

LEGISLATIVE COUNCIL

Thursday, 8 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

SITTINGS AND BUSINESS

The Hon. R.I. LUCAS (Treasurer) (11:01): I move:

That standing orders be so far suspended as to enable petitions, the tabling of papers and question time to be taken into consideration at 2.15pm.

Motion carried.

Motions

REMEMBRANCE DAY

The Hon. R.I. LUCAS (Treasurer) (11:01): I move:

That the Legislative Council places on record its deep and sincere appreciation to all South Australians who have served and continue to serve in our armed forces to protect our freedoms and acknowledges that this year's Remembrance Day marks the 100th anniversary of the armistice that ended the fighting in the First World War and, as a mark of respect, the sitting of the council be suspended until the ringing of the bells.

In speaking to this motion on behalf of government members, can I at the outset acknowledge the always excellent work of our parliamentary research library in terms of providing to members, and to me in particular, the historical record, which I place on the record now.

Remembrance Day has a special significance in 2018. Sunday 11 November 2018 marks the 100th anniversary of the armistice that ended the First World War (1914-18). At 5am on 11 November 1918, three German government representatives accepted the armistice terms presented to them by an allied commander, General Foch of the French army.

The demands of the armistice included the withdrawal of German forces to the east bank of the Rhine within 30 days, immediate cessation of warfare and surrender of the German fleet and all heavy guns, with no further negotiations until the signing of the peace treaty. The armistice became effective at 11am of the same day and, as the guns fell silent on the Western Front in France and Belgium, four years of hostilities ended.

The ceasefire was made permanent the following year when members of the commonwealth and the League of Nations signed the Treaty of Versailles. People across the world celebrated the war's end, celebrations tempered by thoughts of the enormous suffering and loss of life resulting from the war.

World War I began in 1914 and lasted for four years. More than 416,000 Australians volunteered for service in World War I. Of these, 324,000 served overseas. More than 60,000 Australians were killed, including 45,000 who died on the Western Front in France and Belgium and more than 8,000 who died on the Gallipoli peninsula in Turkey.

As well as Australian soldiers, many nurses in the Australian Army Nursing Service served on the Western Front. These nurses worked in overcrowded hospitals for up to 16 hours a day, looking after soldiers with shocking injuries and burns. Those who worked in hospitals close to the fighting were also in danger of being shelled by the enemy.

The 11th hour of the 11th day of the 11th month attained a special significance in the post-war years. The moment when hostilities ceased on the Western Front became universally associated

with the remembrance of those who had died in the war. This first modern world conflict had brought about the mobilisation of over 70 million people and left between nine million and 13 million dead, perhaps as many as one-third of them with no known grave. The allied nations chose this day and time for the commemoration of their war dead.

On the first anniversary of the armistice in 1919, two minutes' silence was instituted as part of the main commemorative ceremony at the new cenotaph in London. The silence was proposed by Australian journalist Edward Honey, who was working in Fleet Street. At about the same time, a South African statesman made a similar proposal to the British cabinet, which endorsed it. King George V personally requested all the people of the British Empire to suspend normal activities for two minutes on the hour of the armistice, 'which stayed the worldwide carnage of the four preceding years and marked the victory of Right and Freedom'. The two minutes' silence was popularly adopted and it became a central feature of commemorations on Armistice Day.

On the second anniversary of the armistice in 1920, the commemoration was given added significance when it became a funeral, with the return of the remains of an unknown soldier from the battlefields of the Western Front. Unknown soldiers were interred with full military honours in Westminster Abbey in London and at the Arc de Triomphe in Paris. The entombment in London attracted over one million people within a week to pay their respects at the unknown soldier's tomb. Most other allied nations adopted the tradition of entombing unknown soldiers over the following decade.

After the end of the Second World War, the Australian and British governments changed the name to Remembrance Day. 'Armistice Day' was no longer an appropriate title for a day that would commemorate all war dead. In Australia, on the 75th anniversary of the armistice, in 1993, Remembrance Day ceremonies again became the focus of national attention. The remains of an unknown Australian soldier, exhumed from a First World War military cemetery in France, were ceremonially entombed in the memorial's Hall of Memory.

Remembrance Day ceremonies were conducted simultaneously in towns and cities all over the country, culminating at the moment of burial at 11am, and coinciding with the traditional two minutes' silence. This ceremony, which touched a chord across the Australian nation, re-established Remembrance Day as a significant day of commemoration.

Four years later, in 1997, Governor-General Sir William Deane issued a proclamation formally declaring 11 November to be Remembrance Day and urging all Australians to observe one minute's silence at 11am on 11 November each year to remember those who died or suffered for Australia's cause in all wars and armed conflicts.

I note that our chamber, the Legislative Council, and also that other place, the House of Assembly, both moved and passed motions on Tuesday 12 November 1918. The motion in the Legislative Council was moved by the commissioner of public works, the Hon. J.G. Bice, and unsurprisingly it was carried unanimously.

I did note that at the end of the contribution from the Hon. J.G. Bice, when the motion was carried unanimously, at the call of the President the members of the council rose and sang the national anthem and cheers were given for The King and for 'our brave boys'. I will leave the judgement of what the appropriate response will be at the end. I would hope for the unanimous passage of this motion.

Before concluding, obviously, whilst we commemorate 100 years ago and all that has occurred since, we acknowledge that Australia still has men and women in conflict zones around the world. We remain indebted to all those who have served and continue to serve in our name to protect us and to preserve the freedoms all too often taken for granted. After the very special commemorative services that will conclude this Sunday, let us all ensure that as a community we continue to shine a light on all military service personnel past and present in gratitude for all they have done and continue to do for us.

The Hon. C.M. SCRIVEN (11:10): I thank the honourable Treasurer for his contribution on this motion. As we know, Remembrance Day on 11 November 2018 marks 100 years since the armistice that ended the First World War. On the 11th hour of the 11th day of the 11th month of 1918,

the armistice ending the First World War came into effect and the fighting on the Western Front stopped.

From a population of fewer than five million people, 416,809 Australian men enlisted in the First World War, of whom approximately 62,000 were killed. A further 156,000 were wounded, gassed or taken prisoner. Of that 62,000, close to 6,000 were from South Australia, and over 1,000 Aboriginal and Torres Strait Islanders died in World War I.

This year, at the Australian War Memorial in Canberra, there will be a display of 62,000 red poppies, each with the name of an Australian soldier killed in World War I. Each poppy is handcrafted by a volunteer for the 100-year commemoration. This has inspired many other, similar projects around the country. My office spoke to Mr Steve Tidy, the secretary of the Millicent RSL, recently. Red poppies are being made in the local area there, inspired by the 62,000 poppy display being set up in the Australian War Memorial. The poppies being made in Millicent are handmade by local women and have been donated to the RSL to be sold. I am honoured to be able to wear one of those today, which I purchased in Millicent last week.

The Treasurer has noted the number of those who died in the conflicts but also those who continue to serve us. Current Australian defence personnel in South Australia is 3,500 permanent servers and 1,770 reservists, a total of 5,270. They are supported by 2,200 from the Department of Defence. These people are serving us to defend our freedoms. This Remembrance Day, we have the opportunity to thank them as well as to thank the many—including many of our own relatives, no doubt—who have died before us in order to protect our way of life.

On Sunday, I encourage everyone to wear a red poppy and observe a minute's silence in honour of those who lost their lives in war and all armed conflicts and in honour of those who continue to protect our freedoms. We thank them and we honour them.

The PRESIDENT (11:12): On the eve of Remembrance Day, we recognise the debt the state of South Australia owes to all those who sacrificed their lives in the defence of the realm. We honour the supreme sacrifice made by so many service men and women. We must ensure they did not die in vain. We owe it to them that their actions should continue to give inspiration to us and to future South Australians. We must work hard to make sure that their dreams are fulfilled: that of a just and free society. As we honour the dead, we must also pay tribute to all those who returned home wounded and the families who lost loved ones. It is what the dead expect of us.

To the best of our knowledge, there are four members of the Legislative Council who served in World War I. They are Edward Daniel Alexander Bagot, an Independent who served in the Australian Imperial Force; John Leonard Bice, Liberal and Country League, who served in the Australian Imperial Force; Norman Brookman, Liberal and Country League, who served in the Australian Imperial Force; and James Vincent O'Loghlin, Labor Party, who served in the Sea Transport Service and went on to serve in the Senate.

In remembering the dead, we also acknowledge the cost of war is still with us from recent conflicts and wish safe return to all those service men and women currently in harm's way.

They shall have stars at elbow and foot;

Though they go mad they shall be sane,

Though they sink through the sea they shall rise again;

Though lovers be lost love shall not;

And death shall have no dominion.

Lest we forget.

I ask honourable members to stand in their places and carry the motion in silence.

Motion carried by members standing in their places in silence.

The PRESIDENT: The sitting of the council is suspended until the ringing of the bells.

Sitting suspended from 11:15 to 11:28.

*Bills***APPROPRIATION BILL 2018***Second Reading*

Adjourned debate on second reading.

(Continued from 6 November 2018.)

The Hon. T.J. STEPHENS (11:28): I rise today to provide my full support for the Appropriation Bill 2018. I am pleased to see a Treasurer hand down a budget which addresses key issues that I have spoken about for years in this place. South Australian families are no longer burdened by a government which views them as a way to increase the state's revenue. Instead, this budget aims to improve efficiencies to allow for reductions in the cost of living while providing the business environment which will enable our economy to grow well into the future.

For 16 years we were faced with sell-offs of state assets and tax hikes as a means to balance the budget and bring about false surpluses. I am happy to see a budget which aims to return this state to a sustainable position, one which does not sell the farm for glittering showpieces to distract from successive years of financial incompetence.

The rising cost of living has been a continuing issue which has plagued most South Australians. By alleviating these pressures from households, a Marshall Liberal government is not only providing budget relief to South Australians but strengthening our own economic future. Less taxes means more money in the household budget which in turn will flow into increased purchasing power and greater consumer confidence.

Households are already seeing how a Marshall Liberal government's approach to managing the budget can alleviate the cost of living. The emergency services levy has been reduced, as per our election promise. This has provided homeowners with substantial relief on their bill, a tangible piece of our plan for South Australia's future already in their hands.

Furthermore, families and businesses will soon see their electricity bills start to come down. South Australia has some of the highest electricity costs in the world. This has come about through the previous government's experimentation with unreliable power generation, leaving the people of this state to be used as guinea pigs. Not only does this deter business investment and slow down our economy but it hurts the average South Australian.

When households are unable to afford skyrocketing prices and are forced to forgo cooling their homes in the height of summer in a state so resource rich, something is clearly wrong. A Marshall Liberal government aims to reduce this trend and is committed to lowering costs for South Australians. This budget is squarely focused on reducing the cost of energy for households and businesses and delivering the government's energy solution.

Our election commitments will also see tax relief for small businesses through the removal of payroll tax. With an exemption for businesses with payrolls below \$1.5 million annually, small businesses will be free of unnecessary taxes and red tape which held back many from employing more South Australians in their businesses. This will allow employers to move costs associated with payroll tax into further employment or increasing the wages of their employees—no longer charging them for wanting to grow and hire more staff. By exempting them from this tax, we will not only provide better business conditions in this state but also increase our growth rate. Small businesses are the backbone of our economy, and by removing red tape and barriers in operating a business we can give these hardworking people the right environment in which to grow and prosper.

As this place knows well, the veterans' community is an area in which I take a keen interest. In particular, the Headstone Project is an initiative which I have been a great supporter of, and I was honoured to unveil the first in this state. Last year, I was honoured to be present in Port Pirie where Archibald John Kenneth McVicar was able to receive a proper final resting place. That is why I am pleased to see the announcement of \$10,000 per annum for three years to provide headstones for unmarked graves of World War I veterans who so valiantly served our nation.

Finally, I would like to note funding made available for our regions. Long ignored by Labor, these communities will begin to see long overdue investment in local infrastructure. From major road

projects such as the Port Wakefield overpass to blackspot funding and CFS station upgrades, it is fantastic to see our vitally important regional areas receive the attention they deserve. The end result of this budget will see a return to a true surplus, strong investment in key growth areas and benefits to families and businesses from major tax reforms.

After 16 years of financial mismanagement, I am proud to see a Marshall Liberal government delivering a strong budget, which delivers on our election commitments and secures South Australia's future. We are tailoring an environment which gives South Australians the opportunity to succeed. I for one am excited to see what this will bring.

In concluding, I wish to pass on my heartiest congratulations to our outstanding Treasurer, the Hon. Rob Lucas. It has been a little while coming but I am so proud to support him and his outstanding budget.

The Hon. I.K. HUNTER (11:33): I rise to speak on the first Appropriation Bill of the new Marshall Liberal government. After that lame attempt by the Hon. Terry Stephens, I will try to put some of the truth about the situation onto the record. And what a bill it is. The bill seeks to appropriate \$14,486,285,000 to ensure the proper functioning of government—if only. This is more than \$500 million higher than was appropriated in 2017, and compared to the Appropriation Act 2017 there are significant increases in the appropriations of the Department of the Premier and Cabinet and the Department of Treasury and Finance, but guess where the cuts are?

The South Australian Tourism Commission, for example, is among the agencies which have less funding appropriated by the parliament—in this case, some \$200 million less—but, I repeat, there are increases for the Department of the Premier and Cabinet and the Department of Treasury and Finance. Of course, the opposition will be supporting the Appropriation Bill. We do not want to stop salaries being paid to the hardworking public servants who serve our state. But it is incredibly important that South Australians understand the complexity of what this Liberal government is doing to the state and what lies behind the big numbers and is buried in the line items.

The bill before us represents an important opportunity to scrutinise the ways in which the government spends these huge sums of money, and I will take a little time of the council now to have a look at some of those expenditure items. It is also important that we remember the deep impacts that this four-page bill will have on the community. Public servants fully understand the importance of this bill: teachers, doctors, nurses, police and so many other front-line staff form part of our state's largest employer, the state Public Service, and they rely on the passage of this legislation to get their well-deserved pay. They understand the importance of public funding, unlike the government.

The South Australian Public Service covers critical areas of our society: education, health, environment, and of course more. It supports the economy, it supports the finance sectors, the trade and energy sectors and all the rest of our state. The public servants who need to be paid know the importance of this bill not just to them but for our whole state, and so do all stakeholders who engage with government, the people who rely on those front-line public services and the businesses for whom government is a major customer.

We, in the Legislative Council, understand, too, that this bill is very important for the future economic benefit of our state. However, the bill cannot properly be assessed without reference to the 2018-19 state budget which outlines the government's planned expenditure and which was alluded to in the Hon. Terry Stephens' lame defence of this government's agenda. The budget allocates funds to those public servants, those services and programs that these stakeholders rely upon. The budget from the Marshall Liberal government revealed their true priorities for all of us to see. They delivered cuts to education, cuts to health care, cuts to the environment department, cuts to climate change programs, to job creation programs, to the arts, to public transport and more.

The budget marked a turning point: gone was the ability for the new government to hide behind their poorly-costed election promises, inexperience and incompetence, particularly the health minister, because on 4 September the game was up. This government was forced to show themselves for what they are—vindictive and mean-spirited. This is a budget not unlike the Treasurer's last budget, 16 years ago, a classic South Australian Liberal budget of cruel cuts, closures and privatisations.

In 2001-02, the Treasurer smashed TAFE with a 10 per cent funding cut. In 2018-19, he smashed TAFE again by closing seven campuses. In 2001-02, the Treasurer cut essential funding from our public education system. In 2018-19, he scrapped healthy eating programs. South Australians rejected your 2001-02 budget, they have rejected this one and they will reject your privatisation agenda at the next election.

I have spoken previously in this place about what I believe to be one of the most disgraceful cuts in the budget. HIV remains a significant problem in our community and those who live with it face a complex array of health challenges, social pressure and stigma. It is spreading beyond the gay community, where it was first found in the early eighties, and is spreading beyond the cities into our remote and rural areas, particularly amongst our Indigenous populations and those living in regional towns.

That is why it is shameful that this budget, handed down on World Sexual Health Day, slashed funding for critical services targeted at the prevention of HIV and at supporting those who are already living with HIV—yet more brutal budget cuts, slashing services that people rely on. The Treasurer and the Minister for Health have cut funding for HIV and STI prevention programs through Shine SA, slashed funding for other bloodborne virus and STI prevention programs, and axed funding to Centacare for the Cheltenham Place HIV refuge.

The minister announced these cuts in a budget day media release headlined 'Sustainable, efficient health services'. He attempted to justify the cuts his government was making but, unfortunately, the minister does not appear to have all of his facts quite right. The minister's media release characterises the services provided by Centacare as being 'largely focused on supporting homeless individuals with HIV'. He states that 'the issue of homelessness support can be'—they are words I inserted—'better managed by more appropriate agencies'. Had the minister bothered to consult with Centacare in the first place he may not have issued that release in those terms, and he may not have made the \$411,000 a year cut.

In an opinion piece in *The Advertiser* Centacare director Dale West has one word for that characterisation of the organisation service—wrong. Mr West describes the varied life experiences of those who rely on the Cheltenham Place centre for support with their HIV diagnoses: people who have experienced mental illness, who have grappled with substance abuse challenges, people with disabilities and others.

He also outlines the experiences of his organisation and its staff in supporting people who experience homelessness. In his words, 'It is offensive to suggest there are more appropriate agencies better placed than Centacare (with its 20-year track record in the sector) to provide specialist support services to people living with HIV and to their carers.'

HIV treatments, although far more effective now than they have been in the past, remain complex. The right combination of medication taken at the right times and in the right conditions is vital for HIV-positive people in maintaining their health. That is why centres such as Cheltenham Place are so important, particularly for those dealing with other challenges in their lives at the same time. Of course, as I said before, they actually put downward pressure on the budget by keeping people well and taking their medication in appropriate circumstances, and not appearing in the emergency departments of our public hospitals and driving up the cost of the health system. But that understanding is beyond our current health minister and his Treasurer.

The problem is clear: a government eager to make cuts to the budget, unfazed by ending services that vulnerable people rely on and unwilling to consult with the very agencies whose funding they are slashing. This is a textbook example of government done badly, of government done by the Liberal Party. It is a textbook example of a government unrepentant about cutting the front-line services relied upon by vulnerable members of our community. Despite the media attention this issue has attracted, despite the advocacy of Mr West and Centacare, and despite the ongoing efforts of the opposition, the minister and the Treasurer persist with these cuts. They are unmoved.

Much of this is true of the deep cuts to Shine SA. Shine will be well-known to members in this place. Since 1970, it has delivered education and health services focused on sexual and relationship health. It has partnered with the government, with schools and with community organisations to provide quality education services to many young South Australians. It provides

professional development to medical staff and community workers across the state, and it provides front-line sexual health services to thousands in our community.

This is an organisation with an outstanding reputation and a record of delivering outstanding outcomes for our state. It is the first organisation that many South Australians would think of when seeking sexual health services, yet the same media release from the Minister for Health touts the slashing of funding for targeted HIV and STI prevention programs for non-government sexual health services. They do not care about the evidence that can be offered up about how this saves government money. They do not care about the reputation of our state and, most of all, they do not care about disadvantaged South Australians.

Nowhere is this more clear than in housing and homelessness programs, where the Treasurer and the Minister for Human Services have conspired to inflict a massive rent hike on thousands of Housing Trust SA tenants. The effects of this rent hike will be felt through the not-for-profit housing sector and even into the private market. Those of us on this side of the chamber know that public housing does not just help those who rely on public housing for a roof over their heads, it also puts downward pressure on the private rental market rents. It is a win-win for working families and public housing and those without permanent or stable employment, which is exactly why this government does not believe in public housing.

In the weeks since the budget, we have heard distressing stories from Housing Trust tenants who say that these rent increases are the difference between being able to put food on the table or having critical medication. They have to choose between the two. These rent increases are the difference between running the air conditioner on a 40° day or sweltering in the heat and risking hospitalisation.

I do not know what it is like for Liberal government members who swan around at the Adelaide Club but, out in the real world, a \$10 rent increase will push hundreds of South Australians further into poverty. What about those South Australians who rely on public transport to get to and from work, to their medical appointments or to the local shops? The Liberals have cuts for them, too, slashing public transport funding, axing bus routes and delaying the construction of essential park-and-ride upgrades.

They did not just stop there. They did not spare the arts sector either. Arts SA, the peak government arts organisation that works across the entire art and cultural sector in South Australia, has been dismantled. Gone is the key organisation that enhanced the cultural vibrancy of our state and capitalised on the economic opportunities and jobs created by our arts sector, replaced instead by a small slush fund and ill-defined artist schemes.

South Australia has always had a proud arts community, inclusive of the young and the old, the traditional and the modern, the local and the international, and the bold and the thought-provoking—and sometimes the controversial. What an absolute disgrace and disappointment it is for all South Australians to see the funding for arts pulled in this budget, especially for those involved in local workshops and classes, dance groups and local productions.

Arts SA reaches every part of our state—or it used to—and provided specialised programs to introduce the arts to children. We have seen the Windmill and Patch theatre companies palmed off by this government. They have slashed Carclew's youth arts, which has provided an outlet for young people to get involved in the arts for the last 40 years, and which brought like-minded and different-minded people, all with a passion for creating and performing, together into one effective community.

Where will these teenagers and young people go to now if they have an interest in the arts or if they are being attracted to these arts programs, which are keeping them out of other situations we do not really want them to be in? Carclew provided essential grants to arts communities and artists to pursue the arts and their projects, some of which received international recognition. To those opposite it is not Carclew, it is 'Carc-you-can-go-and-get-stuffed'.

For a government that likes to ramble on incessantly about the country, we have seen Country Arts SA smashed to bits. Thousands of rural South Australian artists and those who love the arts will be denied this essential support. Countless artists around the state outside the city of

Adelaide could not have followed their careers in the arts if not for the grants they received from Country Arts SA. What is the point of a new art gallery space if there are no artists left to exhibit in it?

It astounds me that a government could cut Arts SA, Country Arts SA and a stack of other cultural funds and programs but does not even bother to consult those people most affected by those decisions. In opposition all they talked about was consulting, but we have had stakeholders right across South Australia upset not just at these severe and swinging cuts but at the total lack of input the arts community has had in this decision and the total lack of consultation about what the impact might be on these communities.

How can we have a vibrant arts sector—the same sector that gives us the Adelaide Festival, the Fringe, the Cabaret Festival and a plethora of internationally recognised productions and institutions—if they are not even involved in the significant restructuring discussions and decisions that the government is about to undertake? A well-resourced arts sector is not just a cultural good, it also provides significant economic opportunities for South Australians.

The 2017 Adelaide Fringe alone made \$16.2 million just through ticket sales. The Adelaide Festival also brings a large amount of money into the state, estimated to be in the vicinity of \$76 million in 2018. On the back of all that economic information we have about how important the arts are to South Australia, just a month ago there was the news that this government decided to no longer fund the Hopgood Theatre in Adelaide's south.

This news sent shock waves through the southern suburbs, and it took only a few weeks to get more than 7,000 signatures onto a petition opposing the defunding. The Hopgood Theatre is important to southern communities, hosting countless local school productions, interstate and even international artists. Then there is Fowlers Live, another venue that announced it would be forced to close due to lack of government support into the future.

However, this is no surprise. This is exactly the plan we saw implemented in New South Wales, where budget cuts to the arts under the Liberal government there saw many productions with no choice but to cancel their shows, and we are seeing that here too. This especially impacted regional towns in New South Wales, and it will especially impact regional towns and cities in South Australia as well.

It is quite simple. Without a well-funded and resourced arts sector our global reputation as a festival state is at risk. It is a risk this government is prepared to take, and throw our arts culture and community to the wolves. The next generation of actors, singers, performers and comedians will not have a place to explore their craft, learn new ideas, and discover their communities, supporters and followers. Our economy will take a hit, and we will see a reduction in inbound tourism because of this Liberal government's antipathy to arts and culture.

The most striking thing is that these cuts are cruel cuts, these closures are cruel closures, and the privatisations, they say, are a matter of their choice—but they are avoidable. They are not necessarily locked into stone. The Liberal government can change its mind, if it were only to listen to the community.

Despite having the most obstructionist opposition in living memory, the Rann and Weatherill governments left South Australia in a much better position than when we inherited it from the Liberals in 2002, even though the Liberal opposition at the time was the most obstructionist in history. Despite going through the GFC and having to weather the storm of the federal Liberal-induced closure of Holden when they were dared to leave the country by the federal Liberal treasurer at the time, we kept state debt under control and put our economy and our state on a path to prosperity.

We did not make easy promises to reduce tax without offsets and we were not beset with rivers of gold, but we made the tough, mature decisions necessary to guarantee a good future for South Australians—a future with new innovative jobs in renewable energy, high-tech manufacturing and education; a future with a more efficient healthcare system, constantly ranked better than our interstate counterparts but called inefficient by these Liberals who want to run it like a business and not a healthcare service; and a future where South Australians spend less time in traffic and more time with their families because we invested in critical infrastructure like electrifying the Noarlunga line, expanding and upgrading the O-Bahn, extending the tramline, duplicating major roads like the

Southern Expressway, investing in the north-south corridor, bringing commuters one step closer to a drive from Seaford to Barossa without a single set of traffic lights.

We did all this. The Labor government did all this. Yet, we still left the Marshall government with a budget surplus—a surplus they have turned into a deficit in a few short months. Their own budget papers predict a massive windfall from new taxes: payroll tax, up \$149 million over the forward estimates, up \$38 million in 2018-19; gambling taxes, up \$22 million over the forward estimates, up \$13 million in 2018-19; motor vehicle taxes, up \$57 million over the forward estimates, up \$17 million in 2018-19; insurance taxes, up \$59 million over the forward estimates, up \$14 million in 2018-19; and total taxation, up \$540 million over the forward estimates, and that is an increase of \$30 million in 2018-19.

Their budget forecasts total revenue up to \$1.474 billion over the forward estimates; that is, \$1.47 billion over the forward estimates. So when the Treasurer stands up and tells this place that he and his party are effective economic managers, we all know the truth. It is a tax and waste government: increase taxes, increase charges, cut essential services, close TAFE SA centres, privatise prisons, take a surplus and turn it into a deficit. This is all because they want to hand out gifts and lollies to their mates in big business, their multinational mates, their merchant bankers and their donors.

Once again, we have a Liberal government who talk about the regions, about jobs, about public transport and infrastructure, but when it comes to it, they just do not believe in funding these public goods. The government has before us a bill which appropriates significantly more funding than the previous Appropriation Act did, yet their budget shows that they are slashing critical programs and directing funding to all the wrong places. They must truly hate South Australians.

The Hon. T.T. NGO (11:52): I take this opportunity to speak on this bill to provide a response to the Liberal government's first budget in 16 years. Cuts, closures, privatisations, these would be the best way to describe it. Premier Steven Marshall promised the people of South Australia better services, now he is closing Service SA centres, TAFEs, discontinuing metro bus routes and hiking Housing Trust rents. The Liberal state government have made all these cuts yet have not fulfilled their promise to map out a road to pay off debt. Net debt is actually projected to increase over the forward estimates.

So let us focus on some of these Liberal cuts. Most South Australians, particularly older South Australians and those without internet access, rely on Service SA centres to access essential services such as renewing their driver's licence and car registration. Closing Service SA centres just makes life harder for everyday South Australians.

Before the election, Premier Marshall did not say anything about closing Service SA centres, yet offices at Prospect, Mitcham and Modbury are all being closed down. The opposition has run a campaign against these closures, led by our leader, Mr Peter Malinauskas. So far, we have collected close to 8,000 signatures for a petition, which has been displayed outside the centres to be closed as well as online.

As a long-term resident of Kilburn, I am particularly aware of the importance of the Prospect Service SA centre, which services residents of suburbs like Kilburn, Enfield and Blair Athol. Many residents of these suburbs either cannot afford or do not know how to use the internet. Then there are the elderly, many of whom have never used the internet. I wonder if any Liberal member of this government has bothered to get out to one of these Service SA centres and get some feedback on these pending closures from the average punter.

I can report to the chamber that from Prospect there has been complete disillusionment, given the long lines and waiting times there. Many believe the government should be looking to expand the service rather than shutting it down. What is all the more galling is that there has been no clear explanation from the government as to why these closures are necessary.

This leads me to the next set of closures that have been announced, relating to various TAFE sites across South Australia, including Tea Tree Gully, Urrbrae, Parafield, Roxby Downs, Coober Pedy, Wudinna and Port Adelaide. I want to focus on Port Adelaide, which I have already written to the Treasurer, the Hon. Rob Lucas, about.

It seems odd that the state Liberal government would announce Port Adelaide TAFE's closure when there has been a clear focus from all levels of government to renew and rejuvenate the Port. Only a couple of weeks ago in this place, I acknowledged the bipartisan support at the state level for the newly awarded submarines contract at the Osborne shipyards. This work will require a skilled workforce. Currently, defence-related courses are not being offered at the Port Adelaide TAFE, but it would seem logical that those courses should be offered at Port Adelaide, given its close proximity to the shipyards. This could have further harnessed collaborations in the defence sector between the educational and industrial sectors.

I note that, recently, TAFE SA became an accredited partner of the Naval Shipbuilding College, with a welding course to be offered at the Regency TAFE and 12 virtual welding simulators purchased for the site. While it is great that this will be at Regency, surely it could have been at Port Adelaide. It is hardly like the Port Adelaide TAFE is a ghost town. My understanding is that there are currently 430 students enrolled there at the moment. Students are studying courses, such as business administration, complementary health, financial services, government, mental health and drug education, nursing, pathology, and wellbeing—many worthwhile courses.

What I am most concerned about is the discontinuation of the short courses that are offered at the campus. These courses are geared to assist the various ethnic and Aboriginal communities of the western suburbs with their literacy and numeracy. Some of these students would be particularly disadvantaged. Spare a thought for a new arrival who has been settled around the Port Adelaide area, is trying to learn the language and is then told that he or she will have to somehow be able to find a TAFE further away than what we currently have at Port Adelaide.

On 12 September 2018, the *Portside Weekly Messenger* reported the stories of students at the Port Adelaide campus Shantala Rider and Pamela Carroll, who were devastated at the closure, describing it as 'a kick in the guts'. Both women are studying a Certificate III in Women's Education. Pamela Carroll's daughter Georgia also studies at the Port campus. Georgia suffers from severe anxiety and has previously felt overwhelmed at bigger TAFE sites.

According to Pamela and Shantala, the Port Adelaide TAFE is easy to get to with public transport and had free parking and support services, such as child care. The state Liberal government needs to give a proper explanation as to why the Port Adelaide TAFE campus is being shut down.

We are also still being left none the wiser as to which bus routes the Minister for Transport, the Hon. Stephan Knoll, intends to cut. The government thought they were being clever by leaking the cost of bus routes to the *Sunday Mail*, which followed with a story on 15 September this year entitled 'The SA bus rides that are costing taxpayers \$100 a head'. It was reported that some bus rides can cost as much as \$100 a passenger, but the government will not reveal the exact costs of the most expensive bus routes. Clearly, this is a tactic from this government to try to justify cuts to bus services across the state.

I would argue that some of the least patronised and more expensive services are more valuable to retain, if this government has its priorities right. For example, what about the many shift workers, such as nurses and retail and hospitality workers, who finish their shifts late at night? Like many shift workers, they would rely on these services to get to and from work. The safety of women at these hours of night should be a priority when it comes to the provision of bus services. Public transport is about providing a service to these people, not about turning a profit. Before the election, we never heard the Premier say that he would be cutting bus services.

With our state's Housing Trust, the government has decided to increase rent to 25 per cent of household income for tenants in bedsits and one-bedroom cottages. This will increase these tenants' rent by an average of \$25 a week and up to \$50 a week. Then, for those tenants on moderate incomes earning \$500 a week before tax, their rent will increase to 30 per cent of their income, so potentially they have to find an extra \$25 a week for rent.

All these cuts form part of over \$1 billion worth of savings over the next four years, yet what does that mean for our state's financial position? Even though the government has \$539 million more in taxation revenue coming into the state's coffers over the next four years, and more than

\$939 million extra coming through in GST payments from the commonwealth over the same period, amazingly this government is increasing the state debt.

General government sector net debt is expected to increase over the forward estimates from \$5.3 billion as at 30 June 2018 to \$8.7 billion at 30 June 2022. After the mantra about paying off the state's debt and cleaning up the mess, this government is actually telling the South Australian people that it will increase our state's debt up until the next state election. Surely, this is a broken promise. With that in mind, I conclude my remarks on this bill.

The Hon. E.S. BOURKE (12:06): The budgetary process provides the government with an opportunity to lay the foundation of the values it strives to achieve. It is a foundation based on priorities to foster key industries, grow jobs and provide opportunities for future generations. It is the bill that will shape and support your government's agenda and should be a document cabinet members can be very proud of. We all hope it will provide a strong foundation for South Australia to continue to prosper, both as a community and, of course, economically.

However, this state budget has cracks in its foundation, cracks resulting in communities being weakened by a relatively inexperienced government led by a Treasurer who is determined to finish what he started 16 years ago. It is a budget that sets out the clear and unmistakable signature of a Liberal government: cuts, closures and privatisations. This is a budget based on a soundtrack stuck on loop, and that loop is not *Working Class Man*. It is named after the very man who wrote the self-titled soundtrack, 'business suit and sensible shoes'.

After 16 years of prosperity under a Labor government, the Treasurer in the business suit and sensible shoes has picked up from where he finished, with an agenda to cut and privatise South Australian services and jobs. The Treasurer may have felt that the past 16 years were 16 very long years, but many in the community, particularly some of the most vulnerable, already feel it has been eight very long months. In his speech, the Treasurer said:

This budget will seek to provide better services by placing as much emphasis on productivity outcomes and outputs, rather than just relying on inputs and how much we spend on a service.

Perhaps the Treasurer needs to explain this not only to the communities in Prospect, Modbury and Mitcham but to his very own cabinet colleagues. The member for Adelaide stated, in a leaked document, her personal disappointment in the government's decision to cut the Prospect Service SA centre.

The Prospect Service SA centre served 105,000 customers in the last financial year and 104,000 in the year before. The Mitcham Service SA centre served 83,000 customers in the last financial year and 78,000 in the year 2016-17. The Modbury Service SA centre served 104,000 customers in the last financial year and 103,000 in the year 2016-17.

There seems to be a pattern with these centres, that is, the number of customers from the 2016-17 financial year to the last financial year increased. How can the closures of these three centres be about productivity outcomes when Prospect and Modbury were the third and fourth busiest centres last year, not to mention the impact that these three centres closing will have on the remaining Service SA centres?

When Mitcham closes, the Mitcham community may go to Marion, the second busiest Service SA centre last year. When Modbury closes, the Modbury community may go to Elizabeth, the busiest service centre last year; and when Prospect closes, the Prospect community may go to Regency Park or to the city. How are these remaining centres going to cope with the extra 292,000 customers who would have gone to Prospect, Mitcham or Modbury?

The impact of these closures will reach far beyond the doors of the three Service SA centres. By removing a service from the community, local businesses, residents and workers will bear the brunt of the social and economic cost. It leaves little wonder as to why the phones on level 2 are running hot about this issue, and over 8,000 people have already signed the petition to keep the doors open.

Again, the Liberal's cruel cuts will impact those most vulnerable in our community, with many who rely on public transport not being able to access their local service provider. All of this is despite the Premier's and Treasurer's reassurance that there would be no blaming of circumstances crafted

to excuse the introduction of cuts, closures and privatisations, resulting in a blame game—but what a game they are playing. Despite unexpected increases in GST revenue of around \$300 million per annum and payroll tax flooding in through the door in the 2017-18 financial year, we have a government calling bluff in the ultimate card game of cheat. Whilst I would prefer to use the alternative name for this game, perhaps I will leave that out.

Like the card game, the government is playing a game of deception. We are now told, contrary to what was promised in the election campaign, that the government's election commitments would now be made possible thanks to the flood of unexpected extra revenue, but we are told to believe additional savings are still required—savings they attribute to the previous Labor government, the very same Labor government that delivered nine budgets in surplus and steered the state through one of the most challenging employment periods South Australia has faced, only to now have more people in jobs and one of Australia's fastest growing economies.

We are not playing with Monopoly money; this is the money of hardworking South Australians, and when a government decides to play politics with the money of South Australians they have every right to call it out. In the government's first three months they went on a spending spree and spent nearly an extra \$270 million in the 2017-18 financial year. The impact of the government's fiscal mismanagement resulted in a deficit of almost \$400 million—a move to ramp up debt and increase interest repayments. It did not stop there. In a move to create an illusion of financial pressure, money was transferred from portfolios and prepayments were made from the 2017-18 financial year out of the general government sector, all to create a calculated political point, a point that cost taxpayers hundreds of millions of dollars in real money.

It was a manufactured deficit delivered by a Treasurer who has never delivered a budget in surplus in this state despite the Liberal government's self-proclaimed fiscal management. All sides of the Liberal fiscal dice are covered in three statements: cuts, privatisations and closures. The Monopoly board certainly looks a little different under a Liberal government: gaol privatised, train services cut, electricity services privatised. South Australians are still paying the price for the Treasurer's last stint at the wheel when he sold ETSA.

Now the course has been reset by the Premier and the Treasurer to privatise, cut and close. This is despite South Australians being repeatedly told by the Premier that there would be no privatisation under his watch. Before the election he said, 'We do not have a privatisation agenda.' He also said, 'We have ruled out privatisation.' After the state election he said, 'We made it clear in the lead-up to the election that we have no plans for asset sales or privatisation in South Australia.'

How does the Treasurer justify the Liberal Party misleading the community with political spin? The Treasurer said in his budget day address that this government, prior to the election, made a specific commitment when asked to commit to not privatising, outsourcing or commercialising any public sector asset and services. Our commitment was not to privatise SA Water. The following two sentences were apparently made available to an organisation:

There are many current examples under the Labor government where public services are being successfully delivered by private or non-government suppliers. We have a responsibility to consider such options where it is clearly in the public interest to do so.

In other words, unless punters were reading the fine print of two sentences available through Liberal Party propaganda to an organisation, they missed the big green light to say that the Liberal Party had an agenda to privatise—services like the Adelaide Remand Centre and privatisation plans for SA Pathology and Imaging Services. So much is the Treasurer's addiction to privatisation that he has established the Commercial and Economics Unit, which has been tasked with the job of seeking opportunities for commercialisation and outsourcing of public services. What will be next: schools, hospitals or the roads?

Perhaps hidden in even smaller print was the Liberal Party's promise to cut bus and train services, close Service SA centres, close TAFE campuses, increase Housing Trust rents and cut 880 SA Health workers. Let's take a look at some of the finer print to see what the Liberal government's budget actually means. It means that the Adelaide Remand Centre is being privatised. It means \$46 million has been cut from public transport which will hurt working families, the elderly, and those with disability the most, resulting in longer travel times, increased traffic and inconvenience for thousands of South Australians daily.

It means putting profits before the health and wellbeing of South Australians by privatising vital health services like SA Pathology and SA Medical Imaging if they do not reach their savings targets, a move that could pass on higher out-of-pocket costs for patients and longer processing times which could mean life-threatening delays.

It means that TAFE SA campuses are being closed, leaving students and staff at seven TAFEs across the state, including Tea Tree Gully, Port Adelaide, Urrbrae, Roxby Downs and Coober Pedy, in limbo. It means jacking up Housing Trust rents for thousands of low-income tenants, leaving thousands of households worse off by slugging some tenants an extra \$50 per week in rent, or more than \$2,500 per year. There is no justification for taking money from those most vulnerable in our community and increasing the cost of living for thousands of South Australians.

In addition to these cuts, privatisations and closures, there is \$1.25 billion of unidentified savings that need to be delivered by this government over the next four years. My maiden speech was based on the social and economic value of a strong community, and perhaps this was also the foundation of the program Fund My Neighbourhood, a program that gave the power to communities to decide what is best to improve their neighbourhood. Fund My Neighbourhood was not just about new funds for communities, it was about bringing people together.

The Liberal government's decision to cut the popular Fund My Neighbourhood program—where over 120,000 votes were cast by 33,000 South Australians in just the space of four weeks—is an incredible blow to the confidence of our community. Over 200 projects across South Australia were funded by round 1 of Fund My Neighbourhood, delivering not only new facilities and programs in the streets of local communities but local job opportunities. Round 2 of Fund My Neighbourhood was fully funded and was set to commence in May 2018. It is a great shame that the state Liberal government has cut the allocated \$20 million for South Australian communities, preventing people like Judith Shanahan from saving a much-loved local icon, Unley Uniting Church, where Judith runs the oldest kindergym in Australia.

When Judith discovered that the structure of the church bell tower was threatening the closure of the church, she went on a search for funding to save the oldest kindergym in Australia. It was not until Judith discovered Fund My Neighbourhood that she found a glimpse of hope. With the will of the 500 children who visit the Unley Kindergym every week, Judith hit the neighbouring pavements to save the church, and she did just that.

Judith brought the community together, and together they saved the Unley Uniting Church and the home of kindergym. The next time you are driving down Unley Road, you will see the church bell tower covered in scaffolding with workers busily working on a project fought for and won by the community. Judith summed the program up perfectly:

Without Fund My Neighbourhood we wouldn't still be standing here today. The beauty of the grant was that the community was able to decide what was important to them.

Judith has every right, as she is doing, to ask why the government has taken the power away from communities to decide how and where to allocate government funds in their neighbourhood. Fund My Neighbourhood was so successful that Victoria and New South Wales are now adopting South Australia's model to empower their communities. I wish them all the best with this fantastic program and hope one day South Australian residents will enjoy the benefits of Fund My Neighbourhood again.

One of my favourite Liberal Party claims is hashtag #RegionsMatter. Not even in a drought can farmers in South Australia count on a Liberal government, with new costs being imposed and cuts to programs like the regional community fund, which gave \$500,000 in annual funding to regional communities for equipment to better protect themselves from the impact of extreme weather, including fires and floods. This cut may save the government a measly sum, but it will have a huge impact on regional communities, particularly as we face a sweltering summer.

This is a flimsy, mismanaged budget that targets the most vulnerable in our community and will put a handbrake on the job growth of South Australia by cutting the very 29 job-creating programs that have set the state up to hold its head high and take on the challenges set by the closure of Holden. I will finish with the Treasurer's closing remarks:

I would like to thank all of my ministerial colleagues in particular for the cheerful and willing way they have participated in and supported the budget process. They have all assured me that they will be right behind me.

It is there in black and white that this cabinet is cheerfully and willingly backing in cuts, closures and privatisations that punish those who are most vulnerable in our community: Housing Trust tenants, AIDS sufferers, public school kids, TAFE students, Crime Stoppers victims, women in sport, bus and train commuters, Service SA workers and customers, prison officers, doctors, TAFE teachers, community groups and advocates, and health consumers.

Honestly, I could stand here and list many South Australians who will be impacted by the great work of the Liberal cabinet team. I will wrap it up there because I am sure they are incredibly proud of their first budget in 16 years, and I am sure the community will be very wary of their next budget.

The Hon. C.M. SCRIVEN (12:23): I rise today to add my contribution to the Appropriation Bill. On 4 September, the Marshall government handed down its first state budget—a budget founded on cruel cuts, closures and privatisations, a budget that provided no vision, no vision at all, for the future of this state's economy. No South Australian will be spared from the impact of the Marshall budget, with passengers, patients and housing tenants all bearing the brunt after Steven Marshall let his Treasurer loose on the state's most vulnerable.

There are cuts of more than 4,000 jobs in the Public Service. There are cuts of \$38 million from the operational police budget. There are cuts of almost 900 jobs in Health. There are cuts of 29 job creation, transition and support services. Many of these cruel cuts are within my shadow portfolio, and I will address these in more detail shortly.

Closures include bus routes across Adelaide while delaying the Modbury and Klemzig park-and-ride projects with no start date in sight. There are closures of seven TAFE campuses that were providing courses to many students. There are closures of Service SA centres at Modbury, at Mitcham and at Prospect. Privatisations include SA Pathology and the Adelaide Remand Centre, along with the health minister confirming he is going to market to look at privatising patient transfers between Modbury Hospital and the Lyell McEwin Hospital.

South Australians were promised a Marshall government that would deliver more jobs, better services and lower costs, but the reality is that the Liberals are cutting jobs, cutting services and increasing costs. Labor will stand with everyday South Australians in denouncing this budget. The budget has failed to seize upon the economic growth that the former Labor government had overseen.

The Liberals inherited a budget in surplus, a growing economy and a falling unemployment rate. With the closure of Holdens and the resultant impact on the automotive supply chain, predictions were for double-digit unemployment in this state; what we have seen instead is an unemployment rate of 5.6 to 5.7 per cent. This better-than-expected result is because of the huge amount of work done by the previous Labor government with companies and individuals in the affected industries to enable transition into other employment and other industries.

The economic forecast demonstrates that despite the former government leaving the Liberal government a strong economy, going forward state final demand is expected to drop from 3 per cent to 2.5 per cent in 2018-19 and then drop further to 2.25 per cent from 2019-20 onwards. Employment growth hit a high of 2.1 per cent in 2017-18 but is expected to drop to 1.5 per cent in 2018-19 and then 1 per cent from 2019-20 onwards.

South Australia is experiencing strong jobs growth, with 18,200 jobs created over the past year on trend estimates. The unemployment rate in South Australia for July was 5.6 per cent (trend) and 5.7 per cent (seasonally adjusted), with 1,700 jobs created for the month of July (seasonally adjusted). Let me say again: this is not the work of the new Marshall Liberal government but evidence of the strong economic foundations left by the previous Labor government.

To make matters worse, the Marshall Liberal government has put the handbrake on job creation programs, career transition and support services in South Australia. Programs and services that have been cut, to name just a few, include: the Economic Development Board; the Investment Attraction advisory board; the health industries' advisory board and grants program; TechInSA; the

Fund My Neighbourhood program; Northern Connections; Southern Connections; the Unlocking Capital for Jobs fund; the Economic Investment Fund; the Small Business Development Fund; the SA Early Commercialisation Fund; and the digital Game Development Fund.

You might think, Mr President, that I am through the list, but in fact I am only halfway. Also included are the Advanced Food Manufacturing Grants program; the SA Premium Food and Wine Credentials Grant Program; the Mining and Petroleum Services Centre of Excellence grants program; the Premier's Research and Industry Fund; the Strategic Industry Development Fund; and the Future Jobs Fund.

What was even more concerning was listening to the Minister for Industry and Skills in the other place stumble his way through estimates a few weeks ago, trying to avoid questions about why some of these programs have been cut. He made the most of Dorothy Dix questions—that is, questions from his own side—to use up time to avoid answering valid and important questions about the cruel cuts made in his area, cuts that are extremely short-sighted, cuts to programs that had high levels of employment outcomes, cuts to programs that do not have an equivalent federal government program (despite multiple statements made by both the minister and the Treasurer that they did), and cuts, it would appear, that were made without any attention whatsoever to the results those programs had been achieving.

There was one facet of his long answers to Dorothy Dixers, however, that apparently had some benefit. I am told it enabled a continuation of the 'I am a Tradie' bingo game. I am told this is a game that those within the department play by counting the number of times the minister mentions, in a single speech, that he used to be a tradie. Do not get me wrong, I am sincerely pleased that there is someone on the Liberal side who has been a tradie; sadly, far too often those opposite look down on people who work with their hands as well as those who work in retail, for example, and other sectors.

The Hon. J.E. Hanson: Who cares about them?

The Hon. C.M. SCRIVEN: Who cares about them is unfortunately the view of those opposite. I am simply echoing the observation that so many others have made which is it appears every speech by the Minister for Industry and Skills must include around 10 mentions of his tradie background. For those who are wondering, I have not made a personal tally myself, I am told that the record in one speech so far for 'I was a tradie' bingo is 37.

The Hon. J.E. Hanson: 37? How long was the speech?

The Hon. C.M. SCRIVEN: 37, so I am told. I do not know how long the speech was.

The Hon. K.J. Maher: 40 words in total.

The Hon. C.M. SCRIVEN: 40 words in total, it could be. Over the past five months, my office has been inundated with contact from organisations which have had their funding cut by the Marshall Liberal government. What is even more concerning is the trend that has emerged where the Minister for Industry and Skills has cut funding with little or even sometimes no notice. Also, the minister has commonly refused to meet with organisations to allow them the opportunity to make their case to the minister about the benefits of their program.

I want to speak about one particular program which I believe speaks volumes about the way the Marshall Liberal government has treated South Australian workers. Earlier this year, the Marshall Liberal government announced that they had cut the Retrenched Workers Program. This program was introduced by the previous Labor government to assist retrenched workers in retraining so that they could move quickly to other jobs after retrenchment.

A commitment was made and the department of state development, as it was at the time, started the process of assisting workers with funding. But as soon as the Marshall Liberal government came to office, they slashed the support package and subsequently played games with these workers' situation.

On 16 August, when this Liberal cut was in the media, the Treasurer was asked during a press conference if workers at Castalloy would receive any federal support to which the Treasurer responded:

They will not be left on their own. The Liberal government's been committed to a program of a \$200 million investment in skills and training packages, so anyone who is unemployed, Castalloy or anybody else, will have the opportunity for further training opportunities.

Then on 6 September, I asked the Treasurer during question time what type of support would be given to workers at Castalloy, as previously had been promised, to which he responded:

There is a range of commonwealth funded programs which have been provided and which have been made available.

In fact, there were no commonwealth funded support packages available for these retrenched workers. These workers have indeed been left on their own, because of the Marshall Liberal government's cruel cuts, and totally misled by the Treasurer's statement. The clear pattern that has emerged as a result of the state budget, in particular within Industry and Skills, are of cuts that have been made without consultation and with nothing to replace those cut programs.

As the economy transitions, and areas in our economy such as the manufacturing industry adapt and experience job losses, there are no support mechanisms in place to support workers who do not fit into the path of participating in the Skilling South Australia program, which is the sole program that the Minister for Industry and Skills seems to be interested in. Again, I fully support promoting apprenticeships and traineeships but the minister's narrow vision which means that everything else is ignored, everything else except apprenticeships and traineeships, and abandons other workers. Other workers are abandoned, especially older workers who are not going to be for the most part pursuing apprenticeships.

Another remarkable discovery exposed during the Industry and Skills estimates session is the Marshall Liberal government's rhetoric around apprenticeships in South Australia as opposed to the reality. In the lead-up to the election, and in the months since the Marshall Liberal government took office, they have been talking about the 20,800 new apprenticeships they are going to deliver. It is not just the Minister for Industry and Skills who is going around spruiking this figure. It is the Premier, the Treasurer and a number of other government ministers.

During estimates, the Minister for Industry and Skills was asked if the 20,800 new apprenticeships and traineeships were going to be completions—in other words, apprentices who complete their apprenticeship—or people who start it for a period but fail to complete it. Minister Pisoni's response was, 'I am advised that the figure refers to commencements.' It is all well and good to have a large number of commencements but what is needed is a large number of completions. This figure of 20,800 sounds very good but the reality is that this is about commencements and not about completions. This explains why the minister at every opportunity so far has failed to advise how these figures will be achieved, how they will be monitored, and it explains why he will not set targets for each year.

When the opposition asked the government for details around the Skilling South Australia agreement it has in place with the commonwealth—what the details around the agreement for this funding are—the minister could not answer. Here is a key agreement with the commonwealth government and, when asked some specific details that are central to this agreement, the Minister for Industry and Skills could not answer, instead promising to bring back some information.

The Hon. J.E. Hanson: Cover-up.

The Hon. C.M. SCRIVEN: The Hon. Mr Hanson says perhaps it is a cover-up. Perhaps it is, or perhaps it is incompetence on the behalf of the minister. Certainly, that is one of the questions that those opposite might be asking themselves: why we have a minister in place who does not know key information about one of their key policies.

Members interjecting:

The Hon. C.M. SCRIVEN: There is a \$203 million agreement, half of which is state funds appropriation, yet the minister does not know key details about it. It really is not surprising that those in the minister's own party are asking questions—perhaps not the Hon. Dennis Hood, as he says, but perhaps others in the party are asking questions about the minister's competence and ability as a minister.

Of course, there are many other areas of cuts to this budget. Arts SA has been dismantled and is a shell of its former self. The executive director role has been removed, with no indication of when a new permanent executive director will be appointed. During estimates, the Premier said a new leader of Arts SA will be appointed in the new year after a review of the staffing structure. He dodged so many other questions about the arts.

The best the Premier could offer on the future of arts in South Australia was that it was subject to a review. In the meantime, the entire arts sector is left waiting in limbo until the government gets around to finishing its review. The negative impacts of this are damaging to an industry that provides many millions of dollars in economic benefit to this state every year.

In terms of arts funding, the government is trumpeting \$1 million of funding for three regional theatres: the Chaffey Theatre in Renmark, the Northern Festival Centre in Port Pirie and the Sir Robert Helpmann Theatre in Mount Gambier. As a regional member, I was initially delighted to hear that these regional theatres would have investment, especially, of course, the Sir Robert Helpmann in my hometown of Mount Gambier.

Then the truth came out: in reality, that money is for what is pretty routine maintenance to ensure these theatres do not fall foul of fire safety regulations. It is hardly an investment in the arts to simply stopping buildings from being shut down or perhaps burning to the ground. If that is the government's idea of investment in arts, I shudder for the future of the sector.

This government is giving with one hand and taking much, much more with the other. There is a \$1 million increase in grant funding for artists across the state, yet the arts are facing savings targets, which are of course simply cuts, of \$4.9 million in this year alone. All the while, the government claims to be refocusing Arts SA. In total, there will be cost savings of \$31.9 million over the forward estimates. It appears that refocusing Arts SA is simply code for slashing the guts out of Arts SA.

The Hon. J.E. Hanson: Make sure it doesn't catch fire or something.

The Hon. C.M. SCRIVEN: But it won't catch fire, the Hon. Mr Hanson says, at least we know that. Arts SA has previously provided high levels of support to artists and art institutions that were seeking grant funding. The specifics of how the removal of these high levels of support will affect regional artists is currently unknown, but I am sure that we can all agree that it cannot be good.

What we do know is that, even before the budget was handed down, artists living on the west coast of Eyre Peninsula had lost their arts officer, based at the District Council of Streaky Bay. The council's arts officer provided services in conjunction with Country Arts SA across the west coast of Eyre Peninsula. Artists living in isolated communities, ranging from Elliston, Wudinna, Streaky Bay, Ceduna and Aboriginal communities and settlements further west, were supported by this position.

The loss of the arts officer means that these west coast communities now have no direct link with Country Arts SA. The arts officer had previously put together assistance programs and packages for these communities and their resident artists. Regional South Australia is home to many artists. Now who will provide these assistance programs and services to artists living in these wonderful but sometimes isolated communities? With Arts SA no longer providing grant assistance and some regional artists losing their connections to Country Arts SA, who will be left to assist and foster the arts in our regions? More to the point, does this Liberal government care?

The Hon. J.E. Hanson: No.

The Hon. C.M. SCRIVEN: Absolutely not, as the Hon. Mr Hanson comments. The Regional Galleries Association of South Australia recently wrote to the Premier following cuts to their funding. The Regional Galleries Association of South Australia is the peak body for not-for-profit visual art space in regional South Australia. As the peak body, they play an important leadership role and collect valuable data on the visual arts sector for regional SA.

As a result of their work in this area there is now a proposed partnership with Museums Galleries Australia. The association is looking to roll out its data collection and mapping across the state's public galleries and museum sector. This is important work. It will provide a full picture to the

arts sector and government of all visitors, collections, resourcing, volunteers and public programs in regional SA for the very first time.

On top of that, the Regional Galleries Association is doing this on the smell of an oily rag. This important work is being undertaken by a project officer employed at just 0.2 FTE and a volunteer executive. Unfortunately, this valuable work is on the cusp of being lost. Country Arts SA recently advised the Regional Galleries Association that, due to their own funding cuts, they could no longer provide funding for the 0.2 FTE position.

Cutting this funding, though it is a small amount, will nevertheless have wideranging ramifications for the entire visual arts sector. It will put at risk the Regional Galleries Association's capacity to contribute to the national sector-wide data collection and benchmarking projects. This will result in a significant under-representation of South Australia and the South Australian regions from national reporting in the visual arts sector.

The Regional Galleries Association wrote to the Premier asking that he consider a matched funding proposal in conjunction with the local government sector. I urge the Premier not to forget our regions and not to turn his back on the important arts communities within our regions. These cuts to services in our regions may sound small, but the roles that these people fulfil play a vital part in connecting artists and communities and promoting arts across South Australia. When you add each of the cuts together, it is clear the arts in the regions are facing death by a thousand cuts. Contrary to the Liberal party's hashtag before the election, clearly regions do not matter to the Liberals.

I know that, prior to the budget, the Arts Industry Council of South Australia had made numerous representations to the Premier for a meeting, but those requests fell on deaf ears. The Premier has been in hiding from the arts sector, and that is a shame. Why is the Premier hiding from the arts sector? Because he had nothing but bad news—nothing at all, except bad news. He could not bring himself to face the sector that he was about to unleash these cuts on.

In the words of the chair of the Arts Industry Council of South Australia, Gail Kovatseff, 'Sadly, the government has given with one hand and taken away with the other.' These cuts are as much a loss for artists in metropolitan Adelaide as they are for those in our regions. I hope that the Regional Galleries Association has better luck getting a response from the Premier than the Arts Industry Council of SA did prior to the budget.

Another cut that the Marshall Liberal government has bestowed on the people of South Australia is the commissioner for Kangaroo Island. The people of Kangaroo Island are very upset about the new government's decision to get rid of the commissioner for the island. The member for Finnis, Leon Bignell, has been fighting this cut since it was announced.

The Hon. D.G.E. Hood: He's the member for Mawson.

The Hon. C.M. SCRIVEN: My apologies; the member for Mawson.

Members interjecting:

The Hon. C.M. SCRIVEN: I do not know the names—names that have changed. The position of commissioner is an incredible position, and it is probably the first time anywhere in Australia that a position like this has been established. It was established by the former Labor government because Kangaroo Island is a place with 4½ thousand people and 4½ thousand square kilometres, which of course has its own challenges. There is a great, resilient community there, both the business community and the wider community, which gets on and gets the job done despite the tyranny of distance and the water crossing.

However, they did need a hand in terms of having their voices heard at a state and indeed a federal level so, after a great deal of consultation, the Kangaroo Island commissioner was established. The Premier made a commitment to consult further with the island's industry associations before proceeding with changes; however, no such discussions have taken place. I received a letter from a member of the Kangaroo Island Industry and Brand Alliance which describes the value of the commissioner perfectly:

The Office of the Commissioner of Kangaroo Island is not another layer of bureaucracy, but the knife that slices through and gets things done.

I repeat that. The Kangaroo Island commissioner 'is not another layer of bureaucracy, but the knife that slices through and gets things done.' The letter continues:

The Act has been helping us to liaise with governmental departments, with outcomes and actions that we could only dream of previously.

Kangaroo Island has been in the midst of an economic transition assessed in 2015 to be over \$171 million of planned and approved projects expected on the island over a period of three to five years. Some of these projects have been finalised, such as the Kangaroo Island airport, and progress through the state government decision-making process has moved for a number of other projects.

It has been predicted that these projects are expected to require over 300 new full-time positions in the construction phases and over 500 new employees when all projects are completed. This growth is reflected in Kangaroo Island's recent population statistics, which show a growth rate strengthening to 1.6 per cent in 2016. This growth rate exceeds the South Australian average of 0.9 per cent and is partly attributable to a declining trend in outward migrant departures since 2012-13. This is testimony to the opportunity that businesses and the community see in the island's future. It is worth noting that many of our regional areas do not have that sort of growth rate by any means. It is very much an asset to the island that that is the kind of rates they are experiencing.

Tourism on Kangaroo Island has also seen significant growth over recent years, with 214,000 annual visitors in the 2016-17 year, an increase of almost 8,000 people from the previous year, or 3.9 per cent. Cruise ship visitation is also having major economic impacts on the island. In 2015-16, nine cruise ships visited the island, which resulted in an estimated \$2 million of direct expenditure on KI. Sixteen ships visited Kangaroo Island in 2016-17 and 21 in the 2017-18 season, which presented significant benefits for local businesses and the tourism industry. In the 2018-19 season, 30 ships are anticipated to visit the island.

In 2017-18, around 27,000 passengers and crew visited the island, and it is expected that in the coming year, with the additional cruise ships, visits to the island will rise to 40,000. In June last year, Qantas announced new services to Kangaroo Island, with direct flights from Melbourne commencing in December 2017. QantasLink has three services in the off-season to the island via Adelaide. During 2018, negotiations occurred for a second year of QantasLink flights.

The Commissioner for Kangaroo Island has played a key role in assisting developers to navigate the developmental approval processes with local and state agencies, while also working with the community to ensure adequate access to information on projects and associated consultations. Yet, this is a position that this Marshall Liberal government is going to cut, despite the demonstrated benefits to the people of Kangaroo Island and to the economy of South Australia.

The Liberals have plunged the budget into deficit and unleashed cruel cuts, closures and privatisations. Each of these is whittling away our opportunity as South Australians for a better future. This budget is a cruel budget. This budget is about cuts; this budget is about closures; this budget is about privatisations. As such, it should not have the support of any right-minded people.

The Hon. J.E. HANSON (12:47): I rise to speak on this bill. I have mentioned previously in this place the federal Productivity Commission draft report, which indicated a number of possible scenarios which may have an impact on our GST. The report outlines scenarios of equalising to the second highest or average level, which would, if implemented, cost the state in the vicinity of \$250 million per annum. If the full range of scenarios were implemented, it could cost South Australia up to \$500 million per annum. If the state average equalisation model was implemented, this figure would further expand and the cost to South Australia could be over \$2 billion.

It is pleasing for me to be able to note that since I last spoke on the supply related items in this place there has been some acknowledgement by our state government of what was said by myself and others from the opposition in regard to the status of our GST. While it was very humorous to hear Labor Treasury spokesman Chris Bowen state that it was pretty difficult to unite the states and territories on GST distribution, but Mr Morrison and Mr Frydenberg had somehow managed to do so, this also really underlines what the critical problem that we may be facing is, going forward on the GST.

Labor has said consistently that the flaw, particularly in relation to Western Australia, should be legislated—'make the flaw the law', as we have said. It is clear that Labor supports the principle of legislating this, but it remains worrying that Scott Morrison and Josh Frydenberg of the federal Liberal Party have said simply that no state will be worse off, but they are not prepared to put that guarantee in writing in the law.

They should possibly heed the outcome of the local by-election which took place in Mayo, where their candidate seemed to have a lack of understanding of the importance of this issue to South Australians. It is also pleasing for me to be able to report that the federal electorate decided to punish the candidate who could not bring herself to openly put the interests of her state ahead of other possible ambitions she may have had.

The Hon. C.M. Scriven: Perhaps she didn't see it as her state.

The Hon. J.E. HANSON: 'Perhaps she didn't see it as her state,' the Hon. Ms Scriven states. Perhaps she has gone back to her state. Possibly somewhat worrying for the South Australian Liberal Party, though, is that the same candidate is seeking to run again in that same electorate and has not yet sought to change her position on this very defining issue. One hopes that she has changed her home address. It has been pleasing to see that our Treasurer has not followed the candidate for Mayo's poor example and has sought, along with all other state treasurers, to enforce the demands of our federal Labor opposition in regard to making sure all states, including South Australia, get their fair share going forward.

There should be a good understanding from everyone in this chamber that such an outcome would be appalling for our state, no matter what your political stripe, as it has never been more important that we have to be focused on the best manner of solving the problems that face our state. I hope to see this bipartisan approach across all state treasurers, including our own, to continue working with any federal opposition, as we all hope, I am sure, to keep seeing the federal government kept to account, possibly all the way into opposition.

While South Australia doubtlessly has some significant challenges ahead of it, no matter the stripe of those who may occupy the Treasury benches, contrasting with the economic and social warning signs we continue to see on our East Coast, we saw in the lead-up to the last election a heightened level of growing business and public confidence that had been occurring for over the best part of a decade in our state. When the Labor Party left the Treasury benches, Adelaide had been consistently rated in *The Economist* as the fifth most livable city in the world for six years running. It also ranked highly in the *Lonely Planet* guide and other international magazines which promote healthy living and tourism.

Right up until the last election, in fact, confidence in the South Australian economy was the best it had been in eight years—a not unsurprising number—with almost one in three businesses directly aware of the opportunities provided by the previous state government administration to assist them. However, it is true that the Labor Party, despite how I may feel about this, is no longer in government.

This is something that no doubt those opposite are very happy to remind me and others on my side of the chamber of. This of course promotes another truth, which those opposite seem less able or perhaps willing to grasp; that is, they are now in government. Endlessly, in question time and through press releases, they seek to blame their troubles on a government that is now almost a Christmas behind them. It is not something that the people of this state are looking for in their leaders.

The Liberal Party must start treating the passing of the Treasurer's first budget since 2001 as a line in the sand. From this point onward, the Marshall Liberal government must take full responsibility for its actions and can no longer blame the opposition for their inability to effectively govern or manage the finances of our state. Rather than seeking to take the solid foundations of a strong and growing economy that was left to them, the Marshall Liberal government seems hell-bent on destroying South Australia's economy through slashing jobs, closing vital community and health services and cutting programs that underpin South Australia's vibrant economy.

It seems to me that the Treasurer's budget is borne on the frustrations of many years of electoral defeat and a feeling of unfinished ideological business since 2001. The Marshall Liberal government has missed an opportunity in this budget to support the South Australian economy in

the post-Holden manufacturing era. Co-investment into sectors of the economy to drive private investment and micro-economic reform had been a hallmark of economic growth in South Australia since the Labor government first came to office in the early 2000s. Labor supported the economy through co-investment, with jobs being our main focus, and we saw the benefits of this, like for instance the \$50 billion submarine contract at Osborne.

This contract created thousands of defence jobs in South Australia, pumping millions of dollars into the local economy and having flow-on effects to other small businesses and contractors along the supply chain. It is what you get when you invest. Labor focused on supporting the South Australian economy after the closure of Holden's and the impact it had on many of its suppliers to support its workforce with training programs.

As the Hon. Ms Scriven has already said, this government is undermining the South Australian economy and attacking the manufacturing industry by cutting many programs, including the automotive suppliers diversification program that assisted automotive supply chain manufacturing workers impacted by the closure of Holden's. As has also already been foreshadowed by the Hon. Ms Scriven, it even refused to help those at Castalloy, who had done nothing more than be subject to international whims beyond their control.

Whilst this government likes to trumpet its business tax cuts and taking its hands off the economic wheel, it fails to recognise that not all sectors of our economy are winners or that the state government has infrastructure responsibilities. I have noted in this place previously that the Labor government's commitment to and, more critically, the Liberal government's failure to deliver for regional SA has not escaped the notice of those regional voters. Electors in Giles resoundingly returned Labor again. The Liberal Party lost Frome again and we saw Labor retain the seat of Mawson even though it includes the very regional voters of Kangaroo Island, who now exist, as the Hon. Ms Scriven has said, without their commissioner.

Those voters knew, at the last election, the value of electing truly local members who believe in driving economic reform through strong public co-investment. It certainly did not escape the notice of electors, at the last federal election, in the federal seat of Grey when they reduced the margin to the lowest it has been in over three decades, let alone what we saw in Mayo. It really is a worry or at least the Liberal Party should be worried about its regional voting base that has seen them lose four of their supposed regional seat strongholds to Labor or Independents. It was very nearly five, if a few hundred votes in Heysen had gone the other way.

It should be clear to this government that regional investment is needed, not further deregulation that hurts regional interests. When in government Labor fought for regional jobs and investment. While the Treasurer may not fully support the ongoing operations of Nyrstar through his most recent negative and, I would argue, politically opportunistic comments in this place—

The Hon. C.M. Scriven interjecting:

The Hon. J.E. HANSON: Not our Treasurer; our Treasurer would not be that politically opportunistic, would he, the Hon. Ms Scriven? I would not think so. While his comments seem politically opportunistic, we stood with regional communities through our investment when in government as we helped to protect the jobs at the Whyalla steelworks through the sale of Arrium and future investments in renewable energy being made by the GFG Alliance and the Gupta family and the metal processing jobs at Port Pirie by investing in the redevelopment of Nyrstar. Instead, this government is maintaining its hands-off-the-wheel approach to public investment in our regions that started with Arrium and appears to be continuing with its comments and negative attitude to Nyrstar.

The question that this government should be asking itself is: what would have happened if we did not make these investments? What would be the state's liabilities in a town with no work, in a Whyalla with no work, in a Port Pirie with no work, in a regional South Australia with no work? It is vital that this government look to the farmers suffering from significant drought, to farmers and small retailers who are being squeezed by the large end of town in terms of pricing and supply, and to those less fortunate in our regional communities who now face cuts to their local public services, the closure of their TAFEs or increases to their Housing Trust rents.

In more specific metropolitan areas, the Marshall Liberal government has declared war on the north-east voters of King, Newland, Florey and Wright by closing their Tea Tree Gully TAFE campus, jeopardising the future career prospects of 226 students; closing Service SA at Modbury; closing bus routes, or at least axing them subject to some whim; and park-and-rides which have been delayed; not to mention privatising health services at Modbury Hospital and selling off SA Pathology.

As has been said by many members on my side of the chamber, Labor will stand shoulder to shoulder with everyday South Australians in opposition to this budget, those who will be negatively impacted by its cruel cuts, closures and privatisations. We will stand with the automotive supply chain workers, we will stand with the more than 4,000 public servants who are now facing unemployment, we will stand with the 900 health industry workers, we will stand with those TAFE lecturers and students from the Tea Tree Gully, Port Adelaide, Wudinna, Roxby Downs, Coober Pedy, Urrbrae and Parafield campuses, and we will stand with the members of our community who rely on their Service SA centres at Modbury, Prospect and Mitcham.

The structure of our federation means that states and territories are actually responsible for the regulation and delivery of most economic and social infrastructure services. I seek leave to conclude my remarks.

Leave granted; debate adjourned.

Sitting suspended from 13:00 to 14:15.

Parliamentary Procedure

PAPERS

The following papers were laid on the table:

By the Treasurer (Hon. R.I. Lucas)—

Reports, 2017-18—

Compulsory Third Party Regulator (CTP)

Funds SA

Mining and Quarrying Occupational Health and Safety Committee

Motor Accident Commission

Parliamentary Budget Advisory Service

Police Superannuation Board

TAFE SA

Audit Report of Compliance with the Criminal Law (Forensic Procedures) Act 2007 dated 28 September 2018

TAFE SA Ministerial Charter 2018-19

By the Treasurer (Hon. R.I. Lucas) on behalf of the Minister for Trade, Tourism and Investment (Hon. D.W. Ridgway)—

Power Line Environment Committee, Report, 2017-18

By the Minister for Health and Wellbeing (Hon. S.G. Wade)—

Reports, 2016—

Maternal and Perinatal Mortality in South Australia

South Australian Abortion Reporting Committee

Ministerial Statement

TAFE SA

The Hon. R.I. LUCAS (Treasurer) (14:16): I table a copy of a ministerial statement on delivering on a fresh start for TAFE SA made today in another place by the Minister for Education.

*Personal Explanation***SURPASS SUN ELECTRIC**

The Hon. F. PANGALLO (14:17): I seek leave to make a statement in response to questions asked of me by the Hon. Tammy Franks on 25 October and to clarify comments I made about Mr Colin Gillam from the solar company SSE, or Surpass Sun Electric.

Leave granted.

The Hon. F. PANGALLO: Thank you.

1. That Mr Gillam has disappeared from SSE is incorrect. Mr Gillam is still with SSE Australia, a subsidiary of SSE China, based in Melbourne as its general manager. I withdraw that comment and I unreservedly apologise to Mr Gillam for any inference that he had done 'a runner, a David Copperfield or a Lord Lucan'.

In the context of that language, perhaps I should have made myself clearer. I intended to point out that the project was 13 months behind schedule and only the first stage of the promised three stages had been completed, and that there was no sign of stages 2 and 3 commencing.

2. That the project was beset with problems until only recently. I will not be retracting those views because they are true, as I will outline in facts not disputed by Mr Gillam.

In January this year, Mr Gillam, in the company of the then premier Jay Weatherill, the member for Giles (Mr Eddie Hughes), Whyalla Mayor Lyn Breuer and others were on site at SSE's solar farm project for Mr Weatherill to cut the symbolic red ribbon. Various media outlets that attended on the day and a number of online posts trumpeted that the first stage was completed, commissioned and switched on.

What was not declared at the time was that the project was not even registered with AEMO or close to being connected to the grid by SA Power Networks. Far from it. The registration only took place a month later on 14 February. The facility only started feeding electricity into the grid in mid-July. It was not switched on seven months earlier as was implied during the state election campaign stunt.

The Hon. T.A. Franks: Not anything I asked about in my question either. I asked you: did you actually say that Colin Gillam and SSE didn't exist and were a mystery? This has nothing to do with the question you were asked.

The Hon. F. PANGALLO: I have not finished.

The PRESIDENT: Order, the Hon. Ms Franks! The Hon. Mr Pangallo, make sure you keep it to the issues in relation to which you wish to make a personal explanation.

The Hon. F. PANGALLO: Yes. In an email response to a series of questions I put to Mr Gillam, he conceded that it was not officially switched on in January, that he took the opportunity to gain media attention, and that it was convenient because the Premier happened to make himself available.

The Hon. T.A. Franks: And that SA Power Networks hasn't actually done—

The Hon. F. PANGALLO: I have not finished.

The PRESIDENT: The Hon. Ms Franks—

The Hon. T.A. Franks: Report that as well—

The Hon. F. PANGALLO: I am about to, if you listen.

The PRESIDENT: We are not debating the issue. The Hon. Mr Pangallo, please keep to the issues at hand.

The Hon. F. PANGALLO: It is, Mr President. To quote Mr Gillam in his response to me, 'This type of timing of announcements due to availability of significant parties happens all the time.' Putting the cart before the horse has even been led out of the stable and hitched up, is how I would describe it.

He went on to say that the delays were outside SSE's control, and laid the blame solely on SA Power Networks, that SAPN made connection mistakes, that SAPN was inexperienced in this type of project, and that SSE could sue SAPN to recover its losses if it wished. While it respectfully could not go into detail on the grounds of commercial confidentiality, SAPN did tell me that there were aspects of Mr Gillam's comments on which they would disagree, that key matters had to be resolved before the plant could begin exporting power to the grid, and that it was unfair to say that the delays were the responsibility of any single party.

In a discussion I had with Mr Gillam last weekend he revealed that there is now doubt about whether stages 2 and 3 can proceed—not good news for Whyalla. Again, he is blaming SA Power Networks for this, accusing it of making unreasonable financial demands of up to \$1.3 million to connect those two stages to the grid.

3. That SSE (Australia and China) is a mystery Chinese company. I have never said that the company does not exist. It has constructed projects of varying degrees in Australia, from the large-scale Whyalla solar farm to other rooftop systems.

'By the end of 2018 we plan to complete another four similar projects', Mr Gillam said boldly at his January launch in Whyalla—quite ambitious, and certainly not for lack of trying. SSE currently has one project under construction at Yongala near Peterborough in our Mid North, while sites at Stirling North, Kadina and Moonta are at various stages of development approval and another at South Hummocks is being developed and seeking an investor. So he is unlikely to meet his own deadline expectations. Mr Gillam tells me his company has also identified multiple sites on Eyre Peninsula to be jointly developed with a local partner. I look forward to that being fulfilled.

On its website SSE boasts—and I am quoting directly from its website—it is 'the only solar company in Australia that can deliver both commercial and utility-scale solar equipment and infrastructure'. Speaking to industry leaders and experts, that SSE claim was incorrect when it was made three years ago, just as it is incorrect today. Mr Gillam stands by it, but concedes it may not apply today with more companies in the market. Yet the claim remains on the SSE website.

Mr Gillam also questions whether I have any idea what this claim means. It can be interpreted in many different ways; however, I am well aware of the difference between vertically-integrated companies that provide the technology and build the plant; engineering procurement and construction companies (EPCs) that build plant, accepting risk and liability for construction, including liquidated damages; and EPC management companies, which act as contractors not directly involved in the construction but responsible for administering construction contracts, and which do not accept the same risk and liability as EPCs and do not accept liquidated damages.

There are companies that are prepared to big-note themselves and claim a level of activity and performance in many different areas of expertise that is not true, or that is designed to mislead. I am not suggesting SSE is one of them. That said, SSE needs to be very careful how it represents itself in the market. However, I do contend that SSE is a mystery for reasons other than its list of projects in China. This includes the fact that, while its Australian directors and management are known, there is scant information about the owners of the parent company available on the company's website, which has not been updated for two years.

It does list several of its large projects in China, which I assume exist, and I will be writing to its CEO in Shanghai seeking more information. However, if we are to accept what Mr Gillam has said in an email correspondence to a former partner he fell out with, companies in Australia would be advised to be wary when doing business deals with Chinese companies. Here is what he said, and again I quote Mr Gillam:

Dealing with a Chinese company is not easy, trust me, I have been doing it for 4 years and I am also very tired and frustrated. To sum it up—the Chinese simply don't care. They will do what they want. And they don't see contracts as anything but a starting point for discussion, certainly not anything binding.

This is an extremely bizarre comment to make and it raises questions of trust. Basically, Mr Gillam is saying the Chinese—and I gather this includes his parent company—do not see a requirement to honour signed contracts.

The Hon. T.A. FRANKS: Point of order, Mr President.

The PRESIDENT: The Hon. Mr Pangallo, there is a point of order. Can I just hear the point of order?

The Hon. T.A. FRANKS: The member, in his answer, is presuming what another person meant by their words. The member has no ability to do that, clearly.

The PRESIDENT: I take your point of order. The Hon. Mr Pangallo, please restrain yourself.

The Hon. F. PANGALLO: Mr Gillam has actually admitted to writing these words.

The PRESIDENT: This is not a debate. You are making a personal explanation which relates to the specific issues at hand. Do you have much more to say?

The Hon. F. PANGALLO: No, nearly finished, Mr President. However—

The PRESIDENT: I will allow you some latitude, but the Hon. Tammy Franks makes a strong point. Please continue.

The Hon. F. PANGALLO: Okay. In closing, I do not wish my response to be viewed as an adverse reflection on Mr Gillam. He has a visible presence in the solar industry. I wish him and SSE the best in their endeavours in South Australia.

Question Time

FLINDERS MEDICAL CENTRE FOOD CONTAMINATION

The Hon. K.J. MAHER (Leader of the Opposition) (14:26): My question is to the Minister for Health and Wellbeing. Will the minister advise when he or his office were first made aware of the deliberate contamination of food intended for patients at the Flinders Medical Centre that led to a risk to patients' safety at the Flinders Medical Centre?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:26): I will check my office and identify when we first were notified.

FLINDERS MEDICAL CENTRE FOOD CONTAMINATION

The Hon. K.J. MAHER (Leader of the Opposition) (14:26): Supplementary arising from the answer: will the minister inform the chamber when he himself was first advised? Surely he knows, in the last couple of days, when he first heard of something.

The PRESIDENT: It's not a supplementary. It's not—

The Hon. K.J. MAHER: He is either—

The PRESIDENT: Leader of the Opposition, do not speak over me, or you will not get another question! I rule it out of order. It's not a supplementary. The Hon. Ms Scriven.

The Hon. K.J. Maher interjecting:

The PRESIDENT: Indeed, Leader of the Opposition, any of your members can ask the same question in the hour. The Hon. Ms Scriven.

FLINDERS MEDICAL CENTRE FOOD CONTAMINATION

The Hon. C.M. SCRIVEN (14:27): My question is to the Minister for Health and Wellbeing. Can the minister tell us when he personally was advised of this contamination? It was within the last couple of days, surely, because that's when the contamination was. I am sure he can't expect us to believe that he can't remember what happened in the last day or two.

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:27): My understanding—and I will check with my office—is that I was advised on Tuesday.

FLINDERS MEDICAL CENTRE FOOD CONTAMINATION

The Hon. C.M. SCRIVEN (14:27): Supplementary: can you tell us roughly or, ideally specifically, what time on Tuesday?

The PRESIDENT: I will allow the question. Minister.

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:27): I'm happy to take that on notice.

The Hon. C.M. Scriven: Surely you would know.

The PRESIDENT: The Hon. Ms Scriven, it's going to be hard for a supplementary here.

FLINDERS MEDICAL CENTRE FOOD CONTAMINATION

The Hon. C.M. SCRIVEN (14:28): Supplementary: is the minister saying that he has lost his memory, that he is incompetent or simply that he is stupid?

The PRESIDENT: I am going to rule that out of order. That's not a supplementary.

FLINDERS MEDICAL CENTRE FOOD CONTAMINATION

The Hon. I.K. HUNTER (14:28): Supplementary arising from the original answer: will the minister advise the chamber about the nature of that advice? Was it oral, was it written, was it a telephone briefing, or was it in person?

The PRESIDENT: Appropriate supplementary; minister.

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:28): I was initially advised orally.

FLINDERS MEDICAL CENTRE FOOD CONTAMINATION

The Hon. I. PNEVMATIKOS (14:28): Supplementary: why wasn't the public alerted on Tuesday to the contamination of food intended for patients?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:28): Because the police were undertaking an investigation and out of respect for their requests not to make details public without their consent.

FLINDERS MEDICAL CENTRE FOOD CONTAMINATION

The Hon. C.M. SCRIVEN (14:29): Further supplementary: what was the solid organic compound found in the contaminated desserts?

The PRESIDENT: That's another question.

The Hon. S.G. Wade: It's not a supplementary.

The PRESIDENT: It's not a supplementary. The Hon. Mr Hunter, you had a supplementary?

FLINDERS MEDICAL CENTRE FOOD CONTAMINATION

The Hon. I.K. HUNTER (14:29): Yes, sir, further to the advice given to the minister in his original answer: who gave him the oral advice?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:29): I will make inquiries to my office.

The PRESIDENT: The Hon. Mr Hunter, further supplementary?

The Hon. I.K. HUNTER: Yes, but I will struggle, Mr President, because I can't imagine how the minister doesn't know who gave him the oral advice.

The PRESIDENT: We don't need commentary; we just need a supplementary.

FLINDERS MEDICAL CENTRE FOOD CONTAMINATION

The Hon. I.K. HUNTER (14:29): My question is: can the minister dredge back his memory and tell the chamber now, or shortly, who gave him the oral advice he referred to?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:29): My recollection is that it was given by members of my office. There are two possibilities. I will consult with them, take it on notice and bring an answer back to the council. If the council wants to ask detailed questions and get a response that is accurate, then at times it will need to be taken on notice. That is what I intend to do.

Members interjecting:

The PRESIDENT: Order, members on my left!

ANGLICARESA

The Hon. E.S. BOURKE (14:30): I seek leave to make a brief explanation before asking a question of the Minister for Human Services regarding AnglicareSA.

Leave granted.

The Hon. E.S. BOURKE: The Marshall Liberal government has many times referred to their 'special relationship' with Canberra. My question to the minister is how has the minister utilised this 'special relationship' to advocate for organisations like AnglicareSA, who have been forced to shed staff to meet funding shortfalls due to block funding being removed throughout the transition towards the NDIS?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:31): I thank the honourable member for her question. In relation to the decision by Anglicare to make some staff who were undertaking work with the Exceptional Needs Unit redundant, I have explained in this chamber in the past that the National Disability Insurance Scheme can best be described while we are in this transition period as a series of moving parts in a range of different areas.

In her question, the honourable member referred to the transition from block funding to individualised funding for clients. That is a particular challenge for every single provider across Australia as the transition continues because they are moving to a contestable market. The situation previously, where they received a known quarterly block funding at the start of every quarter, was that they would receive a very predictable amount of funding compared with this new world, which has bipartisan—I would even say multipartisan—support for the National Disability Insurance Scheme to provide choice and control to participants to enable them to choose those particular services.

In this situation, we have a range of means by which to advocate. There is the Disability Reform Council, which consists of federal ministers and all the state and territory ministers. We have the Senior Officials Working Group, which contains senior officials from our departments and the commonwealth departments, and they work on a range of matters at a range of levels. Providers themselves have mechanisms outside of government that include organisations, such as NDS (National Disability Services), which is the peak body for the service providers.

All of those avenues are available to raise these issues. There are multiple issues raised throughout these forums. In addition, at a state level, we have what is called the quarterly check-in, which I think was initiated by the previous government and which is a very useful avenue for providers. We had one just last week, where some allied health providers had contacted me personally the day before. We were able to alert the NDIA to their particular issues to ensure that we connected them with the right people within the NDIA on a particular matter that was of concern to them. There is a lot of advocacy work happening at multiple levels.

Can I say in relation to this particular Anglicare decision that Anglicare themselves have described it as a pricing decision from the commonwealth government. They didn't actually contact me as minister about this prior to the decision being made. However, I am advised that they did contact the former government prior to the election to alert them to the fact that, when the Exceptional Needs Unit clients would be going through transition, they had some concerns.

I have since been in contact with Anglicare—since the story broke and the staff were advised—and Anglicare maintain that it is a pricing decision. Clearly it is a difficult decision that they have made, but they believe they cannot continue to provide the service at the current—well, let me rephrase that: they believe they can continue to provide the services to the clients; they don't believe that they can continue to fund their staff at those existing levels, and that is a decision that they have made.

NATIONAL DISABILITY INSURANCE SCHEME

The Hon. E.S. BOURKE (14:35): Supplementary arising: will the minister outline the conversation she has had with the federal government regarding a review of the allocated funding rate for the exceptional needs program and the fast-tracking of supplementary funding until these gaps in the service delivery are addressed?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:35): I thank the honourable member for that supplementary question. As I said, the first that I was personally aware of this issue was when it took place in the paper. Anglicare, I understand, raised this matter with the previous government. I do know that the federal government is aware of it; indeed, there is a range of pricing reports that have been done in which a whole range of areas have been identified through consultation by the commonwealth government on a range of pricing matters, and these issues are subjects of regular and ongoing discussions.

The PRESIDENT: The Hon. Ms Bourke, a further supplementary.

NATIONAL DISABILITY INSURANCE SCHEME

The Hon. E.S. BOURKE (14:36): Will the minister outline what work she and her department have undertaken to ensure job losses in service delivery like these seen at Anglicare are not repeated as the rollout towards NDIS continues?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:36): I think I've tried to explain to the honourable member the complexity of the NDIS and the range of moving parts that continue. In terms of where things go into the future, we are moving into a new world of the National Disability Insurance Scheme, in which services are becoming contestable. So for any provider, I think, to assume that in perpetuity into the future they will continue to have the same funding levels would be living in denial.

Of course, the National Disability Insurance Scheme offers providers a range of opportunities, and there are some providers who are doing extremely well. Those who have adjusted their systems and are working on the front end, I think it is fair to say, of attracting new customers, providing people with the sorts of services that they want are the ones that are going to thrive into the future. But I think to assume that every service that exists today—for them not to change their practices into the future is living in denial and undermines the basic premise of what all states and territories and the commonwealth signed up to with the NDIS.

The PRESIDENT: The Hon. Ms Bourke, a further supplementary.

ANGLICARESA

The Hon. E.S. BOURKE (14:37): Going back to Anglicare SA in the original answer, considering that 42 highly skilled disability workers' jobs are under threat, have you worked with the ASU in how they will be transitioning? Have you been in contact with them as well?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:38): I am not the minister responsible for the National Disability Insurance Scheme. I'm not the minister responsible for Anglicare's business decision. In time, the South Australian government will not—

Members interjecting:

The Hon. J.M.A. LENSINK: I am not going to speak while I'm being interrupted. This is just ludicrous. Just ludicrous, childish behaviour.

The PRESIDENT: The minister is waiting for an opportunity to speak. Minister, please continue.

The Hon. I.K. Hunter: Don't worry about explaining to the house portfolio responsibilities—have a sook, go on.

The PRESIDENT: The Hon. Mr Hunter—

Members interjecting:

The PRESIDENT: The Hon. Mr Hunter, please.

The Hon. J.M.A. LENSINK: I'm not taking advice from the former minister for no-confidence motions. Three no-confidence motions—

The PRESIDENT: Minister!

The Hon. J.M.A. LENSINK: —and you stayed there.

Members interjecting:

The Hon. J.M.A. LENSINK: From every crossbencher!

The PRESIDENT: Minister, this is not assisting.

Members interjecting:

The PRESIDENT: Minister, sit down.

The Hon. I.K. Hunter interjecting:

The PRESIDENT: The Hon. Mr Hunter, please restrain yourself. The Hon. Ms Lee.

The Hon. J.M.A. LENSINK: I'm happy to continue.

The PRESIDENT: No, we've moved on. The Hon. Ms Lee, ask your question.

The Hon. J.S. LEE: Thank you, Mr President.

The Hon. I.K. Hunter interjecting:

The PRESIDENT: The Hon. Mr Hunter.

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

The PRESIDENT: Minister.

Members interjecting:

The PRESIDENT: Can the minister and the Hon. Mr Hunter, the former minister, restrain themselves. If you want to have a debate, go out the back.

The Hon. I.K. Hunter: She won't answer a debate. She won't partake in a debate.

The PRESIDENT: The Hon. Mr Hunter, that wasn't—

Members interjecting:

The Hon. J.S. LEE: Mr President, I have a question, thank you.

The PRESIDENT: I am well aware you are on your feet. I am just waiting for the Hon. Mr Hunter and the minister to finish their personal debate. Now we have silence. The Hon. Mr Hunter, restrain yourself. I would like to hear the Hon. Ms Lee's question.

MICROFINANCE

The Hon. J.S. LEE (14:40): Thank you, Mr President. My question is to the Minister for Human Services about microfinance. Can the minister please provide an update to the council about the work of microfinance in South Australia and how the initiative is helping to ease cost of living pressures on low income earners?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:40): I thank the honourable member for her question and for her interest in these areas. Many people would be familiar with the use of microfinance, which has received welcome publicity, particularly through Mr Muhammad Yunus from the Grameen Bank, who is a previous Nobel Prize winner. Microfinance has been in use in developing countries for some time, often focusing on the women and mothers in the communities who can use microfinance to establish small businesses for themselves and assist themselves to get out of poverty.

In South Australia, we have some groundbreaking work being done in microfinance. I was very pleased that this year on 22 October we had an annual conference being held in Adelaide,

called 'Small Loans, Big Hearts', which brings together the state's no interest loans (NILS) or microfinance sector and brought together some 40 or 50 delegates.

The Good Shepherd Microfinance organisation was the organiser of that particular conference. It traditionally brings microfinance workers from all over Australia to network and hear the latest news from GSM and the broader sector. This year, multiple conferences are being held in every state across Australia to focus on local issues and enable more microfinance workers to attend.

Good Shepherd Microfinance is a world leader in ethical and affordable financial inclusion products, services and advisory activities. The Department of Human Services currently funds Good Shepherd Microfinance to coordinate and expand the network of no interest loan scheme providers in the state, to run the Salisbury Good Money store and to deliver the LaunchME microenterprise trial.

The Good Money store initiative is a high street style shopfront service that provides ethical financial products in direct competition with payday lenders. A range of microfinance options is available. The Salisbury store was the first outside of Victoria, with Queensland following suit a number of years later with an additional two stores. There are now seven stores in Australia.

The rollout of Good Money stores has created a significant uptake in the suite of ethical finance products provided by Good Shepherd microfinance that were previously contained to the not-for-profit community or, more specifically, traditional welfare agencies.

The flagship product, the no interest loans, provides access to safe, fair and affordable credit for people on low incomes. Loans can be accessed for essential goods and services, such as fridges, washing machines, car repairs and medical procedures. These products are clearly assisting people in a range of areas. We are very excited about some of the initiatives that are taking place in South Australia and look forward to the good works of these organisations continuing.

MICROFINANCE

The Hon. I.K. HUNTER (14:44): Supplementary arising from the minister's answer: is it a coincidence that this Liberal minister is championing microfinance loans because of her decision, or the government's decision, to increase Housing Trust rents, or push the government's most vulnerable clients into debt?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:44): No.

SHOP TRADING HOURS

The Hon. F. PANGALLO (14:44): I seek leave to make a brief explanation before asking a question of the Treasurer.

Leave granted.

The Hon. F. PANGALLO: I note recent media reports reveal the Treasurer will use his ministerial powers to create an exemption to retail trading laws this year so Adelaide's major shopping centres, both in the CBD and metropolitan area, can choose to open on Boxing Day. The move will apparently bring South Australia in line with other states and enable suburban stores to open their doors from 9am to 5pm on Boxing Day for the first time, if they choose. Retailers in the Adelaide CBD who previously had a monopoly on Boxing Day trading, will be given an extra two hours to trade, opening from 9am instead of 11am, as some form of compensation.

As most of us in this chamber know, public transport timetables differ greatly on public holidays, with some routes running only hourly services on the day instead of every few minutes. My question to the Treasurer is: has the Treasurer requested the Minister for Transport ensures more regular public transport services, buses, trains and trams will be scheduled to operate on Boxing Day for any commuters wishing to attend the Boxing Day sales in the city and the suburbs?

The Hon. R.I. LUCAS (Treasurer) (14:45): No, I have not made any specific requests but I am happy to have a discussion with the Minister for Transport. My understanding is, as is the normal practice, the Minister for Transport will respond to what is an annual event in relation to extended trading hours in the metropolitan area generally in the period leading up to Christmas.

I think the important point to take from the decision that I as minister have taken in relation to Boxing Day is that it will reduce some of the public transport pressure on public transport services in terms of people having to get themselves from Port Adelaide, Munno Para, Noarlunga, Tea Tree Gully or Marion into the CBD, therefore creating an unusual peak in demand for public transport services. The mere fact of actually providing convenience to shoppers and their families closer to their homes and where they live, means that there will be less pressure on the public transport system and that, of course, makes great sense in terms of trying to spread the load.

It is also, of course, much more sensible for families because it will mean they will not have to go to the inconvenience and the extra cost of having to travel either by public transport to the metropolitan area—sometimes considerable distances—and they will be able to shop at their convenience, generally with free parking, in their local suburban shopping centre, rather than if they are travelling by car and not public transport to the city potentially incurring quite expensive car parking fees.

So, all in all, in terms of public transport and transport services generally, it makes much more sense to actually spread the load rather than concentrating the monopoly position in the CBD and, as I said, spreading the benefit of the extra trading from tourists and others amongst all shopping centres rather than just the CBD.

ANGLICARESA

The Hon. I. PNEVMATIKOS (14:47): I seek leave to make a brief explanation before asking a question of the Minister for Human Services.

Leave granted.

The Hon. I. PNEVMATIKOS: Earlier this week, AnglicareSA was forced to sack over 40 skilled workers, with some being made permanently redundant and others offered alternative work on an allegedly significantly reduced salary. Of these 43 jobs, 25 per cent are mental health support staff and 75 per cent are special needs staff under the exceptional needs program. These special needs staff support clients to maintain their home, develop independent living skills and increase their community participation, as well as providing ongoing support and care based on each individual's needs.

AnglicareSA CEO, Rev. Peter Sandeman, labelled these job losses necessary given the shortfall in block funding for the sector as the transition to the NDIS continues to roll out. My questions to the minister are:

1. How many clients are currently in the exceptional needs program?
2. Across how many sites are these services provided?
3. When was the minister aware of these job losses?
4. Finally, what work has the minister or her department undertaken to support those workers affected, and has she been in contact with the ASU in relation to the job losses?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:49): I thank the honourable member for her questions. I have responded to some of these previously. What I was in the midst of trying to say, while I was being rudely interrupted by the individuals across the chamber, is that the federal government is responsible for the National Disability Insurance Scheme and Anglicare is responsible for the way it manages the exceptional needs program going forward.

I have not been in touch with the Australian Services Union because I am not the minister who is responsible for their funding arrangements. This is going to increasingly take place as we transition to the full funding of the National Disability Insurance Scheme, which I would remind members—

Members interjecting:

The PRESIDENT: The Hon. Mr Hunter, we don't need a running commentary of your inner thoughts.

The Hon. J.M.A. LENSINK: I would remind members that it is a system that everybody has signed up to through the bilateral agreements. If they would like me to retrieve—I will not actually go and retrieve former premier Jay Weatherill's signature on the bilateral agreement, which is how this scheme was agreed to: that all block funding that was previously provided by the states as a funding arrangement to non-government organisations like Anglicare is transitioning into the National Disability Insurance Scheme, and Anglicare is responsible for the decisions that it makes.

In relation to the Exceptional Needs Unit, I can advise that it continues to have funding of some \$6 million. I am now talking about the South Australian Exceptional Needs Unit, which has three particular programs through mainstream or multiagency arrangements. It has a management assessment service which supports assessment, support planning, specialised service development and service coordination for people, including Aboriginal and Torres Strait Islander people, whose exceptional needs and complexity exceed the ability or service capacities of agencies.

Secondly, there is the homelessness support program, which is funding to non-government organisations to deliver assertive outreach case management and other support services to address chronic homelessness; and the supported residential facilities intake and support service, which is assessment at entry level into SRFs, and works to reduce vulnerabilities and risks for people with high levels of need.

ANGLICARESA

The Hon. I. PNEVMATIKOS (14:52): Supplementary: what, if any, representations or communications have been made by AnglicareSA to the minister about these job losses?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:52): I have, I think, already answered this in that I was not aware of their decision prior to it being made public. As far as I can ascertain, I am aware that the issue they have raised in the media that they believe the funding they receive via the National Disability Insurance Scheme pricing they made the former government aware of prior to the election, and I have been in contact with them since and they believe that the services will continue and that clients will continue to receive services.

ANGLICARESA

The Hon. T.A. FRANKS (14:53): Supplementary: what representations has the minister made to her federal colleague with regard to this particular funding issue and an interim solution?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:53): I haven't had the opportunity to speak to the minister himself but my office has been in touch with the office of Paul Fletcher and I know that they are aware of the situation in South Australia.

ANGLICARESA

The Hon. I. PNEVMATIKOS (14:53): Further supplementary arising from the original answer: with the loss of these 43 jobs, what will be the impact on clients in the category of the exceptional needs program? Does the minister concede that with further job losses there is likely to be a significant crisis in the sector concerning exceptional needs clients?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:53): I thank the honourable member for her supplementary question. There are, in fact, two classes of service that can be considered in the Exceptional Needs Unit. There is the state-funded exceptional needs programs that I outlined previously, and they will continue. Anglicare has advised that they expect they will continue to be able to provide services to their existing exceptional needs clients.

ANGLICARESA

The Hon. C.M. SCRIVEN (14:54): Supplementary: I don't think the minister answered the question of how many clients are currently in the exceptional needs program. She answered about the amount of funding but not the number of clients.

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:54): I thank the honourable member for that question. I am assuming that the client numbers do fluctuate depending on how many people are in the program, but I will undertake to get some indication of how many clients are in state-funded programs and bring that response back.

ANGLICARESA

The Hon. I.K. HUNTER (14:54): A supplementary question, sir, arising from the minister's original answer: as the minister has said that she is not the minister responsible for these clients of Anglicare, does the state government actually have a minister who cares about people who need this level of support or are you all washing your hands of them?

The PRESIDENT: It's out of order, the Hon. Mr Hunter.

The Hon. I.K. Hunter interjecting:

The PRESIDENT: You know it's out of order but, minister, I will allow you—

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:55): Mr President, the minister does not understand the NDIS.

The PRESIDENT: Sorry, minister, I did not hear that because I was remonstrating with the Leader of the Opposition.

An honourable member: The member.

The Hon. J.M.A. LENSINK: Yes, sorry; the former minister does not understand the NDIS.

The PRESIDENT: That didn't necessarily assist either, minister, but—

The Hon. I.K. Hunter: You're just going to throw them on the pyre.

The PRESIDENT: The Hon. Mr Hunter, we are going to the next question. Are you ready?

The Hon. I.K. Hunter: Quite ready, sir, thank you.

MODBURY HOSPITAL

The Hon. J.S.L. DAWKINS (14:55): I seek leave to make a brief explanation before asking the Minister for Health and Wellbeing a question regarding the Modbury Hospital.

Leave granted.

The Hon. I.K. Hunter: The answer will be he has to check and get back to you. You might as well sit down now, John.

The PRESIDENT: Allow the member to speak in silence.

The Hon. J.S.L. DAWKINS: I will talk over the top of you, too, Ian, if I need to. Having worked across the north-eastern suburbs throughout my time in this place, and before that, I am well aware of the deep connection that community has to the Modbury Hospital. I also acknowledge the strong affinity that residents of the northern Adelaide Hills and parts of the Murraylands region also have with the hospital. Will the minister update the council on the government's plans for the Modbury Hospital?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:56): I thank the honourable member for his important question. As the member would be aware, under Labor's Transforming Health experiment multiday elective surgery was withdrawn from Modbury Hospital. This restriction meant that, if your surgeon thought you might need to stay a couple of nights in hospital to recover from an operation, then your surgery could not take place at Modbury.

The Hon. I.K. Hunter: Every time this bloke gets a question he harps back to the previous government. What are you doing? What are you doing, Stephen?

The PRESIDENT: The Hon. Mr Hunter, I cannot hear the minister.

The Hon. S.G. WADE: Labor's restriction on multiday surgery meant more residents in the north-eastern suburbs had to travel further to get the care they needed. It also eroded Modbury's role and function as a community-based hospital. In the lead-up to the state election, the Liberal Party promised to invest significantly in the upgrading of the Modbury Hospital and to restore vital services that the previous government had removed under Transforming Health.

Our promise to the people of the north-east included a commitment to extend the time surgical inpatients could stay at Modbury Hospital to support their recovery, that is, to lift Labor's embargo on multiday surgery. I am pleased to be able to inform the council that, earlier this week, the Marshall Liberal government delivered on that commitment, with surgeons successfully operating on three patients who had anticipated they would require up to three days of inpatient care after their surgery.

This morning, I had the opportunity to visit one of those inpatients at Modbury who underwent shoulder replacement surgery on Tuesday. She told me how delighted she was with the restoration of services at Modbury. It is expected that the reintroduction of multiday surgery at Modbury will lead to a reduction in elective surgery wait times in the Northern Adelaide Local Health Network as surgeons are able to undertake particular operations at both Modbury and Lyell McEwin hospitals.

Importantly, returning multiday surgery to Modbury Hospital will enable the Northern Adelaide Local Health Network to optimise the use of existing operating theatres and clinical facilities. I am advised that, currently, Modbury has 27 uncommissioned theatre sessions a month, and this equates to approximately 25 per cent of the available sessions. The government is keen to make sure underutilised theatres, like those at Modbury, are used wherever possible, particularly as we grapple with issues of demand across the hospital network and we have inherited a massively blown-out elective surgery waiting list.

Multiday surgery is being returned to Modbury in a carefully thought through staged approach, with patient safety being the most important consideration. Its return is part of the process of reinvigorating the Modbury Hospital that will include the re-establishment of a high dependency unit, something many South Australians campaigned long and hard for, including the members for King, Newland and Florey. I thank the members for King, Newland and Florey for their hard work and passionate advocacy on behalf of their electorates and look forward to working together as we deliver on our Modbury Hospital commitments.

SAFework SA

The Hon. T.A. FRANKS (14:59): I seek leave to make a brief explanation before addressing a question to the Treasurer on the priorities and operations of SafeWork SA.

Leave granted.

The Hon. T.A. FRANKS: One week ago, the Coroner's inquest brought down its findings on the death of Jorge Castillo-Riffo. In that, the Coroner was scathing of SafeWork SA. He noted that:

SafeWork SA effectively abandoned the field for SAPOL to pursue the investigation for...six weeks within a week of the incident occurring. That is unsatisfactory.

He stated, 'I was not impressed by the SafeWork SA investigation as a whole.' The Coroner further stated in his findings:

I am dismayed that SafeWork SA would effectively wipe its hands of any responsibility to assist in...establishing the cause and circumstances of the death of a worker at a fatal industrial accident.

On a more positive note, the Coroner called for the immediate implementation of spotters for scissor lifts. He also noted that the senior health and safety officer on the site of the builder of the new RAH site, Hansen Yuncken Leighton Contractors, gave evidence that the work that Jorge Castillo-Riffo was doing when he was crushed, quote, 'wasn't on our radar' underscoring the need for a second spotter to ensure the safety of all workers. My questions to the minister are:

1. Has he read this report and its recommendations?
2. When will the government make a response to this report and its recommendations?
3. Will he guarantee that, as a result of his obsession with SafeWork measuring shop trading stores for commercial space and hours of operation, no resources will be directed away from the proper work of SafeWork SA in investigating industrial deaths in the future?

The Hon. R.I. LUCAS (Treasurer) (15:01): I thank the member for her question. I have to say that I share some of the concerns of the Coroner about the way SafeWork SA operated under

the administration of the former Labor government. As the honourable member has referred to that particular decision, sadly, this was the way SafeWork SA operated under the administration of the former Labor government. It is unacceptable.

Certainly, to the new government and me as a new minister, that is not the sort of regime I would hope our newly elected government and I as minister would accept as a proper course of action for a regulatory and executive body, because it has two roles, such as SafeWork SA. There is a new manager of SafeWork SA. He has my support in terms of some of the changes that he is seeking to implement in relation to the new operations of SafeWork SA.

To answer some of the honourable member's questions, yes, I have read the report. I do share some of the concerns the Coroner has expressed. In relation to the last question, the honourable member has my assurance. Of the important roles that SafeWork SA conducts, in particular, she refers to just one of the additional roles, and that is in relation to shop trading legislation but I think, as I have highlighted before, SafeWork SA is an unusual organisation in that it has a range of miscellaneous functions, including public holidays, shop trading and also clearly the important work of work health safety legislation. But things like daylight saving and a range of other functions rest with SafeWork SA as well. Certainly, we won't be diverting resources from the important investigative work and regulatory work of SafeWork SA towards any of these other functions, including shop trading hours regulation.

In relation to the government's policy response to the recommendations of the Coroner, we will consider those recommendations. Clearly, some of those recommendations have implications for a range of stakeholders, all of whom should be consulted. We are also mindful that the ICAC commissioner is very close to concluding his comprehensive evaluation of all of the work of SafeWork SA, not just in relation to this particular case but including this particular case, obviously, and a range of other cases of which he has expressed concern through those evaluation processes.

From my viewpoint as the responsible minister, it would seem appropriate to consider what we would imagine might be comprehensive recommendations of the ICAC commissioner together with these specific recommendations that the Coroner has made in relation to this case. The honourable member in this chamber has my assurance that I view, with deep concern, the issues raised by the Coroner, but also the issues raised by the ICAC commissioner, both publicly and privately, in relation to the operations of SafeWork SA under the former Labor government. In my view it is unacceptable, and I would hope for a much improved practice under the new government.

SAFEWORK SA

The Hon. T.A. FRANKS (15:05): A supplementary: has the minister made any effort to ensure that there are spotters, at least, on government contract work where a scissor lift is being used?

The Hon. R.I. LUCAS (Treasurer) (15:05): No; I have not made any decision to implement that particular recommendation. We have set in train a process of trying to consult stakeholders in relation to what the impact of that particular recommendation might be, and indeed what alternatives might achieve the same purpose the Coroner has recommended.

Parliamentary Procedure

VISITORS

The PRESIDENT: I acknowledge in the gallery today the federal member for Hindmarsh, and welcome his guests.

Question Time

KORDAMENTHA

The Hon. J.E. HANSON (15:06): My question is to the Minister for Health and Wellbeing. Did the minister personally approve the new total contract value of \$1.98 million for liquidators KordaMentha, as required by the Treasurer's Instruction 17?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:06): I will take on notice—

Members interjecting:

The PRESIDENT: Order!

The Hon. I.K. Hunter interjecting:

The PRESIDENT: The Hon. Mr Hunter, the minister is still on his feet.

The Hon. S.G. WADE: The honourable member refers to a Treasurer's Instruction, with an implication on it. The fact is that I was certainly briefed in terms of the variation of the contract. In terms of who personally signed off on it, whether it was myself or a senior officer, I will clarify that.

The Hon. I.K. Hunter interjecting:

The PRESIDENT: The Hon. Mr Hunter, can you show some courtesy to the Hon. Mr Hanson? The Hon. Mr Hanson is on his feet seeking a supplementary.

KORDAMENTHA

The Hon. J.E. HANSON (15:07): A supplementary in relation to that answer: I am not certain whether the minister is aware, but the minister, where the estimated cost to the public sector initiative exceeds the authority of what is essentially clause 17.11.1 it immediately goes to clause 17.11.2. It is not a matter of whether a senior officer can sign but whether the minister did. Can he please answer whether he did, not a senior officer?

The PRESIDENT: I will allow the first part of the question by way of clarification. Minister.

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:07): As I said, I will confirm to the council whether the particular document was signed by me.

Members interjecting:

The PRESIDENT: I cannot hear the minister. The Hon. Mr Hanson, I gave you some latitude on the last question. Make it a proper supplementary.

KORDAMENTHA

The Hon. J.E. HANSON (15:08): A further supplementary based on the original answer: does the minister believe there was no-one in South Australia capable of the work being undertaken by interstate liquidation firm KordaMentha?

The PRESIDENT: The minister has taken the question on notice. That is not a supplementary. The Hon. Mr Hood.

ENTERPRISE BARGAINING

The Hon. D.G.E. HOOD (15:08): My question is to the Treasurer. Will the Treasurer outline and give the council details of any progress in negotiations with the new enterprise agreement for teachers?

The Hon. R.I. LUCAS (Treasurer) (15:08): As the minister responsible for enterprise bargaining in the public sector, I can indicate that there has been a long series of meetings over many months now—I think somewhere between 15 and 20 meetings—with representatives of the government in relation to the enterprise bargaining arrangement.

As minister, on behalf of the government I respect the right of any union—in this case the AEU—to oppose aspects of any particular enterprise agreement as long as they do it lawfully and appropriately in terms of that opposition to the enterprise bargaining. It is their lawful industrial right to do so, as I said, as long as they do it lawfully and appropriately.

I also at the outset accept that the overwhelming majority of teachers in expressing their particular views do so appropriately and in a lawful way. As we saw with the attitude of some of the union bosses in relation to the prisons' dispute, where we saw abusive and intimidating behaviour to other senior officers who were just doing their job during their particular dispute, sometimes union bosses completely misread, I think, the public and community view in relation to an appropriate role for unions in pursuing their industrial causes. That clearly, in that particular case, provoked outrage

and alarm in the community in relation to the approach that the union bosses adopted to one of their fellow colleagues.

My attention in recent times has been drawn to what I believe to be grossly inappropriate behaviour by a union delegate in relation to the AEU enterprise bargaining arrangement. My attention has been drawn to some posts on the Australian Education Union (SA Branch) Facebook page, in particular on the day when there was a mass teachers' protest, Friday 26 October. A teacher, or an AEU delegate for the western urban area of the AEU at Woodville High School—at this stage I will not publicly reveal her name—posted the following comments:

I am going to try to ensure that the next generation of voters in my classroom don't vote Liberal—

I will repeat that, Mr President:

I am going to try to ensure that the next generation of voters in my classroom don't vote Liberal, without being political of course, as I won't tell my students what to think but I teach them how to be critical thinkers who question those in power and especially those who seek to keep the status quo for the rich upper classes and refuse to acknowledge the rest of us. Try and take away my rights as a teacher but you can't take away my voice. Increase my class size and it will just increase my chance to help more students become critical thinkers and help to get rid of those who treat them and me as worker bees there to support their greed and corporate power.

There were similar further posts from this particular union branch delegate from the western urban area of the AEU. Those statements by that particular union delegate, in my view, are outrageous and unacceptable. They are clearly an indication of a deliberate decision to introduce partisan political politics into that particular teacher's classroom with an intention to, as that teacher indicated, 'try to ensure that the next generation of voters in my classroom don't vote Liberal'.

Members interjecting:

The PRESIDENT: Order! I cannot hear the minister. Go on.

The Hon. R.I. LUCAS: In my view, it is a clear breach of the publicly enunciated values of the education department. The values of the education department under the Education and Child Development Government Framework state, under 'Values':

All employees understand their responsibilities as public sector employees and commit to following the standards of professional conduct set out in the Code of Ethics for the South Australian public sector.

In my view, it is also a clear breach of the public sector Code of Ethics because in that section which refers to the Values of the Education Department, it says under 'Impartiality', and I quote:

Public sector employees must be detached from political influence and the influence of partisan interests within the community. Instead, public sector employees must rely on evidence to provide objective advice to Government and implement directions promptly and thoroughly.

In my view, it is, as I said, a clear breach of the Code of Ethics, a clear breach of the education department. Tomorrow afternoon, I will be having a meeting with my very good friends, my comrades from the Australian Education Union, Mr Howard Spreadbury and friends, to talk about enterprise bargaining issues.

I will be raising with the AEU union bosses how completely inappropriate, in my view, this behaviour of one of their union delegates was, and I will be seeking their response and an assurance that they would try to ensure that their union delegates don't do as this particular teacher has clearly indicated she intends to do; that is, to introduce partisan politics into the classroom to try to influence her students in the interests of supporting the industrial pursuits of her union bosses.

Members interjecting:

The PRESIDENT: Order!

ENTERPRISE BARGAINING

The Hon. T.A. FRANKS (15:15): Supplementary: can the minister explain why he takes issues of the conduct of an employee up with a union rather than with their employer, which is the public sector?

The Hon. R.I. LUCAS (Treasurer) (15:15): In my view, as with the union bosses in relation to the prisons dispute, it was a completely inappropriate response in terms of managing an industrial dispute. As the minister responsible for managing industrial disputes on behalf of the government, I will call out outrageous behaviour by union bosses and their lackeys within the union movement wherever and whenever I see it.

Someone needs to stand up on behalf of the taxpayers of South Australia, the students of South Australia and the overwhelming majority of teachers who are prepared to express their particular views in a lawful and appropriate way. It is only that very small number of union bosses and their lackeys who behave inappropriately. When we see that sort of behaviour, it should be called out and it should be highlighted. We should be calling on the union bosses to call in their delegates and make sure that they don't behave inappropriately in pursuit of their industrial pursuits.

The PRESIDENT: The Hon. Mr Hunter, you indicated you might want a supplementary?

The Hon. I.K. HUNTER: Yes, sir.

ENTERPRISE BARGAINING

The Hon. I.K. HUNTER (15:16): Will the minister advise the chamber what part of teaching critical thinking in a nonpartisan way he finds subversive?

The Hon. R.I. LUCAS (Treasurer) (15:16): It says, 'I am going to try and ensure that the next generation of voters in my classroom don't vote Liberal.' That particular part.

ASSIST HOMECARE

The Hon. C. BONAROS (15:17): I seek leave to make a brief explanation before asking the Minister for Health and Wellbeing a question.

Leave granted.

The Hon. C. BONAROS: A few days ago, there were media reports revealing a well-known Adelaide company that provides in-home support services for the elderly and the disabled was suspended for six months after regulators identified severe risks to the health and wellbeing of care recipients. The business, Assist HomeCare, provides services to help elderly people and people with disabilities remain in their homes, including showering, dressing, meals, cleaning, gardening, transport and bill paying. It contracts its services to both the private and public sectors and is an approved provider to the NDIS and the SA government.

The federal Department of Health and ageing imposed the suspension, saying it had serious concerns about the immediate and severe risk to the health, safety and wellbeing of care recipients at the service. My understanding is that the suspension only impacts the business seeking new federal government subsidies for new clients and not existing clients. My questions to the minister are:

1. Is the minister aware of the suspension placed on Assist HomeCare?
2. Has the minister been briefed by his federal colleagues about the suspension?
3. Does the suspension only impact the company's public sector clients and not private sector clients?
4. Do the sanctions only impact the company's elderly customers and not disabled clients?
5. Does the minister agree significant improvements can be made to raise awareness of such suspensions in the community?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:18): I thank the honourable member for her question. In terms of the regulation of both residential aged care and home care in the community, as the member clearly indicates in her question, she understands that primary accountability rests with the commonwealth government.

If I can address one of her late questions, which is do I think more can be done in terms of transparency, I certainly believe there is. My understanding is the commonwealth government is

acting to upgrade the commonwealth accreditation agency's website such that more information will be more readily available to both people purchasing services and families and, for that matter, other funding bodies.

I was aware that Assist HomeCare had been the subject of commonwealth accreditation action. I haven't been briefed in terms of public sector agencies that are buying services through Assist HomeCare, so I will certainly seek that information and bring back an answer to the honourable member. But I would stress that, in terms of my engagement with my federal colleagues, these accreditation matters are managed by an independent commonwealth aged-care accreditation agency, which itself is subject to an Ombudsman. So the primary responsibility for enforcement is that of those independent agencies.

KORDAMENTHA

The Hon. T.T. NGO (15:20): I seek leave to make a brief explanation before asking a question of the Minister for Health and Wellbeing regarding KordaMentha.

Leave granted.

The Hon. T.T. NGO: The minister singled out KordaMentha on ABC radio this morning when he said the Central Adelaide Local Health Network plan 'will be rolled out by KordaMentha or whoever'. My question to the minister is: is it appropriate for a minister to second-guess the result of KordaMentha winning a government consultancy tender?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:21): KordaMentha has been contracted for phases 1 and 2 of the organisational and financial recovery of the Central Adelaide Local Health Network. The phase 3 consultancy is the subject of a current tender process. There have been nine applications, and due diligence is currently being given in the consideration of these applications. My understanding is that KordaMentha is one of the nine applicants. I'm not aware of the remaining applicants, but that will go through a due process.

I think it somewhat ironic that the opposition in estimates was critical of SA Health management for the way that KordaMentha was engaged in phases 1 and 2, and now that we are going through a diligent procurement process they want to cast aspersions on that. But let us remember why we even need to think about a consultancy in this area.

In the last financial year, the Labor Party left us a deficit—a budget overspend—in the Central Adelaide Local Health Network of almost \$300 million. KordaMentha estimates that, considering the trajectory of the finances in that network, in the next financial year we would have been facing even more if we didn't take action. So that is why the Central Adelaide Local Health Network originally engaged KordaMentha. That's why we're looking for a phase 3 partner to implement the finalised plan.

In terms of the KordaMentha consultancy to this point, we are spending in the order of \$2 million—\$2 million in the context of a budget overspend per year of \$300 million. If we can eliminate the budget overspend, a KordaMentha phase 1 and phase 2 consultancy would pay for itself in 2½ days. In other words, if we started delivering savings today, we would get our money back by Saturday afternoon.

Let's look at Labor's record in contrast. The former Labor government, in five years, spent \$80 million on consultancies with only five firms—the four big accounting firms and McKinseys. So \$80 million in five years. Part of that spending was in relation to Transforming Health. You remember when Tom Koutsantonis was offended by Tony Abbott's budget? He said, 'We will break all our promises. We will set up Transforming Health and we will fix it.' What happened? They spent tens of millions of dollars—tens of millions of dollars—on Transforming Health consultancies. What did they deliver?

What the Auditor-General found is that in two years of the Transforming Health program, they actually lost money. They went backwards by \$47 million. To spend tens of millions of dollars and actually find the hole gets deeper rather than shallower demonstrates the appalling management of the former Labor government.

I can assure you that we will be closely monitoring whichever partner comes out of the phase 3 procurement process. We will be making sure that we get value for money, and considering that we have hundreds of millions of dollars of budget overspend that needs to be addressed, I believe that we will work diligently with this partner to try to stabilise a network that was left in both a parlous and operationally very challenged state.

KORDAMENTHA

The Hon. T.T. NGO (15:25): Supplementary question coming out of the minister's answer: the minister mentioned that the KordaMentha report said there is \$300 million deficit coming out of the CALHN. Has SA Health seen that report and responded to that report?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:26): Let me refer to the fact that KordaMentha presented a diagnostic report to the government that is forecasting an overspend of \$303 million in CALHN in 2018-19 unless urgent corrective action is taken. My recollection is that the report was initially presented to the department and then to me. Certainly, SA Health has seen the report.

KORDAMENTHA

The Hon. T.T. NGO (15:26): Supplementary: my question was, has SA Health responded to the report?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:26): I thank the honourable member for his supplementary question. Let me clarify the process here. Phase 1 is a diagnostic. In other words: what's the problem you're grappling with? Phase 2 is a development of implementation plan: how can we recover the problems identified in phase 1? Phase 3 is the implementation of the implementation plan. Phase 3, as I said, is currently out to a procurement process, which has currently received applications from nine bodies. My understanding is that KordaMentha is one of them. I don't know the identity of the other eight.

The whole process is leading to a cabinet decision. I can assure you that this government takes very seriously the issues highlighted in the diagnostic report and we will take very seriously the need to do due diligence on the implementation plan presented as a result of phase 2. In terms of SA Health responding to the KordaMentha report, it's not actually a responsibility of the department to respond to the phase 1 diagnostic report or the phase 2 implementation report. I see that fundamentally as a duty of government.

The procurement process is underway. We expect that we will be able to announce both the phase 3 partner and also a response to the implementation plan—not just releasing the implementation plan but the government's intentions in relation to it—in the coming weeks.

KORDAMENTHA

The Hon. I.K. HUNTER (15:28): Supplementary: is the list of tenderers for the phase 3 procurement process confidential?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:29): I don't know. I will take that on notice.

Bills

APPROPRIATION BILL 2018

Second Reading

Adjourned debate on second reading (resumed on motion).

The Hon. J.E. HANSON (15:29): I am sounding somewhat disjointed, but I was talking about the structure of federation, in relation to this bill. The structure of federation means that states and territories are responsible for the regulation and delivery of most economic and social infrastructure services. The Treasurer must know this as he joined with other state treasurers on the GST, as I mentioned way back at the start of my speech this morning. Simply saying that this government wants more money in the GST, only to then hand it back in tax cuts while not adequately

funding our much-needed social and economic infrastructure, undermines the very argument the states are making to the federal government about their need for GST to fund their responsibilities.

This state government has to embrace its duty entrusted to it as part of the federation and continue to provide delivery of economic and social infrastructure. While it is important to have settings that protect the growth that we have seen recently in this state, it is also important to create conditions that continue to sustain this growth in a way that is positive for our community. Having a focus for the infrastructure in our economy that is both community and efficient will enable our state to generate more from our vast natural resources in regional South Australia, and our highly-skilled workforce located regionally and in the metropolitan area. I have mentioned previously in this place the outstanding figures that show South Australians produce roughly twice what they once produced in the 1970s.

The great result of this productivity outcome, of course, is that we also now earn roughly twice the level of income. While this sounds like a laudable outcome, and it is, the story should not and cannot end there. It is the state government's role to continue to facilitate this ongoing push towards better productivity, and to make sure that all South Australians are given an opportunity to participate in it, by making sure that it does not lose focus on assisting individuals and businesses by providing an environment that supports innovation, increasing education levels, new technologies and investment in trade.

This budget essentially achieves none of this. This is a budget of small tax cuts and large social ones. It is a budget that allocates \$20 million to ill thought out infrastructure boondoggle plans like GlobeLink or right-hand tram turns while cutting bus routes it claims not enough people use, Service SAs it says people do not deserve, and TAFEs that it thinks they do not need. I encourage all members to vote against this budget.

The Hon. C. BONAROS (15:32): I rise to speak on the Appropriation Bill 2018 and talk about the 2018-19 state budget—the first of this government—and specifically to address the cuts that will have a significant impact on several sectors, not the least of which is the not-for-profit sector and the many non-government organisations that assist the most vulnerable in our communities.

I want to put on the record that there are aspects of the budget that we do support, namely a valuable health initiative in the budget consisting of \$45 million to reduce elective surgery and colonoscopy waiting lists in public hospitals. The need for this additional funding is absolutely vital, given that South Australia has the longest waiting times in the country for colonoscopies, with some people having to wait 12 months, which can often be too late for somebody who requires treatment.

Across Australia, the average waiting time for a colonoscopy is six months. These delays are totally unacceptable, given that bowel cancer is the second most common cancer in both men and women in Australia, and it is estimated that about 16,000 Australians each year will be diagnosed with bowel cancer and over 4,000 of those will lose their lives to the disease each year. It is an issue our federal colleagues, Centre Alliance, have long campaigned on. In February this year, Senator Patrick moved a motion on behalf of Senator Griff on the issue of colonoscopy waiting times.

Regular screening is important because you can have bowel cancer without any noticeable symptoms, and early detection of bowel cancer is crucial to the survival rates of sufferers. If detected early, 90 per cent of bowel cancer cases can be successfully treated. Delays are only putting South Australians at risk and SA-Best expects to see a marked difference in reduced waiting times for colonoscopies, and we will hold the government to account if this is not achieved in the next year.

The government has also committed \$16 million to increased palliative care support and this is also welcome, but I am afraid that it does not go far enough. Palliative care in South Australia is in the worst condition it has been in since 1980 when it was first implemented in the South Australian health system. Presently, the number of people wishing to die at home with the support of community-based palliative care services far exceeds the availability of that care, particularly for those with illnesses other than cancer. For many, access to community-based palliative care is determined by where a person lives rather than where they prefer to die. A postcode should not determine the level and quality of palliative care that a dying person receives.

Palliative Care Australia, the peak body, estimates that whilst 70 per cent of Australians wish to die at home only around 14 per cent do—and that is a shocking indictment on how we care for those at the end of their life. Sadly, South Australia lags behind the other states with three out of four South Australians not getting access to palliative care—and that is totally unacceptable. This is an issue that we in SA-Best have long campaigned for in terms of increased and better funding for palliative care support.

We developed a strong policy in the area working in conjunction with Palliative Care SA that included \$24.5 million a year recurrent funding to increase access to palliative care services; \$14 million a year on properly diagnosed community palliative care services, to give an additional 5,600 people the choice of where they wish, including their own home; increasing palliative care services to provide access around the clock; allocating \$6 million a year to integrating palliative care into chronic care pathways; and allocating \$400,000 towards a community information campaign to advise families of the palliative care services available.

Whilst I note the \$16 million provided to palliative care in the budget honours a pre-election commitment made by the Liberal government and is welcome, we still have a long way to go in the area of palliative care. There are just 213 palliative care specialists across all of Australia—that is just one palliative care specialist for every 704 deaths in Australia. That should shock everybody in this place; it is simply not good enough for a country like ours. Inadequate funding of palliative care services only furthers the pain and stress that terminally ill patients and their families are forced to endure.

Many families feel that they have to go it alone in the last few weeks and months to ensure that their loved ones have help to use the bathroom or wash, something that causes an enormous amount of strain at an already stressful time. It is also traumatic for families to see their loved ones dying before their very eyes without access to adequate care and support.

In May, my colleague the Hon. Frank Pangallo moved a motion which urged the federal government to make palliative care a health priority and to appoint a national palliative commissioner. That motion was agreed to unanimously in July this year and it is an issue that our federal counterpart, Stirling Griff of Centre Alliance, has also been advocating for federally. SA-Best will continue to push for more funding to fully support the development of a comprehensive, statewide, standards-based palliative care system that supports all South Australians facing death and bereavement, to live, die and grieve with dignity and compassion.

With those positive measures in the budget there are equally some callous measures that will hurt the most vulnerable in our community. In June 2018, in relation to the upcoming budget, the Premier said, 'You won't be seeing any nasty surprises from us.' Well, that is not true. Housing SA tenants did get a nasty surprise in the form of increased rents of up to \$50 per week for those living in bedsits and one-bedroom cottage flats.

South Australians living in those properties are for the most part pensioners and vulnerable people who are already socially isolated, and this measure will only compound the social isolation on those who can least afford it. Increased social housing rents for the disenfranchised in our community will only serve to push them further on the fringes of society and into homelessness. In addition, over 100 full-time employees will be slashed from the Housing Trust, which will only serve to lengthen waiting times, slow maintenance and cause angst for those doing it tough.

The 7.30 program on the ABC this year has run a series of stories about what it is like to be on Newstart's \$40 per day. One story broadcast in July featured Tracey Phillips of Adelaide. She is 50 years of age, underemployed in a casual job, on a Newstart top-up and living in social housing. Tracey goes dumpster diving. For those who are not familiar with that term, it means raiding the garbage bins at supermarkets for food and groceries. Tracey does not go dumpster diving for the fun of it and she does not go because she enjoys it, she does it to survive and to keep the cost of her food bill down.

The broadcast also featured Jaieyre Lewis, 26 years old, from Adelaide, who has been on and off Newstart for a couple of years now. When that story aired, Jaieyre had applied for 160 jobs over two to three months—160 jobs! Jaieyre loves to cook but cannot afford meat because it is simply too expensive. Instead, he will buy a chicken carcass for about \$2.50 to make soups because they

are cheap and nutritious. Jaieyre would like to turn his passion for food into full-time work, but said hospitality jobs in Adelaide are in short supply. Achingly, Jaieyre said during the report:

I don't like to think of myself as a welfare or dole bludger. I like to think of myself as a person first who would like to survive and exist.

Everyone in social housing has the right to be treated as people and the opportunity to survive and exist. This hard-hearted measure by the government will only serve to put pressure on non-government organisations like Anglicare and others to provide the safety net for those affected so that they do not end up homeless. Next year, when many of us will take part in the Walk a Mile in my Boots for people experiencing homelessness, both major parties should reflect on the policies they have implemented that have pushed many disadvantaged South Australians into living some sort of half life on the streets.

On top of this measure was the announcement of a massive cut of \$1.2 million in funding to the Legal Services Commission. This organisation provides more than 120,000 legal assistance services to South Australians every year, including matters relating to family law, domestic law, elder abuse and criminal cases. The cuts have forced the commission to shed 25 jobs since the state government reduced its funding by 5 per cent per year in its 2018-19 budget, with redundancies already offered to staff. This decision will result in a massive cut of \$6 million over five years.

The government's pursuit of savings has certainly come at the cost of the most disadvantaged and vulnerable in our community and will affect women fleeing from violence. The cuts have resulted in the commission being forced to shut down its Mount Barker office in Walker Street by the end of the year, short-changing residents in the Hills with an outreach service instead. The most vulnerable in our community, who are in need of these free legal services, will be denied equal access to justice and basic legal assistance.

I remind the government that they have instituted important legal reforms to protect women fleeing from violence and who rely on services provided by the Legal Services Commission. Indeed, the Attorney-General, Vickie Chapman, has said that she was disappointed legal aid services will be diminished. You have to wonder what sway the Attorney-General has if she could not protect the Legal Services Commission from such savage cuts. These cuts to the commission will not help women who need legal assistance in parenting matters or advice regarding violent ex-partners.

Instead, the burden will again shift to our community legal assistance centres, like JusticeNet, who do not even get a single cent from the government. The Attorney-General knows only too well the importance of free legal services in ensuring access to justice for those experiencing disadvantage.

My colleague, the Hon. Frank Pangallo, moved a motion earlier this year calling on the government to provide recurrent funding for JusticeNet for the small amount of \$120,000 per year to cover admin costs. When that motion is brought to a vote next year, it is hoped that the Attorney-General can convince our Treasurer to provide the much-needed funds for JusticeNet to be able to continue its much-needed services that will only further be stretched by the flow on effects from the budget cuts to the Legal Services Commission.

What I cannot understand is the shortsightedness of some of these measures. Surely this government, our Treasurer, must recognise that in the long run it will cost the government more to provide services because, if organisations like JusticeNet pull the plug, if they cannot commit to helping our most vulnerable, then those people who rely on those services will inevitably end up knocking on the government's door for assistance—the doors of the very agencies that are having their funding cut.

I move to the announced closure of seven TAFE campuses across the state and savings that will be sought from those that remain open. If you are a trainee or apprentice, this budget announcement is a kick in the guts as far as training and education goes. The decision to close Urrbrae TAFE is most perplexing, given the healthy number of enrolments in that campus alone. I believe there are between 400 and 600 student enrolments at that campus.

Urrbrae TAFE is particularly significant and unique because of its setting alongside Urrbrae Agricultural High School and the Urrbrae Wetland. I recently visited the grounds myself and was

completely blown away by the significance of the site with its composition of flora designed as a living, breathing outdoor school providing the highest quality horticultural education.

The campus offers courses in horticulture, landscaping, arboriculture, turf irrigation, conservation and land management and garden design. It also has a golf green and specialist irrigation and landscaping areas, as well as shared resources with Urrbrae Agricultural High School, such as a vineyard and olive groves. The site was purpose-built to complement the course work and cannot be replicated anywhere else to the same high standard, again, at least not without a huge injection of funds.

Students at the campus are worried about the quality of their studies when they are moved from the Urrbrae campus, and these fears have not been allayed by anything the Minister for Education has said publicly. In fact, if anything, his statements have only caused further uncertainty. Nursery and Garden Industry SA (NGISA) is up in arms about the decision and rightly so. Urrbrae TAFE is responsible for training staff who go on to work in the nursery and garden sector in South Australia. More than 2,500 people have signed a petition protesting the closure of Urrbrae TAFE, and I will soon be tabling that petition before the end of this parliamentary year.

I recently asked the Minister for Education on radio if he could confirm whether there were any moves to shift courses from Urrbrae to Roseworthy, and I have to say I was not completely convinced by his response. Nor was I convinced that the Urrbrae campus is safe from closure—far from it. I think we have had confirmation that that site is one that is up for closure. The minister also told me that there was going to be a nine-month consultation process with Urrbrae TAFE taking place. That is very different from the feedback I have received from people who work and study at Urrbrae TAFE.

I am advised that those impacted by the changes, including teaching staff at the high school and Urrbrae TAFE, have been completely blindsided by the government's announcement. I am advised that they are still none the wiser as to the proposal and cannot get details of future plans from the TAFE executive. Worse still, I am advised that teaching staff are too frightened to speak out about the changes that they do know of and those that they do not know of, and too frightened to ask any questions publicly because of an apparent and convenient gag clause in their employment contracts. During the ABC radio interview the Minister for Education said:

There were seven campuses identified where it was felt that there was a level of underutilisation and that the money that was currently invested in paying for cleaning contracts, sweeping corridors, cleaning toilets and paying for electricity bills at those campuses could be better reinvested in other parts of training

He went on to say:

Urrbrae is one of [the given] campuses that is scheduled for closure in the 19-20 years, so we've got about 18 months to work out all of the details.

The minister then conceded that Urrbrae is probably a bit different to some of the others in that Urrbrae is co-located with the agricultural high school. There is a range of specialist facilities in that location—the arboretum, the wetlands and other things related to horticulture—that are critical for training, and which TAFE will continue to use.

I commend the efforts of Urrbrae horticultural student Ellie Potter, in particular, who has come to see me. Ellie has also established an online campaign, being run on the petition website change.org, which was started about four weeks ago and which already has thousands of signatures in favour of Urrbrae TAFE remaining at its present site and offering the courses it offers now into the future. I will be seeking to table that petition in this chamber in due course.

I will make one other comment about the Urrbrae campus before moving to the next topic. There are a number of other concerns that have been raised, particularly in the context of the high school co-located on the same site as the TAFE, and the apparent need for that high school to expand, and to expand apparently by the same number of classrooms that are currently occupied by the TAFE. There is also the minister's reluctance, on radio, to rule out any moves in terms of the sale of that land. These are issues that are concerning the teaching staff and the students at Urrbrae, and I believe it is only fair they be involved in any consultation and discussions about the future of that site.

The cuts to Arts SA is particularly ridiculous for South Australia, a state that has always prided itself on its vibrant arts sector. A playwright wrote to me recently concerned about the cuts to arts funding. He is concerned with the lack of consultation with the wider arts community—again, another example of the lack of consultation—and that there has been inadequate consideration of the impact this will have on South Australia.

Disruptions to program funding and restructuring Arts SA will result in disruptions throughout the arts calendar. This particular playwright plans projects up to 12 months in advance and, without certainty around the funding models or processes, the work needed to prepare for these is lost, and with it forthcoming projects that bring vitality to South Australia are lost. So when those in the government attend glittering events for the Adelaide Festival next year, they need to think long and hard about how the cuts to the arts will affect budding and established artists.

There are, of course, many other areas I could speak to at length. I could have touched on measures such as cuts to several Service SA branches and the impact this will have on residents in those areas, as well as cuts to Crime Stoppers and the cessation of certain regional bus routes. However, the bottom line is this: we cannot keep this up.

During a radio interview very recently I was made aware that we do not even have a public transport system that runs from Virginia to Adelaide. I did not know that until this person made it known on air. There is no bus. That means if you live in that area you have to travel probably 30 minutes or so in order to access public transport to get into the city. This is Virginia, Mr President. It is not that far away. If we cannot provide that sort of basic service we know something is wrong.

The cuts to laptops in the secondary schools program will only serve to deny students in the North the ability to learn and thrive in an electronic age. Every child in this state deserves the same opportunities, no matter their postcode. We say that time and time again in terms of several measures that are being proposed. It does not matter where you live, the same opportunities should be afforded to you. Many of these issues have been covered at length by others in this place, so I will not go into them today and I close with these words, Mr President.

The Hon. R.I. LUCAS (Treasurer) (15:55): I thank all honourable members for their contribution to the second reading debate of the Appropriation Bill. As members have highlighted, there are two major bills in terms of ensuring we have the dollars to pay public servants. We have a Supply Bill, which pays the bills through until around about November, and this Appropriation Bill allows us to pay the bills for public servants and public services from the end of November, December, through to the end of the financial year. So it is obviously essential in terms of being able to continue to deliver whatever level of service ultimately the government of the day determines.

I will not delay the consideration of the second reading by going into point by point scoring about the budget. I appreciate the different views members have about the difficult decisions that any government confronts in terms of priorities, and on this occasion it is the new government. I accept the fact that many will have different priorities to those established by the new government.

However, as the government indicated, we went to the election with a clear statement or mantra about fixing the mess by keeping our promises and establishing a foundation for the future. We made specific promises in particular areas such as emergency services levy bill cuts, payroll tax, land tax and a range of other areas. This budget is implementing the promises we made to the people of South Australia in the period leading up to the election.

However, there are three or four issues that I want to respond to in the broad. The first one is the vexed issue of consultation. The Hon. Ms Bonaros and a number of other speakers have raised this particular issue. I understand the issue that is raised by those who say, 'Hey, we were not consulted about this particular cut.' Can I just say to the Hon. Ms Bonaros and other members that the issue is that, at budget time, any government—and we had a Labor government for 16 years and they had the same issues, and we have the same issues—makes difficult decisions about funding priorities; that is, they will fund one particular priority but another one they will not fund.

It is impossible in the context of a budget to individually consult on a cut to particular services in every portfolio when you announce all of the budget on a particular day. The example highlighted was about a particular funding component of the arts portfolio being cut or reduced—so was the

claim—and someone says, 'Well, we weren't consulted about that particular cut.' That is true, but that is an inevitable consequence of governments having to make budget decisions. You cannot go through a process of individually consulting on every particular decision that you are going to implement in your budget.

The budget goes through a confidential cabinet process. It is ultimately approved by cabinet and very soon after it is revealed by the Treasurer to the parliament and community. The government, the Treasurer, has to be judged, and judged accordingly, and that is fair enough. Whilst it is an easy response, it will never stop it, I know; that is, 'We weren't consulted about this particular decision, or not.' Ultimately, that is just impossible in constructing a budget. Whilst I understand the concerns some have expressed, it is an inevitable consequence of the budget.

The second point I want to respond to is about a number of claims by Labor members that the former government left the new government with a budget in surplus. I just want to place again on the public record evidence I placed in the budget speech itself and further expanded on since. On page 2 of the budget speech, I refer to the monthly financial monetary report prepared by Treasury for January 2018. At the end of January 2018, just prior to the state election in March, the former government and the former treasurer were given a confidential summary of the state of the budget for 2017-18. The quote that I included in the budget speech was as follows:

Projected total deterioration in the net operating budget of \$193.7 million means that the budget is clearly in deficit in 2017-18.

That was the advice the former government and the former treasurer received in the weeks just before the state election. It is a furphy; to say that the former government left a budget in surplus to the new government are claims made without any substance or evidence.

As I said, the independent confidential advice that the former treasurer and former government received only weeks before the election, and I have just quoted aspects of that, make that quite clear. The other claim that the Hon. Emily Bourke, and I think one or two other members, made is that the former government had presided over nine surplus budgets. I refer the Hon. Emily Bourke and her advisers to page 12 of the Budget Paper 3: Budget Statement document. This is a budget paper prepared by Treasury.

In that, figure 1.1 is the budget surplus or deficit; it is a net operating balance measure. There is a graph there that clearly shows that, of the last 10 budgets, seven of the 10 budgets were actually in deficit. Of the three that were in surplus, one of them was as a result of one-off payments from the Motor Accident Commission, which do not continue, of course, which turned the deficit into a surplus, and another one in 2009-10 was on the back of the global financial crisis bailout that the federal government gave to the states, where billions of dollars were given to all the states to try to assist national economic growth in the wake of the global financial crisis.

Even if you accept those for those particular reasons, contrary to the claim made by the Hon. Ms Bourke that the former government was some sort of economic nirvana in terms of delivering surplus budgets, I would challenge the Hon. Ms Bourke and her advisers to produce any evidence that indicates that. Indeed, page 12 of the Budget Statement makes it quite clear that seven out of the 10 budgets under the last government were actually in deficit. In two cases, the annual deficit was over \$1 billion, in 2012-13 and 2013-14. They were annual deficits of in and around \$1 billion for those two particular financial years. The evidence is there for anyone who is prepared to have a look at it. Certainly, the claims being made that the former government delivered nine surplus budgets is economic fantasy land.

The final point that I wanted to respond to was in relation to the Hon. Tung Ngo's claim that because net debt levels in this budget had increased, that was a clear broken promise made by the government. Again, that is a statement that is not correct. In the document '2036' and in subsequent statements leading up to the election, the Liberal government made it quite clear that its commitments were to do two things in relation to the budget. One was to produce annual surpluses; that is, to spend no more than we earn on an annual basis, and this budget forecasts that we will do that.

What we said in relation to debt was that, because we had inherited such a very significant level of debt from the former Labor government, any reduction in debt would be a medium to long-term proposal. We did not promise, we did not propose, any reduction of debt over the four-year

period of this parliamentary term. Indeed on a couple of occasions, when asked, I indicated that moderate increases in net debt, if it was for productive infrastructure, would be supported by an incoming Liberal government.

So contrary to the claim made by the Hon. Mr Ngo we certainly made no commitment or promise to reduce the state's net debt. We have essentially said the debt that we inherited from Labor is Labor's debt, and we might support a moderate increase in that debt, which we are prepared to accept responsibility for, and that is an increase of about \$1.5 billion by the end of the forward estimates period, as long as it is debt incurred in the pursuit of productive economic infrastructure for the state in terms of growing the economy and growing jobs.

With that, I thank honourable members for their contributions. As I said, I am not going to engage in point by point argument with members about competing priorities. We have done that previously, and we can do that on other occasions. I thank honourable members for their contributions to the second reading of the Appropriation Bill.

Bill read a second time.

Committee Stage

Bill taken through committee without amendment.

Third Reading

The Hon. R.I. LUCAS (Treasurer) (16:07): I move:

That this bill be now read a third time.

Bill read a third time and passed.

CONSTRUCTION INDUSTRY TRAINING FUND (BOARD) AMENDMENT BILL

Second Reading

The Hon. S.G. WADE (Minister for Health and Wellbeing) (16:08): I move:

That this bill be now read a second time.

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

Leave granted.

The *Construction Industry Training Fund (Board) Amendment Bill 2018* aims to modernise the process for appointments to the Construction Industry Training Board.

The board is responsible for managing and expending funds raised through the Construction Industry Training Levy, to improve the quality of training in the industry and coordinate industry-based training.

The board appointment process under the current legislation is among the most prescriptive in the nation, and has not been amended since the act's inception. This is despite recommendations in a 2004 independent review to modernise the appointment process and voting provisions.

The changes will bring the act into line with analogous legislation in other states and territories, and legislation governing the appointment of boards in the state's education and training sector.

The intention is to enable board members to be appointed based on their merit and experience in the sector.

These changes will enable the board to respond to the government's *Skilling South Australia* strategy to support an additional 20,800 apprenticeships and traineeships over the next four years.

I will now detail the amendments.

All appointments to the board will be made by the Governor on the nomination of the responsible minister, and will comprise persons who have the knowledge, skills and experience to enable the board to carry out its functions effectively.

The presiding member will now be entitled to vote, including a casting vote, in board proceedings.

The board will comprise up to eight industry representatives, who are nominated by the minister following a public expression of interest process, as well as two independent members.

The veto voting provisions will be removed, to enable decisions of the board to reflect a majority position, not the majority position of prescribed sectional interests as is currently the case.

The Construction Industry Training Fund (Board) Amendment Bill 2018 will result in a board that is better equipped to serve the industry's workforce skills and development needs.

I commend this bill to the house.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

3—Amendment provisions

These clauses are formal.

Part 2—Amendment of *Construction Industry Training Fund Act 1993*

4—Amendment of section 5—Composition of the Board

This clause amends section 5 of the Act in respect of the composition and appointment of the Construction Industry Training Board. Sections 5(1) and (1a) are to be deleted and substituted with proposed subsections (1), (1a) and (1b).

Proposed subsection (1) provides that the Board will consist of the following members appointed by the Governor on the nomination of the Minister:

- (a) 1 person to be the presiding member of the Board;
- (b) at least 4 (but not more than 8) persons who have knowledge of, and experience or expertise in, the building and construction industry;
- (c) 2 persons who are, in the opinion of the Minister, independent of the building and construction industry.

Proposed subsection (1a) provides that the Minister must, in making nominations for appointment to the Board, seek to ensure that the membership of the Board comprises persons who together have the knowledge, skills and experience necessary to enable the Board to carry out its functions effectively.

Proposed subsection (1b) requires the Minister, before nominating a person for appointment to the Board under subsection (1)(b), to make a public call for expressions of interest for appointment to the Board and to take into account any expressions of interest received within the specified period.

5—Amendment of section 7—Procedures of the Board

This clause makes amendments to provisions about the procedures of the Board in section 7 of the Act. Firstly, the quorum is changed to consist of one half of the members of the Board (ignoring any fraction resulting from the division) plus 1. Secondly, the voting procedures are changed to give each member of the Board 1 vote on any question before the Board (with a casting vote to the member presiding) and to provide that Board decisions are to be by majority of the votes cast by members present at a meeting of the Board.

6—Amendment of section 10—Allowances and expenses

This clause amends section 10 so that Board members' allowances and expenses are those approved by the Minister. Currently, the allowances and expenses are capped by the Minister after consultation with the Commissioner for Public Sector Employment.

7—Amendment of section 21—Rate of levy

This clause is consequential on the amendments in clause 4 and amends section 21 of the Act to delete references to categories of Board members that will no longer exist under section 5 of the Act (as amended by clause 4).

8—Repeal of Schedules 2 and 3

This clause is consequential on the amendments in clause 4 and repeals Schedules 2 and 3. Schedules 2 and 3 list the employer and employee associations that will no longer be required under section 5 of the Act (as amended by clause 4).

Schedule 1—Transitional provisions

1—Office of member vacated

This clause provides that the office of each member of the Construction Industry Training Board under the Act holding office immediately before the commencement of clause 4 of the measure is, on that commencement, vacated.

Debate adjourned on motion of Hon. J.E. Hanson.

CORRECTIONAL SERVICES (MISCELLANEOUS) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 25 October 2018.)

The Hon. K.J. MAHER (Leader of the Opposition) (16:09): I rise today to indicate that on the Correctional Services (Miscellaneous) Amendment Bill I will be the lead speaker for Labor and have conduct of this bill. This bill echoes many of the provisions of the Correctional Services (Miscellaneous) Amendment Bill 2017 that was introduced by the previous Labor government but did not pass before parliament was prorogued.

In broad terms, the bill is aimed at reducing the threat and problem of drugs in prison. The opposition is happy to support the bill, but it is only a small portion of the bill that was introduced under the Labor government, with much being left out. My colleague in another place, the member for Elizabeth and shadow minister for police, filed a number of amendments adding to and restricting this bill. It is disappointing that the government in the other place did not see fit to support some of those sensible measures.

I will take the opportunity to go through some of those amendments. I foreshadow that we are not moving them in this place, but I think it is important in the context to go through some of the amendments that were moved in another place. The first was an introduction of buffer zones around prisons regarding the possession and trafficking of drugs under the Controlled Substances Act. Creating an area around a prison where the penalties for possession and/or trafficking are significantly increased reflects that drugs should be nowhere near prisons.

In addition, there was the prevention of automatic parole for offences of dealing or trafficking drugs. Currently, prisoners who are sentenced to less than five years in prison for offences of dealing and trafficking are eligible for automatic parole. The third amendment was to prevent prisoners from contacting, directly or indirectly, any victim, alleged victim or persons associated with their offending.

There was also an amendment to prevent people under the age of 18 from visiting prisoners with any conviction for child sex offences, whether or not those convictions are related to their imprisonment. The current legislation only prevents people under 18 from visiting prisoners with a current conviction for child sex offences.

I understand that the minister and shadow minister have had some discussion and came to an agreement on the form of words about this, and those words are now reflected in the bill we see before us. I will indicate that we do not intend to revisit the issues that were agitated in the lower house, but it may be something that is discussed at some time later in terms of further bills in relation to Correctional Services. With those words, I indicate Labor's support for the bill.

The Hon. S.G. WADE (Minister for Health and Wellbeing) (16:12): I thank the honourable members who have contributed to this bill. The bill fulfils the government's 100-day election commitment to a zero tolerance policy in relation to drugs in prisons. Stopping drugs entering our prisons remains a priority for this government, to protect both employees and prisoners. This bill also strengthens an existing provision in the act to ensure the protection of vulnerable children is the overriding consideration when decisions are made about allowing child sex offenders to have underage visitors.

The key objective of this bill is to deliver important reform that supports the government's war on drugs policy and delivers enhanced safety and security in South Australian prisons. I advise the council that there are more reforms to come. It has been rightly noted by the Hon. Tammy Franks that this bill does not include important amendments around investigative powers of the chief executive. These powers are necessary to ensure the obligation of staff to give an account of a matter under investigation.

The Minister for Correctional Services, the Hon. Corey Wingard, and the department's chief executive, Mr David Brown, met with the Hon. Tammy Franks earlier this week and provided her with

an assurance that these powers, and other more important amendments, will be introduced in a new Correctional Services bill to be brought to parliament in early 2019. I reiterate on behalf of the government that assurance to the whole council.

Bill read a second time.

Committee Stage

In committee.

Clause 1.

The Hon. K.J. MAHER: In addition to the consultation that Labor conducted on a very similar bill, what further or better consultation was conducted by the new government on the introduction of this bill, and who provided submissions in relation to that consultation?

The Hon. S.G. WADE: I am advised the government relied on information the department had received before the end of the last parliament. If it may facilitate the council, I recognise the matters the honourable member raised that have been raised by the shadow minister in the other place. I am advised that the matters that were raised that have not been the subject of amendments in the other place will be considered as part of the second reform that I referred to in my summing-up statement.

Clause passed.

Clauses 2 to 7 passed.

Clause 8.

The Hon. K.J. MAHER: In relation to a testing regime, can the minister outline in practical terms how the testing regime will work?

The Hon. S.G. WADE: I will offer some general comments and if the member would like more specificity, he can follow-up with questions. The amendment at clause 8 meets the government's commitment to infuse workplace testing of prison officers, staff and contractors for alcohol and illegal drugs. Introducing drug and alcohol testing strengthens the government's and the department's stance against the scourge of drugs and sets a high standard of professionalism, integrity and transparency.

The provisions mirror SAPOL's approach to staff testing. It is anticipated the testing will focus on common drugs of concern as determined through consultation with SAPOL and SA Pathology. It is proposed that the department will undertake a process to appoint a contractor to administer an independent testing program, which includes providing breathalysers and drug testing equipment and undertaking the testing analysis and reporting functions. This amendment will assist the Department for Correctional Services to block potential avenues for drug incursion and increase the safety, security and integrity of the prison system.

The Hon. K.J. MAHER: More specifically, what drugs will be tested for and how will they be tested?

The Hon. S.G. WADE: As I mentioned, it is anticipated the testing will focus on common drugs of concern, as determined through consultation with SAPOL and SA Pathology, so the Department for Correctional Services will consult with both the police and SA Pathology on that matter. As I have already indicated, to the extent that the provisions will mirror SAPOL's approach to staff testing, it may well be that, depending on their seniority and their position, different officers might be tested for different drugs.

The Hon. K.J. MAHER: Under the new 81T that is in clause 8 of the bill, what happens if an employee refuses to be tested?

The Hon. S.G. WADE: I am advised that if an employee or officer was to refuse, it is likely to be taken as a positive, but that will need to be the subject of consultation. I will undertake, post the passage of the bill, if that is the will of the council, to advise the member of the current practice of SAPOL. As I said, this regime is going to be influenced by the SAPOL regime. I am advised that

DPTI does regard a refusal as a positive but, as I said, I will seek further advice in relation to the police approach in relation to a refusal to submit.

The Hon. K.J. MAHER: In relation to 81V, what happens if a visitor refuses to be tested? Is that visitor automatically refused access to the facility, and what happens if a visitor tests positive?

The Hon. S.G. WADE: In relation to the first question, if a visitor refuses to submit to testing then their access to the facility will be refused. I am advised that if a visitor tested positive they would also be refused unless they could provide a lawful reason as to why they were testing positive; for example, medical.

The Hon. K.J. MAHER: In relation to 81X, how are the results of the tests recorded and who will have access to those records; that is, the records of the results of the tests?

The Hon. S.G. WADE: This section prevents a test result from being used for another purpose; for example, by the police in relation to drug use and so on. A test undertaken for the purposes of this part is not admissible in any other proceeding. It ensures that samples are only used for the purpose of disciplinary proceedings under the Public Sector Act 2009 and for the reasons as set out in this act.

The Hon. F. PANGALLO: Is there a provision to drug test prisoners?

The Hon. S.G. WADE: I thank the honourable member for his question. The department currently uses methods including urinalysis, saliva testing and breath testing to detect the presence of substances from prisoners. The process is defined in the standing operating procedure. SA Pathology is responsible for the testing of all samples from prisoners. Penalties and regime modifications applied to prisoners identified as having a positive test are administered in accordance with the Correctional Services Act 1982. I am advised that late in the 2017-18 financial year there had been over 5,000 drug tests and nearly 100,000 searches conducted in South Australian prisons to detect contraband and illicit drugs.

The Hon. F. PANGALLO: How many were positive?

The Hon. S.G. WADE: I do not have that information to hand but I will certainly undertake to get it and provide it to the honourable member.

The Hon. F. PANGALLO: What penalties are applied when prisoners test positive to drugs?

The Hon. S.G. WADE: I am advised that the penalties applicable to offences under the Correctional Services Act are detailed in the Correctional Services Regulations, and that includes penalties related to illicit drugs and alcohol.

The Hon. F. PANGALLO: Could the minister come back with the number of prisoners who were penalised for drug offences?

The Hon. S.G. WADE: I am certainly happy to do so. I should make clear that, in relation to the undertakings I am giving to provide information, I am assuming that members are happy to receive that after the passage of the legislation.

The Hon. F. PANGALLO: Yes.

The Hon. S.G. WADE: Thank you, and we undertake to do so.

The ACTING CHAIR (Hon. D.G.E. Hood): I understand the Hon. Ms Bonaros wanted to ask some questions about clause 7, although we have passed clause 7. If the house is agreeable, we will allow that. We have passed it in terms of voting, but there is no reason why we could not have a question on it, if the minister is happy.

The Hon. S.G. WADE: I am happy to receive the question.

The Hon. C. BONAROS: This is in no way reflective of any position of SA-Best, but there was one thing that was highlighted to us, and I did undertake to ask this during the committee stage. Clause 7 deals with the issue of visits by children to prisoners who have been found guilty of child sex offending. I preface this by saying I understand that there is the ability there to give permission to a visitor, by the chief executive, but have we contemplated a situation where Family Court orders

are perhaps put in place which gives a parent who is guilty of such an offence access rights under those circumstances?

The Hon. S.G. WADE: I am advised that if the chief executive was made aware of a Family Court order they would certainly consider it. Of course, public officers would always give due regard to a court order such as that, but it is our view that the chief executive could still make a judgement that, in spite of the Family Court order, he or she was not going to give permission. To reiterate, the chief executive officer would give consideration to the order and would be likely to accept it, unless there were overriding considerations.

The Hon. C. BONAROS: That would then be communicated, I suppose, back to the court so we understand that the reason there is no access is because the chief executive has said so.

The Hon. S.G. WADE: I agree with the honourable member. One would certainly expect the department would then communicate with the person involved and, if necessary, the court.

Clause passed.

Remaining clauses (9 and 10) and title passed.

Bill reported without amendment.

Third Reading

The Hon. S.G. WADE (Minister for Health and Wellbeing) (16:29): I move:

That this bill be now read a third time.

Bill read a third time and passed.

STATUTES AMENDMENT (DRUG OFFENCES) BILL

Second Reading

Adjourned debate on second reading.

(Continued from 25 October 2018.)

The Hon. K.J. MAHER (Leader of the Opposition) (16:30): I rise today to indicate Labor's support for this bill. The bill makes a number of amendments to the Controlled Substances Act, including limiting the number of drug diversions to two in four years, reviewing penalties in the Controlled Substances Act more generally and increasing other penalties.

The increasing of penalties for cannabis possession is something we would like to expand on a bit more. The current penalty for cannabis possession has a maximum of \$500. The bill, as it was originally introduced, increased the penalty for cannabis possession to \$2,000 or two years in gaol, or both. It is worth noting that, while the bill introduces gaol time for cannabis possession, that was not part of the Liberal government's election commitment, which stated that 'a Marshall Liberal government will firstly ensure the maximum penalties for cannabis possession are increased from the current \$500 to \$2,000'.

What we have seen is a welcome but remarkable backflip from the Attorney-General when she faced a huge backlash over trying to impose gaol time for simple cannabis possession. That move was out of touch with community expectations and completely out of touch with what the South Australian community expects.

We received much correspondence from concerned parents that one simple mistake from one of their children, for a single, first offence of cannabis possession, could land that person in gaol. We at the time, as a Labor opposition, opposed that and, along with a number of crossbenchers who also sensibly saw that as an extreme overreach, have forced the government into a backdown to remove gaol time as a possibility. That measure in the bill was also out of touch with recommendations made by the Australian Medical Association.

In summary, the bill was inconsistent, as originally put, with the Liberal Party's election commitment. It was inconsistent with community sentiment and was out of touch with the AMA. Perhaps the Treasurer, who represents the Attorney-General here, can explain why that provision was inserted in the bill originally, and then perhaps explain why that provision was taken out. It is

understood that there was quite a backlash in the Liberal party room, which resulted in this very embarrassing backdown from the Attorney-General to take out what was a dramatic overreach.

The Minister for Education made the second reading speech on behalf of the Attorney-General in relation to this bill when it was introduced in another place. The minister advised that people who have been found to be in possession of drugs must be given the opportunity to participate in an accredited drug diversion program under the current regime, and expressed that there is no limit to the number of times an offender can participate in these programs and that some offenders, in the view that was put forward, use participation in these programs as a way of avoiding more serious punishment.

This bill limits the number of drug diversion programs a person can participate in to two in four years. It is understood that, following consultation, the Liberals reduced the number of drug diversions to two in a four-year period from two in a 10-year period, which I understand was originally contemplated. Again, the Treasurer, who represents the Attorney-General in this place, may wish to comment on why that change of heart came about also.

The Attorney-General's Department has advised that these amendments will see approximately 1,400 fewer people receiving drug diversion and entering the justice system instead. At the time we received a briefing, it was unknown what impact on the corrections system this was going to have. Are we going to see an increase in people being incarcerated, and for what kinds of offences? On this one, we would seek an answer to the question very specifically, if the Treasurer would outline what impact the 1,400 fewer people receiving drug diversion will have on our justice system, particularly on our corrections system.

The bill also introduces two additional offences: a higher maximum penalty for serious repeat offenders and an aggravated offence for offenders who are associated with criminal organisations. Penalties have also been increased for a number of other offences including trafficking, the manufacture of controlled drugs for sale, the sale and manufacture of controlled precursors, and for a range of other measures that have changed since the introduction of serious or aggravated offences.

With the changes the government was forced to make, I indicate Labor support for this bill. In particular, we note and welcome the fact that the government was forced to back down on imprisonment as an option for a first time, simple cannabis offence.

The Hon. M.C. PARNELL (16:35): For more than half a century governments have aggressively pursued a disastrous war on drugs policy that criminalises a health problem and that has only succeeded in making things worse. These policies are causing harm. They are killing our young, and it is time for a complete rethink. However, I am sad to say that the old parties do not have the courage to take on this issue.

The Greens have been leading in this area. We have a new, realistic and evidence-based approach to drug policy, one that reflects the reality of people's choices about using drugs in Australia. In particular, the Greens are on the record as supporting pill testing at music festivals, we support the removal of sniffer dogs, and we support regulating cannabis for adult use. The Greens' policy would revolutionise the way we handle these health problems in this country and would restore Australia's reputation as a leader in innovative drug policy.

It is not a policy that the Greens hold on their own, and I will refer to some of the other authorities that support our position. Some few months ago now Greens leader Senator Richard Di Natale announced the party's plan to legalise cannabis for adult use. Dr Di Natale described the current approach to drugs in Australia as an unmitigated disaster. He said:

The war on drugs has failed. Governments around the world are realising that prohibition of cannabis causes more harm than it prevents. It's time Australia joined them and legalised cannabis for adult use. We need to get real about cannabis. Almost seven million Australians—

I understand the current process is that when a big number is mentioned the Leader of the Government, as a Greek chorus, chimes in and repeats the number, so I will do it myself as no-one else is doing it for me—

seven million Australians have tried...cannabis socially but right now just having a small amount of cannabis in your possession could get you a criminal record.

We know that cannabis accounts for most illicit drug arrests across Australia, and cannabis arrests and consumption are growing each year, so prohibition has failed. Using cannabis remains illegal, but this has not stopped Australians from using it.

Like a number of members here I have spoken on talkback radio, and this is an issue that often crops up. I remember, on talkback radio, talking to a grandparent and putting this question to them: 'Which third of your grandchildren are criminals?' The response was, 'None of them are criminals, they are all good kids.' Well, statistically one-third of them are criminals, and that is a statistic that Australians need to pay close attention to. The number of people who have admitted to taking cannabis is seven million, but my feeling is that it is probably higher.

As people know, the leader of the Greens, Dr Di Natale, has been a drug and alcohol doctor. He says:

I've seen that the 'tough on drugs' approach causes enormous harm. It drives people away from getting help when they need it and exposes them to a dangerous black market.

The Greens have always seen drug use as a health issue, not a criminal issue. The plan we announced earlier this year was to create a legal market for cannabis production and sale that will reduce risks, bust the business model of criminal dealers and syndicates, and protect young people from unfair criminal prosecution. I think we have the bulk of Australians with us on that.

In a poll last year, 55 per cent of Australians said they believed cannabis should be taxed and regulated like alcohol or tobacco. I make the point, as I have a number of times in this place, that if we were serious about passing laws that were focused on where harm lies, alcohol and tobacco would have been outlawed years ago. Between them, they kill thousands upon thousands of people every year—alcohol and tobacco.

The difference is they have become socialised, we are used to them and they have been around for a very long time as opposed to drugs that are seen as newer and less socialised. We outlaw those, but certainly none of the existing policies are based on evidence. The President of the Australian Drug Law Reform Foundation, Dr Alex Wodak, said:

Banning cannabis hasn't reduced its use or availability yet it has distracted police from following up more serious crimes, harmed a lot of young people and helped make some criminals rich...

Regulating cannabis will give government more control and increase government revenue, which can be used to fund drug prevention and treatment.

There is an alternative approach to the provisions in this bill, but do not just take my word for it. Let us hear what some of the other stakeholders have said. I will start with the Law Society. Their submission from 14 June this year was based on the version of the bill that the Leader of the Opposition referred to before. It has since been watered down slightly, but the basic principles in their submission remain the same. The Law Society states:

Contemporary medical science recognises substance dependence and behavioural addiction as primarily health problems. The ability to divert a person out of the system and instead direct them to counselling is an important recognition that drug addiction is a medical issue rather than a criminal issue.

The Law Society goes on:

Substance dependence and behavioural addictions are recognised as chronic diseases of the brain's reward, motivation, memory and related circuitry. Due to the nature of drug addiction, it is difficult for those who become dependent to overcome their addiction on their first attempt. Therefore, a person may require multiple diversions depending on the degree of their addiction, and other matters such as their environment and any relevant risk factors.

Another observation from the Law Society states:

The Society notes that this legislation is part of the Government's 'winning the war on drugs' policy. The Society considers that the proposed Bill is at odds with this policy, and questions how restricting the opportunities for a person to receive treatment or counselling in relation to their drug dependency, will ultimately serve the greater objective of winning the war on drugs.

It goes on:

The Society considers that insufficient evidence-based justification has been provided for increasing penalties or limiting drug diversions. The Bill, in our view, fails to sufficiently recognise that drug addiction is a health issue rather than a criminal justice issue.

The Society is informed by its Criminal Law Committee that clients are often unable to access treatment programs due lack of availability of programs and that the cost of undertaking such programs can also be a prohibitive factor. This is further supported by the AMA who acknowledge that in most instances, demand for treatment outweighs availability, which can result in long wait times to access treatment.

The Society suggests a shift of focus from punitive measures, which will put an already over-capacity criminal justice system under further strain, to a focus on and investment in, treatment and rehabilitation. The Society considers in order to 'win the war on drugs', the medical and social issues that underpin drug addiction must be addressed.

That is under the hand of Tim Mellor, President of the Law Society of South Australia. One thing, also, that also struck me about the way we do legislation in this parliament is that, especially in the lead-up to and following an election, parties take populist positions, positions that they think will win them a few votes and then, having made the promise, even when they do form government and have access to a vast array of research and medical evidence, they say, 'Well, we sort of promised, so we'd better do it.'

I, for one, am more than happy for governments to be held to their promises when they make sensible promises. When they make stupid promises, I am more than happy for them to come clean and say, 'Look, we thought it was a good idea before the election. Now we are in government and we have access to all this expert evidence, we have now realised that it's not a good idea and we're not going to proceed with it', but that does not appear to be any part of political practice.

The other thing we do in this state and in this parliament is that we pass important social legislation without inquiring in any depth into what its implications might mean. I contrast that approach with the approach that is taken in other states. I note that recently in Victoria, they spent a year with a parliamentary committee looking at just these issues.

I had a quick look at the Victorian report. The first thing I found is that there was not a single Green on the committee; it was pretty well Liberal, Labor and other crossbenchers and did not involve the Greens. After a year of evidence, what did they recommend? Recommendation No. 13 was that the Victorian government should, and I quote:

...treat the offences of personal use and possession of all illicit substances as a health issue rather than a criminal justice issue.

That is what you come up with when you talk to the experts and you have a proper look at it. What do we do here? Table a bill. A few people, like me, stand up and read a few stakeholder statements and then it is voted on. It is a very poor way to pass legislation. We really do owe the people of South Australia much better service than we provide them with.

The Greens are not at all happy that this bill is going to go through, it seems, and probably without amendment. I filed and put on the record three clauses that are, if you like, indicative of the main problems with this bill. The amendment simply says that these clauses will be opposed. The three of them relate to the simple offences of possession and growing cannabis plants, for which the penalties are being increased, and also this ridiculous notion that a person has worn out the patience of the state by seeking more than two diversions in four years. That is just a ridiculous proposition.

My challenge to honourable members, especially those who may have smoked tobacco or cigarettes: how many of you gave up on your first attempt? How many of you gave up on your second attempt? We understand from the physiology of addiction that very few people manage to break addictive behaviours at the first, second, third and sometimes even fourth or fifth attempt.

The idea of saying to people that they only get two tries at breaking their addiction and after that go straight into the criminal justice system with no more leniency or latitude is just an appalling way to treat people who, in many instances, are desperately keen to improve their health and to get into behaviours that are better for them than a life of addiction. We know that it can be dangerous and can take hold of people's lives, and we certainly do not want to wish that on anyone.

The Greens have put forward those three clauses as a test, if you like, of whether there is anything at all worth supporting in this bill. There are some other provisions in there that we do not find as offensive, but certainly, at the heart, the bill is flawed in its philosophy. We would urge this

council to save the government from itself. They may have promised this in their first 100 days, but I think it is the responsibility of this council to help them through the dilemma they have got themselves in and to oppose at least the most egregious parts of this bill.

The Hon. J.A. DARLEY (16:48): I rise today to speak on the Statutes Amendment (Drug Offences) Bill. This bill increases the penalty for drug offences, introduces the new concept of a prescribed serious drug offender and also creates aggravated offences in certain circumstances.

A person will be considered to be a serious drug offender if they have been convicted a number of times of certain offences within the past 10-year period. I understand the reasoning behind this is that these people would be regarded as recidivist drug offenders who have not been rehabilitated and continue to offend against the community, notwithstanding the fact that they have been convicted before. A person will be seen to have committed an aggravated offence if they are a member of or associated with declared organisations.

The government is seeking to increase the maximum penalties for drug offences. Their reasoning for this is to bring the penalties in line with other criminal offences and to reflect the community's attitude to drug offenders. These penalty increases include the penalty for possession or consumption of cannabis, which will be increasing from \$500 to \$2,000.

Globally, we have seen a move towards legalising cannabis, especially for medicinal use. Nine states in the United States have legalised cannabis for recreational use, as has Canada, South Africa and Uruguay. In 2016, our commonwealth government allowed for the cultivation of cannabis for medicinal and scientific purposes; however, every week we hear of consumers who are frustrated at the difficulty they are experiencing in terms of accessing medicinal cannabis. The attitude towards cannabis is shifting slowly, and I do not believe it is a step in the right direction to increase the penalty by 400 per cent.

The bill also limits the number of times a person can go through the drug diversion program to two occasions within the preceding four years. I understand the reasoning behind this amendment is that people should be given the opportunity to rehabilitate themselves; however, drug diversion programs should not be seen as an easy way out for repeat drug offenders. I have asked about the success rates or the completion rates of these programs; however, I was advised that these statistics are not collected. This is curious, and I would be interested to find out if there is a high level of completion or dropout. If the latter is true, it may indicate that there is a need for the program to be reviewed.

I support the bill but would like to put on the record that I will be supporting the Hon. Mark Parnell in opposing clause 17.

The Hon. C. BONAROS (16:51): I rise to speak on behalf of SA-Best in broad support of the Statutes Amendment (Drug Offences) Bill, which aims to send a clear message that the use, sale, manufacture and cultivation of illicit substances will not be tolerated in South Australia. SA-Best supports the strong signal the bill sends, that drugs are not acceptable in our society, and it is entirely consistent with the long-held policy on drugs of SA-Best and our federal colleagues Centre Alliance.

We should all be alarmed that the United Nations *World Drug Report 2018* identified Australia as having the highest prevalence of the use of cocaine, ecstasy and ice and the second highest prevalence of the use of opioids and cannabis in the world. Sewage analysis has revealed Adelaide as Australia's methylamphetamine capital after the city was found to have the highest level per person of any state. Unfortunately, not much has changed in this area in recent years. The damage this is causing, particularly to our young, is undeniable and the failure of our efforts to date in addressing this scourge is also undeniable.

Australia has the highest proportion of recreational drug users in the world and yet the message is just not cutting through, especially to young people. Drug labs are operating in our suburbs, and bikies are heavily involved in the production, supply and trafficking of illicit drugs. In recent hours, the ABC has reported that authorities have seized 15 kilos of heroin from an Adelaide property, which is believed to have been the largest seizure of that drug in the state of South Australia ever.

According to that report, serious and organised crime branch officers also found a kilo of cocaine in packages at the property in question. Another home was also searched by officers, who found cash and equipment which they will allege was used in the preparation of the sale of the heroin and, I believe, the cocaine that has been found. That should be alarming to all of us. It is obviously a good thing that our serious and organised crime branch officers have made that find, but it is certainly alarming to hear stories of that sort of quantity of drugs being found in our suburban homes.

The use of dark websites to sell and purchase drugs has been rapidly adopted here, with Australia accounting for 11 per cent of global dark web drug revenues. As sites such as Silk Road, AlphaBay and Hansa are shut down, drug markets quickly migrate to new sites. The new category of aggravated offences in this bill that targets offenders linked to organised crime, who are often behind these sites and activities, goes some way to addressing this issue. The inclusion of a new type of offence referred to as 'serious drug offending' in this bill is also welcome.

The increases in fines and maximum terms of imprisonment expressed throughout the bill, with some exceptions for more serious offences, are well overdue as appropriate and effective penalties and deterrents. I do stress 'with some exceptions', along the lines of those outlined by the Hon. Mark Parnell. They more accurately reflect community expectations and let the Mr Bigs know that the supply of illicit drugs will not be tolerated and that hefty penalties will be applied.

We believe that the serious harm that non-medicinal cannabis and other illicit drugs can have on those who use them has been underestimated in Australia, as it was throughout the world during the 1970s and 1980s. The United Nations convention on drugs notes that cannabis is classified as a narcotic drug that requires the strongest controls and that all countries should treat cannabis as a dangerous substance.

We believe that it is a mistake to characterise cannabis as a harmless recreational drug, because we know it can be very harmful and it can be very addictive, especially for minors. On the one hand, we have those countries that have moved towards decriminalising cannabis offences and making it a perfectly legal recreational drug. On the other hand, we have medical literature that tends to support the argument that cannabis can cause psychological illness in both the long and the short term and that it can have an impact on the IQ of people who start using it at a young age, with permanent impairments that can follow.

I think it is fair to say that there is clear division on the issue of cannabis, but I would like to point out for the record that SA-Best has made it abundantly clear that we do support the use of medicinal cannabis. This should not be confused with the use of illegal cannabis or the sale, manufacture or cultivation of illicit substances dealt with in this bill. SA-Best and the Centre Alliance are on the record at both state and federal levels as being overwhelmingly in support of medicinal cannabis and easier access to such treatments.

This is an issue that is very important to me personally and one that I am committed to doing whatever I can in relation to, to ensure that people who need treatment the most are not unduly burdened in accessing medicinal cannabis treatments. The irony of that is, obviously, that if you are unduly burdened in accessing that medicinal cannabis, then you are more likely to access cannabis in illegal forms and so we are not by any stretch addressing the issue of ensuring that people have appropriate access.

At a federal level, we have made it abundantly clear that we cannot continue to allow terminally ill patients to suffer unnecessarily by restricting that access. We did so, I think it was late last year, by voting in favour of reforms proposed by the Australian Greens aimed at ensuring that Australian medicinal cannabis and imported cannabis are available to those who need them most.

We recognise that there is a very valid place for medicinal cannabis, and we also accept that some of the penalties proposed in this bill in relation to cannabis are out of touch with community expectations, but there is a fine balance and our aim, I suppose, on this side of the crossbench is to try to strike that balance.

We have all been distressed to hear of the tragic deaths of young people at music festivals from drug overdoses. In our office, we have had constituent teachers in metropolitan and regional South Australia telling us that not only are students as young as 12 coming to school affected by

cannabis, ice or other illicit substances but they have sometimes been driven to school by parents who would fail a drug test. Our children have a human right to grow up in a drug-free environment.

I would say this: anyone with any experience with drug abuse knows all too well about the devastating impacts drugs can have not only on the user but on their families, their friends and their loved ones. The additional protections for children provided by the new category of aggravated offences in this bill are strongly supported by SA-Best. In essence, we are saying this bill is a step in the right direction, but what else can we do about this wicked problem? SA-Best and our federal colleagues have for some time advocated that we need to look to best practice and policies that have worked elsewhere to tackle this insidious problem.

Our policy is that the best example we have been able to find are the initiatives that have worked well in the Swedish drug policy. Sweden's drug strategy incorporates a balanced evidence-based approach of zero tolerance, prevention, deterrence, treatment and rehabilitation. In Sweden, they have learned that it is critical to reduce both the supply and demand for illicit drugs via a range of initiatives, and they are well on the way to achieving their objective of a drug-free Sweden.

David Perrin, Executive Officer of the Drug Advisory Council of Australia and National President of the Australian Family Association said this about Sweden, and I quote:

Sweden targets its drug policies at teenagers to stop them trying drugs and, if they get hooked, to get them off drugs quickly and permanently. Sweden's experience is that if a young person has not taken an illicit drug by age 20, he or she is highly unlikely to use illicit drugs later in life. Australia has high levels of illicit drug use, similar to most of Europe. We have adopted permissive 'harm minimisation' policies which have led to high levels of demand for illicit drugs, with new drugs such as 'ice' (methamphetamines) coming on the scene...

Sweden is not on a known drug route, so drug crime syndicates avoid trafficking to Sweden because of the difficulty involved. High prices, few outlets and strong drug policies deter the supply of drugs. Like Sweden, Australia is not on a known drug supply route; but we have weak policies, low drug prices and a permissive culture that accepts the use of drugs.

These are quite telling statements from someone in the know, and they support the argument that the Swedish example demonstrates; that is, when drug abuse is tackled head-on with strong, decisive and targeted policies it can have a big impact. There is no question that Sweden's drug policy is harsh, but the proof is in the pudding.

Sweden has succeeded in their drug policy because they have reduced both supply and demand. They have reduced the number of drug users, hence the demand for illicit drugs by providing preventative and treatment programs, and it is an extraordinarily harsh program. It has properly resourced drug rehabilitation treatment—something we could learn a lot from because our drug rehabilitation programs in South Australia and Australia are far from appropriately resourced—and it has detoxification programs that their courts can mandatorily divert offenders to. Anybody who knows anything about SA-Best's policy would know that we fully support mandatory drug rehabilitation policies, not only for minors but also for adults.

Importantly, this bill provides for diversion to rehabilitation and treatment programs. Whilst we need to ensure that diversion is not a convenient alternative to prosecution for repeat offenders, we do not want to support overly restrictive limits on referral to rehabilitation and treatment programs. We recognise that offenders may need to make several attempts to rehabilitate if they are to be ultimately successful.

I think the Hon. Mark Parnell has made the case for that very convincingly in his contribution. We need to encourage those who make a genuine effort to rehabilitate, despite previous failures. To maximise their chances of success, those rehabilitation and treatment programs must be expanded and properly resourced. Rehabilitation and treatment places need to be readily available in prisons as well as in the community. This remains a priority for SA-Best and for our federal Centre Alliance colleagues.

As I said, Sweden has slashed drug use in that country. I think this is a lesson that Australia is yet to learn. This bill presents us with the opportunity to implement some of the learnings and best practice of the Swedish approach to illicit drugs in an Australian context, but there is still much to do. I say that in the context also of the Controlled Substances (Youth Treatment Orders) Amendment

Bill, which we will be debating soon. When we do get around to that bill, we will be moving a number of amendments aimed at achieving just that.

In closing, I note again that the Hon. Mark Parnell of the Greens has proposed a number of amendments, which we will consider in more detail when the bill is referred to committee. We will continue to advocate for a strong stance on drugs and we will continue to push for further reforms in this area, again, as I said, particularly as they relate to rehabilitation and treatment programs, because we need to break the cycle of illicit drugs and we need to do it now.

The Hon. R.I. LUCAS (Treasurer) (17:05): I thank all honourable members for their contributions to the second reading debate and look forward to the debate in the committee stage.

Bill read a second time.

Committee Stage

In committee.

Clause 1.

The Hon. K.J. MAHER: I have a quick question that I raised in the second reading debate. What is the estimate of the cost to the justice system if this bill passes, with particular reference to the reduction in the use of the drug diversion program and the advice in the briefing that it would see an extra 1,400 people not going to the drug diversion program and entering other facets of the justice system, like prisons?

The Hon. R.I. LUCAS: I do not have a dollar cost estimate other than the actual number that has been indicated there. I am advised that Corrections, during the consultation phase on this, did not raise any budget bid or anything like that in relation to an impact on their aspect of the delivery of services. As the member would be aware, for 10 or 15 years Corrections has generally been arguing that there is continuing demand for their services and the ever-increasing need for further prisoner accommodation.

The government has accommodated some of that short and medium-term demand with announcements made in the budget, but it is no surprise to know that Corrections, over the medium to long term, has argued that there is a long-term need for further prisoner accommodation in South Australia. That is not in relation to consultation on this bill, that was just generally their position to both the former government and to the new government upon our first budget bilateral process.

The Hon. K.J. MAHER: I thank the minister for his answer. So rather than a dollar figure, did the minister confirm that 1,400 was the correct figure of those we would see enter the justice system and does that mean that Corrections is the custodial system?

The Hon. R.I. LUCAS: It is an extra 1,442, to be precise—someone is being very accurate—going through the criminal justice system, but not all of those would necessarily receive a sentence. Therefore, one cannot assume that the 1,442 would immediately go into the prison system.

The Hon. M.C. PARNELL: To follow on from the minister's answer, is the minister saying that there has not been any assessment of additional revenue in from increasing penalties or additional savings from fewer people being able to access diversion programs? Has no assessment been made of how much extra money you might get, how much you might save from not having as many diversions, and I guess the third part of the equation is extra resources in the criminal justice system.

So has no assessment been made on what this might mean, given that we have decades of reliable statistics of drug offences and the level of those offences, whether they are simple possession, dealing or manufacturing?

The Hon. R.I. LUCAS: The issues in relation to the extra demand, the extra numbers, etc., are considered, but there is no number or dollar figure for any of the particular issues that the honourable member has referred to, which is an extension of the question the Leader of the Opposition had. The advice I have is that it is impossible to predict exactly what would happen in relation to the numbers who might be fined and the numbers who might be imprisoned. That is

essentially a judgement for bodies and persons other than our good selves in terms of what the impacts might be.

The advice we have received is that there is no specific dollar figure or number figure response to each of the questions the member has put. There will clearly be impacts. They will be impacts that, once it has been implemented, we will have to monitor. Obviously, as they occur, we will have to budget for them accordingly, if there are budget impacts.

Clause passed.

Clauses 2 to 15 passed.

Clause 16.

The Hon. M.C. PARNELL: I do not think I need to move the amendment standing in my name because all it says is that the clause will be opposed, so I am just letting the committee know that I will be opposing the clause. Clause 16 is effectively doubling the penalty for those people who are caught with more than the prescribed number of cannabis plants. We are talking about people who have plants in pots in their backyards, their sheds or whatever.

The maximum penalty was \$1,000 or imprisonment for six months and it has been doubled to a \$2,000 fine or imprisonment for two years or both. For the reasons that I gave in my second reading contribution, the Greens do not believe that increasing criminal penalties for small quantities of drugs that are grown for personal use is good public policy, so we will be opposing this clause.

The Hon. R.I. LUCAS: The government opposes the proposed opposition to the clause, so we support the clause as it is. This amendment would have the effect of defeating the government's amendments to sections 33K(1) and (2) of the Controlled Substances Act 1984. The government's amendments to section 33K(1) increase the penalties for the offences of cultivating a controlled plant (other than a cannabis plant), cultivating a cannabis plant by artificially enhanced cultivation, cultivating more than the prescribed number of cannabis plants—namely, more than five plants—or cultivating a cannabis plant intending to supply the plant or to supply or administer any product of the plant to another person.

The current maximum penalty for these offences is a fine of \$2,000 or imprisonment for two years, or both. The government's proposed new penalties would be:

- (a) for a basic offence—
 - (i) if the offender is a serious drug offender—\$5,000 or imprisonment for 5 years, or both; or
 - (ii) in any other case—\$2,000 or imprisonment for 2 years, or both;
- (b) for an aggravated offence—\$5,000 or imprisonment for 5 years, or both.

A serious drug offender is a person who, within the past 10 years, has been convicted of certain serious offences multiple times under the act. A basic offence is an offence in its non-aggravated form. An aggravated offence is, broadly speaking, one committed for the benefit of a criminal organisation or at the direction of, or in association with, a criminal organisation.

The government's amendments do not increase the basic penalty for this offence. It remains at \$2,000 or two years' imprisonment. The increased penalty for a basic offence applies to serious drug offenders only: persons who have been repeatedly convicted of serious drug offences. These are not people with previous convictions for possession. These are people who have previously been selling or manufacturing harmful and illegal drugs or growing large amounts of cannabis. These repeat offenders should be subject to a higher maximum penalty as they are repeatedly undertaking conduct that harms our community.

The government's amendments to section 33K(2) increase the maximum penalties for cultivating not more than the prescribed number of cannabis plants, namely, between two and five plants. The current maximums are a fine of \$1,000 or imprisonment for six months, or both. A person who grows one plant can be issued with an expiation notice, which is currently set at \$300.

The government proposes to increase the maximum penalty for the offence to a fine of \$2,000 or imprisonment for two years, or both. The penalty for this offence is set at a higher level than the offence of possession of cannabis and appropriately so. Between two and five plants is

really reaching the edge of what could be described as growing for personal use and is easily getting to a level where a person could use the cannabis they have grown to supply or sell to others. Cultivating cannabis is a more serious offence than simple possession, and the government's increased penalty reflects that. It is for those reasons we support the existing clause 16 as drafted.

The Hon. M.C. PARNELL: Just so there is no confusion in relation to what I said and what the minister's response is, in terms of the simple possession of, say, two plants, one point that I think is often missed is that there are a number of people who use cannabis but are very uncomfortable about the commercial, criminal side of that industry. For these people, the ethical and the moral thing to do, rather than giving money to bikies, is to have a plant in a pot in their backyard, or two or three.

Honestly, in regard to a measure that relates to numbers of plants, clearly, a plant could be two centimetres high or it could, as we see on the television, be two metres high. It is the number of plants. It is not dry weight or anything like that. I just make the point that what we are doing is further criminalising with additional penalties a cohort of people, many of whom I know, from conversations I have had, are deeply uncomfortable about the commercial side of this industry and do not want to be giving money to criminal gangs. The approach that they take is to look after their own interests and their own needs, and here we are increasing the penalties for these people.

I just want to make that point. I have not spoken about the aggravated offences and people who are serious drug dealers. I am simply talking about people who, for personal use, grow some plants in their backyard. The penalty for those people is increasing to \$2,000 or imprisonment for two years, or both, without any need to prove an intention to traffic, without any need to show that they have ever sold anything to anybody. Purely having those plants in their possession, or growing them, is enough to trigger these new penalties.

The Hon. C. BONAROS: Firstly, I would like to highlight that we are talking about maximum penalties here in terms of the fine and the term of imprisonment that is being proposed by the government. SA-Best's position remains that we are concerned about cultivating offences being more serious than simple possession offences and, as such, we will be supporting the government's proposed amendment to this particular provision.

The committee divided on the clause:

Ayes 15
Noes 2
Majority 13

AYES

Bonaros, C.	Bourke, E.S.	Darley, J.A.
Dawkins, J.S.L.	Hanson, J.E.	Hood, D.G.E.
Hunter, I.K.	Lee, J.S.	Lensink, J.M.A.
Lucas, R.I. (teller)	Maher, K.J.	Ngo, T.T.
Pangallo, F.	Pnevmatikos, I.	Scriven, C.M.

NOES

Franks, T.A.	Parnell, M.C. (teller)
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Clause thus passed.

Clause 17.

The Hon. M.C. PARNELL: Just for the benefit of members who might have come into the chamber wondering whether they should leave, the Greens do take these matters very seriously and we will be dividing if the chamber is not with us on the other two clauses that we are opposing. The Greens are opposed to clause 17, which quadruples the maximum penalty for a simple cannabis possession offence.

I do note the observations of the Leader of the Opposition that it is somewhat watered down from the original proposal, which involved gaol time. Nevertheless, having a maximum penalty of \$2,000 is completely at odds with what the Greens believe is the appropriate evidence-based approach, and that is to treat these matters as matters under the health system, that the criminal justice system really should have no part to play. Just to be clear, we are not talking about drug dealers, traffickers or manufacturers. These are simple possession offences. The Greens believe that clause 17 should be removed from the bill.

The Hon. R.I. LUCAS: The government supports the clause as it is. I think it is an understatement to say that this clause has been somewhat amended or watered down, given the speech of the Leader of the Opposition in the second reading. I think the Leader of the Opposition would not agree with the statement that it was somewhat watered down.

This amendment will have the effect of defeating the government's amendments for maximum penalties for the offences of possessing any cannabis, cannabis resin or cannabis oil; smoking or consuming any cannabis, cannabis resin or cannabis oil; and possessing any piece of equipment for use in connection with the smoking or consumption of cannabis, cannabis resin or cannabis oil; or the preparation of cannabis, cannabis resin or cannabis oil for smoking or consumption.

The current maximum penalty is a fine of \$500, which has not increased for 33 years. I think I might have been here when the original penalty was set. I was probably debating this at the time, I suspect; I should go back and check. The government's proposed maximum penalty is a fine of \$2,000. The government made a commitment during the election campaign to increase the penalty for possession of cannabis in line with the recommendation of the Deputy Coroner in the report of the inquest into the murder of Lewis McPherson by Liam Humbles.

The government listened to and accepted the feedback from the community in relation to this amendment and, in the other place, moved an amendment to remove the proposed sentence of imprisonment for the offence, so what remains is the fine of \$2,000. The penalty mentioned has not been increased since the act's commencement in 1984—and that just confirms I definitely was here as part of that original debate—and \$500 in 1984 was a substantially heftier fine than it is in 2018. In the government's view, it is entirely appropriate that the fine is increased.

The offence remains expiable. The act provides that a simple cannabis possession offence cannot be prosecuted unless an expiation notice has been issued. Therefore, a person will generally only be charged and therefore at risk of the higher penalty if they seek to challenge the expiation offence, as is their right, or if they are also committing other drug offences at the time, in which case they could be charged with the possession offence.

Just in terms of what has occurred in the 30-odd years, my recollection is that the salary for a backbench member of parliament at that particular time was in and around about \$39,000 or \$40,000, or something; it might have been just under \$50,000. That is now \$200,000, so salary movements for MPs have been quadrupled. This would seem to be entirely consistent with the general movement, perhaps, in the wages and conditions of ordinary members of parliament.

The government's position is that the Attorney-General and the government have listened to the community feedback in relation to the government's original proposal. I think there has been a significant change to this particular provision. I think the Hon. Mr Parnell said it was somewhat watered down with tongue in cheek. There is a significant change to this particular amendment, and we would urge the committee to support the clause as currently drafted.

The Hon. J.A. DARLEY: As I indicated in my second reading speech, I believe clause 17 should be removed.

The committee divided on the clause:

Ayes	14
Noes.....	3
Majority.....	11

AYES

Bonaros, C.
Hanson, J.E.
Lee, J.S.
Maher, K.J.
Pnevmatikos, I.

Bourke, E.S.
Hood, D.G.E.
Lensink, J.M.A.
Ngo, T.T.
Scriven, C.M.

Dawkins, J.S.L.
Hunter, I.K.
Lucas, R.I. (teller)
Pangallo, F.

NOES

Darley, J.A.

Franks, T.A.

Parnell, M.C. (teller)

Clause thus passed.

Clauses 18 to 23 passed.

Clause 24.

The Hon. M.C. PARNELL: The Greens are opposing clause 24. This is the clause that limits the number of diversions a person is entitled to to a limit of two in a four-year period. Again, not facetiously, it is watered down slightly from the earlier version, which was two diversions in a 10-year period. Nevertheless, the point I made in my second reading contribution—and your homework, honourable members, should you choose to accept it, is to ask your friends who are smokers and who might have given up, 'How many times did it take you to give up smoking?'

I would be very surprised if too many of them said, 'I went cold turkey on the first time', or, 'It happened on the second time.' It takes multiple times to get over addictions, and the idea of artificially limiting a person to being able to take advantage of a diversion program to two occasions in four years, I think, is unhelpful. It is counterproductive and it is not at all in the interests of people who may very much want to kick their addiction and limit their use of these drugs. So the Greens will be opposing clause 24.

The Hon. R.I. LUCAS: The government obviously supports the retention of clause 24. This amendment would defeat the government's amendments to section 34 of the act, which is in division 6 of part 5 of the act. Division 6 currently establishes a scheme whereby adults who are alleged to have committed simple possession offences, aside from cannabis, can avoid being prosecuted for those offences if they undertake and complete a drug assessment and treatment program.

There is currently no limit to the number of times a person can take advantage of division 6. The government proposes that division 6 not apply where a person has already been referred to an assessment service under division 6 on two or more occasions in the previous four years. Those persons would then be liable to being prosecuted in the normal course.

In the 10-year review of the drug diversion program it was found that compliance rates go down the more times a person is diverted; therefore, the program is effective the first or second time but becomes less effective, with worse compliance rates, with each diversion. There is no point, in the government's view, in repeatedly diverting a person and using all the resources of the programs when it is clear that the diversion has become less effective. The time period resets after four years, so a person who was initially successful but then relapses at a later point, perhaps due to later life events or stresses, can once again participate in the diversion program if it is outside the four-year period.

The government understands and agrees that drug addiction needs to be treated as a medical issue; however, there are people who take advantage of the diversion program and avoid any criminal consequences for repeated offending. In the review, one person was found to have been diverted a staggering 32 times. There is simply no point in continuing to divert people over and over; at some point there does need to be criminal consequences for criminal offending.

The Hon. C. BONAROS: We support the position of the Hon. Mark Parnell on this issue, perhaps for slightly different reasons, though. We do so on the basis that we do not think the

government has struck the right balance. We are very open to discussions, perhaps between the houses, about what that balance should be, but I do not think it is appropriate to stand in this place and argue for appropriate rehabilitation programs for prisoners or people with drug addiction on the one hand and then limit access to diversion programs on the other.

In the same respect, SA-Best remains concerned that the drug diversion program in its current form is open to abuse and that it is taken advantage of by some who access it, and we really do think that there ought to be a limit. I am just not convinced that we have struck that right balance at this stage. For that reason, and that reason alone, we will be supporting the Hon. Mark Parnell in opposing this clause.

The committee divided on the clause:

Ayes 13
 Noes 4
 Majority 9

AYES

Bourke, E.S.
 Hanson, J.E.
 Lee, J.S.
 Maher, K.J.
 Scriven, C.M.

Darley, J.A.
 Hood, D.G.E.
 Lensink, J.M.A.
 Ngo, T.T.

Dawkins, J.S.L.
 Hunter, I.K.
 Lucas, R.I. (teller)
 Pnevmatikos, I.

NOES

Bonaros, C.
 Parnell, M.C. (teller)

Franks, T.A.

Pangallo, F.

Clause thus passed.

Remaining clauses (25 to 27) and title passed.

Bill reported without amendment.

Third Reading

The Hon. R.I. LUCAS (Treasurer) (17:46): I move:

That this bill be now read a third time.

Bill read a third time and passed.

JUDICIAL CONDUCT COMMISSIONER (MISCELLANEOUS) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 24 July 2018.)

The Hon. K.J. MAHER (Leader of the Opposition) (17:47): I rise today to indicate Labor's support for this bill and indicate that I will be the lead speaker and have conduct of this bill. I also indicate that Labor has lodged amendments to this bill, and I will come back and briefly refer to those shortly. Following the passage of the Judicial Conduct Commissioner Act 2015, the Independent Commissioner Against Corruption was appointed as the first Judicial Conduct Commissioner. The role of the commissioner is to deal with complaints regarding the conduct of judicial officers such as magistrates and judges.

I understand this bill is the same or substantially similar to the one that was introduced by the Labor government in the previous parliament but lapsed before the election. I understand the commissioner has requested amendments in this bill. The Treasurer might be able to shed light on that and whether amendments might be forthcoming in terms of another bill, or if anything has been

added. This bill clarifies that the commissioner can dismiss a complaint without conducting a preliminary investigation where the commissioner has previously considered the subject matter of the complaint or where the commissioner has determined that the complaint could not be substantiated or warrant taking any action under the act.

A new clause introduced by the bill requires the commissioner not to disclose the identity of a complainant to a judicial officer unless a complainant has consented to do so, or if the commissioner is of the opinion that disclosure is required so the judicial officer can respond to the complaint. This is particularly important in instances, for example, where a lawyer regularly appears before a specific judge. The bill also clarifies that the Judicial Conduct Commissioner is able to use the staff of the ICAC and not just staff from the OPI. I mentioned earlier that the Labor opposition has filed amendments to these bills. These amendments are heavily based on recommendations and consultation with the Law Society.

I will take a brief moment to reflect on the valuable work of the Law Society and thank them for their good work on this and other bills. I also want to briefly mention that in the other place the Attorney-General committed to advising whether the Labor opposition could have access to submissions made on this bill. I suspect that the answer is no but I am sure that the Treasurer, representing the Attorney, will take it on notice to see if that is the case. I will not quote the whole submission of the Law Society but just the relevant paragraphs that have helped inform our amendments. Paragraph 10 states:

The society suggests clause 15 could be amended so that should the commissioner propose to disclose the identity of a complainant to the judicial officer or jurisdictional head, before doing so the commissioner must invite the complainant to make submissions on why their identity should not be disclosed or otherwise offer the complainant the opportunity to discontinue the complaint if the circumstances allow should the commissioner decide it is necessary to disclose their identity in order to properly consider the complaint.

In discussions with parliamentary counsel that has been turned into an amendment that stands in my name. I know the Attorney-General in the other place dismissed the need for these amendments, arguing there might be instances where the complainant does not want to disclose their identity but the commissioner feels it necessary to deal with the complaint.

The Attorney-General in the other place, during the passage of the bill, argued that this bill sufficiently protects a complainant's identity. We are not convinced. It is one thing to seek consent to disclose the identity but it is completely another thing to ask a complainant to draft a submission. In doing so, they would entirely turn their mind to the ramifications of deciding whether or not their name would be disclosed. We are also interested in the application of and the effect of clause 6 and the amendments to section 10 in relation to staff. In the other place the Attorney-General said:

At the moment the commission is appointed as per the Governor's appointment. There is no reason why the commissioner for judicial conduct has to be the same person as the ICAC commissioner. It happens that the former government requested the Governor to appoint the same person for each of those roles but the act stands independently and they are able to operate independently. Should it occur in the future then there may need to be a question about whether that would operate from and whether the resources would need to be separated.

I think the Attorney-General has made an important point there. She said that the acts should be able to operate independently. It would appear to follow that changing the legislation to enable the ICAC commissioner who, in the future, may not be the Judicial Conduct Commissioner, may have unintended consequences in permanently linking the two positions and acts together so much as future legislative change may be required to separate the relevant resources.

So the Treasurer on that point, representing the Attorney-General, might like to expand on why linking those resources would not necessarily complicate matters if the appointment was to be made as if the appointment of the Judicial Conduct Commissioner was not the ICAC commissioner. With those few words, I can indicate our general support for this bill, save for the amendments that I have mentioned.

The Hon. R.I. LUCAS (Treasurer) (17:53): I thank the Leader of the Opposition for his contribution to the second reading debate and I look forward to the committee stage.

Bill read a second time.

Committee Stage

In committee.

Clause 1.

The Hon. K.J. MAHER: There was a question I raised in my second reading contribution a moment ago. Is the Treasurer able to confirm that the bill contains the measures, and only the measures, that the Judicial Conduct Commissioner requested, that is, that there is nothing that the Judicial Conduct Commissioner requested that has been left out of the bill?

The Hon. R.I. LUCAS: My advice is this is exactly the same as the bill formerly introduced by the Labor government, which was based on advice from the commissioner.

The Hon. K.J. MAHER: So there is nothing the commissioner has asked for that has been left out of this bill; is that the advice?

The Hon. R.I. LUCAS: My advice is there is nothing that has been left out.

Clause passed.

Clauses 2 to 14 passed.

Clause 15.

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

Amendment No 1 [Maher-1]—

Page 5, line 31 [clause 15(2), inserted subsection (5)(b)]—Before 'the Commissioner' insert:

subject to subsections (6) and (7),

Amendment No 2 [Maher-1]—

Page 6, after line 6 [clause 15(2)]—After inserted subsection (5) insert:

- (6) Before disclosing the identity of a complainant in accordance with subsection (5)(b), the Commissioner must give the complainant written notification that the Commissioner intends to disclose the complainant's identity (and providing reasons for the determination) and must allow the complainant a reasonable opportunity to make submissions to the Commissioner in relation to the determination or to withdraw the complaint.
- (7) If the complainant notifies the Commissioner that the complainant wishes to withdraw the complaint, the Commissioner must determine to take no further action in respect of the matter the subject of the complaint.

I will speak briefly on the amendments to clause 15. Amendment No. 1 [Maher-1] is consequential on the passing of the amendment that follows, amendment No. 2 [Maher-1]. This is the issue that I raised in the second reading, and that is where the commissioner is of the mind to reveal the identity of a complainant who has made a complaint about a judicial officer. It provides that the commissioner must give the complainant an opportunity to put forward, effectively, submissions as to why the complainant's identity ought not be revealed. It also allows the complainant the ability to withdraw the complaint if they wish.

In some jurisdictions, if there is a legal practitioner who regularly appears before particular judges, magistrates or members of tribunals, if the commissioner decided that their identity should be revealed, it might make it extraordinarily difficult for them to continue to practice in whatever their area of expertise is. We believe it is reasonable to allow the complainant the opportunity to put forward submissions about not having their identity revealed and, if the commissioner still believes their identity should be revealed, if the complainant thinks it is of such significant detriment to them, it allows the complainant to withdraw the complaint. We commend the amendment to the committee.

The Hon. R.I. LUCAS: I will address both amendments on behalf of the government together. The government will not be opposing the opposition's amendments. The amendments, as we understand them, are designed to allow a complainant to have a formalised opportunity to make submissions to the Judicial Conduct Commissioner if the commissioner makes a decision to disclose their identity to the judicial officer who is the subject of the complaint or to withdraw their complaint in response to the decision.

The government notes that the commissioner is only able to disclose the complainant's identity if he considers it necessary for the judicial officer to be able to properly answer the complaint. However, we understand that complainants may be extremely concerned about their future careers if they have to regularly appear before the same judicial officer, so it is important that the commissioner has all available information in making the decision to disclose the complainant's identity.

The second part of amendment No. 2 compels the commissioner to take no further action in respect of the complaint if the complainant decides to withdraw their complaint following a decision of the commissioner to disclose their identity. Whilst we hope the complainant would never feel the need to withdraw their complaint through fear of retaliation if their identity became known, we accept that in a small jurisdiction such as ours it is not always possible for a complainant to feel able to proceed.

One of the provisions in this bill makes it clear that victimisation of a complainant by a judicial officer is itself conduct that can be the subject of a complaint. We hope that makes it clear that any pressure on a complainant to withdraw their complaint is completely unacceptable. In supporting these amendments the government has consulted with the commissioner to ascertain his views, and we note that he has no objections to the amendments.

Amendments carried; clause as amended passed.

Remaining clause (16) and title passed.

Bill reported with amendment.

Third Reading

The Hon. R.I. LUCAS (Treasurer) (18:02): I move:

That this bill be now read a third time.

Bill read a third time and passed.

STATUTES AMENDMENT AND REPEAL (BUDGET MEASURES) BILL

Second Reading

Adjourned debate on second reading.

(Continued from 23 October 2018.)

The Hon. J.A. DARLEY (18:03): I rise today to speak briefly on the Statutes Amendment and Repeal (Budget Measures) Bill. This is the first Liberal budget we have seen for 12 years, and I am sure I was not the only person who was waiting with anticipation to see what the budget would contain.

The bill contains measures to consolidate the Independent Gambling Authority within Consumer and Business Services. The move to consolidate was a recommendation made by the Hon. Tim Anderson QC, who undertook a review of gambling regulation in South Australia. Liquor licensing fees will also increase as a result of the review.

Concessions for new mines will be removed from 2020, as well the so-called 'rubble royalties' charged to councils. The government will also be closing down the Office of the Commissioner for Kangaroo Island. The government will be better regulating properties that have underground petroleum storage facilities, and I understand this regulation will require all facilities to have a licence. A requirement of the licence will be for the licence holder to bear the cost of regulating issues such as contamination, vapours and odour.

I understand this will be charged on a cost-recovery basis. In theory, cost recovery sounds reasonable; however, I am concerned that the method the government will use to calculate the cost expended will be in excess of the actual cost. I have raised similar issues with regard to other government departments and hope that the EPA will not fall into a similar line.

The government will be reducing land tax receipts from 2020 by changing the thresholds which are currently used to calculate land tax. I have previously suggested the government should

put a cap on either total land tax receipts or individual land tax accounts. This would mean that those who have to pay land tax would not face a sudden increase in their account should the evaluation increase or the government chooses to change the scale of rates used to calculate land tax. I have put this suggestion to the government and, whilst they have provided reasons why this would not be practicable, I would urge them to continue to investigate the matter.

The final matter I would like to speak about is the stamp duty exemption for family farm transfers. I understand the government is extending the exemption to include transfers which may involve a company in recognition of the manner in which some family businesses are structured. Since 2015, the government has also provided a stamp duty exemption for the transfer of businesses. In my eyes, farming is a business, so stamp duty exemption should apply to all farming transfers, not just between family. I raised this at a briefing with the department and was advised that it was a policy matter that farming was not considered a business. Again, this is something the government should investigate to consider changing.

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

SUMMARY OFFENCES (DISRESPECTFUL CONDUCT IN COURT) AMENDMENT BILL

Final Stages

The House of Assembly agreed to the amendments made by the Legislative Council without any amendment.

STATUTES AMENDMENT (ATTORNEY-GENERAL'S PORTFOLIO) BILL

Final Stages

The House of Assembly agreed to the amendments made by the Legislative Council without any amendment.

STATUTES AMENDMENT (DOMESTIC VIOLENCE) BILL

Introduction and First Reading

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

RESIDENTIAL PARKS (MISCELLANEOUS) AMENDMENT BILL

Introduction and First Reading

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

At 18:09 the council adjourned until 13 November 2018 at 14:15.