly, both SafeWork SA itself and, as I understand it, employee organisation representatives authorised by SafeWork SA undertake inspections of facilities. It is also the case that the Chief Psychiatrist visits specifically both mental health facilities and also some other facilities at which people with mental health issues are housed, as well as the Principal Community Visitor. I fundamentally rely on SA

Health management to maintain safe workplaces and also a range of other oversight bodies to highlight issues as they arise.

ROYAL ADELAIDE HOSPITAL

The Hon. J.E. HANSON (15:00): Supplementary arising from the answer: given that the minister has been made aware today of some assaults on medical staff that have occurred, is he willing to make inquiries with those authorities he has mentioned about ways that steps are being taken to prevent that occurring?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:00): In answer to an earlier question from the Hon. Tung Ngo, I undertook to make further inquiries in relation to reports of an assault. Fundamentally, my interest is supporting the individual health professional to pursue the issues as they think appropriate, and in that regard I will rely on briefings I receive to ensure that that occurs in this case.

ROYAL ADELAIDE HOSPITAL INCIDENT

The Hon. K.J. MAHER (Leader of the Opposition) (15:01): Supplementary arising from the original answer in relation to having received briefings on incidents that have occurred: can the minister confirm he's received no briefing or any advice in relation to the incident that was referred to on page 1 and on page 4 of today's *Advertiser* about a doctor needing stitches after being assaulted at the Royal Adelaide Hospital?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:01): I can reiterate what I said earlier, which is that I will make inquiries as to whether advice has been received.

ROYAL ADELAIDE HOSPITAL INCIDENT

The Hon. K.J. MAHER (Leader of the Opposition) (15:01): Further supplementary: is the minister informing the chamber that he is not aware if he's received any advice whatsoever in relation to this matter?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:01): I rely on my previous answer.

The PRESIDENT: The Hon. Mr Stephens, you have the call.

Members interjecting:

The PRESIDENT: Can members show some respect for the Hon. Mr Stephens? He has the call.

NYRSTAR

The Hon. T.J. STEPHENS (15:02): My question is to the Treasurer. Treasurer, can you please update the chamber on the current situation with Nyrstar?

The Hon. R.I. LUCAS (Treasurer) (15:02): I think on one or two occasions previously I have updated the house in relation to the issues about Nyrstar. Given the events of the last 24 hours, I am happy to share some further information with members to that effect. I think the first thing I would say—and I'm sure it is the view that is shared by all members in this chamber—is that we are very hopeful for the many, many families in Port Pirie that the proposed redevelopment of Nyrstar and its operations will eventually prove to be very successful in terms of the long-term protection of jobs in the community. But I have to say recent events have raised some matters of concern.

As I shared with members earlier, the former Labor government entered into an underwriting deal, which has the taxpayers of South Australia potentially guaranteeing \$291.25 million in relation to the success or otherwise of this particular redevelopment. I advised the house soon after May, I think it was, that the first of the significant repayments was due in May this year, and Nyrstar had originally indicated they would not make any of that particular payment. Subsequently, they did pay the distribution amount component of that repayment, which was \$7.9 million, approximately \$8 million, but did not repay the \$29.125 million redemption of perpetual securities amount, which the state was expecting to receive.

The next repayments are due this month—again a repayment of just over \$10 million in terms of what is known as the distribution amount and \$29.125 million in terms of a redemption of perpetual securities. Our advice had originally been that there might not be any payment; our most recent advice is that the state might receive the distribution amount payment, which is the \$10.1 million but a continued refusal of Nyrstar to make the more substantial \$29.125 million payment in terms of the redemption of perpetual securities.

The other concerning thing in addition to that has been the, I guess, response of the global market to Nyrstar. Without going through all the details—I am sure many members follow these issues with great interest—the share price of Nyrstar since August of this year has plummeted some 71 per cent. I will not put on the public record a number of the public statements made by analysts from Morgan Stanley and other international agencies, or groups, I should say, commenting about the financial prospects of Nyrstar. They are on the public record anyway, but it serves no good purpose for me to repeat those again in this house. Nevertheless, allied with what's on the public record in terms of the share price of Nyrstar, together with the fact that repayments haven't been made as they were meant to be repaid, are matters of significant concern.

Of great concern, obviously, to the families and workers in Port Pirie was the news that the AWU yesterday revealed—that they had been told that some 100 jobs were likely to be lost in the very near future from Nyrstar. I must admit when I first looked at the complicated \$291.25 million deal the former Labor government had done I did have some significant issues and concerns. I didn't share all of those at that particular time, but one of the great concerns I had was when I asked the question in relation to what are the requirements on Nyrstar for this investment by the taxpayers of South Australia for the \$291.25 million?

Perhaps not unreasonably, as with most of these funding or loan deals, there is generally a commitment to have increased employment, and I think members will be familiar that the former government, and governments of all persuasions, have offered grants and loans, underwriting to various companies, in a deal which has necessitated increased employment over a period of time.

Perhaps not unreasonably in relation to this there was no such commitment written into this deal. But I must admit I was stunned when I was advised that the deal done by the former treasurer, the member for West Torrens, Mr Koutsantonis, and the former government has no requirement at all in relation to the retention of jobs at Nyrstar. So the former treasurer, the former government, has signed a deal committing potentially the taxpayers of the state to \$291.25 million, and there is no requirement at all in the deal to maintain jobs in Port Pirie and Nyrstar.

When I was told I was stunned. I asked Treasury officers and others just to go back and check. I said, 'Surely that couldn't be the case.' Surely it wouldn't be a situation where on behalf of taxpayers the former government, the former Treasurer, would have signed a deal in relation to such a significant sum of money without any requirement at all. Sadly that is the situation, so in the circumstances we have seen yesterday, with the announcement according to the AWU that 100 jobs are to go, there is nothing within the agreement that the state can do.

I have to say, and I put on the public record, that I think the former treasurer and the former government's handling from the taxpayers' viewpoint is financially incompetent. It borders on negligence. The interests of the taxpayers, but, more particularly, the interests of the workers and their families at Nyrstar in Port Pirie were not protected by the former treasurer and the former government when they signed this particular deal.

I think the former treasurer, the member for West Torrens, should be dragged by the scruff of the neck up to face the workers at Nyrstar in Port Pirie, to answer the question: 'Why, when you committed \$291.25 million of taxpayers' money, did you not put our interests, in terms of jobs at Nyrstar, to the forefront when you signed this particular deal?'

I think the former treasurer owes not only the workers at Nyrstar at Port Pirie but owes the community, owes the taxpayers and owes the parliament the responsibility to stand up and explain why—when he undertook this deal and negotiated the deal and was party to the deal, together with the rest of the cabinet—the interests of the workers and their families at Nyrstar were not at the forefront of the discussions, and why there was not some degree of protection in relation to jobs in the funding agreement that was undertaken.

In relation to the situation, on behalf of the government, I have had constant correspondence with Nyrstar in terms of its commitments—to the extent that we can under the deal—correspondence with Mr Hilmar Rode, the global CEO of Nyrstar located in Zurich. He has undertaken to come to South Australia, I think on 19 November, and we have a meeting organised in relation to the issues in relation to the deal that has been negotiated, the future of Nyrstar and, clearly now, the interests of the workers and their families at Nyrstar.

I conclude by saying that it is certainly my view and the view of the government that we will do everything we can, within the constraints of the deal that the former Labor government negotiated, to try to ensure the protection of the jobs of workers at Port Pirie at Nyrstar, but also at the same time to try to protect the interests of the taxpayers of South Australia who potentially have \$291.25 million swinging in the breeze on the basis of a deal negotiated by the former treasurer which in my view, as I said, was not only financially incompetent but bordering on negligent.

NYRSTAR

The Hon. T.J. STEPHENS (15:12): Supplementary question: given what you have just explained to us, Treasurer, how do you reconcile the member for West Torrens' public statements today, where he says, 'It seems to me that the hands are off the wheel here and the government is really letting market forces dictate what occurs to South Australian employees, even if these companies have received massive subsidies from the South Australian taxpayer.'?

The Hon. R.I. LUCAS (Treasurer) (15:12): I thank the honourable member for that supplementary because it is for that reason, when I saw that particular statement from the former treasurer, that prompted me to put on the public record some of the detail that I have not put on the public record before. I was stunned when I saw the bald-faced effrontery of the former treasurer to make a statement like that in seeking to blame the incoming Marshall Liberal government for the financial incompetence, bordering on negligence, of a deal that he personally negotiated on behalf of the taxpayers of South Australia.

As I said, how he had the effrontery to stand up in front of the media and make those sorts of claims was extraordinary, it was stunning, and that's why I think he should be held to account not only by the media here in South Australia—there should be a demand from the media on behalf of the taxpayers and the families—for the former treasurer to front up and answer the question: why did he negotiate a deal with \$291.25 million of taxpayers' money swinging in the breeze, yet insist on no protections for jobs of Nyrstar workers and their families?

ANXIOUS BAY ABALONE FARM

The Hon. J.A. DARLEY (15:14): My question is to the Leader of the Government, representing the Minister for Primary Industries and Regional Development. Can the minister advise what was the final cost of the clean-up of the abandoned abalone aquaculture operation on Anxious Bay, and can the minister also advise whether PIRSA was able to recover any money from the former lease and licence holder for the costs associated with the clean-up?

The Hon. R.I. LUCAS (Treasurer) (15:14): I will take the question on notice and bring back a reply.

KORDAMENTHA

The Hon. I. PNEVMATIKOS (15:14): My question is to the Minister for Health and Wellbeing. What experience do liquidators and administrators KordaMentha have in managing emergency departments and ambulance ramping?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:14): The honourable member's question repeats a refrain of a member in another place, which questions the relevant skills of KordaMentha in relation to the task that the government has engaged KordaMentha for in terms of financial recovery. The fact of the matter is that KordaMentha, like a whole range of consultancy firms, engages in a whole range of industries. KordaMentha has extensive experience in forensic investigation services and extensive experience in turning around businesses in financial difficulty. KordaMentha's engagement provides a much-needed business focus perspective not achieved in other previous health consultancies.

What do I mean by that? The former Labor government was more than willing to engage consultancies. I would remind the honourable member that the former Labor government spent almost \$80 million on consultancies contracted to the big four accountancy firms—

The Hon. R.I. Lucas: Eighty million?

The Hon. S.G. WADE: Eighty million—and the McKinsey group in the five years to the end of 2016-17. What did Labor achieve with those consultancies? The Auditor-General reported that between 2015 and 2017 alone, the actual net savings from Labor's Transforming Health were a cost of \$47 million. Labor spent tens of millions of dollars on consultancies on Transforming Health as part of a savings strategy and yet we actually went in the wrong direction. We lost money; we lost \$47 million in two years.

The government has the task of fixing Labor's mess. We not only have to make savings to eliminate the underlying budget overspend, we have to make up the ground that Labor lost in their term of government. In that regard, given that the budget overspend for the Central Adelaide Local Health Network is around \$300 million, the government is very serious about both an organisational recovery for the CALHN network and also a financial recovery. We have engaged KordaMentha for stages 1 and 2 of that process and we appreciated the fact that the CALHN health network needed financial expertise as part of its financial recovery.

KORDAMENTHA

The Hon. I. PNEVMATIKOS (15:17): Supplementary: why is the government considering appointing KordaMentha to be administrators of public hospitals when they have no experience in running public hospitals?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:17): I don't know what the honourable member wants to do. The member in the other place criticised SA Health for engaging KordaMentha and now that we have gone out for the phase 3 expressions of interest process, we are being told that they shouldn't be allowed to apply. Apparently, the Hon. Irene Pnevmatikos—

The Hon. I.K. Hunter interjecting:

The PRESIDENT: The Hon. Mr Hunter, enough.

The Hon. S.G. WADE: —thinks that we should put out an expression of interest which says, 'We are looking for consultants to help us with phase 3. KordaMentha need not apply.' I don't intend to corrupt the procurement process in that way.

KORDAMENTHA

The Hon. I. PNEVMATIKOS (15:18): Supplementary: will the minister confirm that KordaMentha has filled two manager positions in the critical care and surgery directorates? If so, do they have any experience in critical care and surgery?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:18): If the honourable member is suggesting—

Members interjecting:

The PRESIDENT: Can the Leader of the Opposition and the Opposition Whip please be quiet and be called to order. I cannot hear the minister.

The Hon. K.J. Maher interjecting:

The PRESIDENT: Leader of the Opposition, it is your member's question. Your member sits at the far end of the chamber. I would like the Hon. Ms Pnevmatikos to be able to hear the response of the minister to her question.

The Hon. S.G. WADE: I wasn't able to hear all of the question, but let me indicate that KordaMentha, in phase 1 and phase 2, is fundamentally involved in a diagnostics project and in developing an implementation plan. They are involved in working with CALHN management in relation to short-term measures that can be delivered to help stabilise the organisation, but my

understanding is that KordaMentha has no authority to make appointments under the Public Sector Management Act.

KORDAMENTHA

The Hon. I. PNEVMATIKOS (15:19): Supplementary question: the minister has previously taken on notice that there had been adjustments to what KordaMentha are being paid. Will the minister now inform the chamber exactly how much they are being paid?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:20): I am going to answer this question, but I have to ask the President and the chamber whether we really want to have people standing up and asking a series of unrelated questions? The original question was about KordaMentha's expertise.

Members interjecting:

The PRESIDENT: Leader of the Opposition, you are the last person to be talking about respect. Minister, I will take this as a point of order. You answered very broadly in your original answer, and I am giving latitude to the member to ask it. Please answer it.

The Hon. S.G. WADE: The total contract value of KordaMentha in phase 1 and phase 2 of the financial recovery plan is \$1.98 million. Given that the budget overspend for the Central Adelaide Local Health Network is around \$300 million, if the CALHN budget overspend is eliminated the cost of KordaMentha's—

The Hon. K.J. Maher interjecting:

The PRESIDENT: Leader of the Opposition, I cannot hear the minister. If I cannot hear the minister, the Hon. Ms Pnevmatikos cannot hear the minister. The Hon. Ms Pnevmatikos has indicated that she cannot hear the minister. Show respect to your President and particularly to your own member. Minister, please continue.

The Hon. S.G. WADE: I might start again, because I don't want anybody to miss any of this.

The PRESIDENT: Feel free to start again, minister.

The Hon. S.G. WADE: The total contract value of KordaMentha in phase 1 and phase 2 of the Central Adelaide Local Health Network financial recovery plan is \$1.98 million. That compares with \$80 million spent by the former Labor government in contracts with the big four accounting firms and McKinsey. Given that the budget overspend for the Central Adelaide Local Health Network is around \$300 million, if the CALHN budget overspend is eliminated the KordaMentha costs of phases 1 and 2 of the financial recovery plan would be recovered in 2½ days.

The Hon. I. PNEVMATIKOS: Point of order: I asked a question in terms of how much was being paid to KordaMentha, and the minister has told us how much KordaMentha is being paid.

The PRESIDENT: The Hon. Ms Pnevmatikos, I understand your point of order, but the person responding to the question has latitude to respond. That's the risk of asking a question of a minister. Minister.

The Hon. I. Pnevmatikos: But it's irrelevant.

The PRESIDENT: Please be seated.

The Hon. S.G. WADE: It's the risk of asking another stupid question. Given that the budget overspend for the Central Adelaide Local Health Network is around \$300 million and if the CALHN budget overspend is eliminated, the KordaMentha costs of phase 1 and phase 2 would be recovered in 2½ days—2½ days. So in other words, with a \$300 million budget overspend—

Members interjecting:

The PRESIDENT: Order!

The Hon. S.G. WADE: —in CALHN—

Members interjecting:

The PRESIDENT: Order!

The Hon. S.G. WADE: —left by the former Labor government, it would take 2½ days to recover the money that we have committed to KordaMentha so far. That means, if we start delivering savings from today, we would get our money back by Friday afternoon.

The Hon. K.J. Maher: Final supplementary?

The PRESIDENT: No, we have passed the time, Leader of the Opposition. You should realise by now that there is an hour allocated to questions without notice. Leader of the Opposition, feel free to ask a question at tomorrow's question time.

Matters of Interest

CLIMATE CHANGE

The Hon. M.C. PARNELL (15:23): I rise today to speak about the important role that planning and planning professionals can play in addressing the problem of climate change. Members might recall that a couple of years ago we were debating the Planning, Development and Infrastructure Act, and one of the amendments that passed was a requirement for South Australia to prepare a state planning policy on climate change. I was pleased that the council supported that amendment; it is now part of the act. I am also pleased that the State Planning Commission has commenced consultation on not just this but a range of other state planning policies.

I have to say that I was disappointed in the draft that the State Planning Commission came out with; it was fairly insipid, I think is probably the politest way that I could describe it, but I did take the trouble to put in a submission, and I covered three areas where I think the planning profession can improve in its response to climate change.

The first issue I raised was in relation to the perceived inability of the State Planning Commission to have regard to anything other than very narrow town planning grounds when it comes to assessing developments. The case in point was not one but two applications being considered by the State Planning Commission for new fossil fuel power plants. There were two—one was gas and diesel—mostly gas power plants that were proposed. They were to be assessed under the Crown development and public infrastructure stream, which meant that the decision-maker was the minister.

Importantly, the act states that the minister is not constrained by traditional planning considerations. The minister can inform himself or herself as they see fit. So my submission to the State Planning Commission was: well, you should do the same, you should take into account more than just the narrow confines of a planning scheme, you should, for example, look at some of the government's climate change policies. There were policies on carbon neutrality, there were a whole range of policies that address the issue of climate change, but when I put those to the State Planning Commission its response was deafening in its silence. They did not want to know about it.

Finally, when I managed to get copies of their correspondence with the minister, the best they could do was to say that people like me had raised issues that they were unable to deal with and unable to respond to; they were not interested in climate change. Unless the narrow planning scheme talked about climate change, the State Planning Commission was not going to either. That is a huge disappointment and it is a huge gap that needs to be filled.

The second issue that I raised with the State Planning Commission over its new planning policy on climate change was the issue of mandatory connections. I have raised that in parliament; I have a bill before parliament. I am not proposing to cover all of that ground again, but I will say that, since I raised that issue a week or so ago in parliament, I have reported six property developers at Mount Barker to the Australian Competition and Consumer Commission, and I have not had anyone on any side of parliament tell me that I am wrong. People are saying, 'I can't believe that a property developer can mandate connection to gas and mandate the use of gas and put that requirement on the certificate of title.' Most people are gobsmacked when I tell them that, yet that is exactly what is happening in Mount Barker. I have reported that to the ACCC.

The third issue that relates to planning and climate change is one that is, I think, a throwback to the past; that is, that a number of the planning schemes that exist in South Australia effectively require all new subdivisions to have gas connected. For example, I looked at the Lightview rules;

that is, the planning scheme that covered the new Lightsview development. You look at their principles of development control and it says that 'development should not occur without the provision of adequate utilities and services, including' and then it lists a great long list of things.

Most of them are things that would make sense: you have to have the electricity on, you have to have the water on, you need drainage and stormwater, you need proper effluent disposal, you need all-weather public roads, telecommunications services, social infrastructure, and then you go on—gas! You have to have gas. Well, no, you do not. There is not anything that gas can do in a domestic setting that electricity cannot do and cannot do as well or better, and certainly can do cheaper.

Some people are saying, 'Well, hang on, you can cook with gas nicely'. Well, you can with induction cooking as well. My plea to the planning profession is to get with the program, have a good look at the climate change debate and be part of the solution, not part of the problem.

GAWLER EVENTS

The Hon. J.S.L. DAWKINS (15:29): I rise today to speak about three significant events that were held in Gawler over the last weekend. First, I was delighted to attend the Rotary Club of Gawler's annual village fair at Pioneer Park on Saturday 3 November, which was opened by Mayor Karen Redman. This event has been running for more than four decades. It is run by the Rotary Club of Gawler, free of charge to community groups, to allow them to raise funds and awareness of their activities in the community.

The stallholders, while I will not mention all of them, were from a range of organisations including the Friends of Para Wirra Conservation Park; the Gawler Suicide Prevention Community Group, which was situated right next to my stall; the Gawler Community House; the Gawler RSL sub-branch; Gawler Health Foundation; Willo's Men's Shed; the Zonta Club of Gawler; the Gawler Agricultural, Horticultural and Floricultural Society; the Gawler History Team; as well as other service organisations, including the Rotary Club of Gawler Light and the Lions Club of Gawler.

On 4 November, I was pleased to attend two events. Both could have been marred by the wet weather, but I was very pleased to represent the Hon. Corey Wingard, Minister for Recreation, Sport and Racing, in presenting the 2018 Gawler Gold Cup to the connections of the winner, Honcho Monelli. A great crowd was in attendance despite the conditions.

I congratulate the Gawler Greyhound Racing Club, including its chairman, Mike Wittholz, secretary Bob May, and club manager Shawn Noack, on another excellent cup meeting. I was also very pleased to spend time with the chairman of Greyhound Racing SA, Grantley Stevens, and the CEO, Matt Corby, in discussing the plans for the opening of the new dual tracks at Murray Bridge which will replace the existing Strathalbyn greyhound racing facility. I understand that it is very close to the running of trials at that venue and there will hopefully be a launch of greyhound racing in Murray Bridge early in the new year.

My congratulations particularly go to the Gawler club. I think they have an excellent facility there. Considering the number of people who use the Nixon's function centre for events, in addition to the large number of patrons who actually attend the Sunday evening meetings, it is a great compliment to the management of the club, and I look forward to working with them in the future.

The other event was also somewhat marred by the evening rain on Sunday 4 November but it was good to visit the Precious Souls Memorial, a special place to acknowledge a child lost during pregnancy, at birth or in infancy at the Willaston Cemetery. Great credit goes to Ms Ali Chapman and the other members of Sands South Australia which many would know is a support group for those affected by miscarriage, stillbirth and newborn death. It is a great organisation, one I have been very privileged to be involved with for a great number of years. It is eight years since the memorial garden was established at Willaston Cemetery. Certainly, the efforts of that group in making sure that the families of these precious souls have been acknowledged has gone on much longer than that.

CLIMATE CHANGE

The Hon. I.K. HUNTER (15:34): South Australia has a very proud history of taking action on climate change. Since we became the first state in the nation to legislate emissions reduction targets we have been a leader in this country, but we have also been leading the world. We have

been innovative in climate policy, we have invested in renewable generation and storage, we have explored ways to adapt to and mitigate the effects of climate change.

The former Labor government led the way on climate change, leaving a legacy of which all South Australians can be extremely proud. Much has been said about the state Liberal government's failure to continue our climate leadership, especially its shameful pre-election commitment to end our state's Renewable Energy Target.

The reality is that South Australians should not have had to go it alone. To be most effective, emissions reduction requires all levels of government to work together in their shared task to reduce emissions and protect our environment for future generations. State and local governments have done this with great effect, building partnerships to tackle the causes and effects of the changing climate right across this country.

The outgoing Lord Mayor of Adelaide, Mr Martin Haese, can be especially proud of his work in this area. He worked constructively with the Labor government and with the succeeding Liberal government on ensuring that the Adelaide city council was leading the way, although he got very little respect from the Liberal government and very little cooperation.

The Carbon Neutral Adelaide plan is a fantastic example of how a state government and a city council can work together. It is an ambition for our city to lead not only the nation but the world—a big ambition—and be the first city in the world to operate on net zero emissions. That is the sort of ambition that is required to meet these goals. Launching that plan took a lot of ambition and a lot of courage, and I want to pay my respects to the outgoing Lord Mayor for his ability to muster a council—a divided council, it should be said—behind this grand vision of his and of the former premier Jay Weatherill.

The plan is, of course, an ongoing testament to the vision of former premier Jay Weatherill and of outgoing Lord Mayor Martin Haese and his council as well. It also demonstrated a critical component of climate action: two levels of government—preferably three, but two will do—both of which have recognised that the challenge before them is too great to address alone. Unfortunately, and as I just alluded to, the federal government has largely vacated this field.

The federal Liberal-National Coalition has long been unable to hold down a position on climate policy. Indeed, it is this issue that has brought down prime ministers. Tony Abbott became leader of the Liberal Party because of the right wing's disgust at Malcolm Turnbull working cooperatively with the then Labor government on climate change, and just a few months ago—it seems longer but it was only recently—Malcolm Turnbull found himself facing defeat in the House of Representatives on his National Energy Guarantee. There were media reports of his own backbench voting against this key government policy and its proposed emissions reduction target.

However, the chaos in the federal Liberal Party over climate change affects not only the party's leadership. Last month the ABC reported that documents released under the Freedom of Information Act show that the federal government sat on emissions data for almost two months before allowing the public to see it. The data was embarrassing, making clear that Australia's carbon emissions were increasing on the Coalition's watch and showing that in the reporting period, after adjustment for seasonal variation, Australia had its highest levels of carbon pollution since 2011.

The data showed that Australia has been on an upward trend of annual emissions since 2013 with no sign of putting a brake on that trend. Why did it take the federal government so long to release this report? The ABC reports that the data was sent to the relevant minister and assistant minister seven weeks before its release and again three weeks before its release when a new minister was appointed. Oddly enough, the data was released on a Friday afternoon, a public holiday in Victoria and the weekend of celebrations for both the AFL and NRL grand finals.

Time for action on climate change is well and truly here. The problem is getting worse as time passes, and scientists around the world project that we have only 10 years to solve the problem we face and limit unwanted global warming to 1.5°. Australia is a major per capita emitter of carbon pollution. We play a leadership role in the Asia-Pacific region—or we would like to think we do—and we can provide a model for comparable nations to follow.

South Australia has led the way at a state level and in partnership with local government. Other states, too, are ramping up their efforts; Queensland, for example, is delivering a state-owned, renewables-focused power company. Contrast it with the Liberals in this government, in this state, who want to sell off the power we have actually brought back. We need national leadership and it will not come from the federal Liberal government. Recent by-elections have shown that Australian voters know exactly how to deal with this—vote the Liberals out.

SHOP TRADING HOURS

The Hon. C. BONAROS (15:39): I rise to speak on a matter of transparency. On 5 November, just two days ago, the Premier, Steven Marshall, uploaded three posts to his Facebook page with respect to the recent announcement about retail trading in suburban areas this Boxing Day. The second post featured a screenshot of a Channel 7 Adelaide poll on the matter where the Premier posted the message:

It's pretty clear that the majority of South Australians are in favour of our decision to allow traders in the suburbs to open on Boxing Day.

The poll of 6,800 voters showed that there was a 70:30 split in favour of the announcement of suburban Boxing Day trading. I do not think many of us believe that 70 per cent of 6,800 voters on a Facebook poll conducted by Channel 7 is necessarily the majority of South Australians. We all know what happened to the online poll asking Australians to have their say on Australia's citizenship test. One Nation had at first backed the Senate committee poll—I think it was initially their idea—only to attack it later for being manipulated.

The Premier made a further post on the matter at 6.30pm on 5 November with the following message: 'Thanks for the positive feedback online.' A thumbs up emoji was included, along with a graphic that featured many of the carefully curated, positive feedback comments, including the names of those who posted the positive feedback. What the Premier failed to mention was the equally negative feedback he received to the three posts so, in the interests of transparency, I am going to include some of those posts and feedback from concerned South Australians on the other side of the debate, who are equally deserving of a thumbs up. From D. Scopacasa:

Yeah right...conveniently just post supportive messages, we aren't all sheep Mr Marshall! As for your choice for shoppers, seriously? Consumers have 7 day shopping almost 365 days a year but they need boxing day too? Thanks for taking away one of the very few days I had where all my family and friends could enjoy together...

From L. Blakeley:

They look like hand picked comments to me. Why would I believe that? That's not what a facebook post ever looks like, just look at this one!

From S. Annie:

You haven't posted ANY of the nay sayers Marshall, for which there are many.

From B. Bruce:

Greater choice? Seriously? Everything will still be available later. There's better things to do on Boxing Day than go shopping. How about spending time with your family, go camping. Go fishing, go to the beach, have another barbecue. Bus shopping? Get a life people.

From S. Fowler:

'Those that CHOOSE to work' haha...are you kidding? If an employer decides they're going to open and you refuse, I'm pretty sure you can start looking for a new job.

From B. Cutts:

What people can't survive with stores being closed for 1 day, are we that desperate these days. The only people benefitting from this are the large chain stores, all the mum and dad small stores will be losing one of their few days off a year.

From S. Woodhead:

Can't wait to be asked to start work at midnight xmas night so the shelves have bread on them when the store opens...merry xmas!

From T. Stewart:

If the rest of Australia were going to jump off a cliff would you add that to your list of policies too?

From A. Morris:

So seeing as the shops are open on Boxing Day, you'll be giving us back our State's founding day...Proclamation Day on the 28th so those of us from pioneer families can functions, No, I didn't think so.

From A. Ahrens:

I like the idea that we had an extra day where family and friends could get together for some relaxation without the fear of our ridiculous addiction to consumerism ripping people away.

From T. Tree:

So bad, what about those people with families that will be forced to work. What about the one day we get off the consumerism train and people were focussing on their families and extended families. They won't have that anymore. Sad news. I always feel for retail people, having worked in the industry.

Lastly, from Y. Alexander:

10 years ago I remember interstate people staying in South Australia why all the shops were not open at Easter like the other states. The reply was that given that SA Chose not to. I spoke to retail workers and they and many business owners also agreed that these times were valuable for the people and their families. It is ok to be non-conforming...What is paramount in our society now, people's lives or the control of life in society?

OZASIA FESTIVAL

The Hon. J.S. LEE (15:44): It is my great honour today to speak about the OzAsia Festival and the inaugural Chinatown Adelaide dragon boat competition, supported by DragonBoat SA as part of the exciting OzAsia 2018 program. This year, the OzAsia Festival is celebrating 12 years of achievement and is proudly recognised as Australia's leading international arts festival with a meaningful engagement with Asia. It is essential to a multicultural community of modern Australians.

A special thank you to Douglas Gautier, CEO of Adelaide Festival Centre, and Joseph Mitchell, Artistic Director of OzAsia, for their vision and leadership in hosting the country's pre-eminent international festival. The Premier, with responsibility for arts and multicultural affairs, expressed the state government's support in his remarks in the OzAsia program booklet, in which he offered his heartfelt congratulations to the Adelaide Festival Centre and members of the South Australian community for embracing OzAsia. As Assistant Minister to the Premier, I had the great honour to represent the Premier of South Australia, the Hon. Steven Marshall, to open this year's OzAsia Festival. I also had the privilege of opening the OzAsia film festival this year.

The OzAsia Festival kept me really busy, and I loved it. On 27 October, I had the great pleasure of joining His Excellency the Governor, the Hon. Hieu Van Le, to officiate the opening of OzAsia's inaugural dragon boat competition. In Chinese culture, the courageous dragon rides the clouds in the sky and commands the wind, mist and rain. It is a revered symbol of strength and power. Hence, the Governor, minister David Pisoni and I, together with other VIP guests, had the honour to participate in the auspicious eye-dotting ceremony to awake the dragons for each dragon boat so that the race could be fierce, fast and furious.

While the Dragon Boat Festival is traditionally celebrated on the fifth day of the fifth month of the Chinese lunar calendar, this is the first year, the first time, a dragon boat race has been held to coincide with the spectacular OzAsia moon lantern parade, which took place on 27 October 2018. I would like to congratulate the strong partnership and exceptional teamwork shown by Chinatown Adelaide and DragonBoat SA, with the support of OzAsia. It is hard to believe the joint organisers had only two months to put the event together. They worked tirelessly to stage a successful and spectacular event on the River Torrens.

Special thanks to George Chin, president of Chinatown Adelaide, together with his two vice-presidents, Dato Herman Chin and Eric Lai, for their tenacious efforts to come up with the initial concept and then work collaboratively with the chair and team of DragonBoat SA to organise 20 races, involving 25 participating teams. It was amazing to see a total number of participants of 350 people, ranging from the age of 17 to 70 years old, from diverse backgrounds getting involved in the dragon boat race.

Honourable members may be interested to know that some of the participants were dragon-boating for the first time in their lives, and they informed me that they enjoyed every minute of it because to them it was not a competition. It was about having a go and working as a team to forge new friendships with each other. Dragon boat racing is amongst the fastest growing team water sports in the world. The dragon boat race presented the opportunity for participants to embrace an ancient Chinese culture within a carnival setting like OzAsia that recognises sporting achievements.

I was honoured to present the trophies to winning teams at the closing ceremony and congratulate all of them for their mighty efforts. I was a dragon-boater when I was a teenager and know for a fact that to achieve optimum performance a dragon boat team must work consistently in harmony and at the same time demonstrate strength and endurance. I once again would like to congratulate all those involved in the dragon boat competition and OzAsia Festival. Congratulations to everyone.

Bills

SUMMARY OFFENCES (CUSTODY NOTIFICATION SERVICE) AMENDMENT BILL

Introduction and First Reading

The Hon. K.J. MAHER (Leader of the Opposition) (15:50): Obtained leave and introduced a bill for an act to amend the Summary Offences Act 1953. Read a first time.

Second Reading

The Hon. K.J. MAHER (Leader of the Opposition) (15:50): I move:

That this bill be now read a second time.

The Summary Offences (Custody Notification Service) Amendment Bill 2018 amends the Summary Offences Act and establishes a service that ensures that when Aboriginal people are taken into custody the Aboriginal Legal Rights Movement is notified.

The intent of this bill is very simple: to save Aboriginal lives. Aboriginal people make up around 2 per cent of the South Australian population, yet approximately 27 per cent of the South Australian prison population. There is much more to be done to reduce the over-representation of Aboriginal people in the justice system but something that can be done to reduce the number of Aboriginal deaths while they are in custody is to legislate for a custody notification service (CNS).

There was a Royal Commission into Aboriginal Deaths in Custody in 1991 that investigated Aboriginal deaths in custody over a 10-year period that provided some 339 recommendations. Recommendations 223 and 224 are relevant to this bill and are as follows. Recommendation 223:

That Police Services, Aboriginal Legal Services and relevant Aboriginal organisations at a local level should consider agreeing upon a protocol setting out the procedures and rules which should govern areas of interaction between police and Aboriginal people. Protocols, among other matters, should address questions of:

- a. Notification of the Aboriginal Legal Service when Aboriginal people are arrested or detained;
- b. The circumstances in which Aboriginal people are taken into protective custody by virtue of intoxication;
- c. Concerns of the local community about local policing and other matters; and
- d. Processes which might be adopted to enable discrete Aboriginal communities to participate in decisions as to the placement and conduct of police officers on their communities.

Recommendation 224 provided:

That pending the negotiation of protocols referred to in Recommendation 223, in jurisdictions where legislation, standing orders or instructions do not already so provide, appropriate steps be taken to make it mandatory for Aboriginal Legal Services to be notified upon the arrest or detention of any Aboriginal person other than such arrests or detentions for which it is agreed between the Aboriginal Legal Services and the Police Services that notification is not required.

It has been nearly three decades since the royal commission, and although I understand there are some processes in place in South Australia for limited visitation, this legislation will ensure that these particular recommendations are further implemented.

A custody notification service already operates in New South Wales and I understand was established in 2000 in direct response to the recommendations from the Royal Commission into Aboriginal Deaths in Custody. The New South Wales CNS requires police to contact the New South Wales Aboriginal Legal Service whenever they have taken an Aboriginal person into custody. The 24-hour service provides initial legal advice from an ALS lawyer, as well as an R U OK? check to help mitigate against risks of self-harm or suicide. The CNS lawyers can also contact the person's family to alleviate any concerns for the person's whereabouts and wellbeing.

I am informed that in New South Wales, since it was introduced and up until 2016, there has not been an Aboriginal death in police custody. I am advised that in July 2016, for the first time in 16 years, the procedures that were mandated failed and an Aboriginal woman died in custody. The New South Wales experience demonstrates that a custody notification service can save Aboriginal lives and it is timely now to make it a mandatory part of the South Australian police work to notify (in South Australia) the ALRM if an Aboriginal person enters into custody, as they have done in New South Wales for almost 20 years now.

I would like to take this opportunity, in moving this bill, to thank the people who have devoted their lifetime as advocates for Aboriginal people within the justice system, in particular the ALRM's chief executive, Cheryl Axleby, and Narungga elder and APOSS chief executive, Tauto Sansbury. They are two amongst many Aboriginal people who have dedicated themselves to tirelessly advance the lives of Aboriginal people, including attempting to break the cycle of recidivism and incarceration. I commend the bill to the chamber.

Debate adjourned on motion of Hon. J.S. Lee.

Motions

SERVICE SA

The Hon. E.S. BOURKE (15:56): I move:

That this council—

1. Acknowledges the vital services provided to the community by local Service SA centres;
2. Notes that local Service SA centres provide access to a range of transactions, many of which are not able to be undertaken online or over the phone but must be completed in person;
3. Condemns the announcement that the government will close the Modbury, Mitcham and Prospect Service SA centres;
4. Acknowledges the negative effect these closures will have on local residents who will face longer commutes, longer waiting times and lower levels of service as a result;
5. Acknowledges the impact that these closures will have on other Service SA centres, which will see wait times soar as they are inundated with additional clients;
6. Acknowledges over 7,000 South Australians who have so far signed petitions to keep the centres open; and
7. Calls on the government to listen to the community and reverse this heartless decision.

The phones are running hot on level 2 and that is because thousands of people are disappointed in the Liberal government. It is time that the Liberal government listened to the near 8,000, and counting, South Australians who have signed the petition to keep the Modbury, Mitcham and Prospect Service SA doors open.

Unlike the Treasurer and the transport minister, I have stood outside Service SA centres, spoken to customers and seen the lines with my very own eyes. Members of the community have shared what it will mean for them when their local Service SA centre closes, members from the community like Rachel. Rachel works at the Northpark Shopping Centre and is concerned that it will impact sales. Rachel mentioned that lines are often out the door of the Prospect Service SA centre and that people go shopping after they have been to that centre. She asked, 'Will those customers remain at the centre and will that profit stay at the centre?'

Mary uses the Service SA centre at Mitcham for her licence renewal and registration. She feels that it is easier to access services in person face to face. Anthony has used the Mitcham Service

SA centre since 2001. Anthony mentioned that there are still services that can only be done at a Service SA centre. Anthony does not want to go to Marion or to the city to use the services. Susan had to use the Service SA centre at Prospect to get a replacement driver's licence when her bag was stolen. She went on to say, 'It is a good service and it is close and convenient in case of an emergency.' Raimo uses the Service SA centre at Modbury when he cannot access services online. He does not want to have to take a bus and pay for parking at other service centres.

These are just some of the experiences of South Australians who have signed the petition. I have had the pleasure, and so have other Labor members, of talking to people while they were in line at a Service SA centre. A common thread, when talking to the people at the Service SA centres, is that queues are already long enough. One went on to say, 'Should thousands of South Australians be inconvenienced by having to wait longer and travel further to a Service SA centre merely to pay the government?'

Where does the government expect the 105,000 customers who used the Prospect Service SA centre last year, the 104,000 who used the Modbury Service SA and the 83,000 who used the Mitcham Service SA centre to actually go? Surely the government cannot expect the already packed Marion centre, the second busiest in the state, which served 117,000 customers last financial year, to also serve the 83,000 customers who use the Mitcham centre?

A total of 105,000 customers used Prospect last financial year. Will they be heading to Adelaide centres, and will they cope? Prospect customers who come into Adelaide instead may have to try to find car parking and pay for parking, making it near impossible for some of those most vulnerable in our community. Are the 104,000 Modbury Service SA customers going to be absorbed by Elizabeth, the busiest Service SA centre in the state, which served 141,000 customers just last year?

Considering the very limited planning that seems to have gone into this, will the government be able to guarantee that the surrounding Service SA centres will be able to absorb the 280,000 yearly customers who are set to lose their local Service SA centre, or do the Treasurer and the government have another agenda, that is, to push customers online, despite the fact that services such as a learner's permit test and transferring an interstate licence, among others, are only available at Service SA centres, not to mention that not all customers have access to or are able to use the internet?

The government also seems to be ignoring the fact that Service SA centres are an integral part of our local community, so important that the chief executives of the Tea Tree Gully, Prospect and Mitcham councils banded together to write to the Premier, asking that the Modbury, Prospect and Mitcham centres remain open.

Each of the centres to be closed is either in a shopping centre or close to another shopping outlet. Service SA customers may go to local shops at the same time or use services, including the banks that are situated near the Modbury service centre, for example. Removing these Service SA centres could remove this increased economic activity from the Modbury, Prospect and Mitcham communities. The centre provides a place where people can access services from multiple departments face to face. The increasing disconnect between government departments and the community has made this face-to-face provision of services almost a luxury.

With good reason, the Liberal government's decision to close Modbury, Mitcham and Prospect Service SA is not a popular one. Not even all cabinet members agree with the decision. Just take the member for Adelaide, Rachel Sanderson, who wrote to her cabinet colleague, the Hon. Stephan Knoll, the Minister for Transport, requesting a discussion about this matter and a possible solution, including delaying the closure of the Prospect Service SA centre. This is just another of the Liberal government's cuts, closures and privatisations. It is time the Liberal government listened to South Australians and reversed its decision and save Service SA.

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

HEALTH SERVICES

The Hon. C. BONAROS (16:03): I move:

1. That a select committee of the Legislative Council be established to inquire into and report on health services in South Australia, with particular reference to—
 - (a) the opportunities to improve the quality, accessibility and affordability of health services including through an increased focus on preventative health and primary health care;
 - (b) the South Australian experience around health reform in the state, specifically Transforming Health, EPAS, the reactivation of the Daw Park Repatriation Hospital and other related projects and/or programs;
 - (c) the federal government's funding of state government services and the linking of other federally funded services in South Australia, such as Medicare funded GP services, Adelaide Primary Health Network and Country Primary Health Network;
 - (d) any related matters.
2. That standing order 389 be so far suspended as to enable the chairperson of the committee to have a deliberative vote only.
3. That this council permits the select committee to authorise the disclosure or publication, as it sees fit, of any evidence or documents presented to the committee prior to such evidence being presented to the council.

I rise to speak now on the motion. It is no secret that the state's public health system is in crisis. Today's front page news in *The Advertiser* that ambulance ramping at the new Royal Adelaide Hospital has reached flashpoint is a stark reminder of just how much. According to *The Advertiser*, all metropolitan hospitals were on Code White, meaning they were operating beyond their emergency department's official capacity on Monday and early on Tuesday.

To stress the point, the NRAH had a record 18 ambulances ramped in its car park, with patients waiting for a bed inside the ED, leaving fewer available for emergency calls. Clinicians due to finish shifts at 11pm were still working at 1.30am, unwilling to leave colleagues overwhelmed by demand. More than 100 patients were seeking help in the 71-cubicle RAH ED. Mental health patients awaiting a placement bed were stuck in the RAH ED for more than 40 hours after treatment, adding to delays for new arrivals. That was over a period of less than two days at only one hospital.

Of even more concern is the revelation from someone in the know that ambulance ramping is actually killing people. Giving evidence before a committee hearing into the mental health of emergency service workers, Ambulance Employees Association state secretary Phil Palmer revealed that two people died last year because ambulances were ramping outside overcrowded hospitals and were unavailable to respond to urgent cases. To quote Mr Palmer:

Last year we assert there were at least two deaths because there were 20-minute plus response times to what should have been an eight minute response time.

That is something you would expect in a Third World country, not in a prosperous and wealthy country like Australia or in our capital city. That alone is an appalling indictment on the current health of our public health system, but it gets worse—much worse, in fact. There is no way of knowing the total number of people who may have died or had significant setbacks to their treatment due to unacceptable flaws in our public health system. We have heard, ad nauseam, the woeful failings of Transforming Health, and I do not intend to take up the chamber's time now in further discussing that point. Similarly, the abject failure of the health system's trouble-plagued EPAS electronic patient record system needs no more comment from me, except to say: what an absolute waste of taxpayers' money.

To now learn that the system will be overhauled, or perhaps scrapped altogether, after more than \$470 million has already been spent on it is an absolute disgrace. That is desperately needed money that could and should have been directed elsewhere into the health system. Acutely aware of this mess, SA-Best went to the state election calling for a royal commission into the state of the health system. We strongly believe a royal commission is warranted, but our call was emphatically shut down by both the major parties. I understand why Labor did not and still does not support it. After being in government for the past 16 years, they know where the corpses are. However, I was perplexed as to why the Liberals did not support our call, as a royal commission could have, once and for all, got to the bottom of the mess we now find ourselves in.

That said, I am hopeful that my motion for a select committee will be seen by everyone in this chamber as somewhat of a compromise. The crisis impacting our public health system is a matter of state importance. As such, it demands the support of everyone in this chamber, whatever their political allegiance. People are dying as a result, and more lives are literally being put at risk each and every day. The longer this crisis goes, the higher the toll. As crass as that sounds, it is true.

The government's recent claim that the state's largest health network—which includes the new Royal Adelaide Hospital—is gripped with a \$300 million budget blowout has dire ramifications for all South Australians. It has the potential to be another State Bank-type disaster. I am not the only one who is saying that, and it is not being said lightly.

As we all know, an independent audit has found that the Central Adelaide Local Health Network, the state's largest health network, which includes the NRAH, faces a budget blowout of more than \$300 million in the current financial year. Every South Australian taxpayer should be alarmed at the figure, as it will be them who will wear the financial burden of bailing out the health network. The new \$2.4 billion Royal Adelaide Hospital has been a basket case from the day it opened. If it was a private entity, there is absolutely no doubt that it would have been shut down months ago. It is as simple as that.

SA taxpayers are already forking out more than \$1 million a day for this disastrous project, and will continue to do so for the next 30-odd years. Now it will be forced to bail out the network to the tune of \$300 million this year alone, almost another \$1 million a day to keep the NRAH's doors open. That is just to keep the hospital's doors open. That is just not sustainable over the long term, and has all the markings of another State Bank disaster. The former Labor government must hang its head in shame; it cannot wipe clean its hands of the dire financial mess it has created. The NRAH was meant to be its legacy, and it may well be for all the wrong reasons.

The current Liberal government has inherited an absolute mess of a public health system, and it has been left to them to fix that mess, and fix that mess it must. The people of South Australia are absolutely depending on it. SA-Best has said from the outset that it is willing to work with the government in any way it can to ensure that a practical solution is found to ensure the hospital's doors remain open. That commitment remains, and for the record I have made that clear to the minister and to stakeholder groups that SA-Best has met with.

The first step is to establish a select committee to inquire into and report on health services in South Australia. The terms of reference for this inquiry have been drafted intentionally broad enough to cover all manner of health issues, and I envisage that the committee will be able to undertake this task on an ongoing basis, and look at referrals by way of instruction, to extend the terms of reference, if necessary, should the council agree.

As I have said, I think the terms of reference are ample in terms of covering the issues that SA-Best, other members of this place and stakeholder groups have highlighted as being critically important. Importantly, they recognise that, in order to look into the future, it is imperative that we also look back to identify the errors that were made and ensure they never happen again. Again, for the record, the terms for the inquiry are:

- (a) the opportunities to improve the quality, accessibility and affordability of health services including through an increased focus on preventative health and primary health care;
- (b) the South Australian experience around health reform in the state, specifically Transforming Health, EPAS, the reactivation of the Daw Park Repatriation Hospital and other related projects and/or programs;
- (c) the federal government's funding of state government services and the linking of other federally funded services in South Australia, such as Medicare funded GP services, Adelaide Primary Health Network and Country Primary Health Network;
- (d) any related matters.

As I said earlier, I sincerely hope my bid for a select committee into this most important matter will be seen as a sensible compromise for all parties. If we are truly genuine in our attempt to fix all the problems plaguing our health system, we must know the depth of what we are dealing with. We must remove the political motives and agendas; this is about people's lives and people's health and wellbeing.

What must not be forgotten through all this is that there are innocent victims. Earlier this year, in this chamber, my colleague the Hon. Frank Pangallo raised the tragic death of 18-year-old Kiera Maraldo. Kiera's death was completely unnecessary. She died in her sleep on 19 June from a genetic heart condition called Long QT syndrome, which had only been diagnosed on 13 January, after she collapsed on a night out and was taken to the new RAH. Doctors there had picked up an irregular heartbeat and told her grandparents, who raised her in care, along with Kiera's two siblings, that Kiera was an urgent category 1 patient.

After four days Kiera was discharged with medication and a heart monitor, and was referred to the Lyell McEwin Hospital to see a cardiac specialist. This is someone who was categorised as a category 1 urgent patient. The hospital told Kiera that she had to wait until the end of September, or it was suggested to her GP that she could see a specialist in Norwood sooner if she went as a private patient. But it was too late for Kiera.

While Long QT syndrome can cause sudden death and is incurable, it is treatable. Had Kiera got the treatment she needed as a matter of urgency, she would still be with us today. Our public health system has failed Kiera and her family. That is an absolute tragedy. I commend this motion to the house and hope that it is supported by both major parties and the crossbench.

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

SA PATHOLOGY AND SA MEDICAL IMAGING

Adjourned debate on motion of Hon. E.S. Bourke:

1. That a select committee of the Legislative Council be established to inquire into and report on SA Pathology and SA Medical Imaging, with particular reference to—
 - (a) the importance of high standards of safety and quality in the provision of pathology and imaging services;
 - (b) the importance of timeliness in the provision of pathology and imaging services and the impact of delayed results on patient outcomes and the broader South Australian health system;
 - (c) the importance of South Australian-based research and teaching associated with pathology and imaging services;
 - (d) the importance of access to pathology and medical imaging services in primary health, including the role of SA Pathology and SA Medical Imaging in ensuring accessibility of health care and the provision of bulk-billed services;
 - (e) staff workloads within SA Pathology and SA Medical Imaging and the impact of unsafe workloads on staff health and wellbeing and the quality of service provided;
 - (f) the impact of the 2018 state budget in regard to SA Pathology and SA Medical Imaging, including the impact on staff, the quality of service provision, patient outcomes, teaching and research;
 - (g) the effects of potential privatisation of SA Pathology and SA Medical Imaging as foreshadowed in the 2018 state budget, including the impact on staff, the quality of service provision, patient outcomes, teaching and research; and
 - (h) any other related matters.
2. That standing order 389 be so far suspended as to enable the Chairperson of the committee to have a deliberative vote only.
3. That this council permits the select committee to authorise the disclosure or publication, as it sees fit, of any evidence or documents presented to the committee prior to such evidence being presented to the council.
4. That standing order 396 be suspended to enable strangers to be admitted when the select committee is examining witnesses unless the committee otherwise resolves, but they shall be excluded when the committee is deliberating.

(Continued from 17 October 2018.)

The Hon. C. BONAROS (16:15): I rise to indicate SA-Best support for the motion of the Hon. Emily Bourke. This is something that we consider extremely important. In the context of the previous speech that I just gave, it is one of those issues that we believe needs urgent attention, and

therefore warrants an inquiry. There has been some discussion about what that may look like ultimately and, as I understand it today, whether that matter will be put to a vote or whether it will be deferred. I would like to place on the record that SA-Best categorically supports the proposal for an inquiry into SA Pathology but we are willing to listen to the position of the government, particularly in light of the motion which I proposed only yesterday for a broader health inquiry.

The Hon. S.G. WADE (Minister for Health and Wellbeing) (16:16): I indicate up-front that it is my intention to seek the leave of the council to continue my remarks, which would basically mean that the matter would be deferred until the next sitting Wednesday. I have spoken to the mover of the motion and to other honourable members and I understand that my proposal for deferment has the support of a majority of the council. If there is any concern about that course of action, I would suggest some people might indicate.

I would make it clear that the government does not oppose the thrust of the Hon. Emily Bourke's motion. We do not oppose the council looking at SA Pathology issues. I must foreshadow that we would seek to have that inquiry expanded to include the future actions in the context of the previous actions. The former Labor government had the efficiency improvement program, they also had the EPLIS program, they also had the medical imaging outsourcing. Having said that, what the government would like to consider—and I can only say that I am speaking as a minister rather than on behalf of my party room; I need to take it to my party room—is for the issues raised by the Hon. Emily Bourke to be referred to the select committee proposed by the Hon. Connie Bonaros.

The fact of the matter is that whilst I am a frontbencher and the council kindly excuses me from the duty of sitting on committees, the burden falls significantly on other members of the council to carry a heavy load in terms of select committees. So I think it is incumbent upon us to be economical in our deployment of resources and therefore economical in the way that we form committees.

What I would like to discuss with my party room, with the government party room, is first of all whether we support the Connie Bonaros committee, which I expect we will, and whether the issues raised by the Hon. Emily Bourke could be referred to that committee. I appreciate comments from the members of the council that they would not want the SA Pathology and SA Medical Imaging issues delayed by a broad inquiry and therefore the matters not coming to the house or the public at an appropriate early opportunity.

I remind members that not just the Transforming Health select committee but also the Select Committee on Families SA, and I seem to recall the joint select committee on electoral matters, all issued interim reports. It would be my intention to seek my party room's support and discuss next Wednesday—in other words, at next earliest opportunity after the Hon. Connie Bonaros' motion has been made available—establishing the select committee on health services proposed by the Hon. Connie Bonaros, and refer SA Pathology and SA Medical Imaging issues to that committee.

Having made that remark, and having no indication from members that I am mistaken in terms of—

Honourable members: You are mistaken.

The Hon. S.G. WADE: I am mistaken in terms of support for the motion?

The Hon. I.K. Hunter: If you want to hold it up for a week, you are mistaken about your support for that. We want it to go to a vote today.

The Hon. S.G. WADE: We will go to a vote then. Certainly, I have had indications from members that they do support deferring the motion. I seek leave to conclude.

The PRESIDENT: Is leave granted?

Honourable members: No.

The PRESIDENT: Leave is not granted. Minister, you cannot now move to seek an adjournment, but another member can.

The Hon. T.J. STEPHENS (16:21): I move:

That the debate be adjourned.

The council divided on the motion:

Ayes 9
 Noes 8
 Majority 1

AYES

Bonaros, C.	Darley, J.A.	Dawkins, J.S.L.
Hood, D.G.E.	Lee, J.S.	Lensink, J.M.A.
Pangallo, F.	Stephens, T.J. (teller)	Wade, S.G.

NOES

Bourke, E.S. (teller)	Hanson, J.E.	Hunter, I.K.
Maher, K.J.	Ngo, T.T.	Parnell, M.C.
Pnevmatikos, I.	Scriven, C.M.	

PAIRS

Lucas, R.I.	Franks, T.A.	Ridgway, D.W.
Wortley, R.P.		

Motion thus carried; debate adjourned.

ANIMALS OF WAR

Adjourned debate on motion of Hon. F. Pangallo:

That this council—

1. Recognises the extraordinary and inspiring service of Digger the war dog—the devoted companion of Sergeant James Harold Martin, a South Australian soldier who spent 3½ years fighting with the Australian Imperial Force in World War I;
2. Appreciates and respects the unique place Digger has in the hearts of South Australians; and
3. Praises the distinguished international award bestowed on Digger and Bill the Bastard, a horse in the Light Horse Brigade, this year in recognition of their outstanding service to the war effort.

(Continued from 19 September 2018.)

The Hon. T.T. NGO (16:26): I rise to support this motion moved by the Hon. Frank Pangallo. This motion is a salute to Digger, a brown and white bulldog who served Australia for 3½ years in one of the bloodiest campaigns of World War I. This motion is also dedicated to Australia's greatest warhorse, Bill the Bastard. I want to focus my short contribution on the heroic actions of Digger.

The Hon. Frank Pangallo's contribution detailed how Digger came to befriend Sergeant James Harold Martin and also detailed his decorated war history. What interested me the most about this story, as a resident of the western suburbs, was that Digger was honoured with a memorial at the West Croydon and Kilkenny RSL. I believe this was installed just last year. The RSL club president, Marie Southall, said the sub-branch was chosen to house a sculpture of Digger because of the area's connection to Sergeant Martin. Sergeant James Harold Martin was an electrician living in Hindmarsh before he enlisted in 1914 at the age of 22, and he adopted Digger as a mascot.

It has been reported that Digger was a stray dog that attached himself to soldiers training at Broadmeadows. Digger subsequently followed the soldiers down to the troop ships. After Sergeant Martin and Digger sailed together from Melbourne, Digger would remain by his owner's side through the fury of Gallipoli and the perils of the Western Front.

It is said that Digger went above and beyond his normal line of service on 16 occasions during his time in France and in Belgium. At the sound of gas alarms, it is believed that Digger would rush to his nearest human companions to have a gas mask fitted. There are also accounts of how

Digger would take food to wounded men stranded in no-man's-land, sometimes bringing back written messages.

Digger was wounded and gassed at Pozieres in 1916. He was also shot in the jaw, losing three teeth, blinded in the right eye and was deaf in the left ear. Amazingly, Digger remained loyal to his master and accompanied him to the end. This was best demonstrated when Digger died, as an old dog, on Empire Day 24 May 1919, when he was frightened by the celebratory fireworks. Thinking he was under fire again, he attempted to jump the fence but failed and fell back, bursting a blood vessel. Digger managed to claw back into the house. He died on Sergeant Martin's bed. Sergeant Martin was in the Prince of Wales Hospital at Randwick at the time, but he arranged, through a volunteer at the hospital, to have Digger's hide tanned. Digger's hide is presented at the Australian War Memorial in Canberra.

With Remembrance Day coming up, it is important for us to recognise the important role that animals play for their human counterparts in the horrors of war. With that, I commend this motion to the council.

The Hon. C. BONAROS (16:31): I rise to speak briefly in support of the animals of war motion moved by my colleague the Hon. Frank Pangallo. The contribution of animals of war is something that the Hon. Mr Pangallo is passionate about, and I note his advancement of this issue in his wonderful award-winning piece on Digger the war dog in his journalism days for *Today Tonight*. At the outset, I will be moving an amendment to the motion, which acknowledges the work of Nigel Allsopp and the Australian Animal Organisation in working to recognise the contribution of animals during Australian military service.

The PRESIDENT: The Hon. Ms Bonaros, you can move that now.

The Hon. C. BONAROS: I move to amend the motion with the addition of paragraph 4, as follows:

4. Acknowledges the work of Nigel Allsopp and the Australian War Animal Memorial Organisation in working to recognise the contribution of animals during Australian military service.

I also commend the efforts of the Hon. John Dawkins in collecting items to be included in care packages being prepared by the Gawler RSL for our brave Australian service personnel and their canines, to be sent overseas in time for Christmas. An email has been sent to all members from the Hon. John Dawkins' office outlining the sorts of items to be included.

It makes specific reference to collecting items for explosive detection dogs, including dog biscuits, dried beef bones, tennis balls and toys. Just like the Hon. John Dawkins, I encourage all members and staff to donate to this wonderful initiative that lets our Defence personnel know that we value their contributions and we hold them in our hearts.

I also note the positive impact that animals can have on the health and wellbeing of returned service personnel. In May 2018, the federal government announced a trial that was long advocated for by Centre Alliance Senate candidate Skye Kakoschke-Moore involving the use of assistant dogs for veterans. That is something very close to Skye's heart. The innovative trial of PTSD assistant dogs for veterans is being undertaken by La Trobe University in Victoria in partnership with the Department of Veterans' Affairs, Therapy Dogs Australia and the Centre of Service and Therapy Dogs.

In recently revised statistics released by the Australian Institute of Health and Wellbeing, the suicide rate among young former Defence personnel under 30 has deteriorated and, using a three-year aggregation, is now 2.2 times that of the general population. Dr Edward Scarr, lecturer with the Australian Centre for the Study of Armed Conflict and Society, has reported that, and I quote:

The training and qualities that make good soldiers can be the very things that put these men and women at greater risk of harm, and leave them less able to seek help when it is needed.

No other career requires the selfless and complete sacrifice of an individual for the greater good, the defence of our country, our way of life and the values that we hold so dear, and such personal sacrifice should not come at the expense of the mental health of our Defence Force personnel.

It is the very uniqueness of service in the Defence Force that requires innovative, targeted and specific mental health solutions for its personnel. The trial of assistance dogs for veterans with PTSD will be a supplement to clinical treatment, and I look forward to the results of those trials in due course. We must do whatever we can to reduce the shocking statistics of veteran suicide.

I turn briefly to say a few words on the significance of Armistice Day 2018. Of course, this Sunday, the 11th day of the 11th month, is the centenary of armistice. One hundred years ago this Sunday, after four years of bloody war and the loss of at least 5,511 South Australians, Adelaideans, like millions around the world, keenly awaited the elusive peace promised by the leaders of Europe.

Cables arrived from America with the good news that at 7pm on 11 November 1918 the war had ended, but there was no official announcement until around 10.30pm when official confirmation was received that an armistice had finally been signed by Germany and that the weapons of war fell silent at 11 o'clock that morning, bringing to an end the First World War.

The news was met with jubilation across Adelaide, and excitement built as word spread throughout the city and its suburbs. An impromptu public holiday was called, with many people finishing work and joining the numerous parades throughout Adelaide's streets. Another public holiday was declared for the Thursday to allow those in rural locations to participate fully in armistice celebrations.

Australia paid a heavy price for its involvement in the First World War. The loss of life and casualties is too hard to comprehend, with more than 60,000 Australians killed in the war and another 156,000 wounded, gassed or taken prisoner. The impact of the First World War on Australia is still felt today, and it is something we should be mindful of as we participate in Armistice Day commemorations this Sunday.

The ANZAC spirit was born on the battlefields of the First World War and continues to live on today in our defence forces and in the broader community of endurance, courage, ingenuity, good humour and mateship. There are a lot of services on this weekend, and I encourage all South Australians, young and old, to take part where they can in those services and commemorations, harking back to the thousands of South Australians who took to the streets when armistice was announced 100 years ago. With those few words, I am very pleased to support the motion.

The Hon. T.J. STEPHENS (16:37): I rise on behalf of the government to acknowledge and support the private members' motion on animals of war. Military animals have played a significant role throughout the history of warfare, even dating back to the 4th century AD.

As working animals, different military animals serve different functions during combat. Horses, camels, donkeys, even elephants have been used for transportation of both personnel and equipment as well as food, water, and medical supplies. Pigeons have been used for communication and photographic intelligence, canaries were used to detect poisonous gas and rats and pigs have been used in various specialised military functions.

Notably, dogs have played a role in a wide variety of military purposes, in particular these days focusing on guarding and bomb detection. With this coming weekend commemorating the centenary of armistice, let us focus on the animals of war from the First World War.

According to the Imperial War Museum, over 16 million animals served during World War I, and their main tasks were transportation, communication and, most importantly, companionship. Not all animals were employed to work, but some were kept as pets and mascots to raise morale and provide comfort amidst the hardships of war. Today's motion highlights two animals and outlines both the companionship and the war service of Digger the war dog and Bill the Bastard.

Digger the war dog was a brown and white bulldog who devoted himself to Sergeant James Harold Martin, from Hindmarsh in South Australia, during his 3½ years with the AIF during World War I. Their story is of true mateship, embodying the ANZAC spirit. Digger was a stray dog that attached himself to soldiers on their way down to the troopships in Melbourne. The 1st Division immediately adopted him as a mascot and Digger sailed with them to war on 20 October 1914. During Digger's remarkable service, official records identify that he went over the top 16 times during some of the worst battles of Gallipoli and the Western Front.

He was wounded and gassed at Pozieres in 1916, shot through the jaw, losing three teeth, was blinded in the right eye and lost hearing in his left ear. Despite these experiences, at the sound of a gas alarm, it was reported that Digger would rush to his nearest human companion to have his gas mask fitted. There were also occasions when Digger delivered food to wounded men stranded in 'no man's land,' sometimes bringing back written messages.

Sergeant Martin returned to Australia on 12 May 1918 and was discharged medically unfit. Digger accompanied him due to strict quarantine regulations and they remained in Sydney. Sadly, Digger died on 24 May 1919. In 2017, the Australian War Animal Memorial Organisation, a not-for-profit, raised awareness of the bravery shown by all war animals by establishing a memorial at West Croydon and Kilkenny RSL to commemorate Digger's unique and incredible story. The memorial was unveiled on 29 October 2017.

To celebrate the companionship between Digger and Martin, and to commemorate their service, a children's book was written by John Gillam and Yvonne Fletcher, entitled *A Tail of Two Diggers*. The book narrates the service and sacrifice these two endured and also allows the reader to understand the indicators and impact that untreated post-traumatic stress has on its sufferers. It is incredibly important that children are made aware of the wounds inflicted upon our brave service men and women, both visible and invisible.

Bill the Bastard is another Australian story of war animal and soldier companionship. Bill was an Australian-bred Waler, described as powerful, intellectual and with unmatched courage. In performance and character he stood above the other 200,000 Australian horses sent to the Middle East in the Great War. Bill could only be ridden by one man Major Michael Shanahan, any other soldier was bucked off and seen to hit the dust.

The story of Bill and Major Shanahan is of great mateship as they depended on each other for survival, with Bill's heroic efforts and exceptional instincts in battle saving Shanahan and four of his men on one occasion. Bill became a legend, a symbol of courage and the unbreakable will of the ANZAC mounted force, and his name 'Bill the Bastard' was in the sense of endearment.

A book was written by Roland Perry, entitled *Bill the Bastard: The story of Australia's greatest war horse*, highlighting the importance of the service of our war animals. Earlier this year, both Digger and Bill were honoured with a Blue Cross for their service. The Blue Cross is a not-for-profit UK organisation which was established in 1897 to collect donations to assist horses on the front line and to provide vital veterinary services to animals on the battlefield. Blue Cross ensures that during commemorative ceremonies that brave men, women and animals who have fought and died in conflict are honoured and acknowledged.

The Australian War Animal Memorial Organisation stated in a recent media release that they will be responsible for the administration and award nomination process for Australian and New Zealand animals eligible for the Blue Cross Award. I commend the Hon. Frank Pangallo for bringing this motion to the chamber and for allowing honourable members to make a contribution to our military animals. Lest we forget.

The Hon. F. PANGALLO (16:43): I would like to thank my colleague the Hon. Connie Bonaros, along with the other members who made contributions, the Hon. Tung Ngo and the Hon. Terry Stephens. I raised this motion first out of respect for our World War I service men and women as we prepare to commemorate the centenary of Armistice Day on 11 November, and secondly, the recognition of animals used by our defence forces from Gallipoli to World War II, Vietnam and to the present day in Afghanistan, and the special bond they have with their human handlers.

I would like to acknowledge the presence today in the Legislative Council of family members of South Australia's very first Great War volunteer, Sergeant James Harold Martin, an electrician from Hindmarsh, in 1914. His grandchildren, Rex and Barbara Hoskin, and also another member of the extended family, Ken Stevens. Ken is a Vietnam veteran and comes from a family steeped in military tradition going back to the Boxer Rebellion, the Boer War and the Anglo-Zulu War.

Ken enlisted me in his successful fight to have military service medals awarded to the families of thousands of service personnel wrongly denied them on trivial grounds, including two of his uncles, the Boyes brothers from Port Adelaide, who were Rats of Tobruk.

It was also Ken who inspired me to do the story of Digger, the hero war dog who accompanied Sergeant Martin, a signalman, to Gallipoli and then to the Western Front 100 years ago, only to return broken, but not beaten, by the horrors they experienced. Like so many of his contemporaries, Sergeant Martin suffered post-traumatic stress disorder in silence for much of his life in Adelaide. Only since the Vietnam War have we come to appreciate and understand this debilitating condition, and we urge our government to help honour and recognise the commitments and personal sacrifices these brave service men and women gave their country.

I would also like to mention in dispatches an old colleague and friend, Ron Neate, who narrated and appeared in the short film I made for the Seven Network about Digger and Sergeant Martin for the ANZAC centenary in 2015. It has now taken on a life of its own. I would particularly like to acknowledge Nigel Allsopp, the 2017 ANZAC of the Year and founder of the Australian War Animal Memorial Organisation. The Australian War Animal Memorial Organisation is a not-for-profit private charity that raises awareness of the deeds and sacrifices that animals have made in warfare. It also assists returned service personnel suffering from PTSD by purchasing dogs for veterans.

Last year, in cooperation with the people of Pozieres, the AWAMO proudly opened the first war animal memorial on the Western Front at Pozieres. This memorial recognises all animals from all nations that were involved in the Great War. Pozieres was the scene of some of the most bitter and costly fighting for Australian troops in World War I. Nine million animals lost their lives in that conflict.

Nigel lives on the Gold Coast and works with explosive detection dogs for Queensland police. He has served with the New Zealand and Australian defence forces, trained dog handlers for multiple Australian federal agencies and worked in several zoos and wildlife parks. He has done an amazing job with this organisation, establishing over 30 memorials, including Australia's first Indigenous Light Horse memorial and one for Digger at the Croydon RSL. His long-term project is a full-scale statue of Digger, and he is in talks with the Turkish government for an animal war memorial at Anzac Cove.

Nigel says animals went to war too and deserve some recognition for their valour and their enduring partnership with humans. Digger and the warhorse Bill the Bastard are recipients of the Blue Cross from the esteemed UK animal charity Blue Cross. It is the animal equivalent of a Victoria Cross. Nigel wants to establish more memorials dedicated to animals of war at selected RSLs and parks around Australia.

Not so long ago, the only animal that received any recognition from World War I was Corporal Simpson's donkey at Gallipoli. Digger and Bill served there too. There have also been pigeons, camels and elephants. They carried armies, were mascots, messengers, protectors and, above all, mates, giving comfort in indescribable and unimaginable situations and conditions.

I am pleased to report that much has happened since I first spoke on this motion more than a month ago, largely due to the internationally recognised work of Nigel Allsopp. The Blue Cross will be presented to the families of Digger and Bill the Bastard in a special ceremony next year at the Australian War Memorial by its chief, Dr Brendan Nelson. Digger's tanned hide and his service medal encrusted collar will be brought out of storage at the War Memorial for the occasion.

Moves are also afoot to have 23 August declared 'Purple Poppy Day', honouring animals that served in conflicts. I am proudly wearing the dual purple and traditional red poppy badge marking 11 November, Armistice Day. On Sunday at the 11th hour, animals of war will also be recognised in a ceremony at Centennial Park Cemetery for the first time. Rex Hoskin will lay a wreath on behalf of the AWAMO. I commend this motion to the Legislative Council.

Amendment carried; motion as amended carried.

AUSTRALIAN BROADCASTING CORPORATION

Adjourned debate on motion of Hon. F. Pangallo:

That this council—

1. Recognises the significance of the Australian Broadcasting Corporation (the ABC) to South Australians and especially to regional South Australians;
2. Acknowledges the importance of the ABC remaining a public broadcaster; and

3. Rejects any attempt by the federal government to sell the ABC.

(Continued from 4 July 2018.)

The Hon. T.T. NGO (16:51): I rise to support this motion moved by the Hon. Frank Pangallo. There has been a lot happening recently at our national broadcaster, the ABC, with the sacking of their managing director, Michelle Guthrie, by the then CEO, Justin Milne. As the reasoning for this decision became public, Mr Milne was forced to resign. Amongst all of this, in July we have had the bizarre motion by the Liberal Party Federal Council calling for the privatisation of the ABC. The public reaction to this has been profound in its animosity.

Personally, I do not believe any government will be able to get away with privatising the ABC. What I am more concerned about is the constant gutting of its budget, which in my view compromises the important role the ABC has in providing information to Australians in an unbiased and integral manner. We have seen how this integrity was compromised within the ABC management when it was reported that Justin Milne had been pressuring Michelle Guthrie into sacking Emma Alberici as well as making other decisions in order to satisfy the federal Liberal government of the day.

Whilst Mr Milne had clearly acted inappropriately, it is also clear that the pressure of budget cuts and constant attacks by the federal Liberal government had negatively affected the ABC's independence and impartiality through Mr Milne's actions. I think this concern showed up when Mr Milne was interviewed by Leigh Sales recently and he stated:

Nobody has told me that I'm supposed to be a wall. I think more what I'm likely to be is a conduit.

Many have interpreted this statement as meaning that Mr Milne had no intention of protecting his reporters from being unduly influenced in their coverage and that there should be a mutually beneficial relationship between the government and the ABC. As the saying goes, you scratch my back and I will scratch yours. I do not believe these are the actions of a CEO who was safeguarding the independent and impartial integrity of the ABC.

It probably comes as no surprise that Michelle Guthrie's sacking was preceded by her attacks on the Liberal Party Federal Council's decision to call for the privatisation of the ABC. When she addressed the Melbourne Press Club back in June, she stated that the ABC 'deeply resents it being used as a punching bag by narrow political, commercial or ideological interests'.

My concerns on this issue of the ABC have only deepened when considering the constant discussion in conservative circles about the potential to merge the ABC and SBS in order to cut costs. This would do a disservice to our multicultural communities, with the potential for many non-English language based networks being unable to air on a newly merged broadcaster.

We all remember then prime minister Tony Abbott's solemn promise on the eve of the 2013 election that there would be no cuts to the ABC or SBS. This promise became one of a number that Mr Abbott broke in his horror budget of 2014. Amazingly, these Liberal cuts to the ABC continue four years on: \$84 million has been cut by the federal Liberal government in this year's May budget. All of this amounts to cuts to the magnitude of \$254 million in federal Liberal government budgets since 2014.

What we also know is that the ABC is in the firing line for another round of efficiencies, with a second review currently taking place by the federal Liberal government, known as the 2018 national broadcasters efficiencies review. In response to this second review, Prime Minister Morrison was cryptic with ABC Radio National host, Jon Faine, on the issue of a potential merger between SBS and ABC, saying:

These sorts of ideas have been floated before, but, look, I'll wait and see what the review says. I think that's the fair and reasonable thing to do.

I find it gobsmacking that one of the two people conducting this review is the current Foxtel chief executive, Peter Tonagh. Mr Tonagh is reported to have put forward the argument that vacancies at the helms of the ABC and SBS meant that the review could be more creative and was not as constrained as it might have been. Surely, Mr Tonagh has a conflict of interest on this issue, and I am concerned that he will be one of the authors of a further set of recommendations to go to the federal government.

The ABC was formed in January 1932 by the Lyons government. However, one of its chief advocates at the time was Sir Robert Gordon Menzies, who would become the longest serving Liberal prime minister in Australia. Indeed, the ABC fits ideally within some of the values the Liberals used to have, particularly the freedom of expression without government interference, and the idea that the ABC be established for educational, social and cultural purposes.

How far to the right has the Liberal Party now gone? The current Liberal Party of the day is now willing to sacrifice the values they once held dear and attack the ABC because, in their narrow-minded ideology, the economics do not stack up. The federal parliament still sees fit to deny the ABC and SBS the same rights to advertise that the free-to-air stations have. In return, the federal government monetarily compensates our two public broadcasters. This in itself is an acknowledgement that the ABC was not formed for economic reasons and that it should not operate like any other free-to-air broadcaster.

With this in mind, I condemn the federal Liberal government's handling of the ABC during its time in office. I also call on the federal Liberal government to rule out any further cuts to the public broadcaster in the second round of its efficiency review and to also rule out merging the ABC and SBS. Therefore, I commend this motion to the council.

The Hon. C. BONAROS (17:00): I rise in emphatic support of my colleague the Hon. Mr Pangallo's motion, supporting the ABC and repudiating any attempt to see it sold off in whole or in part. I send a clear and loud message to the Coalition government all the way from South Australia, 'It is as easy as 1, 2, 3. Hands off the ABC.' A lot has happened since my honourable colleague moved his motion and spoke on the matter in June 2018, and you just cannot make this stuff up.

So here goes. First, the Liberal Party's Federal Council passed a motion back in June to sell off the national broadcaster, the impetus for the motion I am speaking to now. Not one person spoke out against the motion. Perhaps that was an administrative error. At least that was the excuse proffered on how they came to vote on Pauline Hanson's appalling motion last month, but more on that when I speak to my colleague's multiculturalism motion.

The Liberal Party's Federal Council started a fight it cannot win with its motion for the sale of the ABC and it simply opened a hornet's nest of Liberal Party antipathy towards the ABC laid bare for all to see, although they have never been very good at keeping that hidden. We did not even need the motion to know what the Liberal Party thinks of the ABC. Their actions speak louder than words.

Funding for the national broadcaster was cut by \$84 million in May, with the now Prime Minister and former federal treasurer, Scott Morrison, saying that the reduction was justified because everyone has to live within their means. If only the government would practise what they preach. They had no qualms in spending \$100 million of taxpayers' money last year on a postal survey for marriage equality in which the federal parliament preferred to play Pontius Pilate politics rather than just getting on with it and legislating within the existing marriage power available under the constitution.

They also had no qualms in making a curious \$444 million grant to a small charity, the Great Barrier Reef Foundation, to fund projects to improve the health of the reef. Of course, we know now that the foundation is supported by companies including BHP, Rio Tinto and Qantas, and only had six staff when it was awarded the huge amount of money. That decision is now the subject of a Senate inquiry. The \$84 million cut to the ABC over the forward years comes on top of the government's decision not to continue a further \$43 million target to support news gatherings and after cuts in the magnitude of \$254 million in successive budgets since 2014.

Then the federal Minister for Communications, Mitch Fifield, announced the second efficiency review for the ABC and SBS, echoing the Lewis review in 2014. Minister Fifield, of course, is a member of the Institute of Public Affairs, otherwise known as IPA, the right wing think tank and failed Liberal candidate for Mayo Georgina Downer's former employer who has long advocated for the privatisation of the ABC. Yet, he is meant to be protecting the ABC as the minister.

Up to June this year, minister Fifield had made six complaints to ABC management in five months. In January, it was over the date of Triple J's Hottest 100. The minister thought that the

decision was somehow politically motivated by the ABC and he felt compelled to complain. In February, it was the Emma Alberici articles on corporate tax. This complaint was backed up by former prime minister Malcolm Turnbull's own complaint about this issue. The ABC conducted its own internal investigation and found that there were no material errors in her reports. However, the report noted that the articles did swing from editorial to opinion, and this was amended, and the articles reposted.

In March, minister Fifield complained again about the *Tonightly* sketch. In April, he complained again about another sketch on the ABC Indigenous Facebook page. In May, the minister once again had Emma Alberici in his sights with a complaint about an innovation story. A review into that complaint by the ABC found a minor issue but nothing that would merit the sacking of a journalist. Despite his protestations, the minister would have us believe he never sought to influence employment matters at the ABC. The composition of the ABC board is another matter, and one the minister firmly had a hand in—but more on that later.

We then move to a couple of bills introduced by the Coalition government to get One Nation on side. While those bills languish on the *Notice Paper* they remain as a stark reminder of how intent the Coalition government is on chipping away at the independence of the ABC and SBS to get what it wants. Not only did the Coalition vote for Pauline Hanson's motion that it is okay to be white, at first instance, they also think it is okay to pander to Pauline's every whim.

From there we witnessed the unceremonious sacking of former ABC managing director Michelle Guthrie only a month ago, halfway through her term, and the self-implosion of its former chairman Justin Milne, a friend and former business associate of Malcolm Turnbull, who was forced to resign amid damaging allegations of how he compromised the independence of the public broadcaster by demanding journalists Emma Alberici and Andrew Probyn be sacked to appease the Coalition government.

That sorry and torrid episode revealed the former chairman's email to Michelle Guthrie where he asked Guthrie to 'get rid of' high profile presenter Emma Alberici because, he said in the email, the Coalition government 'hated' her and she had 'tarred' the ABC. That episode also highlighted the inequity of the board appointment process, which is in dire need of transparency and reform, when the Coalition government—and specifically minister Fifield—ignored the advice of an independent nomination panel in appointing several directors. This ugly episode is now the subject of yet another inquiry.

Last week, the Senate referred matters related to allegations of political interference in the ABC to the Environment and Communications References Committee for inquiry. That committee is due to report by 29 March 2019—just before the next federal election. I have to commend Senator Hanson-Young for moving that motion, supported by our federal colleagues Centre Alliance. The inquiry will examine the sacking of Michelle Guthrie, the conduct of former chair Justin Milne, the system of board appointments, and any political interference or attempted interference by the federal government and the ABC. This inquiry is accepting submissions. Grab your FruChocs—the hearings will certainly be something to watch.

This now brings to five the number inquiries the ABC is facing, five, including the aforementioned efficiency review, a competitive neutrality inquiry, a departmental investigation ordered by the communications minister, and an inquiry by the board itself into the Milne allegations. The threats to the ABC by the Coalition are absolutely unprecedented.

There is a simple reason to support Aunty; it is because the ABC is a treasured, pre-eminent cultural institution producing quality programming where commercial broadcasters have preferred to go down the path of dumbing down audiences with pointless dating shows and spin-off after spin-off of talent shows and more dating shows. I am still old enough to remember *Meet The Press* on Channel 10, and the *Sunday Program* with the mellifluous tones of Jim Whaley. All gone.

In October 2017, an Essential trust-in-media poll found that ABC TV news and current affairs were the most trusted sources of media in Australia—but we do not need a poll to tell us that, we know that to be the truth. Investigative journalism is at its best on the ABC, and the broadcaster has been instrumental in shedding light on so many important issues where commercial stations do not tread.

Explosive stories on *Four Corners* have resulted in two royal commissions. The first, in 2016, followed the investigative piece called 'Australia's Shame', which achingly revealed the torture of children in the Don Dale Detention Centre in the Northern Territory. Most recently, the federal government announced the royal commission into aged care the very day *Four Corners* aired the first of its two-part investigative special 'Who Cares?', which examined failings in Australia's aged-care sector.

There is no doubt the public broadcaster provides an invaluable service to Australians wherever they live, in the city or in the bush, by breaking stories and entertaining children and adults alike with its quality programming, with not a fake wedding in sight. The ABC is not a state broadcaster, it is not a mouthpiece for government; it is a public broadcaster. It is our broadcaster. The independence and integrity of the ABC is absolutely paramount. It must remain free from political interference. SA-Best and our federal colleagues in Centre Alliance will continue to advocate and fight for exactly that. With those words, I commend the motion to the council.

The Hon. D.G.E. HOOD (17:10): I rise to address the motion from the Hon. Frank Pangallo. I take the opportunity to congratulate him on bringing this matter before the chamber. I have no doubt that he has done so in a most sincere way. It is an issue that stirs a great deal of passion amongst Australians and, of course, that includes South Australians.

As members would note from the circulation of amendments in my name, the government is unable to support the motion from the Hon. Mr Pangallo in its current form. However, it is our desire to support it in an amended form. Therefore, I move to amend the motion, as follows:

Delete paragraphs 1, 2 and 3 and substitute—

1. Recognises the significant role media organisations play across South Australia and particularly in regional and rural areas;
2. Acknowledges the importance of having a strong regional media presence through such mediums as radio, newspaper and television;
3. Notes the South Australian parliament recognises the important role of the ABC; and
4. Urges the federal government to consider the importance of independent media, especially in rural areas.

There are a number of important aspects of this that need to be highlighted, and that is that, with the advancement of technology, the delivery of news—

Members interjecting:

The PRESIDENT: Order! Allow the member to speak.

The Hon. K.J. Maher: And: '6. We welcome the sale of the ABC.'

The Hon. D.G.E. HOOD: Sir, really.

The PRESIDENT: The members to my left should show the same respect the Hon. Mr Hood has shown you during the debate.

The Hon. D.G.E. HOOD: Thank you, sir. With the advancement of technology, the delivery of news continues to advance, and often away from traditional methods. The truth is that almost everybody has internet access these days and the internet is playing an increasingly important role in availability of news services. In fact, many people in our current world access news only via the internet. Certainly, a number of my constituents have expressed that to me, as they have to all members in this place, over time. So we need to be careful about taking various positions on things, based on the current state of play; it is very much a moving feast.

In regional areas in particular, the traditional local newspaper and radio station do continue to play an important role, and I suspect they will for a very long time yet to come, despite the changing face of the media landscape. It is important that regional areas in particular have access to local content. People living in remote areas or even very significant regional centres would obviously have a strong interest in the matters affecting their regional community, and there is no doubt at all that the ABC has played a role in delivering those services to those communities in particular.

According to research undertaken by the Australian Communications and Media Authority last year, 86 per cent of regional Australians say local news is important to them, firming up the point I just made; 87 per cent of regional Australians are currently satisfied with the overall quality of local news available in the local area; and 78 per cent of regional Australians have access to all the local content they would like. That is an important point: they actually have access—that is 78 per cent of Australians—to all the local content that they would like, so it is not difficult for most people to access these services.

The ABC, along with other forms of regional media, does play an important role, as I said, in providing the community with up-to-date information and items of significant interest, particularly in their areas. Any speculation about the ABC's future has been addressed by the federal government, and the federal government has the responsibility of determining the ABC's final budget. That is a significant point here.

Obviously, the ABC is a matter wholly for the federal parliament, not for the state parliament. I think members would be well aware that the budget for the ABC is determined by our colleagues in Canberra, not by the Treasurer sitting to my left. It is important that we acknowledge the fact that, regardless of what the state parliament decides to do today with this motion or any other issue surrounding the ABC, we really have almost no influence on it as a matter of fact and certainly as a matter of legality.

With those words, I indicate that the government is not able to support the motion as currently moved by the Hon. Mr Pangallo. As I said, we have moved some amendments, which we, in good faith, hope he is able to support. If he is not able to support them, then the government indicates that we will not be able to support the motion if it is not amended, and I indicate that we will be calling for a division.

The Hon. F. PANGALLO (17:15): I thank all honourable members for their contributions. I note that the Hon. Dennis Hood has proposed scrapping my original motion and replacing it with a totally different one that defeats the whole purpose of it. In journalistic parlance, he has done a complete rewrite, and I will not be supporting it. I would also like to point out to the Hon. Dennis Hood that commercial media is actually cutting back in regional areas, including Fairfax, which is closing some regional offices.

The Hon. D.G.E. Hood: Not Sky. Sky is expanding.

The Hon. F. PANGALLO: Well, not everybody can get or afford Sky. Since filing this motion, our national broadcaster has been embroiled in controversy, with the sacking of its managing director, Michelle Guthrie, and then the departure of her executioner, Justin Milne. There are still serious questions that need to be answered, particularly by the board, because this action unfairly reflected poorly on the ABC itself and its staff. It did not reflect well on Mr Milne, who wanted journalists sacked because the thin-skinned Turnbull government did not take well to criticism of its performance by the broadcaster, which is funded by taxpayers. But this is the value of having an independent voice that will not be dictated to by politicians. And don't they look like fools now, after their clumsy and ill-conceived coup?

I have never met Michelle Guthrie, but I did see her in action in Senate estimates last year. She handled herself well, considering she was new to the job and had a tough challenge, in part caused by the Turnbull government's cuts to its budget. She has an impressive resume, but there was some criticism from ex-ABC journalists that she was not a managing editor and therefore did not have a closer connection or understanding of its news and current affairs division and what it does.

I do not agree with that assessment. Running the ABC can sometimes be regarded as a poisoned chalice because of the relentless attacks on it from outside media organisations. It was disappointing to see the attacks on its integrity and of its journalists, particularly Emma Alberici, for whom I have admiration. Whether or not that particular story which created all the fuss was accurate, Emma is a fine journalist, a tough interviewer and one I could never accuse of showing political bias.

All that aside, it is vital we protect the independence of the ABC and that it should be free of political interference. I note that recently in Senate estimates its acting managing director, David Anderson, conceded cuts to the programming and, most likely, staff would need to be made to meet

Scott Morrison's \$84 million efficiency dividend, or freezing the annual funding for three years. Now, we all know that is polly-speak for 'You're losing \$84 million from your budget'. To meet this objective it means the ABC will have to review services both in the city and the regions.

On my recent trips to the regions, I turned to ABC radio programs tailored for the regions and realised how important they were to those communities in keeping them informed about what was happening in their own backyards, whether it was news or covering areas important to them, like primary industry, mining or manufacturing. They provide a conduit for regional people to communicate and provide feedback about the issues that impact on them, like the drought. The ABC plays a vital role in bushfire and other emergency alerts to communities flung far and wide.

The National Farmers' Federation noted the integral role the ABC plays in the lives of all Australians. In a submission to a Senate inquiry earlier this year it stated:

ABC is also one of the only media entities that produces a free dedicated news service to primary industries (there are a number of smaller enterprises that offer email subscription news services that source revenue from advertising). Landline, Country Hour and ABC Rural amongst others are regarded as institutions by many in the sector.

Keeping rural, regional and remote Australians connected also carries significant community benefit. Overall the NFF considers the ABC plays a positive role for regional Australians and the agricultural sector.

We also do not want to see a cutback in local drama and entertainment. While the commercial networks go into overdrive with their contrived reality shows, the ABC is the only TV network that is consistently producing high-quality viewing made right here using Australian talent. A great example of that is *Pine Gap*, the six-part spy drama the ABC co-funded in conjunction with Netflix. *Rake*, *Riot*, *Mystery Road*, *Cleverman*, *The Code*, *Glitch*, *Harrow*, *Janet King* and *Jack Irish* are quality you will not see on commercial TV, which is obsessed with reality and loop repeats of the same blockbuster movies when it is not showing live sport.

Talking of sport, the ABC was the only network interested in live coverage of the Invictus Games. They also broadcast the Paralympics until it was taken over by the commercial Seven Network in 2016, only to see this year's Winter Games in Pyongyang reduced to mid-morning and late-night highlights package. We missed live coverage of gold medal winners. The ABC also cover the Women's Australian Open golf, played right here in Adelaide.

The ABC pours money into comedy, variety, infotainment, like *Gardening Australia*, documentaries, children's programs, music—I can go on. While the commercial networks have heavily slashed their commitments to news and current affairs, the ABC remains front and centre with groundbreaking investigations by flagship programs like *Four Corners* and *7.30*, its news channel and assorted current affairs content. I am proud to say that I have worked there, on *7.30*, and as South Australian editor of their TV magazine, *TV Times*. I do not know if many can remember that.

I do not want to ever see the day where the ABC is forced to reduce or even stop local production of its TV news and have it come out of a Melbourne or Sydney studio. The ABC's online presence is impressive and remains free of paywalls, much to the annoyance of the commercial media, and that is how it should remain because every taxpayer contributes to its funding and is entitled to access that valued and informed mine of content.

While the federal Coalition government has since distanced itself from that nonsensical motion passed at the Liberal Party's annual Federal Council to privatise the ABC, even the very thought of it is offensive. If there is a new Labor government in Canberra next year, I would hope they reverse the draconian budget measure and respect the ABC's standing as a public broadcaster that is free of political intrusion. I commend this motion to the Legislative Council.

The council divided on the amendment:

Ayes..... 7
Noes 9
Majority 2

AYES

Darley, J.A.

Dawkins, J.S.L.

Hood, D.G.E. (teller)

AYES

Lee, J.S.
Wade, S.G.

Lensink, J.M.A.

Stephens, T.J.

NOES

Bonaros, C.
Hunter, I.K.
Pangallo, F. (teller)

Bourke, E.S.
Maher, K.J.
Parnell, M.C.

Hanson, J.E.
Ngo, T.T.
Scriven, C.M.

PAIRS

Lucas, R.I.
Wortley, R.P.

Franks, T.A.

Ridgway, D.W.

Amendment thus negatived; motion carried.

NAIDOC WEEK

Adjourned debate on motion of Hon. K.J. Maher:

That this council—

1. Acknowledges the SA NAIDOC Week committee;
2. Acknowledges the theme of NAIDOC Week 2018 'Because of Her, We Can!'; and
3. Pays tribute to the many South Australian Aboriginal women who have contributed so much to our state.

(Continued from 1 August 2018.)

The Hon. J.S.L. DAWKINS (17:28): I acknowledge the council putting this matter on motion earlier in the day. I am pleased to briefly support this motion by the Hon. Mr Maher and to also associate myself with the remarks made some weeks ago by the Leader of the Government in this place in relation to the motion.

As the chair of the Aboriginal Lands Parliamentary Standing Committee, I was privileged to be invited to and attend four of the significant NAIDOC Week events this year. They included the NAIDOC SA Awards ceremony and morning tea on 9 July at the Hotel Grand Chancellor, the Lord Mayor's NAIDOC morning tea on 11 July at the Adelaide Town Hall, and also the Premier's NAIDOC Awards ceremony at Ayers House on 12 July. Notably, the Premier spoke at those awards. He had only got off a plane from overseas about 45 minutes before that event took place but was very pleased to be there and to speak to the large number of people who were at that event and make those awards.

Also, on Saturday 14 July, I was pleased to be with a number of colleagues at the NAIDOC Ball. The Leader of the Opposition was there at that event, as he was at some of the other ones that I have mentioned. I think we can say that there was good cross-party support for NAIDOC Week events that were held in other places, as well as the ones that I have mentioned.

NAIDOC Week is held across Australia each July to celebrate the history, culture and achievements of Aboriginal and Torres Strait Islander people. It is celebrated not only in Indigenous communities but by Australians from all walks of life, and I think other members who attended some of those events would attest to that. I think there is a broad interest in those events, and I welcome that.

The word NAIDOC originally stood for 'National Aborigines and Islanders Day Observance Committee'. I think many of us are probably much more comfortable saying 'NAIDOC' than that, but that is what it comes from. It took me a while to find that out, because we all know it as NAIDOC.

That is what it actually stands for, but I think NAIDOC has become such an identifiable brand around Australia and it is celebrated very well.

The honourable member's motion centred very much around the theme of NAIDOC week, 'Because of her, we can!', the honouring of Aboriginal women. The honourable member spoke emotionally about his own mother and about other significant Aboriginal women he has known. I think I have had the pleasure of meeting significant Aboriginal women over the period of my time in this parliament, before that, but also more importantly in the recent months since I have had the privilege of becoming the chair of the Aboriginal Lands Committee.

I once again commend the honourable member for bringing the motion to the parliament, particularly that theme in relation to significant Aboriginal women leaders and, as I said earlier, his own reference to the work of his late mother. I think that was something that we all in this chamber recognised. With those words, I commend the motion to the chamber.

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

Bills

SUMMARY OFFENCES (DISRESPECTFUL CONDUCT IN COURT) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 6 November 2018.)

The Hon. K.J. MAHER (Leader of the Opposition) (17:35): I rise to indicate that I am the lead speaker and have conduct of this bill on behalf of the opposition. Members will be aware that there have been amendments lodged to provide some important protections, which I will go into in a bit more detail shortly. This bill makes it an offence for a person to engage in disrespectful conduct before the court during proceedings. The maximum penalty introduced is \$1,250 or three months' imprisonment. Disrespectful conduct has been defined as refusing to stand up after being requested to do so by the court and using offensive or threatening language and interfering with or undermining the authority, dignity or performance of the court.

In her second reading explanation in the other place, the Attorney-General advised that this bill is based heavily on a New South Wales bill. The Attorney-General in the other place also uses the New South Wales act to justify the introduction of this bill into South Australia. As pointed out in the Law Society's submission, there are some significant differences between the context and content of the SA bill and the New South Wales act. The New South Wales act provides maximum penalties of 14 days' imprisonment or 10 penalty units (approximately \$1,100), or both.

The context for the introduction of the New South Wales act was that an offender who shot a man refused to stand up for a judge, and the offender claimed that under his faith you do not stand for anyone except Allah. Ultimately, it was found that a refusal to stand for the judge was disrespectful but did not meet the threshold for contempt. There does not appear to be evidence of a problem with this yet in South Australia, but that does not mean that we are not supporting this bill. It is just that, unlike New South Wales, we have not had something that the bill seeks to address yet; rather, it seeks to address something that may happen in the future.

A further point of difference between the New South Wales legislation and the bill that was put before this parliament is that the judge must refer the conduct to the Attorney-General for a potential prosecution. It is not clear why this position is not being carried over into the South Australian bill. I understand the Attorney-General's Department has advised that the penalties for disrespectful conduct within this bill are consistent with the contempt penalties in the Supreme Court and the District Court but not the Magistrates Court or the Youth Court, which is why there is the difference that I referred to earlier.

I am told that further advice from the Attorney-General's office indicates that the definition of 'consistent' has been interpreted to mean (I am quoting from an email from the Attorney-General's office):

The power to punish contempt is flexible in the Supreme Court and can include either a fine or imprisonment, without expressly setting a maximum or minimum. The penalties contained in the Bill are consistent with the penalties that the Supreme Court may impose, in the sense that the penalties in the Bill sit below the maximum penalties which can be imposed by inferior courts, such as the Magistrates Court and Youth Court. As such, the maximum penalties in this Bill are lower than any of the maximum penalties which can be imposed by any of the courts for contempt, including the Supreme Court.

I note that this is a broad definition of 'consistent'. In using that sort of definition, almost any penalty would be considered consistent.

The Law Society's submission proposed that an explicit defence provision be included in the bill where a person is physically unable to stand. The opposition had moved amendments to deal with that, which I understand the government has taken up with amendments which they filed today, I think, or yesterday—in any event, they are on our table today—and which are very similar to the amendments that had been filed quite some time ago by the opposition.

The other part of it—and this is a significant difference that is now much less of a difference between the government and the opposition, but I think still an important difference—is an amendment the opposition filed introducing a defence. There would appear to be in the bill no real regard for people who are appearing in court for the first time and do not have any proper understanding of court processes, and who may be unaware that their behaviour is actually disrespectful.

The Law Society's submission noted that there was no requirement that a person must be warned that their behaviour is disrespectful prior to being charged, and suggested that that be included. So the opposition filed an amendment to the effect that someone had to be warned that their behaviour was disrespectful so that they knew that what they were doing was, in the eyes of that court, disrespectful, and someone could not just be charged without such warning.

The government has now filed amendments that go to both those points. We will get to this when we debate the amendment, and I do not propose this will be a long debate. The opposition filed amendments to allow for a defence if someone was physically unable to stand and also a defence that essentially provided that the court must provide a warning that the behaviour is disrespectful, otherwise you cannot be charged.

The variation now between what the government has put on file is, essentially, under the opposition's amendments, that the court at the time makes the decision about issuing that warning. If someone in a particular court is behaving in a way that the judge of that court at a particular time thinks is disrespectful, the judge will issue the warning that that behaviour is disrespectful, and that constitutes the warning and further such behaviour can then be charged.

The government amendments do not have it as allowing the court or judge at the time making that decision, but rather that a general warning can be given. We prefer our amendments because they allow the judge in the court at the time to be the arbiter of what they consider disrespectful. After all, this is behaviour that is disrespectful to the court, and we think it should be the judge at the time of issuing that warning who decides whether the behaviour is disrespectful and whether they are offended by that behaviour rather than it being an objective test at the end. We think the person best placed to issue that warning is the judge, who is the one, it has been suggested, to whom this behaviour is being applied.

There is now a difference, a small but important difference we think, between the amendments the opposition has filed and the government's amendments. We note that the government has come a long way in terms of its position and has filed amendments, but we prefer our amendments because we think the judge in the court at the time is best placed to decide, if she or he thinks that conduct is disrespectful, to issue that warning.

The Hon. R.I. LUCAS (Treasurer) (17:42): I thank the Leader of the Opposition for his contribution to the debate, and look forward to the committee stage.

Bill read a second time.

Committee Stage

In committee.

Clauses 1 to 3 passed.

Clause 4.

The Hon. K.J. MAHER: As I outlined in my second reading contribution, the amendments that have been filed—and those I have before me that have been filed today by the government—go a long way to addressing what we thought were some inadequacies of the bill. If members, particularly crossbenchers, are considering both sets of amendments—the government's and the opposition's amendments—I think the big difference in discussions between the government and the opposition really boils down to the opposition amendment No. 1 [Maher—1].

If you look at the first amendment at (1a)(a), it provides that the court 'considered the earlier conduct to have been disrespectful'. That really is the crux of the difference between the government's and the opposition's amendments. The opposition thinks it should be up to the court at the time when they issued the warning to decide for themselves if the conduct was disrespectful, whereas the government's does not prefer that. They prefer it not to be a decision that the court at the time makes.

We feel that if it is disrespectful conduct to the court, the court at the time is in the best place to decide if it is disrespectful which is why we prefer ours which includes the (1a)(a) provision stating that the court 'considered the earlier conduct to have been disrespectful' and to leave it to the discretion of the magistrate or the judge at the time to decide whether the conduct was disrespectful in issuing that warning.

The Hon. R.I. LUCAS: I will explain the government's position in relation to both the Leader of the Opposition's amendment and the government's alternative amendment. The government's position is as follows. Amendment No. 1 from the Leader of the Opposition has two parts, and I will address on behalf of the government both parts separately.

Proposed clause 4(1a) of amendment No. 1 [Maher—1] seeks to ensure that a person cannot be prosecuted for an offence of disrespectful conduct in court unless the person has engaged in previous conduct before the court and the court advised the person to consider the conduct to be disrespectful and that such conduct may result in a charge of an offence. Whilst the government accepts that there may be merit in warning a person that engaging in certain conduct may result in being charged with an offence, it is the government's view that the requirement for the court to advise a person that it considers that the initial conduct is disrespectful is potentially quite onerous.

The effect of the amendment would mean that a person could only be charged with an offence where a judicial officer on an earlier occasion formed the view that an earlier course of conduct was in fact disrespectful. This would appear to create a situation which requires the judicial officer in relation to the earlier conduct to determine whether or not the conduct was in fact disrespectful, even though no charge can be laid. The government will be moving amendment No. 1 [Treasurer—1] which imposes a less onerous obligation in terms of what is required from the judicial officer which it considers will more appropriately address the concerns.

The difference between the two sets of amendments is the effect of amendment No. 1 [Maher—1] that a person could only be charged with the offence where a judicial officer on an earlier occasion formed the view that an earlier course of conduct was in fact disrespectful. This would appear to create a situation which requires the judicial officer in relation to the earlier conduct to determine whether or not the conduct was in fact disrespectful even though no charge can be laid.

The government amendment does not require there to be disrespectful conduct before there can be a warning. It just requires that there be some earlier conduct that triggers the judicial officer to warn the person that disrespectful conduct may result in a charge of an offence. The government amendment contains a proposed clause 4(1b) which is identical to the clause 4(1b) proposed in amendment No. 1 [Maher—1]. The government also proposes to support amendment No. 2 [Maher—1] which I will address later on.

I now turn to clause 4(1b) of amendment No. 1 [Maher-1]. Proposed clause 4(1b) of amendment No. 1 [Maher-1] will make it a defence to prosecution for the defendant to prove that the disrespectful conduct arose due to a physical disability or cognitive impairment of the defendant. Cognitive impairment is defined broadly in amendment No. 2 [Maher-1], and is taken to include but

is not limited to a developmental disability, an acquired disability as a result of illness or injury, and mental illness.

The government has been clear in its position that the offence will not apply to persons who, by reasons of a physical or mental incapacity, may involuntarily engage in conduct considered to be disrespectful. Notwithstanding that, the government recognises there may be some circumstances in which a person may intentionally engage in disrespectful conduct but nevertheless may do so by reason of a physical disability or cognitive impairment. In these situations it is appropriate that the defendant be given the opportunity to establish such a defence. As such the government takes no issue with clause 4(1b) of amendment No. 1 [Maher-1], and it is replicated in amendment No. 1 [Treasurer-1] that the government will be moving.

The Hon. M.C. PARNELL: Given that we have two rival sets of amendments I think it is important that we put our position on the record so that the council knows where we all stand. Both the Labor and opposition amendments deal with the same subject matter. In some ways this reminds me of when I was a young lawyer dealing with the question of when a dog becomes a dangerous dog. It got one free bite. It was not dangerous until it had bitten someone, but once it had bitten someone, once the dog had had its one free bite, it was dangerous after that and the full weight of the law could be brought down on its canine head—next to the medal the Hon. Frank Pangallo wants to bestow.

They do cover the same sort of material. I guess the amendment the Treasurer has tabled is, in some ways, simpler: in effect, a person who behaves in a way that might be disrespectful is given a warning, but the test about whether it was, in fact, disrespectful is the second offence. They get their one free bite, they get their warning, they are not prosecuted for the first outburst (if that is in fact what it is, an outburst), they are not prosecuted for that. They are given a warning, and they are prosecuted for the second one.

To be honest there is not a lot of difference between the government and the opposition's amendment. As the Leader of the Opposition said, a provision like this has not really had a lot of work to do in South Australia so we are in the realm of speculation. On the basis that the Treasurer's amendment is simpler, I am inclined to support that.

I must admit that I had not been inclined to support the second of the opposition amendments—to provide the definition of cognitive impairment—but I see now that the government is supporting it. Part of the reason for that was that looking at the list of conditions, most of us have known people who have those conditions who would not behave disrespectfully and who have no mental impairment whatsoever—and cerebral palsy is one that springs to mind, it affects people differently. Having said that, if the government and the opposition are in agreement we can do it.

The other situation I thought was probably worth considering is that most unfortunate of disabilities, Tourette's syndrome, which often manifests itself in obscene outbursts at inappropriate times. Whilst it might seem a bit funny when you hear someone on a train or a bus launching forth with a string of expletives, it must be one of the most debilitating conditions. It is an awful situation. You would hope that a condition like that would be included either as a cognitive impairment or, more likely, as a physical disability because the person apparently does not have control of the words coming out of their mouth. I would like to see that those situations were covered.

With that, the Greens will be supporting the Treasurer's amendment, and if the Treasurer is supporting the second of the opposition's amendments we will not stand in the way of that either.

The Hon. C. BONAROS: My colleague Frank Pangallo and I have to agree that it seems there is a very fine distinction between the two amendments that we are dealing with here, but we too are inclined to support the government's proposal as opposed to the opposition's, insofar as it requires that warning in the first instance and then the subsequent charges follow. For the record, our position is to support the government's amendment in this instance and also to support the second amendment in relation to the defence for charges arising from physical disabilities or cognitive impairments.

The Hon. J.A. DARLEY: I will be supporting the government's amendment and also the opposition's second amendment.

The Hon. K.J. MAHER: On the basis of the indications, I indicate to the chamber that I will not be moving amendment No. 1 [Maher-1], but on the basis of the indication of the government's support for amendment No. 2 [Maher-1], I will be moving that. So I will not be moving amendment No. 1 [Maher-1].

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

Amendment No 1 [Treasurer-1]—

Page 2, after line 19 [clause 4, inserted section 60]—After inserted subsection (1) insert:

- (1a) A person cannot be prosecuted for an offence against subsection (1) in respect of certain conduct before a court unless, before the conduct was engaged in, the court had warned the person, in respect of other earlier conduct before the court, that disrespectful conduct before the court may result in a charge of an offence.
- (1b) It is a defence to prosecution for an offence against subsection (1) to prove that the conduct the subject of the charge arose due to a physical disability or cognitive impairment of the defendant.

Amendment carried.

The Hon. K.J. MAHER: I move:

Amendment No 2 [Maher-1]—

Page 3, after line 21 [clause 4, inserted subsection (7)]—

Before the definition of *court* insert:

cognitive impairment includes—

- (a) a developmental disability (including, for example, an intellectual disability, Down syndrome, cerebral palsy or an autistic spectrum disorder);
- (b) an acquired disability as a result of illness or injury (including, for example, dementia, a traumatic brain injury or a neurological disorder);
- (c) a mental illness;

The Hon. R.I. LUCAS: It is one the government supports.

Amendment carried; clause as amended passed.

Title passed.

Bill reported with amendment.

Third Reading

The Hon. R.I. LUCAS (Treasurer) (17:57): I move:

That this bill be now read a third time.

Bill read a third time and passed.

STATUTES AMENDMENT (ATTORNEY-GENERAL'S PORTFOLIO) BILL

Second Reading

Adjourned debate on second reading.

(Continued from 6 September 2018.)

The Hon. K.J. MAHER (Leader of the Opposition) (17:57): I rise to indicate that I am the lead speaker and have conduct of this bill on behalf of the opposition and that the opposition is generally supportive of this bill. However, we have filed an amendment to this bill and, as we flagged with the Attorney-General, there are a couple of sections of the bill that we will be opposing.

This bill is mostly of a technical nature and fixes drafting errors or inadvertent previous mistakes. As I said earlier, we are generally supportive of the bill. The two clauses of the bill that we will not be supporting—and we will not be dying in ditch over these—are clauses 9 and 11 of the bill, which establish the review agency as the reviewer. The case at the moment is that they are the same

person under schedule 4 of the ICAC Act and also the Surveillance Devices Act and Telecommunications (Interception) Act.

The Attorney-General's Department in briefings have put forward the argument that the two people who are appointed to these positions have so far been the same person; that is, the Hon. Kevin Duggan AM QC. For administrative ease, it would be easier to have them appointed by the one instrument rather than appointed by two instruments, for convenience sake. We have not come up with a scenario, and the Attorney-General's Department has not been able to rule out a possibility where there could be benefit in having those respective reviewers being separate people.

On the basis that the argument for having these clauses in the bill is that they will save 30 seconds and two pieces of paper, we will be opposing them. As I said, we have not been able to rule out, and the department has not been able to rule out, an instance where potentially there might be a reason to have two different people in those positions, and if that came up we might regret having made the case that it has to be the same person for those two positions. On that basis, we will be opposing clauses 9 and 11.

I think we have filed an amendment relating to the annual report of the Training Centre Review Board. The amendment is very simple, requiring a report for 2017-18. I understand from discussions that the government supports the opposition's amendment. I also note the Treasurer has filed an amendment on behalf of the Attorney-General about the Liquor Licensing Act, which expands the class of person who can request evidence of the age of a patron. We have had consultation with the Australian Hotels Association, which is of the view that this amendment is beneficial and will aid in the administration of that act. Therefore, the Labor Party will be supporting the government's amendment on that point.

The Hon. R.I. LUCAS (Treasurer) (18:00): I thank the Leader of the Opposition for his indication of support for the bill.

Bill read a second time.

Committee Stage

In committee.

Clause 1.

The Hon. K.J. MAHER: I would be happy for the Treasurer to take these questions on notice and provide a response. What consultation was conducted on this bill? Is it possible to table or respond to, on notice, the submissions that were made? If not, can the Treasurer take on notice the general nature of those consultations and submissions?

The Hon. R.I. LUCAS: I can answer the first question. I will take the remaining questions about the nature of the response on notice, and the Attorney-General will correspond with the leader. In terms of who was consulted, it was the ICAC, the schedule 4 review of the ICAC Act, the Hon. Kevin Duggan, SA Police, chief magistrates, the senior judge of the Youth Court (who is also the presiding member of the Training Centre Review Board), the Liquor and Gambling Commissioner, the Department of Human Services, the Department for Correctional Services, SACAT, the Fines Enforcement and Recovery Unit, the Law Society of South Australia and the Guardian for Children and Young People. In relation to the nature of the feedback, I will take that on notice, and the Attorney-General will correspond with the leader.

Clause passed.

Clauses 2 to 6 passed.

New clause 6A.

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

Amendment No 1 [Treasurer-1]—

New clause, page 3, after line 36—Insert:

6A—Amendment of section 115—Evidence of age may be required

Section 115(3), definition of *prescribed person*, (c) and (d)—delete paragraphs (c) and (d) and substitute:

- (c) in relation to regulated premises—the occupier or manager of the premises or an agent or employee of the occupier, including—
 - (i) a licensee of licensed premises; or
 - (ii) a responsible person for licensed premises; or
 - (iii) a person who holds a security agent's licence that authorises the person to perform the function of controlling crowds on licensed premises under the *Security and Investigation Industry Act 1995*.

The government's explanation for this is as follows. Last year, parliament passed the Liquor Licensing (Liquor Review) Amendment Act 2017, which amended the Liquor Licensing Act 1997. Section 78 of the Liquor Licensing (Liquor Review) Amendment Act 2017 commenced on 24 September 2018. Prior to the commencement of section 78 of the Liquor Licensing (Liquor Review) Amendment Act 2017, section 115 of the Liquor Licensing Act 1997 had the effect that certain prescribed persons—i.e. an inspector, a police officer, the occupier or manager of licensed and other regulated premises, and an agent or employee of the occupier—could require a person to provide proof of their age.

That section made it an offence to fail, without reasonable excuse, to comply with such a requirement, or to make a false statement or produce false evidence in response to such a requirement. Section 115 has been amended with effect from 24 September 2018. Relevantly, section 115 now no longer refers to an agent or employee of the occupier of a licensed premises as being a 'prescribed person' for the purposes of that provision. This means that, while such agents or employees can still ask a person for proof of age, the person would not commit an offence if they failed, without reasonable excuse to do so, or made a false statement or produced false evidence on being asked to provide such proof.

The recent change to section 115 has produced considerable confusion in the liquor industry about the current ability of employees, such as bar staff, to ask for proof of age. This amendment removes any ambiguity or doubt by restoring the position with regard to the agents or employees of an occupier of licensed premises to that which existed prior to 24 September 2018.

The Hon. K.J. MAHER: I place on the record the opposition's support for this amendment. We have consulted with the industry, particularly with representatives of the AHA, who have expressed their desire to have this rectified. It is a sensible amendment that makes the operation of the act easier.

The Hon. C. BONAROS: I will just indicate for the record that this is not an amendment that SA-Best were entirely happy with, but we have entered into discussions with the Attorney-General in relation to this amendment. The Attorney has undertaken to continue those discussions. We will support it as it is at the moment, but we do so on the basis that we are having ongoing discussions with the Attorney in relation to this particular aspect of the bill.

New clause inserted.

Clauses 7 and 8 passed.

Clause 9.

The Hon. K.J. MAHER: I will not speak at great length because I already spoke about it in my second reading contribution. As has been flagged with the Attorney-General's office, the opposition will be opposing this clause and clause 11, which is a very similar clause. At the moment there are separate appointments under the ICAC Act for reviewers in relation to the Surveillance Devices Act, and a reviewer in relation to the Telecommunications (Interception) Act. In practice to date under the ICAC Act, that person has been the same person, the Hon. Kevin Duggan AM QC, and it may be the case that in the future that person will be the same person and an attorney-general will be required to sign two pieces of paper rather than the one piece of paper which this squishes it into.

As I said in our contribution, we cannot see the circumstances right now where it would not be the same person, but we would not want to be in a position where there may be two different people with different technical abilities or different expertise, where it might be better suited to have two different people as reviewers for those two different parts of the ICAC Act. So, for the sake of 30 seconds and one extra bit of paper, we oppose the clause in case there is a reason to have two separate reviewers in the future.

The Hon. R.I. LUCAS: I will place on the record the government's position in relation to why we believe clauses 9 and 11 should remain as part of the bill. It is possible the government's position might prevail in the committee and the Leader of the Opposition has indicated that he is not going to die in a ditch on it. If that looks like it might not be the case, we might have to have a more extensive debate, but at this stage I will put the government's position on the record.

By designating the schedule 4 reviewer as the review agency for the ICAC for the purposes of the Surveillance Devices Act and the Telecommunications (Interception) Act 2012, it is the government's view that the amendments will achieve greater clarity and consistency about the role of the review agency for the ICAC across the relevant acts. Under the ICAC Act, the schedule 4 reviewer is required to conduct annual reviews to examine the operations of the ICAC and the OPI.

Importantly, the reviewer may examine whether the commissioner's powers have been exercised appropriately under the act, whether there is any evidence of maladministration and whether the practices and procedures of the ICAC and the OPI were effective throughout the reporting period. Given the extensive reporting obligations of the review are already carried out under the ICAC Act, the schedule 4 review is well-placed to carry out the functions of the review agency for the ICAC under the Surveillance Devices Act and the Telecommunications (Interception) Act.

In so doing, the amendments achieve greater simplicity and clarity about the role of the reviewer by consolidating the legislative oversight functions for the ICAC to reflect what already currently occurs in practice. In addition, by designating the schedule 4 reviewer as the review agency for the ICAC, the amendments will also introduce stricter eligibility criteria for appointment as the review agency for the ICAC than are presently provided. Currently, under the Surveillance Devices Act and the Telecommunications (Interception) Act, appointment as the review agency for ICAC only requires for the applicant to be a person who is independent of the commissioner.

By contrast, under the ICAC Act, the schedule 4 reviewer must be a person who will be eligible for appointment as the commissioner. This requires the applicant to be a legal practitioner of at least seven years' standing or a former judge, and upon referral by the Attorney-General, for the appointment to be approved by the Statutory Officers Committee. Once appointed, the reviewer is subject to the parliament.

Importantly, these amendments do not alter any of the existing functions or obligations of the review agency for the ICAC within the relevant acts. The amendments are only intended to streamline the current appointment process to achieve greater consistency in legislation to reflect current practice. As I said, they are the government's simplified reasons as to why we believe clauses 9 and 11 should remain part of the bill.

The Hon. M.C. PARNELL: I thank the minister for that explanation. As I look at the Surveillance Devices Act 2016, it is actually quite surprising that the ICAC reviewer was not named as the review agency under this act, because when we look at the section of the Surveillance Devices Act that is being amended, we see that the review agency for SA Police is the schedule 4 reviewer, but the review agency for ICAC is just some independent person, as the minister has explained.

I think the value of clauses 9 and 11—similar arguments—staying in the bill is that it does guarantee that the highest-level person will be appointed as the review agency. Like I say, it is surprising to me that it was not already in the act to start with, so I am persuaded by the minister's arguments and the Greens will be supporting clauses 9 and 11 both staying in the bill.

The Hon. C. BONAROS: Can I indicate for the record that SA-Best will be supporting that clauses 9 and 11 remain as printed in the bill.

The Hon. J.A. DARLEY: For the record, I will be supporting clauses 9 and 11.

Clause passed.

Clause 10 passed.

Clause 11.

The CHAIR: Leader of the Opposition, do you wish to speak to this clause?

The Hon. K.J. MAHER: I would repeat the previous comments I have made but I can see that the numbers in this place are not for the very sensible proposition that I put forward before and I expect that they will not be again.

Clause passed.

Clause 12 passed.

Clause 13.

The Hon. K.J. MAHER: I move:

Amendment No 1 [Maher-1]—

Page 5, lines 4 and 5 [clause 13, inserted section 40(1)]—Delete ', not later than 31 October in each year, report to the Minister' and substitute ', in accordance with subsection (1a), provide a report to the Minister in relation to the previous financial year'

Amendment No 2 [Maher-1]—

Page 5, after line 24 [clause 13, inserted section 40]—After inserted subsection (1) insert:

- (1a) A report under subsection (1) must—
 - (a) in relation to the 2017/18 financial year, be provided to the Minister within 3 months of the commencement of this section; and
 - (b) in relation to each subsequent financial year, be provided to the Minister not later than 31 October in the financial year immediately after the financial year to which the report relates.

This is a very simple amendment that I understand has government support. Given the time that bills take to go through parliament it just ensures that the requirement to table an annual report captures the 2017-18 year.

The Hon. R.I. LUCAS: The government supports the amendment.

Amendments carried; clause as amended passed.

Remaining clauses (14 and 15) and title passed.

Bill reported with amendment.

Third Reading

The Hon. R.I. LUCAS (Treasurer) (18:18): I move:

That this bill be now read a third time.

Bill read a third time and passed.

At 18:20 the council adjourned until Thursday 8 November 2018 at 11:00.

*Answers to Questions***PORT AUGUSTA HOSPITAL**

In reply to **the Hon. E.S. BOURKE** (4 September 2018).

The Hon. S.G. WADE (Minister for Health and Wellbeing): I can advise:

On 21 June 2018 I wrote to the federal minister, the Hon. Greg Hunt MP, to make the case that Port Augusta's status within the commonwealth government District of Workforce Shortage (DWS) classification be reviewed.

ROYAL ADELAIDE HOSPITAL

In reply to **the Hon. C. BONAROS** (4 September 2018).

The Hon. S.G. WADE (Minister for Health and Wellbeing): I have been advised:

Celsus has been covering the cost of the additional security guards as a result of the duress system not being functional.

COUNTRY HEALTH SERVICES

In reply to **the Hon. F. PANGALLO** (4 September 2018).

The Hon. S.G. WADE (Minister for Health and Wellbeing): I have been advised:

Country Health SA Local Health Network (Country Health) has not been aware of patients from Kimba being turned away from the privately owned medical practice in Wudinna. This is a private matter for the Wudinna Medical Practice.

Country Health is providing services for clients from Kimba, Cowell, Cleve, Arno Bay and other surrounding communities from the Country Health owned Mid Eyre practice in Cleve.

The Mid Eyre medical practice currently provides on-call and after hours hospital services for Kimba, Cowell, Cleve and Elliston hospitals, via the SA Health Digital Telehealth Network.

Country Health is providing a visiting GP service in Kimba, on a two-day per week basis from the Mid Eyre medical practice in Cleve. This was implemented at the request of the Kimba District Council, in order to help support continuity of service provision while they recruit a replacement GP.

It is noted that both the Kimba district council and the Franklin Harbour district council have been offered the opportunity to participate in the Mid Eyre medical model and conversations are continuing.

I visited Eyre Peninsula on 9 October and had discussions with both councils.

HIV SERVICES

In reply to **the Hon. I.K. HUNTER** (18 September 2018).

The Hon. S.G. WADE (Minister for Health and Wellbeing): I have been advised:

1. Internationally there has been a trend of diminishing demand for HIV specific respite services in countries with similar health systems and HIV burden to Australia. Publicly funded HIV specific respite services are no longer available in New Zealand; while a few remain in Canada and the United Kingdom, these are located in settings of relatively higher HIV prevalence.

In New South Wales (NSW) there has been a recent trend to adapt respite and supported accommodation models for people living with HIV. Notably, in 2014, the Bobby Goldsmith Foundation House in Sydney was closed. In partnership with various specialist and mainstream service providers, including the AIDS Dementia and HIV Psychiatry Service (ADAHPS), the foundation has transitioned to a model that provides support for greater numbers of clients in the community setting.

In response to the closure, NSW Health noted that 'even for those people with advanced HIV disease and multiple morbidities, the need for 24-hour care is required less, as the treatment and management of HIV has evolved to become a long-term chronic illness that can be very effectively managed in the community setting with in-home support services as required.

Further, NSW Health advised that 'continual quality improvement processes will ensure the current and future service needs of people living with HIV are being met through appropriate, integrated specialist and mainstream care'.

In South Australia, the Department for Health and Wellbeing has made a commitment to support Centacare and other relevant service providers to ensure people living with HIV currently accessing the Individualised Support Program for People with HIV are transitioned to appropriate care and support services in the community.

2. In 2017, the Department for Health and Wellbeing conducted a review to identify best practice and contemporary support services for people living with HIV in South Australia. In developing this report, South Australians living with HIV and South Australian HIV care and support services were consulted extensively.

3. The funding allocation for the ministerial office in 2018-19 includes departmental staff. These were not included in previous budget papers. There has been a reduction in real terms.

4. The Department for Health and Wellbeing met with Shine SA on 7 September 2018 to commence discussions regarding the implications of new funding arrangements for sexual health services provided by Shine SA, announced in the 2018-2019 state budget.

The department will continue to work closely with Shine SA to minimise impact and disruption to services as new service agreements are negotiated.

MOUNT BARKER DISTRICT SOLDIERS' MEMORIAL HOSPITAL

In reply to **the Hon. F. PANGALLO** (19 September 2018).

The Hon. S.G. WADE (Minister for Health and Wellbeing): I have been advised:

Country Health SA Local Health Network committed \$10,400 towards the master planning within its existing operational budget.

GLOBELINK

In reply to **the Hon. J.E. HANSON** (20 September 2018).

The Hon. R.I. LUCAS (Treasurer): The Minister for Transport, Infrastructure and Local Government has provided the following advice:

The state government has announced that KPMG are the lead consultant in preparing a master plan and business case for GlobeLink.

This selection followed a competitive open tender process undertaken by the Department of Planning, Transport and Infrastructure, which was initiated within 100 days of the start of the Marshall government, thereby meeting its commitment.

KPMG will project manage the study, and will appoint other consultants and/or contractors to assist in this process.

The study will initially undertake stages 1 and 2 of a four-stage process. Stage 1 involves problem and opportunity identification and assessment, and stage 2 involves option development, assessment and shortlisting.

Stages 1 and 2 are required to be completed within nine months of contract execution.

The process for stages 3 and 4, which involve the preparation of the master plan and business case, will be designed subject to the findings of stages 1 and 2.