LEGISLATIVE COUNCIL

Thursday, 29 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.

Bills

CONSTRUCTION INDUSTRY TRAINING FUND (BOARD) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 27 November 2018.)

The Hon. C.M. SCRIVEN (11:02): The Construction Industry Training Fund (Board) Amendment Bill that the government has proposed is nothing more than an opportunity to change a board that has been working very, very well. Let us first understand what the nature of the fund is that is being referred to. On any large construction projects over a certain value, a levy is paid. That levy is paid by the project manager or the project owner. That means that the funds within this construction industry training fund are not government funds. These funds are paid by every person who is involved in the building and construction industry. That means people who are purchasing houses are indirectly paying into this fund. Those doing commercial buildings are paying into this fund.

The fund was established in 1993 so that training of workers in the construction industry could be covered. There was an acknowledgement that, in order to be ready for future developments, there needed to be a skills base. This fund, this board, was established with all the parties involved in the industry, with those employer associations and employee associations—it was an initiative of the entire industry. The current composition of the board comprises one chairperson, five people who are nominated from employer organisations, three people who are nominated from employee organisations, and two people who must have experience and expertise in the vocational training and education system.

Much has been made of the supposed veto aspects of this board in the act as it currently stands. I am told that the minister in the other place who has moved this current bill has implied that it is the unions, the employee associations, who have a veto, and therefore they can stop progressive actions on behalf of the board by this veto. That is the first misrepresentation that this minister has made.

The so-called veto is a consensus provision. There must be a majority in each of the subsections of the board on any decision in order for that decision to progress. What that means is that there must be a majority amongst the employee associations—the unions—a majority amongst the employer associations, and a majority, which is only one out of two, of those who are appointed for their expertise in vocational education and training.

If one goes back to the 1993 introduction of the act, one can see why this was needed. At that time, the building and construction industry was in huge turmoil. Most of us can probably remember where the industry was at that time: there were wars on worksites. The establishment of the Construction Industry Training Board demonstrated how parts of industry could come together and work for the betterment of the industry, the industry being the entire construction industry. What this consensus provision ensures is that no vested interests can have control of the board.

Now, think about that. We are talking about a fund with many millions of dollars involved; money that does not belong to the government, money that is there for the betterment of training in the construction industry. We need to remember that there are many vested interests in the construction industry and we need to make sure that the board cannot be captured by any of them, hence the fine balance of ensuring that without consensus in each subgroup no decision can be taken by the board.

This is not about anyone holding the board to ransom; this is about ensuring that all subsectors of the board are working for the betterment of the industry. It is sad that this has been misrepresented by the minister in the other place. This is not one sector holding the board to ransom; this is three sectors working to achieve consensus and working collaboratively. There has been a history of consensus on the board, partly, if not entirely, due to this consensus provision.

In moving the bill in the other place, the minister said that there had been recent times where the consensus—or as he called it, the veto—had been taken into account. I am told that has only happened in the last three months, since the minister made an appointment to the board, which is currently the subject of a large number of questions. In today's Adelaidenow, there are revelations that if it appears that the minister has appointed someone to the board without the requisite qualifications, he is in breach of the act. It is since that person was appointed that there has suddenly been a problem with consensus on the board.

We need to look at the outcomes and achievements of the board. The CITB recently celebrated 25 years. I was at the celebration, as was the minister in charge of this bill, and he spoke glowingly about the achievements of the board over that time. The achievements included high levels of safety training within the construction industry, an industry that I am sure we all know is subject to many dangerous aspects. Safety is a key part of the training. Another key part of the training is ensuring that we are set up for the future in terms of a skilled workforce. No-one is suggesting that that actually has not happened. Later on in this contribution, we will compare ourselves with some of the other states.

The CITB is also responsible for apprenticeships and traineeships, work health and safety, as I have mentioned, a pathways program, and MATES in Construction, which helps to avoid suicides within the industry. I know that other members will be making contributions that particularly refer to those aspects.

This current bill seeks to entirely change the composition of the board. Let's look first at what the proposals are. Instead of having each of the sectors of the construction industry included, we will have between four and eight members appointed purely at the discretion of the minister. It has been argued that this is similar to other government boards, but we need to remember that this is not a government board. This is not a government board. This is a board of the construction industry.

The proposals contained in the bill of what should be included to be a member of the board are extremely thin. Apparently, it will assist with merit but there is not even a recommendation that any member of the board must have experience in vocational educational or training. This is the Construction Industry Training Board, and in the current bill appointees to the board do not need to have any experience in vocational education and training. I am sure I am not the only one who sees that as quite ridiculous.

There are a number of very large risks in the changes that are proposed in the bill. One of the reasons for the consensus provision is so that there cannot be the opportunity to funnel funds in a particular direction that might benefit one or other of the sectors of the industry. We need to remember that there are many sectors of the industry, including civil, commercial and housing. Currently, the make-up of the board means that each of those sectors will have a say. It is not just about unions versus employers, which is how the minister is wanting to portray this, it is about

ensuring that all aspects of the industry—whether it is domestic housing or civil construction—all sectors have a say on the board.

It has been quite difficult to see what the proposed purpose of these changes are. In the other place, there have been claims that this will modernise the board and make it more in line with other boards. There are implications that it will be implementing the recommendations of the 2004 independent review. Indeed, in this place, the Hon. Mr Hood stated:

> The proposed reforms are indeed long overdue in our view, given amendments have not been made to the act since its inception in 1993. This is despite the fact that recommendations to modernise the relevant processes were made in an independent review over 14 years ago.

He went on to say:

> The current appointment process for the Construction Industry Training Board under our existing laws is considered amongst the most prescriptive in our nation. The government's proposed changes will bring the act into line with equivalent legislation in other states and territories and that which governs the appointment of boards in our state's education and training sector, by enabling the appointment of members based on merit and their requisite skills.

Let's look at what that review concluded, and its recommendations. This review has been used both by members in this place and the other place to say that this is what the bill that is currently before the parliament will be implementing. I quote directly from the KPA Consulting report of July 2004:

> The Act [as it still stands now] was also widely seen as presenting a powerful unifying influence and mechanism for the building and construction industry, with a common refrain that the arrangements bring 'some coherence to the different tribes' in the industry.

The report further states:

> During the consultations for the review, the 'streamlining' of Board membership was often raised. Streamlining is important because, generally, the smaller the membership of a body the more efficient is the decision-making. However, streamlining is not an end in itself. The proper test for categories of membership and numbers of members is to ensure the Board has available in its deliberations the views of all interested parties.

I continue to quote from the review:

> As the review has accepted the pivotal role of employer and employee associations in the building and construction industry, then logically the associations should be represented on the board to the extent they are necessary to provide coverage of all interested parties.

I continue to quote from the review, which has been used by the minister and others in this place to support the current bill:

> The review is unable to conclude that any of the associations presently represented on the Board, an outcome strenuously negotiated at the time of the drafting of the legislation, should not be there for the purpose of providing such coverage.

The Hon. J.E. Hanson: They've all got merit.

The Hon. C.M. SCRIVEN: They all have merit, the Hon. Mr Hanson says, and that essentially was what was concluded by that review, the very same review that members in this place and the minister are attempting to use to misrepresent and to say that we should not have organisations such as employer and employee associations specifically required on this board. The review continues:

> The review also notes that the nomination process in Regulation 5 provides a means by which the associations named in the Act may effect any changes required by the industry to Board membership.

The recommendation of this review was:

> That the membership of the Board continue to comprise eleven members…including three representatives of employee groups and five representatives of employer groups.

Clearly, this bill does anything but reflect that recommendation, and it is a misrepresentation on behalf of the minister to suggest that it does.

The review did suggest that the phrase 'represent the interests of' be removed from section 5 of the act. This is the part that says that those employee and employer organisations represent the interests of employee or employer organisations. The review explained in some depth that it was not recommending that that be removed because the phrase entitled members on boards to promote

their own particular interests. Indeed, the report quoted at length legal opinion that concluded the words are:

> …simply intended to mean that the manner of selecting board members would promote the confidence of the particular interest group in the board, provide a means of liaison between that group and the board and ensure that the board had available in its deliberations the views of all interested parties.

Nevertheless, the review did recommend removing the words 'represent the interests of' from the act to avoid the widely held perception that it created divided loyalties. Given that this review has been used by the minister and others in this place to apparently justify the changes, I am moving an amendment that does implement that very recommendation. I am moving an amendment that does remove the words 'represent the interests of' to ensure that there is not a perception of a conflict of interest.

The review does make another recommendation, under 'Governance', that I do not agree with but which I will mention in the interests of transparency—transparency, because if members of this place are to make considered decisions about legislation such as this they need to rely on the facts and they need to know what those facts are, rather than the misrepresentation of those who have a different agenda. The review recommended the removal of the so-called veto provision on the basis that it was 'an artefact of the climate that accompanied the introduction of the Act'. It is referring, of course, to the acrimonious environment, which I mentioned earlier, within the construction industry in the early nineties and which the careful wording of this act successfully overcame so that it became, as quoted earlier in the review, a 'powerful unifying influence'.

It may have been that when that review was written circumstances were such that the consensus provision may not have been needed. I must, sadly, argue that such a provision is needed now because, firstly, we have seen a minister who is clearly not acting in the interests of the industry in the bill that he has put forward and, secondly, because of a very practical reason which possibly was not in existence in the same way when this review was written. Many providers of training services are now associated with employer and employee associations. So what we are saying is: there are unions and there are employer associations that have training arms either directly or indirectly, and that is the kind of conflict of interest we need to absolutely be sure that we avoid.

I am going to do something I might not usually do; that is, to quote favourably from the Hon. Rob Lucas. When he spoke to the original bill in 1993 regarding this provision he said:

> I would hope that the employer associations would not want that fund, which will be worth many millions of dollars, controlled potentially by the unions with respect to where the money is spent, how it is applied and who gets what.

Now, that is valid. But I trust that any fair-minded person would agree that such logic also holds true for employer associations to also not potentially control the funds, where they go, how they are applied and who gets what. Those employer associations are now in the position where there is the potential for huge gain from their associated training bodies.

The potential under the bill, if it passes, is that the minister can appoint whomsoever he chooses to this board. That composition of the board could potentially be totally comprised of employer associations that have training arms associated with them. How can anyone imagine that that is a good model for probity?

The suggestion has been made, 'Look, we can trust to merit.' The purported intention of the bill is that people will be appointed on merit. It has been suggested that the changes proposed by this government will not have adverse outcomes because of that, and because we can trust the minister. I must point out firstly that such a position embraces not only trusting the current minister but every future unknown minister. This means that we are happy to put total control in the hands of people—we do not even know who they will be—appointing members to a board that administers training funds and may well have training organisations themselves.

We must look at the track record of the current minister so far to see if it is reasonable to have trust and confidence in him. Firstly, he has not followed the existing legislated process in his recent appointments to the board. The current act requires that the presiding member be a person nominated by the minister after consultation with the employer and employee associations stated in the schedules, so that means that the unions must be consulted as well as the employer associations.

However, when the current presiding member was appointed, of the three employee associations, one association received no communication at all until a letter arrived saying that Mr Peter Kennedy had been appointed and gazetted, so there was no consultation with that union. Two other unions did receive a letter saying a new presiding member would be appointed but with no indication at all of who it would be. Then, despite one union responding and saying, yes, they would like to be involved in the consultation, the only response was again the letter saying that Mr Peter Kennedy had been appointed and gazetted. Someone was appointed and gazetted, and then the unions were advised, and apparently that is consultation according to the act. I am confident that no-one could describe that as consultation.

I point out that this is not about the merit or otherwise of Mr Peter Kennedy as chair. It may well be that he has merit. The point is that the minister is required under the act to take certain steps. The minister has not taken those steps. That comes down to whether it is reasonable to have trust and confidence in the minister in the way that he is now looking to have total control over the board.

The current act also specifies that for a board member to be appointed, who is not representing the employer or employee associations, they must have vocational training and educational experience. It is very specific. It says they must be:

> …persons who have appropriate experience in vocational education or training and who are or have been employed or engaged in the provision of such education and training.

The minister did not follow that legislated process either. The person he appointed is an accountant. It appears that the closest he has ever got to a training organisation is auditing it, not providing training as explicitly required in the act.

Coincidentally, the person appointed has been at Liberal Party events which has caused some people to question what merit principle was being applied in his appointment. That raises alarm bells; not simply the fact that he has been at Liberal Party events, but that he does not—according to information that we have to hand—have the required merit-based experience that is required in the act, and the minister has ignored that.

An additional matter that must raise alarm bells in the context of the way that the current minister has behaved, is that the bill further seeks to remove all limits on the amounts that may be paid as allowances and expenses for board members. The new provision will state, 'A member of the board is entitled to receive allowances and expenses approved by the minister.'

Now, most of those here are probably aware that, generally, there will be a link, often to the levels of a board for government, to ascertain what are reasonable allowances and expenses. Under this bill, there will be no such checks and balances whatsoever. At best, this appears unwise; at worst it appears like a minister wanting total command over who serves on this industry board, and total freedom to pay them as much as he wants out of an industry fund.

It may be that there is nothing in terms of probity that will occur in the future that would cause problems. Even if that were the case—and I understand that many people have great doubts about that—there is the perception, a very clear perception, that a minister seeking to appoint people, unfettered, to a board, after already making two appointments not in accordance with the act and, further, wanting to have total unlimited ability to set allowances and expenses for those board members, which certainly raises a huge suggestion and perception of impropriety. Is that something that we want for this board, which is set up for the interests of the construction industry, which is set up to make sure we have a skilled workforce, which is set up to make sure we have appropriate safety-based training for people in a very high-risk industry? I think the answer must be no.

The minister introduced this bill without any consultation with employee associations, not even those employee associations who are current board members. This shows his total disdain for the whole-of-industry approach that the board has had until now. So let us review the minister's behaviour. The minister has misrepresented the way the consensus clause applies. The minister has misrepresented the recommendations of the 2004 review. The minister has breached the existing legislation, not once but twice already, in making appointments to the board, and now he wants to make changes to the process, which would allow the actions in the future that he has already taken, yet we are to trust him to make unbiased appointments to this board in the best interests of the construction industry.

The Hon. J.E. Hanson: Doesn't stack up.

The Hon. C.M. SCRIVEN: With that track record, it certainly does not stack up, as the Hon. Mr Hanson comments. I do not want to detract from the main discussion of this bill, but I must seek the indulgence of the chamber to set the record straight regarding some comments by the minister in the other place. This bill was introduced in the other place on 24 October. My office was contacted on 25 October to offer a briefing. I am still relatively new to this place, so perhaps I was mistaken in thinking that that was the usual process from ministers' offices.

Certainly, the minister made grand declarations in his third reading response about his great magnanimity in contacting my office to offer me a briefing, so I am very happy to put on the record my appreciation for his extreme generosity; it is very sincerely appreciated. However, contrary to his statements, my office contacted him the next day, which was Friday, to seek a briefing on the following Monday. We were told that his staff were not available then. Fine! I was then in my home town of Mount Gambier for the remainder of the week, speaking at a citizenship ceremony, hosting a community meeting and attending a Training and Skills Commission event, coincidentally, among other commitments, so the briefing was arranged for the next Monday. I am sure the member for the inner city seat of Unley nevertheless understands that regional members travelling a round trip of 11 hours do not always have the same flexibility as city-based members.

The bill was then brought on in the other place on the Tuesday, the day after my briefing, not just for debate and some speeches but rammed through to a vote that very same day. But, according to the minister, that did not constitute a rush, a panic nor an ideological charge. I will leave others to make that judgement.

Let us now return to the substance of the bill. In the minister's second and third reading speeches in the other place, he failed to outline any logical or factual reason why these changes needed to take place. His case consisted almost exclusively of attacking members opposite, while he continued to struggle to outline key reasons why these changes would be useful. The only argument seemed to be that the South Australian act is the most prescriptive in the country, and that this bill will bring the act into line with equivalent legislation in other jurisdictions, so let us look at these claims.

He mentioned the ACT, claiming the minister there has broad ministerial discretion to appoint the board. However, according to a paper prepared by the parliamentary library, the ACT authority has a governing board consisting of an independent chair, two employer representatives and two employee representatives.

An honourable member interjecting:

The Hon. C.M. SCRIVEN: Indeed. So that very aspect, the representational nature of including the different sectors on the board that apparently this bill is going to remove because that is how it is in other jurisdictions, the first one he mentions is not the case at all. There are employee and employer representatives on the ACT authority.

He then refers to Tasmania and its 'broad ministerial discretion'. However, the Tasmanian act provides the following:

> Members of the Board
>
> (1) The Board consists of the following members…
>
> (a) one person who is appointed as chairperson of the board;
>
> (b) three persons who have knowledge and understanding of the interests of employees within the building and construction industry—

that is right, three persons who have knowledge and understanding of the interests of employees—

> (c) five persons who between them have knowledge and experience of the following:
>
> (i) residential building;
>
> (ii) non-residential building;
>
> (iii) civil construction;

(iv) building services;

(v) building professions.

It continues:

(3) The board is to contain, if practicable—

(a) at least one member from each of the northern region, the north-western region and the southern region; and

(b) a balance of genders; and

(c) members with knowledge and skills in respect of—

(i) all sections within the building and construction industry; and

(ii) vocational education and training; and

(iii) policy development and strategic planning.

It is truly fascinating that the minister thinks that is a model that is not prescriptive.

So in the Tasmanian model you must have those representing employees, you must have knowledge and experience of five different sectors within the construction industry, you must have geographical representation, you must have a balance of genders, and you must have other experience. How can the minister possibly argue that we are going along the lines of the Tasmanian model, which supposedly is less prescriptive? However, let us continue.

The minister also referred to the Western Australian model and emphasised the ministerial discretion in that state's act. Let us look at that act. It provides:

Members

(1) The board shall consist of seven members appointed by the minister after consultation with bodies known as—

(a) the Master Builders' Association of Western Australia (Union of Employers Perth); and

(b) the Housing Industry Association Limited (Western Australian Division); and

(c) the Construction Contractors Association of Western Australia; and

(d) Master Plumbers and Gasfitters Association of Western Australia; and

(e) the Master Painters Decorators and Signwriters Association of Western Australia; and

(f) the National Electrical and Communications Association of Western Australia; and

(g) the Construction, Forestry, Mining and Energy Union of Workers; and

(h) the Civil Contractors Federation of Western Australia; and

(ia) the Australian Workers' Union, West Australian Branch, Industrial Union of Workers; and

(ib) the Communications, Electrical and Plumbing Union of Western Australia; and

(i) the Australian Manufacturing Workers' Union.

So there is no consistent model in other jurisdictions; there is no consistent model at all. The minister stated the following:

What we are doing is modernising the board. We have looked at best practice around Australia where it is working. The current South Australian model is unique, as there is no other model like it.

Part of that is true. There is no model in Australia quite like the South Australian model, neither is there another model in Australia quite like the ACT model, nor is there another model quite like Tasmania, nor quite like Western Australia—nor is there any other model quite like the proposed model that this government is putting forward.

What is patently not true is the claim that the minister has looked at where it is working elsewhere in Australia and picked that up. There is no truth to that at all. Further, it is surely self-evident that rather than a vague wish to 'modernise' the process, if we are to make changes we should be aiming for better outcomes.

Claims have been made about the reduction in the numbers of apprentices in training over recent years, with the implication that this is somehow a result of the composition of the South Australian Construction Industry Training Board. However, if we compare the numbers of people in training in the construction trade over the 10 years to 30 June 2017, a very different picture emerges.

I am well aware that we can try to use different statistics to try to prove different things. What I am looking at is a full decade of apprentice figures across Australia. It is true that South Australia has had a decrease in numbers over that 10-year period, a decrease of 7½ per cent, and I acknowledge that. The other states mentioned by the minister have also had changes in numbers. Tasmania's apprentice numbers have decreased by 30 per cent. They have decreased by 30 per cent in Tasmania, yet the minister is alleging that is the model we are following and that will somehow modernise the board, which is a good thing. A 30 per cent decrease in apprentices in Tasmania.

Western Australia's numbers have had a 22 per cent decrease. South Australia has had a 7½ per cent decrease. Under the current composition of the board, it has had less than a third decrease in apprenticeship numbers compared with other states, which the minister apparently sets up as a model of something working well. Why would we do that? Why would the minister do that? There is a better way. There is a middle ground. I suggest that the amendments that I have tabled are that middle ground.

The amendments that I have tabled pick up the best of the recommendations in the 2004 review. I will speak more to them, of course, when we get into the committee stage but, briefly, the amendments that I have tabled retain the involvement of all the interested parties in the industry. Remember that this mix of representation on the board has been referred to by the very review that the minister alludes to as creating a powerful unifying influence in an industry that is of crucial importance to our state. My amendments also remove the words 'represent the interests of' to ensure that there is no misunderstanding that those who are on the board must act in the interests of the industry. That picks up that recommendation of the 2004 review.

Further, my amendments do provide greater ministerial discretion so that he has some choice over the individuals who will be nominated to the board. My amendments talk about the representative groups still putting forward some nominations, from which the minister can choose. So if he has a particular issue with one particular individual, he will not have to have that person on the board if he sees that that will be problematic.

The employer associations and employee associations would, if my amendments pass, each be able to suggest two people into a pool from which members would be drawn. So if there are three employee associations who put forward two people each, that is six. There are five employer association positions, but there are more than that on the list of required employer associations, so it would be a bigger pool from which to choose for both the employer and the employee associations. That gives additional discretion while still maintaining the absolute necessity of making sure that all the major players within the construction industry contribute to decisions about training and the future of the industry.

My amendments also insert a requirement that those nominated by employer and employee groups must have knowledge and experience in the industry. That has been a criticism. I think those of us on this side are happy to say that, whilst we think those who have been appointed have been there on merit, if we include this as well then that will give greater certainty. My amendments also insert a reasonable endeavours type of clause regarding reflecting the diversity of the industry and the skills necessary for board membership.

There is also a further governance improvement that is proposed, which ensures that deputy members—what one might call proxies—can continue to serve on the board while new members are appointed following the expiration of a term. This means that the board need not stop its good work, in effect, because someone has retired from the board or their term is up. Instead, the deputy can continue to serve until the new person is appointed. These are amendments that improve merit. These are amendments that streamline operation, and these are amendments that provide greater ministerial discretion whilst still ensuring that the careful balance between all interested parties is maintained.

Again, I must emphasise the purpose of this board is to look after funds and administer them for the betterment of the industry—for safety training, for pathways training for high school students, for upskilling, as well as apprentices and trainees where relevant. This board has been successfully benchmarked against the other states in terms of the outcomes. It has been successful because consensus must be reached. How can any right-minded person think that removing certain people and representative interests from the board means that there will be better outcomes for the industry?

How can one look at the actions so far of the current minister and say that we can trust him and his approach to appoint people on merit? How can we look at a fund that is so important, training that is so important to the future of our state, and say we are happy to just take out those who represent the interests of workers, those workers who are working in an industry where they need to have safety training? The argument will no doubt be lodged that under the proposed bill unions can still apply.

Strictly speaking, that is true. But I think the actions, sadly, of the minister so far, not consulting at all with the unions about the bill in the first place, not adhering to the current act in terms of appointment of a chairperson, not adhering to the current act in terms of the requirements to appoint someone with vocational education and training experience—pretty central and important to a training board—all of those things, not to mention his general absolute disdain for anyone representing workers' interests, means that there is no way that any fair-minded person can say that the bill does not place such huge risks for our industry, for the safety of workers in the industry, for the employer groups going forward to ensure that they are equally represented between each other.

The bill creates so many risks that it is totally unreasonable for it to continue. I will add to my comments in the committee stage on my amendments. I encourage members to support my amendments, but to oppose the bill.

The Hon. J.E. HANSON (11:42): I also rise to express some of my deep concerns regarding this particular bill. I think some of this has already been covered by the Hon. Ms Scriven quite well, but you will have to forgive me, this particular board and industry in particular is very close to my heart and I intend to make many of the same points, I hope not in the same way, but I do think they are worth making.

The Construction Industry Training Board is a training fund created by industry. It consists of industry representatives and it has operated harmoniously through several iterations of Labor and Liberal governments—admittedly, Labor very successfully for the last 16 years—since its early creation in the 1990s under the Bannon government. It is an old board. If you get around the industry you will find out that it is quite a trusted board. It was a board based on a time, perhaps, when industry associations, from employers and employees, looked for what might best be termed as, perhaps, peace in their time by seeking to spend more professional time together, working together to achieve what is a very laudable outcome for their industry, and that, of course, is safety and training.

In this regard, I think it is quite instructive for me to recall the underpinning rationale for what we currently have for the board that is in place now, and I am going to do that by citing a valid portion, I feel, of the second reading speech for the CITB Fund Bill from 10 November 1992, and that is as follows:

> It is critical for members to note that the drive for the establishment of the levy and associated fund has come from employer and union bodies within the industry. This is a case where the industry has recognised a problem and taken steps to rectify it. The government is consequently responding to a direct approach from industry for assistance...As the initiative has come from the industry itself, it has been important that the industry partners were directly involved in the drafting of the legislation, to ensure that the individual and broad concerns of the industry are met.

I feel the importance of this statement from the original creation of the CITB really cannot be denied. A founding principle of the creation of the CITB was bipartisanship: it was bipartisanship in the interests of safety and training in the industry. Another founding principle of the creation of the CITB was the continued involvement of what was then termed as 'industry partners', which we would know now as unions and employer associations. This is not industry as this government or perhaps other federal Liberal governments before it would really have you believe.

This act was founded on a very real meaning of industry, consisting of employers and employees working together towards common aims and better and safer production. This act was created on the founding principle of industry, consisting of employers and their unions and employees and their unions coming together and deciding that, for the life of the project, they will, at worst, agree to disagree in their decisions. This is important because you can open up any paper today and see pretty heavy industrial finger pointing, pretty heavy rhetoric, pretty heavy game playing or a lack of focus on the needs of the industry.

What led to the creation of this bill is very much something that stopped that. What led to the creation of this bill is the notion that industry was going to get together in the instance of safety and training. These days, it is tough to imagine that: people coming together to work on a project that they can only truly, actually make work if they all pitch in. It is worth considering, when you think about that, how responsible and worthy of merit are the people who chose to do that and how responsible and worthy of merit are the people who chose to participate in that.

One wonders if this state government, and I have to say the particular minister for this area, for all his rhetoric and debate on this bill of wanting to promote responsible persons with merit, is even capable of imagining what led to the creation of this bill and the people involved in that. The fact is that in this place we could probably all learn a lot from industry's attitude to bipartisanship when it comes to productivity. By having industry, employers and unions, working together on boards such as this, the fact is that we promote better conduct in industry and a more collegiate atmosphere of bargaining and negotiation.

It is a fact that we have seen the results and benefits of this bipartisanship in working days lost to industrial action in this state. I know it is a very dry topic, but it is a very valid one. ABS data, which is as recent as up to the first half of 2018, shows that South Australia, for at least the last decade, has one of the lowest amounts of days lost to industrial disputes in the nation. In 2017, South Australia had approximately 600 days lost to industrial action recorded. In New South Wales, where there is no similar CITB like we have in South Australia, had 42,000 days lost and there were 34,700 lost to industrial action in Victoria. I know New South Wales is a fair bit bigger than South Australia, and I know they probably have a bigger construction industry, but 600 versus 42,000? I know which I would prefer.

This is not a one-off: since 2012, South Australia had a year-on-year average of 1,316 days lost to industrial action. In Victoria during the same period, the average is 47,400 days lost to industrial action. In New South Wales, the average in the same period is 30,583. They are some good numbers for South Australia. While I am certain there are other factors at play, not least, as I have already mentioned, scale between economies, the vast difference in industrial disputation between the states cannot be denied. South Australia is a more harmonious industrial landscape because of the employers and the workers here being commonly engaged in matters of common purpose on boards like the CITB.

The fact is, for all the rhetoric of the minister, responsible people of merit do not just happen because they have a certificate saying so. I have a law degree. Lots of people have law degrees, but that does not necessarily make them responsible people. There is no course that you can do for common sense. There is no course you can do that will give you industry knowledge that is like working in the industry. It is stating a plain fact to say that, no matter what your industry, people work together better because they understand where the other person is coming from. The statistics on industrial action show it for our state and, given how the minister has treated the opposition and the crossbench on this bill, as the Hon. Ms Scriven has outlined, he could probably learn something from that, too.

I also think it is important to recognise that from the founding statement from 1992 that I read out, the government was just the facilitator for the bill. This board, like the industry, was never intended to be the plaything of governments. Industry recognised from the start that, while there was a need for some sort of regulation in this regard, the less direct government input there was on financial decision-making and board composition the better.

These really are quite strange times for those opposite, if they think that it is a good thing having the minister or the government approve expenditure and appointments for a board governing private funds. It seems very strange to me as a Labor member that I actually have to stand here and

lecture the Liberal Party on the desires of private industry, to have to lecture a Liberal Party on the need for less government involvement and not more.

We in the Labor Party managed to go 16 years without disrupting the CITB from its stated purpose. This Liberal government has not even lasted 12 months. That is not a partisan statement, it is just a fact. Perhaps the Liberal Party in this state has been out of government so long that they forgot that the small government free enterprise ideology of their Canberra conference, that was meant to drive them to govern in the first place, was meant to be at the core of what they do. One wonders what the Liberal Party might be saying if our positions were reversed here: if the Labor Party were in government, and we said that we want to make all the appointments to this board subject to the whims of the minister.

If we said, 'Trust us. We won't just appoint those from employee associations to whom we may or may not owe political points. We will appoint people of a loosely defined notion of merit.' I reckon I know what they would be saying. It might be something like some of the government's own backbenchers said most notably and recently on the last Thursday of sitting. The member for Narungga in the other place said that business needs confidence to operate. Specifically, he said that they need to operate 'confident in the knowledge that they will be able to do so without the interference of government'. It is important that I acknowledge here that those comments of the member were made in regard to the rights of landowners versus miners and not necessarily in relation to this debate. Nonetheless, the comments are instructive. It is clear that there are members of the Liberal Party, even ministers, who are more than willing to throw good governance under the bus to suit political aims.

The Liberal Party seem to be picking and choosing what they believe these days based purely on what suits it. There does not seem to be any guiding ideology as they had back in their Canberra conference, and the member for Narungga is not alone in believing that the ideology of the Liberal Party is, at times these days, nothing more than a confused and haphazard belief. It is something that we have seen played out on the front page of the newspapers recently. You can go to the Members' Bar in this place and hear it playing out. Many members of this government seem pretty concerned about it.

Like the member for Narungga, and so many of his colleagues, I do find myself wondering what Hall, Tonkin or Playford would think of the current ideological record of this state government so far when it comes to interfering in the operations of what is a private fund for industry. What are the hours for shop trading organisations? Because that is right: the funds here are private funds. They are not the funds of government and they never have been. The board's private funds are not meant to be there to activate or respond to the whims of the government of the day, and neither should they be there.

Ideologically it is so very odd, and maybe even a little hypocritical, that this government, a Liberal government, wants more big government control over private industry funds. This bill says it wants the minister directly interfering in appointments. It wants the minister having a say over allowances and other remuneration. It wants the ability to say industry, 'No, you can't.' It wants a direct say over private funds and training. How is this reflective of the ideology of the modern Liberal Party? If that is the case, then it is a totally valid question that many in the party, if not in private industry, are even asking themselves: 'What does the Liberal Party believe in these days?'

That is worth considering as I go back to the aims of the board and even the purpose of this fund existing. The purpose of the fund can be summed up, I think, in a fairly simple sentence—that is, to improve the quality of training in the construction industry. As the 1992 second reading speech, which I read at the start of my comments, stated, this happens when the various heads of industry come together on the board in a format agreed to by the industry in the early nineties, which I would argue still works today, making decisions that work best towards that simple aim.

Again the facts speak for themselves in this regard. The board has achieved this aim. How, you might ask? Well we can see, for instance, placing ongoing training aside to look solely at apprenticeship rates for a few minutes, that the construction industry has actually increased the number of apprenticeships since the early 2000s. That is right; the number has increased. In the construction industry apprenticeships have increased.

Based on figures kept by the National Centre for Vocational Education Research we can establish clearly what the apprenticeship rates are in all states and in the nation, and I am happy to provide these statistics to anyone who so wishes. There has been an increase of over 30 per cent in the number of people in training for the construction trade during the last decade and a half in our state. During the same time period we have seen the number of apprenticeships more broadly in South Australia generally drop by almost 50 per cent.

I hammered through that, so let us take a moment consider that again: an increase of 30 per cent in construction versus a 50 per cent decrease over a trendline of almost 20 years. That is not a one-off result; that is just fact. But according to the minister that remarkable statistic is not worth rewarding the current board. That kind of statistic really begs the question: where is the problem?

If anyone was going to be trusted with supporting an additional 20,000-odd apprenticeships that the government sees as one of the needs behind this bill, it seems like the current board can do it. Again, I say, where is the need for change? Where is the problem? But more than just apprenticeships, the CITB also performs ongoing training of employees in the construction industry, and in this regard the board of the fund has also been remarkably successful in maintaining its relevance to the industry and also to its stated aims.

We can see that through the levy collected from construction projects the board has successfully distributed these funds into training through an annual training plan. This plan makes clear that the fund looks at more than just the fact that construction industry workers need training for hands-on matters on worksites. The fund has construction worker programs for upskilling existing workers that spread those funds to just over 50 per cent for improved work, health and safety training and a further almost 40 per cent spent on upskilling workers to meet new challenges in the workplace.

Well, what do those things mean? This means that there are diverse plans for training people, something that we would want to see in any modern industry. Specifically, for instance, there is the Doorways2Constuction program, a VET program placed in schools to support pathways into the construction industry and SACE completion. There is an Aboriginal Workforce Development Initiative. There is the Women in Construction initiative, which is critical to supporting the less than 5 per cent of women who currently make up their proportion of the construction industry. There is the targeted apprenticeship initiative, an initiative which supports adult apprenticeships into the construction industry, and there is apprenticeship and traineeship support—or ongoing support programs—for those who make up 12 per cent of the overall workforce in construction, to the tune of just about $11 million.

Why do I mention all those things? Well, when we talk about modernising the operations of the board it seems to me that they already regard themselves as pretty modern. There is no clunky old, business as usual 1970s approach here. Instead, what we are seeing is modern training done on modern issues which industry recognises and is looking to address.

I also make mention of the operational capacities of the annual training plan of the board because there seems to be some confusion on the part of the government in relation to the operations of the board. To quote the member for Heysen in the other place, he made mention, when speaking on this bill, that the government's aims in proposing this bill are to:

> …deliver on objectives that go to the core of everything we on this side are committed to. We are committed to ensuring that we bring together, engage and empower those who have the requisite knowledge, skills and experience… to make a contribution...

It may seem trite but, of course, I agree; I guess this goal is so broad that anyone would really. I imagine that if you asked the board they would agree too. This is where it starts to get a little confusing because I cannot tell what the position of the government is. Unlike the member for Heysen in the other place, we know that the minister did not think to ask all of the current board what they thought about the bill changes proposed in board composition. We have already heard the Hon. Ms Scriven talk about this. The minister did not think to talk to any of the employee representatives on the board. The minister did not think to talk to all of the employer associations who were representative on the board.

The Hon. C.M. Scriven: Not even all the employers?

The Hon. J.E. HANSON: Not even all the employers, the Hon. Ms Scriven. It is hard to see how this is an example of the kind of merit-based governance approach the member for Heysen says he and his government are allegedly championing, at least when he takes the plum out of his mouth.

Back in the early 1990s, we know that the original bill was subject to extensive consultation with industry. The review in 2004 was subject to not as exhausting but nonetheless comprehensive consultation with industry. How much consultation has been done by the minister this time? Well, the member for Hammond in the other place belled the cat on the minister by revealing that the minister spoke to the Property Council of Australia, the Master Builders Association and the Civil Contractors Federation in regard to the changes. So more than just ignoring the legitimate interests of unions who have thousands of members in this industry, this is hardly a wide net being cast in terms of the employers in the industry broadly.

In fact, more than just bad governance, frankly, it looks lazy and, more than just a lazy approach, I would argue it is a bizarre one: bizarre, as it is well known that at the same time as proposing to make changes to the board, the minister got up at the recent 25-year celebration of the CITB in October this year to congratulate the board on its successful operations and performance. The minister actually congratulated the very same people he wanted to kick in the guts and kick off the board. The fact is that the minister says one thing to the faces of those in industry and then another to the people in the other place when introducing this bill.

This would not be surprising at all; in fact, given the increasing view of many towards the minister in the other place, it is probably not worth mentioning but for the fact that he then wants personal control over who is appointed and how their allowances are approved. The minister says, 'Trust me when it comes to this bill.' However, by his own record here, and as the Hon. Ms Scriven has outlined in her speech, too, how can you trust him?

This lack of appropriate approach to good governance and consistency of message also takes on a new light when we look at the time frames that have been imposed on the debate for this bill. In this regard I look to the member for Lee in the other place and his comments on this bill. He makes a valid contribution in his argument on this point, which is as follows:

> We were given a commitment by the Leader of Government Business, after the Supply Bill kerfuffle—when initially there was not the sufficient 10 days' notice given to the parliament to be able to debate that bill—that this set of circumstances would not happen again, yet it has happened again. This is not the first time it has happened again; it has happened again and again and again. Each time, we raise concerns and comments in this chamber, bringing this to the attention of the government. Here we have yet another minister treating us and the crossbench with contempt.

The minister and the government in the other place fast-tracked the debate to this place, choosing to ignore the concerns raised by the opposition and the crossbench in favour of taking it to a vote as soon as possible.

We have heard the Hon. Ms Franks echo these concerns. She stated that the crossbench here was also treated with contempt by the minister, as she echoed the concerns raised by the member for Lee in her preliminary comments on this bill. Let us not be glib about this. The contempt shown to the opposition in the other place and the crossbench here is a dangerous and ominous sign of contempt generally for consultation and due process. It is the kind of contempt for good process about which we know even the government's own backbench members, as I have said previously, are expressing concerns, and we see it again here now.

Moving on from the confusion of this government on the purpose of the board and lack of consultation on proposed changes, I now turn to the composition of the board. The composition of the board, based on the comments that have been made by the minister and those in the lower house who did rise to speak on this bill, seems to be of some great concern by this government. In particular, it is really hard to ignore the point that their greatest concerns seem to be where the interests of employee associations are concerned. Why do I say this? Specifically, the member for Hammond again belled the cat on this when he decided to do a bit of Tony Abbott-style casual union bashing, as some of the Liberal Party love to do, by committing the following as part of his debate on the bill:

> The point that I am making is the comparison between that and this legislation is the fact that we are setting the record straight. This is especially so when you have unions that do not have any relevance to the construction industry.

There was little recognition in this very partisan statement of the thousands of workers in unions and construction who he dismissed. There was little recognition of the fact that it was industry that set up this board and the funds for this board, and that it is a fund for that industry and those workers who work in that industry, who legitimately join unions—those workers he dismissed. There was even little recognition of the safe working conditions and training provided by organisations like the CITB, which assist in promoting and maintaining those conditions. The member for Hammond was the ungrateful recipient of many of those conditions.

Fortunately, not everyone is as ungrateful as the member for Hammond. Many workers are happy to have their conditions and wages protected by unions and, to my mind, long may it be so. But this really has little to do with the CITB. What it does tell me is that the member for Hammond bothers to have note of it, as in this regard the member for Hammond really has revealed the true motivations of the government behind this bill; that is, they just do not want unions on it, they wish to be partisan in their own right.

More than that, they want the ability to change and remove those who do sit on it at the minister's discretion, so even within the employers they wish to reward only those employers who want to toe the line. So rather than crow on about anti-union sentiment myself—something which, I am sure, many on the other side might be a little bit over—I will choose to leave the partisan game to the side and just look at some facts.

In Tasmania, where the removal of employee associations occurred from its CITB, we can look at the results. Over the last 10 years in Tasmania, a state with not too dissimilar rules to what this bill proposes, we have seen the employees in training and construction drop by over 30 per cent. Yet we expect such a model to deliver 20,000 new apprenticeships in this state. The facts indicate that the model suggested by the current government cannot deliver them. If this is the kind of performance we can expect, and we want 20,000 more apprenticeships, then why would we change from a model that we now have in SA, as I have already mentioned in my debate, which is delivering vastly better outcomes?

It is worth my mentioning again in discussion on the composition of the board that it was never the intention, in creating the CITB, for the board to be part of government; in fact, the opposite was true—it was always intended to be independent from government. In this regard, again, the member for Hammond's comments in the other place bell the cat on the government's true intentions when he said:

> Importantly, the reforms will ensure that industry is better placed to capitalise on government initiatives…We finally have a government that supports business and employers so that we can have those thousands of jobs.

No mention was made there of the importance of the CITB to train employees in safe workplaces or to provide ongoing training spread evenly across industry. In fact, there is no mention of good training practices at all.

What do I mean by that? Well, it is important to recognise that the fund, as it operates now, is spent evenly across many players in the industry who provide training. This is very important, because anyone who is in the industry will tell you that diversity of training is important in driving quality of service. In other words, the more providers you have the more experience you draw from them and the better results you get. This occurs now with the current CITB because the board members, all from different employee and employer associations, currently recognise the importance of many different trainers and providers.

The comments from the member for Hammond suggest there is an intention to reform this, to change it from a diversity of training providers to just a few. Maybe that is not too terrible but, again, I note there is a simple logic to the notion of reform and change, and that is really telling. The member for Hammond makes clear that the reforms will be made for only those providers who can capitalise on government initiatives. In other words, only those who will prioritise the government initiatives of the day will be rewarded.

Combined with the minister handpicking his own board, does anyone really believe it will continue to be the small trainers and providers who will be given this opportunity to, as the member for Hammond put it, 'capitalise'? No; it will be toe the government line or you get nothing, your training will be cut. That applies to employer organisations as much as to employee ones.

The CITB, under this bill, according to the comments of the member for Hammond and the government, runs the risk of becoming just a blunt instrument of facilitating government projects. The CITB, under the proposed changes, would be devolved from the efficient, independent and high-performing training organisation it currently is to a simple and basic clearing house for the government's proposed 20,000 apprenticeships. As I cited from the second reading speech in 1992 at the start of my comments, such a level of government control was never intended by the drafters of this bill. In fact, the opposite was true.

Further, the minister also proposes, in this bill, to uncap and set the amount that members of the board would be paid. Why do we need to propose changing the amount of remuneration or allowances of the board to be uncapped and at the discretion of the minister? If the minister is in charge of who gets appointed and what allowances they might get, and also wants them to prioritise government requirements, how can the independence of the CITB continue? How can industry continue to govern itself? The CITB was never intended to be another arm of government and, under the current bill, the CITB will lose its valuable independent industry status. That would be the worst outcome. Nobody wants to see that.

Moving from the purpose of the board to briefly address its operational structure, I also want to make some comment here. The current voting structure for the board's decisions is correct to allow balanced decisions requiring one government appointee and a simple majority of employee or employer representatives to carry a decision. I cite a shorter portion of the 1992 second reading speech again, which is valid when considering everything to do with the voting structure:

> As the initiative has come from industry itself, it has been important that the industry partners were directly involved in drafting legislation, to ensure that the individual and broad concerns of industry are met.

The voting structure, therefore, was developed specifically and has lasted, it is worth noting, for 25 years under multiple Liberal and Labor administrations of state governments, so that none of the three parties—government, employers or employees—could influence a decision that was not in the best interests of industry.

As industry designed the voting structure, it is worth noting that it is not just the employee associations that have a veto, the employer associations have too. I will say that again: employers and employee groups both have the same rights here. Employers have a veto, and employees have a veto. And why should we not have this structure? This is consistent with the intent when the board was made that all associations have an equal say—and there has been an equal say, so equal that there is an excellent voting record where it seems that less than three veto votes have occurred in 25 years. It really cannot get much more stable than that.

This level of stability in the voting record, ensured by the manner in which the fund was created, is a prime example of what good governance is. It would be greatly envied by any board anywhere. The importance of this is further underlined when you consider, as mentioned previously, that a number of employer associations have training providers. The current board composition has a balance to ensure that all training providers have equal rights to access funds. Again, with these amounts of funds being distributed, good governance is required. Excellent governance is required. That is what was contemplated when the board was created and that is what is being exercised now as the board currently operates and has operated for 25 years.

We know that none of this is really actually up for debate. How do we know that? The facts of the matter are that the board operates well now and the efficiency of decisions of the board as it sits now is undisputed. I will say that again as it is pretty critical: it is undisputed. That is right, at no point did the members for Unley, Hammond or Heysen ever give any indication that the current board composition or any of its decisions are failing to carry out any legal obligations or requirements.

For 25 years, the board has made decisions and never once, on the prosecution of the government made in the other place, has the board failed to carry out its obligations in the act. That is a fact, and it is undisputed by the government. What we did get from the government when it spoke on the bill was a bit of misdirection. 'It will bring it in line with other states,' is what they said. The Hon. Ms Scriven has already spoken on this, but it is interesting because there are no CITBs in New South Wales or Victoria. The only one that the government cited was Tasmania as really comparable

to exactly what we want, and we know that we do better than Tasmania in terms of apprenticeships and board stability now—something I have already addressed.

What we also got was a bit of straw man work. 'It's about having people appointed on merit,' they said. That is also interesting because there was no mention by the government of any board member actually lacking merit. There was no mention of any members of the board who have acted inappropriately or of decisions made which lacked merit. In 25 years of operations and decisions, it appears from the government's own commentary that not one of those board appointees was not meritworthy. Not one decision by them actually lacked merit. It is pretty astonishing.

Frankly, I think the current board, made up of a diverse cross-section of industry, deserves commendation and not condemnation, and certainly not the partisan attacks that we saw from the member for Hammond. What we know now is that the board members, as they currently stand, do not lack merit and the decisions of that board cannot really be criticised, and that is undisputed by the government. If you want to make changes, you probably actually want to make a case for making them.

The board's record stands in stark contrast to the very wet behind the ears minister who has rushed this bill, has ignored pleas for communication and proper briefings and has treated the current board composition with contempt and ignored due process. In terms of governance and merit, I do not think we need to reform the board, I think we need to reform the front bench of the current government, specifically to remove the minister for his performance on this bill. He clearly does not understand the industry he proclaims so loudly to have once been from, something I note from *Hansard* even his colleagues in the lower house are now mocking him on.

In summing-up, I encourage members not to reward the poor behaviour of the minister on this one and instead look to the facts of the performance of the current CIT Board and support them by voting down the government's proposals.

The Hon. E.S. BOURKE (12:18): I rise to make a brief contribution to the Construction Industry Training Fund (Board) Amendment Bill and also to thank my colleagues for their detailed and thought-provoking contributions, particularly the Hon. Clare Scriven who, unlike the government, has taken the time to engage with the union members and also members of the parliament.

The bill, which the government is attempting to hastily put through parliament without explaining the urgency or the reason for the changes to the composition of the Construction Industry Training Board, only sat in the House of Assembly for four sitting days, and the member for Lee had to fight to give a contribution on the bill at the third reading. Such is the haste that the Liberal government is trying to push this bill through parliament that, when the bill was debated in the other place, the opposition had not had the chance to consider the bill.

The opposition was given insufficient time—time that was poorly considered for this bill—to consult with stakeholders. We also need to recognise the fact that the Minister for Industry and Skills might be breaking the law by using his powers for a captain's pick to appoint an unqualified Liberal supporter.

The minister is also said to have failed to consult before installing its chair. It again raises the question why the Liberal government is trying to rush the bill through parliament. What is the urgency for the bill? Why do the changes to the act even need to be made? The minister in the other place never really explained why this was the case, and in light of recent developments, perhaps the chamber has its answer. It seems the Marshall Liberal government has changed its tune on the importance of parliamentary process and consultation. South Australians saw that earlier in the week when four of the government's own members crossed the floor to vote with the opposition for the mineral resources bill due to the government not fulfilling its commitment to consult with regional communities. It is a concerning trend of a new and inexperienced government.

Let's consider, for a moment, the Minister for Industry and Skills' opinions of unions. The Minister for Industry and Skills' dislike for unions is so strong that he has made snide remarks about them in the other place when unions were not even the topic of debate. The minister even did so when the member for Reynell asked the Minister for Recreation, Sport and Racing a question about female participation in sport. These snide remarks are even more curious when you consider what

the bill will do if it passes in its current form. It will change the composition requirements of the Construction Industry Training Board.

Currently, the Construction Industry Training Fund Act 1993 requires the board to consist of a presiding member; two people who have appropriate experience in vocational education or training and who are or have been employed or engaged in the provision of such education or training; five persons nominated by an employer association; and three persons nominated by an employee association and unions. Note the requirement for employee association and union representatives and employer association representatives. Also, I did not mention, under the current act, before the minister nominates a presiding member, they are required to consult with the employer and employee associations. This means there is a balance of representation, ensuring that both employee associations and employer associations have representation on the board.

The bill will change the composition requirements of the board to one presiding member, at least four, but a maximum of eight persons who have knowledge of and experience or expertise in the building and construction industry, and two persons who are, in the opinion of the minister, independent of the building and construction industry.

The minister has mentioned that the changes do not preclude unions having representation on the board. But what it does do is remove the requirement for a union representative and gives the minister the power to choose all members who are on the board—and we all know how much the minister likes unions, and that he is not alone in his dislike of unions. I doubt his colleagues will be pushing for him to select a union representative onto the board.

If he asks for the opinion of the Treasurer, who has also brought up unions countless times in a negative light, he is unlikely to suggest that a union representative be on the board. That is why the opposition will be moving an amendment to ensure that employee associations and employer associations have representatives on the board.

The bill will also change the board's voting procedure or take away the veto right, as the minister has referred to it. Currently, for a decision to pass the board, a majority of the board members present must have supported the decision that a majority must be made up by one of the persons who was nominated under the section 5(1)(b) appropriate experience category and the majority of the union or employee association members who are present and vote on that question and the majority of the employer association members who are present and vote on that question.

In the other place, the minister did not make an adequate case for why the changes should be made to the Construction Industry Training Board and the urgency for the changes. In relation to the proposed voting procedure changes, the minister vaguely referred to a couple of decisions made last September. Conveniently, the minister quoted from notes and the Speaker later ruled that these did not need to be tabled. In his explanation for introducing the bill, the minister mentioned a report from 2004. I cannot speak for other honourable members, but I know that in my own life a lot has changed in 14 years.

There are many questions surrounding the consultation process for this bill and how it was undertaken, such as: why was there no consultation process, who was consulted, and why did the minister feel the need to rush this bill through the House of Assembly and now through the Legislative Council? These are just some of the questions I am sure most honourable members in this house are keen to have an answer to.

The Hon. J.A. DARLEY (12:25): I rise to speak on the Construction Industry Training Fund (Board) Amendment Bill. The bill will change the manner in which the board is appointed. Currently, the board comprises an independent chair, four members who represent the interests of the employers in the building and construction industry, three members who represent the interests of the employees in the building and construction industry, and two members nominated by the minister with experience in vocational education and training.

Employer and employee representatives are nominated by industry groups and are appointed by the Governor. The bill will change this so that the board will comprise of the chair, two members independent of the building and construction industry, and between four and eight people who have experience or expertise in the building and construction industry. All these appointments

will be made after expressions of interest and will be appointed by the minister. The minister will have absolute discretion as to who to appoint within these broad parameters.

I have had many conversations with the minister about this bill and I understand that the motivation behind moving this bill is to modernise the board. I understand the minister wants to appoint board members based on merit, rather than being constrained to the current requirements as set out by the act. In consulting with stakeholders on this bill, it is clear that there are no issues with how the fund is currently being administered, nor the training that is being provided.

One does have to ask the question that if it is not broken, then why fix it? Whilst there may not be concerns about the manner in which the fund is administered, I understand there are concerns from all stakeholders about the rules regarding the board and particularly the veto powers contained within the current act. I agree that these are problematic and need change. I also agree with the minister that board appointments should be on merit. However, I am concerned that there is potential for the board to be stacked and that it will no longer represent the entire building and construction industry.

I have filed amendments that will oblige the minister to try to ensure that there is at least one person on the board who is there representing the interests of employers and one person who will represent the interests of employees. The board is there to do what is best for the industry as a whole and I believe this cannot be done if not all voices from within the industry are heard. As a minimum, this should include at least one member each for employers and employees.

Some have indicated to me that the minister has given an undertaking that the board will be balanced and include a range of people from different backgrounds but all with experience or expertise within the building and construction industry. Whilst I cannot comment on this undertaking, as it was not made to me, if this assurance has been made by the minister, then the government should have no problem with supporting my amendment. After all, my amendment will merely see one voice on the board of at least seven that may be out of step with others due to their experience or expertise.

I want to make it clear that I have deliberately refrained from listing or naming any organisations from which these people are to come and instead have left it up to the discretion of the minister to ensure that all interested parties are represented. I understand that this amendment may not be exactly what the opposition seek, and that, should the amendment be successful, the government are unlikely to support it in the other place. However, I believe this is a good compromise position and hope that it will gain support during committee. I support the second reading of the bill.

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

EDUCATION AND CHILDREN'S SERVICES BILL

Second Reading

Adjourned debate on second reading.

(Continued from 6 November 2018.)

The Hon. J.A. DARLEY (12:30): I rise to speak on the education bill. The bill completely rewrites the Education Act, which has not had a major overhaul since the 1970s when it was introduced. It is very similar to the bill that was introduced by the former government last year; however, the current government has made a few changes. The manner in which the minister can interact with the governing council has been changed. The bill last year had a number of concerning provisions which allowed the minister to direct, suspend and dissolve governing councils. It was very concerning that the minister could have such powers, so I am glad the current government has sought to have these provisions removed.

Schools will continue to be able to participate in religious and cultural activities. However, notification of those activities must be given to parents, with the opportunity for parents to opt for their children to not participate. The suggestion to fine parents for their truant children has also been removed. Again, I am glad that the government has taken this step as truancy is not always as simple as a naughty child who skips school. It can be an indication of deeper issues within the family unit.

A truant child might need to stay home in order to look after their sick parents or care for their younger siblings because their parents cannot afford child care. A truant child might not want to go to school because they are being relentlessly bullied. The parents of a truant child might not realise the effect they are having by making their child stay at home to keep them company. There can be many reasons for a child being truant and penalising the parents financially is often not the solution.

One issue in relation to which I have had a lot of contact is the matter of AEU representation on interview panels. Whilst the bill removes the specific requirement for an AEU member to be part of interview panels for promotional level positions in the teaching service, as well as on committees that are reviewing the closure or amalgamation of a school, by far it is the union representatives on interview panels from whom I have been contacted the most. I have received hundreds of emails from teachers, and presumably AEU members, urging me to retain AEU representation on interview panels. I assume this is at the behest of the AEU, which contacted their members to lobby members of parliament, and I applaud the AEU for mounting this campaign.

However, interestingly, I was also contacted by a few other teachers who specifically urged me not to retain union representation on boards, as they felt they had been discriminated against by union members on interview panels because they were not union members themselves. I do not believe that a place should specifically be reserved for a union member on these panels and committees. I understand the workforce is becoming less unionised and, by holding a position, the union could be preventing other willing panellists from participating in the process. I have no issue if a person selected to be on the panel happens to be a union member. I do not want to exclude union members but I believe it should be open to everyone.

The bill outlines measures that can be taken to protect both students and staff at schools. Students can be excluded if their behaviour is unacceptable, and individuals can be barred from school premises if they engage in bad behaviour. These measures are important in order to protect school staff and the wider school community. In turn, students will be protected as staff will be required to have appropriate clearances and registrations. It is important that schools are safe and respectful places, where people can learn and work in a secure environment.

When I was young, teachers were very highly respected in the community and would not be subject to some of the behaviours inflicted by some students and parents. Recently, however, I have heard horrendous stories of students who do not respect teachers. These behaviours are sometimes supported by parents who do not want to believe their child is behaving badly.

One secondary school teacher in the northern suburbs, who served time in the Army, likened their time to what they experienced in Afghanistan. 'I've seen war', he said. 'At times, my classroom is worse.' Students are becoming wiser about their rights and the manner in which they can be controlled is far more limited than when I was a child. Good teachers are hard to find, and it is important they are supported so they do not leave the teaching profession. I support the second reading of the bill.

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

STATUTES AMENDMENT (DOMESTIC VIOLENCE) BILL

Second Reading

Adjourned debate on second reading.

(Continued from 27 November 2018.)

The Hon. K.J. MAHER (Leader of the Opposition) (12:36): I rise today to indicate that Labor is supporting this bill unamended. I rise to speak on what is a difficult topic. Domestic violence is not easy to talk about, but that is exactly how it often exerts its power. Domestic violence does not target just one kind of person or thrive in only one place; anyone can find themselves struggling with it. Predators often exert their power by making their victims feel like they are alone and that nobody cares that that is what is happening to them. That is why it is important that all Australians stand up to speak out against domestic violence and do anything within their power to show those around them that this criminal behaviour is not acceptable. Domestic violence, simply, costs people's lives and ruins people's lives.

As I said, it is not any one place or any one group of people who suffer from domestic violence. In some areas of Australia—in remote and regional areas—it can be even more acute, where there is more difficulty accessing services. When I was growing up, my mother spent 20 years as a social worker and administrator at the Mount Gambier women's shelter, and I have very distinct memories of angry men fronting up at our place demanding to know where their wives were so they could find them and continue the sort of violence they had perpetrated on them.

I pay tribute to all those who have worked in domestic violence and have kept women and occasionally men—but for the most part women—safe and have turned lives around that have otherwise been ruined by domestic violence. Unfortunately, we still have a long, long way to go. Historically the law has not been particularly well suited to help victims of domestic violence. It is one thing to take a stranger who assaulted you at the pub to court, but when you are hurt by the person who is meant to be your strongest ally in this world, it is often a very different and difficult situation. It is a difficult problem, but it is one Labor and, I know, all of us in this chamber are committed to helping with.

In 2016, the Labor government released a discussion paper on domestic violence designed to gather some more information on what we could do best to further support victims. It is this paper which formed the backbone of this legislation. After the draft was written the new Liberal government sought consultation for four weeks and amended the bill based on that feedback. In addition, many of the sections in this bill are based on similar legislation which has been passed in New South Wales and Queensland.

First of all, this legislation creates a new offence of choking, suffocating or strangling a person within the context of a relationship. Although some of these cases may fall under already existing assault laws, this change was recommended by advocacy groups due to the fact that strangling is common within abusive relationships and that the current law may not fully recognise the seriousness and dangerousness of the act. The bill also provides for a presumption against bail for persons taken into custody for this new offence. All of this was previously passed in Queensland where there have already been a number of charges based on this offence, as I understand.

The next change allows for recordings made by police officers of victims making statements to be used as evidence. Of course, there are strict requirements that will need to be met for those to be admissible, but it is abundantly clear that one of the greatest barriers to convictions for domestic violence offences, and certainly one of the hardest parts for victims, is the difficulty of testifying against an abuser. This change will reduce the pressure on victims to tell their story in court, allowing them to provide information at a time and place where they can feel safe. This section is also modelled on similar legislation from New South Wales where it has been widely supported.

The bill also expands the definition of domestic violence to include a number of new potential justifications for an intervention order to be issued. This includes forced marriage, threatening to distribute invasive images without consent and preventing a person from entering that person's own primary place of residence. The bill will also allow courts to make interim variations to a final order on the application of a police officer and in the absence of the defendant. At the moment, doing so requires the Commissioner of Police, the defendant and every person protected by the order to be given the opportunity to speak, greatly slowing down the process.

This bill will also allow the Youth Court to declare that a domestic violence order made in any jurisdiction becomes a recognised order in that jurisdiction. Currently, only the Magistrates Court can do that. Finally, the bill introduces higher penalties for a number of serious breaches. A $2,000 fine is added to the penalty for breach of a term of an intervention order, and the maximum penalty is raised for a second or subsequent breach, or a breach which involved physical violence or the threat of it. It is only common sense that a more serious offence should carry a higher penalty, so this should ensure that the law stays in line with community expectations.

It is vital that as a parliament and as a society we do not remain silent on domestic violence. However, it is just as important to ensure that we in this place make things better for victims and their families. Since its inception this bill has centred the voices and experiences of victims, granting them the opportunity to frame the conversation and tell us how we can help them. That is exactly what we are doing right now. For these reasons, Labor supports this bill and looks forward to its speedy passage today.

The Hon. I. PNEVMATIKOS (12:42): I rise today to speak about the Statutes Amendment (Domestic Violence) Bill. I recently stood here in this place to speak about the International Day for the Elimination of Violence against Women, and I shall rise again today to reiterate the importance of eradicating domestic violence.

Home is a place that most of us return to after a long day at work. We usually spend our weekends at home with our children or loved ones. We welcome the comfort that this space brings us and, for most of us, it is deemed a safe space, a sanctuary. However, this cannot be said for every member of our community. Many women and children and, yes, men, live in fear of having to return home or even being able to leave home, restricted and in fear of the ones who should be closest to them.

The Australian Bureau of Statistics has identified in its report on Recorded Crime-Victims Australia 2017, that 126 homicide-related offences were attributed to domestic violence in 2017. Of these, 75 cases resulted in death, and 72 found women as the victims. In South Australia alone, the police have handled over 10,000 domestic violence-related offences in the last financial year. This equates to roughly 210 cases a week or 30 a day.

Domestic violence is a destructive use of power and control, which impacts our families and our communities and can displace many women and children. It is abhorrent behaviour and should be an issue that everyone in this place works collaboratively towards addressing. My Labor colleagues and I are aware of this and recognise the previous Labor government's proud history of working towards the eradication of domestic violence.

This included the reformation of intervention orders in 2009, the release of the Taking a Stand: Responding to Domestic Violence paper, and the release of the Domestic Violence Discussion Paper in 2016. I note that much of the content in this bill are legislative reforms, as identified in the discussion paper. I thank the Attorney-General for continuing the measures identified in her legislation.

The bill seeks to impose harsher penalties and lessen the leniency given to those who intend to harm or victimise persons in the domestic sphere of life. Included in the amendments are the new penalties for strangulation, choking and suffocation, reflecting those already in effect in Queensland. Strangulation is often used as a predictive risk factor for future severe domestic violence and for homicide, as research has shown, and that it is a high-risk factor that can quite often lead to continued, heightened domestic violence, culminating in death. This is an important change as it recognises that such behaviour is not only predictable but dangerous.

The bill also broadens the concept of an aggravated offence to recognise that domestic relationships also vary. It has been widened to include siblings, grandchildren, persons related according to Aboriginal and Torres Strait Island kinship rules and any other culturally recognised family group. It shows that we, as the policymakers of the state, understand that domestic violence is more than just a tiff between a man and a woman. It is not limited to those who are legally married, nor is it limited to physical contact.

Abuse takes a variety of forms, including physical, sexual, emotional and financial. Much like people, domestic violence comes in many shapes and sizes, and not one bill is going to fit them all. We should ensure that we work collaboratively to impose the best possible protections for all of those who can be affected.

An important feature of this bill is that it recognises the changes in public perception of the circumstances used as methods of control by one person over another that can cause long-lasting harm. The bill proposes to expand the list of examples of emotional or psychological harm to include forcing a person to marry another person, preventing a person from entering their place of residence or the taking of an invasive image.

I would like to mention that not all women within South Australia were born here. They may not have been afforded the same rights that we have for growing up here, but this should not impede their rights when it comes to the matter of domestic abuse. We should seek to be more inclusive of financial abuse and exploitation when considering domestic violence, especially when considering those who are of culturally and linguistically diverse backgrounds.

As for the provision of recorded evidence being admissible in court, about which the Attorney-General herself has paraphrased that the Law Society has advised the government to tread with caution, I reiterate that advice and encourage the government to consider carefully the possible ramifications, as evidence and consent can quite often be difficult topics under moments of distress and trauma.

Another change that arises from this bill is to provide the Youth Court with the ability to recognise a domestic violence order made in other jurisdictions. This is a rational change that removes an unnecessary hurdle for survivors of domestic abuse. Furthermore, the bill also proposes to increase the penalties for those who breach intervention orders. These penalties are important to deter domestic violence offenders from repeatedly harassing or hurting those who have taken out an intervention order against them.

It may be a difficult topic to discuss, but domestic violence should not be shrouded in stigma, like it has been for many years. The discussion helps to bring about awareness and change, and helps to advocate for safety. I hope that you consider this when moving on this bill, just as I do, to ensure that we work towards improving safety for all who are confronted by domestic abuse.

The Hon. C. BONAROS (12:49): I rise to speak on behalf of SA-Best to support the Statutes Amendment (Domestic Violence) Bill. The bill seeks to amend a number of acts, namely, the Criminal Law Consolidation Act, the Evidence Act, the Bail Act and the Intervention Orders (Prevention of Abuse) Act, and is a positive step to further protecting victims of domestic and family violence; to stem the shocking statistics of victim homicides at the hands of perpetrators who profess to care for them, yet behave in a manner that is the complete opposite; and to put an end to the scourge of domestic and family violence.

The statistics in this field are alarming, and I pause to commend Destroy the Joint's Counting Dead Women project which, as of today, reports that 63 women have been killed in Australia this year alone, and we still have one month to go before the end of the year. The total for all of 2017 was 53 and, according to the Red Heart Campaign, I believe the total for 2018—and there are other figures—for women and children combined now stands at 93 deaths this year. There were 20 deaths this year alone that involved children under the age of 18.

We are averaging more than one death a week. In October alone nine women were killed, seven of whom were allegedly involved in an intimate relationship with either their current or a former partner, while the other two were also suspected to have died at the hands of male perpetrators. As we know, these deaths are just the tip of the iceberg.

The overwhelming majority of women killed in Australia this year died at the hands of their perpetrators or former partners. Some of these women were killed by strangers. Most of these women died as a result of male violence. Many of these women were Caucasian, some of them were Indigenous, and some were from culturally and linguistically diverse communities.

They died in heinous circumstances: they were either beaten, bashed, kicked, shot, burnt alive, strangled, choked, suffocated, rundown by vehicles or raped. They were the victims of abhorrent and deadly abuse. Of the 23 homicide convictions in South Australia in 2017, 10 were related to domestic violence. We have failed these women.

I point, again, to the fact I just made that it is not just partners being killed but children as well, and that figure of 20 I quoted that we know about this year includes a nine-month-old baby who died as the result of a murder or manslaughter. Five of their killers ended their own lives as well, five of the individuals involved chose not just to take the life of another, they then also ended their own life. These figures are well documented.

Indeed, the Red Heart Campaign I just alluded to makes mention of these. It is hard reading, but it is a Facebook page and a campaign I have chosen to follow as a memorial to women and children who have lost their life to violence. The campaign has chosen to give no start and no end date for the ongoing collection of photos and stories, and they are not easy stories to follow or easy photos to view. However, I can assure members that each and every day there is something new posted on that Facebook page as a reminder of someone who has died as a result of domestic violence.

According to the campaign the gallery, one of its type in Australia, exists to honour and remember those who deserved to live long and happy lives but who were never given that chance. The campaign has chosen the well-known Banksy's *Girl with a Balloon* to commemorate those women and children whose photos are either unavailable or, for cultural reasons, are inappropriate to post online. The campaign's founder Sherele Moody undertakes the research, maintains the photo gallery and does the story writing for the project.

Again, I have probably learned more about deaths involving women, particularly, and also children, through this campaign than I have through the daily news cycle, because they make a point of bringing every single case we can learn of publicly into the public arena through their campaign. As confronting as these images are, the importance of them is that if we keep these matters out of sight then the chances are they largely remain out of mind.

When comparing South Australia's domestic violence statistics with those of other countries, it is frightening to see that, in 2015, 45.7 per cent of all homicide and related offences were attributed to domestic violence, which represents the second highest rate in all of Australia, following the Northern Territory. Of the victims of domestic violence who managed to survive, many are hospitalised with serious injuries.

Domestic violence is primarily a gendered crime, with the majority of violence being perpetrated against women, as we have said, despite what some commentators like Mark Latham would choose to have us believe. Recent ABS figures show that one in six Australian women have been subjected, since the age of 15, to physical and/or sexual abuse by a current or previous cohabiting partner. Aside from the physical abuse, there is the emotional abuse, the kind of stuff that remains hidden from view and concealed from family and co-workers.

The isolation from family members, friends and colleagues; being told you are not thin enough, not good enough, not pretty enough, not smart enough; being told to dress more modestly; to be followed or not being allowed out; having your phone and email monitored; being tracked by GPS or drones; the gaslighting; being denigrated in front of your children; having your grocery money carefully monitored; not being allowed to spend money; ensuring that you cannot have extra money tucked away for emergencies; not having access to bank accounts; having your passport locked away; always walking on eggshells; and never knowing what will set your perpetrator off, despite tying yourself in knots trying to pre-empt any eruption of violence—the list just goes on and on. 'How do I hate thee? Let me count the ways.' This is not love; it is control, subjugation and abuse.

I recently met Vanessa Fowler, Allison Baden-Clay's sister, at an event that I attended in September, organised by Junction Australia, entitled Not So Pretty: Unmasking Domestic Violence. I remind the chamber—although I am sure each and every one of us remembers—that the murder of Allison Baden-Clay at the hands of her husband shocked our nation to the core and challenged the stereotypes of domestic violence.

Allison's sister spoke lovingly of her sister, about what a remarkable, talented, generous, kind and loving woman she was, who always—always—put others before herself and, most of all, what an exceptional mother she was to her three daughters who are now in the care of Allison's parents, who never, ever thought at this stage in their lives they would be raising their granddaughters because their daughter Allison had been murdered by her husband.

Vanessa spoke about the fact that her sister hid what was going on in her marriage very well and that she always looked good, whether she felt bad on the inside. She always made a point of looking exceptionally good to those around her. Vanessa is turning her own family tragedy into a positive legacy through the Allison Baden-Clay Foundation. The foundation encourages survivors to open up and tell their stories, with the aim of empowering women to give them their strength to get out of a relationship where they feel they are at risk.

The foundation has partnered with Griffith University in the MATE Bystander Program, which teaches people how to recognise the signs of domestic violence and how to help in a constructive way so there is no consequence for the victim. The MATE Bystander Program aims to raise awareness of the level of abusive behaviour in our culture, as well as the more subtle issues that support a harmful and abusive environment.

Vanessa readily admitted that she thinks that, if she—

The Hon. J.A. Darley interjecting:

The Hon. C. BONAROS: Are we done?—and her parents and those around Allison had known what they know now, then things may have been a little different. In fact, the inaugural conference for MATE is being conducted yesterday and today in Queensland, with Dr Nada Ibrahim, an expert in domestic and family violence in the Australian Muslim community and senior research fellow at the University of South Australia.

Dr Ibrahim has a unique expertise in building healthy family relationships, including intimate partner violence in Muslim communities, and has been involved in many cross-cultural training activities with service providers on intimate partner violence and Muslim-related issues. 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 President—

Report of the Independent Commissioner Against Corruption on Evaluation of the Practices, Policies and Procedures of the Regulatory Arm of SafeWork SA [Ordered to be published]

Reports, 2017-18—
- The Barossa Council
- Barunga West Council
- Campbelltown City Council
- District Council of Franklin Harbour
- The Regional Council of Goyder
- Kingston District Council
- District Council of Lower Eyre Peninsula
- Mid Murray Council
- City of Onkaparinga
- City of Playford
- City of Port Lincoln
- Tatiara District Council
- City of Tea Tree Gully
- Wudinna District Council

By the Treasurer (Hon. R.I. Lucas)—

Reports, 2017-18—
- State Theatre Company of South Australia

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

Reports, 2017-18—
- Administrator of the National Health Funding Pool
- Controlled Substances Advisory Council
- Health Services Charitable Gifts Board
- National Health Funding Body
- National Health Practitioner Ombudsman and Privacy Commissioner
- South Australian Public Health Council

Chief Public Health Officer's Report dated July 2016 to June 2018

Ministerial Statement

SPORTS BETTING

The Hon. R.I. LUCAS (Treasurer) (14:17): I table a ministerial statement made in another place today by the Attorney-General on the subject of betting on sports in South Australia.

LIDAR SPEED DETECTION DEVICES

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:18): I table a ministerial statement on Lidar speed detection devices on behalf of the Minister for Police, Emergency Services and Correctional Services from another place.

Parliamentary Procedure

ANSWERS TABLED

The PRESIDENT: I direct that the following written answer to a question be distributed and printed in *Hansard*.

Question Time

ADELAIDE OVAL HOTEL DEVELOPMENT

The Hon. K.J. MAHER (Leader of the Opposition) (14:19): My question is to the Minister for Trade, Tourism and Investment. What role did the minister play in the Marshall Liberal government's decision to hand over $42 million to build a hotel at Adelaide Oval? In particular, my questions are:

1. When was the minister, as the Minister for Tourism, first made aware of this proposal?

2. Was the minister aware of, or involved in, discussions about this proposal at all before it came to cabinet?

3. Has the minister had any representations from other hotels, or hotel developers, about the impact on their business or investment decisions?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:19): I thank the honourable member for his interest in this particular issue. I think I want to get some facts. The government is not handing over $42 million. The opposition has been misguided and has been misrepresenting the facts ever since it was announced that we were 'handing over' $42 million. As we know, it is a $42 million loan, which the government and the taxpayers of South Australia will actually make some margin on, so it benefits the state in a financial sense in the long run. I think the development will benefit the state in the long run.

The iconic Adelaide Oval, as we know, is one of the few ovals that we can call around the world the home of Don Bradman, one of the world's greatest cricketers, loved by cricketers the world over. If you look at the iconic cricket grounds—the Adelaide Oval, the MCG, the SCG, the Gabba, Lord's; I could go on and list a whole range of them—this will be the only one that will have accommodation. Some of the new stadiums around the world, Wembley and others, have—

The Hon. K.J. MAHER: Point of order: whilst we appreciate the minister talking about various cricket grounds around the world, no part of the question asked about the hotel itself. The question was specifically and solely related to dates when the minister was aware of things.

The PRESIDENT: I understand what the question was, Leader of the Opposition. Minister, under Erskine May, you have considerable latitude.

The Hon. D.W. RIDGWAY: Thank you.

The PRESIDENT: However, I do expect you to keep to the question and show respect to the Leader of the Opposition.

The Hon. D.W. RIDGWAY: Thank you for your guidance, Mr President. I was distracted with the prospect of enhancing the world-famous Adelaide Oval. In relation to when I became aware, I can't recall the exact date. I would have to check notes and diaries to see if I have a record of the

exact date. I was aware that there was some potential hotel development, but as I said, I don't recall when. I have had, I think, a couple of people contact my office in relation to other hotel operators, but again, I will have to check the records. There may well be some correspondence in the system that has been logged that I haven't seen as yet, but of course I will check that and if there is something I can add—before the Leader of the Opposition jumps to his feet—I will bring that back to the chamber.

ADELAIDE OVAL HOTEL DEVELOPMENT

The Hon. K.J. MAHER (Leader of the Opposition) (14:22): Supplementary arising from the answer: was the minister aware of this proposal prior to cabinet deciding the merits of it?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:22): There had been some discussions with the government, but cabinet decisions and cabinet discussions are confidential.

ADELAIDE OVAL HOTEL DEVELOPMENT

The Hon. K.J. MAHER (Leader of the Opposition) (14:22): Supplementary: was the minister aware of this before or after the 18 March election?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:23): Before or after? It was well and truly after it, when the cabinet was discussing it. As I said, these discussions are confidential. I have no recollection of being briefed informally by anybody to do with Adelaide Oval formally prior to it being discussed at a cabinet level.

ADELAIDE OVAL HOTEL DEVELOPMENT

The Hon. K.J. MAHER (Leader of the Opposition) (14:23): Supplementary: to the best of the minister's recollection, when was the first time he discussed this proposal with John Olsen?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:23): I don't recall I have actually discussed it with John Olsen. Again, I will check my records, but I know what the opposition is fishing for. It is a sneaky game they play. This is a cabinet decision to enhance one of the nation's greatest sporting arenas. I think, as we said the other day, it has been enhanced by the former government's investment, which this chamber supported but put a cap on the $535 million. I think we all agree it has been an outstanding success.

I am not quite sure what game the opposition leader is playing—

The PRESIDENT: Don't debate the question.

The Hon. D.W. RIDGWAY: —but I certainly didn't have any discussions prior to the election, and I don't recall discussing the actual concept with the Hon. John Olsen, former premier and leading South Australian that he is.

ADELAIDE OVAL HOTEL DEVELOPMENT

The Hon. K.J. MAHER (Leader of the Opposition) (14:24): Supplementary: for the sake of clarity and completeness, will the minister go back and check all possible records and bring back to the chamber whether he has discussed, in any way, this proposal with John Olsen before it was formally decided?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:24): I am happy to. I have said I will check my records. As I said, I will check and see whether there is any record of any discussions.

OVERLAND TRAIN SERVICE

The Hon. C.M. SCRIVEN (14:24): My question is to the Minister for Trade, Tourism and Investment. Will the minister advise the chamber what negative impact the Marshall Liberal government's decision to cut funding for the *Overland* train service will have on regional tourism, and how many job losses will occur as a result of withdrawal of this funding?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:25): I thank the member for her ongoing interest in regional rail. Of course, as we would be aware, in today's

paper it has been announced that we have cut funding to the *Overland*. The *Overland* is a passenger train service that operates between Adelaide and Melbourne. Great Southern Rail, now part of the Journey Beyond group, acquired the *Overland* rail business from the Australian government as part of the Australian national divestment in 1997. GSR also operates the *Ghan* between Adelaide and Darwin and the *Indian Pacific* between Sydney and Perth via Adelaide.

Within South Australia, the *Overland* stops at Adelaide, of course, Murray Bridge and Bordertown. Based on data from 1 January to 31 July 2018 provided by GSR, there were 621 passengers disembarking and embarking in regional South Australia, and I think 10,000 passengers disembarking and embarking at the Adelaide Parklands Terminal. The current three-year funding arrangement with GSR provides an operating subsidy of $1,050,000 over the period, conditional on GSR continuing to provide two return trips per week of the *Overland* service. The current arrangement and agreement expires on 31 December 2018.

The Victorian government also has a funding agreement with GSR, which operates in parallel, providing $10,405,000 over the same period, broken up between a ticket concession subsidy and an operating subsidy. While GSR has proposed a three-year extension to the agreement, they have accepted a 15-month extension to the funding agreement from Victoria.

In challenging fiscal times, the South Australian government needs to carefully prioritise its funding to maximise the benefits for all South Australians. Due to the relatively low passenger levels for the service, particularly within regional South Australia, and the availability of other transport options for these communities—coach and air—South Australia will not be extending the further funding agreement expiring on 31 December 2018.

Great Southern Rail made a statement yesterday confirming the government's decision on the basis of relatively low passenger levels for the service and availability of alternative transport options for regional communities. They have stated their intention to advise regular patrons of what is happening with the service so they can make informed travel decisions in the future. Great Southern Rail has stated that it has started to explore opportunities available to provide a short-term transitional travel phase beyond December 2018.

As members would know, the *Overland* goes from Melbourne to Adelaide. I would just like to give a little context. These people opposite think that they are the first ones. I recall in business—and the reason I raise this, this morning on radio I heard the member for West Torrens, the shadow minister for whatever he is—I can't recall exactly—talking about how this was going to damage trade and tourism, I think probably to try to drag me into the conversation.

Forty-two years ago, before the Hon. Emily Bourke was born—sadly, Tung was already born, and I am not sure how old the Hon. Mr Hanson is, but certainly before the Hon. Emily Bourke was born—I took my first load of flowers to put on a train to go to Melbourne from Adelaide. It was to meet the *Overland* every night of the week in Serviceton or Wolsley because it was cheaper at this side of the border—

The Hon. C.M. SCRIVEN: Point of order, Mr President.

The PRESIDENT: I understand. I am going to give him a warning in a minute, if he keeps straying.

The Hon. C.M. SCRIVEN: The question was about job losses.

The PRESIDENT: I know.

The Hon. D.W. RIDGWAY: What I am trying to explain is this was a service, a parcel delivery service and a passenger service, that over the years has diminished and diminished and got less and less. We have got on with the business of growing our economy in regional South Australia and regional Victoria ever since it has diminished. As a government we have made the decision that, in these challenging fiscal times, we think the subsidy of $300,000 can be better invested to support regional jobs and regional tourism growth across all parts of South Australia.

OVERLAND TRAIN SERVICE

The Hon. C.M. SCRIVEN (14:29): A supplementary: first of all, to reiterate, the question that the minister did not answer was how many job losses will occur as a result of withdrawal of this funding and has the minister sought or received any advice at all from his agency about the impact on South Australia's tourism industry as a result of the Marshall Liberal government's decision to cut funding to the *Overland* train service?

The PRESIDENT: Minister, I am going to allow it. It's not really a supplementary but I will allow you to answer the question because you went into flower movement.

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:29): I have some other fabulous stories about the *Overland*, if you would like, Mr President.

The PRESIDENT: Don't try the patience of the President.

The Hon. D.W. RIDGWAY: In relation to job numbers, I am uncertain of the number of jobs that will go, because we are not certain whether the service may still be maintained across the border by the Victorian government. It may not be stopping in Bordertown and Murray Bridge. The railway station at Bordertown is a home for about 50,000 pigeons but no actual employees, so there are no jobs that will be lost in Bordertown.

Members interjecting:

The Hon. D.W. RIDGWAY: The pigeons might be upset, although they get disturbed when the train goes through, and I expect the Murray Bridge railway station is similar. I don't see any potential job losses until we know what the Victorian Labor government, friends and colleagues of the people opposite, will do.

When it comes to advice from my agency, the South Australian Tourism Commission, I don't think I have received any formal advice, but we have discussed it in recent times and it will have a very minimal impact on tourism in regional South Australia. There are only a handful of people who get on and off the train in Bordertown and Murray Bridge and there are a number of other travel options.

As members would be aware, I am sure, Great Southern Rail and the Journey Beyond group announced the Adelaide to Brisbane route that comes back via Melbourne, a luxury train journey that comes back via the Great Ocean Road—not the road but the railway line, obviously, adjacent to it. I know the way it gets back to Adelaide is along that particular rail corridor. So if there is an iconic tourism destination that warrants the train stopping, like it does at Katherine Gorge or Coober Pedy—I know the Hon. Mr Hanson asked about GlobeLink. Great Southern Rail see that as a positive because it will actually take the train past the Barossa Valley.

I know there are some exciting developments in the wings for the Monarto Zoo. I expect, if those plans came to fruition, that would be an iconic sort of destination that Great Southern Rail might include on their Adelaide to Brisbane return journey. I don't think this is all doom and gloom; it's another phase in the life of this particular railway line. I don't know the exact number of jobs that will be lost. I would be surprised if there were many jobs, if any, lost at all, and there could well be some opportunities.

OVERLAND TRAIN SERVICE

The Hon. C.M. SCRIVEN (14:32): Further supplementary: did the minister brief any local councils or local tourism operators about the *Overland* subsidy being cut and, if so, when did the minister do that?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:32): I thank the honourable member for her supplementary. Of course, as she would be aware, it was actually the Minister for Transport's decision to withdraw the subsidy and it was to be his responsibility or his department's responsibility to advise those people and those groups. Of course, Great Southern Rail have been advising any stakeholders and their regular patrons, if there are any. I am not sure how many of them are actually regular patrons, because it is five and a bit hours from Bordertown to Adelaide by train.

People talk about older people and people who don't have their licence, but we have a wonderful service called the Red Cross car. Volunteers from within the Bordertown community and other regional communities drive those cars up and back to Adelaide for people. The train only drops you at a railway station, whereas these cars actually take you to appointments with medical specialists and hospitals. I know there was some concern about elderly people getting to Adelaide who perhaps aren't able to drive, but there is a beautiful and wonderful service—and I compliment the Red Cross on the work they do and all the volunteers who actually drive those cars for the Red Cross.

OVERLAND TRAIN SERVICE

The Hon. C.M. SCRIVEN (14:33): Further supplementary: given the impact that this is going to have on Great Southern Rail's operations, will the minister guarantee that the Great Southern Rail head office will continue to remain in Adelaide?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:33): That would be a matter for Great Southern Rail, and I am in regular contact with them. As you heard only last week, they announced this next luxury train trip from Adelaide to Brisbane, back via Melbourne and the Great Ocean Road. They are expanding their luxury services, like the *Ghan* and the *Indian Pacific*.

If you look at the map, Adelaide is sort of in the middle, if you have a look at where it fits in Australia. It is actually not a bad place to have a head office, and it's a great place to do business, as we have seen. Since the election, business confidence has boomed in South Australia, so I would expect that companies like Great Southern Rail—while I know they are disappointed that we have made this decision, their head office is here. Retention rates for head office staff are greater in South Australia than any other capital city because people love working here, they love living in South Australia and they love the fact that they have a government that is pro business.

The PRESIDENT: One more—the last—

OVERLAND TRAIN SERVICE

The Hon. C.M. SCRIVEN (14:34): Supplementary arising from the original answer, that referred to coach and air options for those people who currently use the *Overland*: could the minister outline the air options available to residents of Bordertown?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:34): I did hear that interjection, and clearly there is no airport really close to Bordertown, but certainly at Murray Bridge there are opportunities to get to Adelaide or to fly to Melbourne. There are coaches; you can catch a coach. There is a coach to Melbourne. There are a range of opportunities, I think. So there are other opportunities and other transport opportunities to get to Melbourne from those parts of South Australia.

In my notes we did talk about air. Yes, I do accept that there aren't any airports near Bordertown that are commercial. I do recall somebody wishing that there was an international airport in Kaniva; we could have direct flights to all over the world from western Victoria. But sadly the population is not big enough for that.

GRAIN INDUSTRY

The Hon. E.S. BOURKE (14:35): My question is to the Minister for Trade, Tourism and Investment. Does the minister support the CFS having powers to force farmers to stop harvesting, or does the minister agree with the chief executive of Grain Producers SA, Caroline Rhodes, who has labelled proposed CFS powers to prevent farmers from harvesting as not necessary and that they could affect the livelihood of primary producers?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:36): I thank the member for her ongoing interest in regional South Australia. That was a bill, I think, that's been tabled in the House of Assembly in relation to a whole range of factors, but one of them is harvesting during the fire season. I expect that as a good government we will have a discussion and talk about how we might impact things. Clearly—

Members interjecting:

The Hon. D.W. RIDGWAY: I actually have driven a harvester on Christmas Day, on a number of days.

An honourable member interjecting:

The Hon. D.W. RIDGWAY: I think probably—I don't know—John Dawkins probably has; I doubt whether anybody else—

The Hon. E.S. BOURKE: On Christmas Day?

The Hon. D.W. RIDGWAY: Christmas Day, any day. If the weather conditions, because it was too hot the day before and it was too hot the day after, so you actually did it on the day, because unlike the members opposite—

Members interjecting:

The PRESIDENT: Leader of the Opposition! Allow him to talk about his header.

The Hon. D.W. RIDGWAY: Unlike the members opposite, who suck on the teat of the union movement and the taxpayer, most of us have actually been in business. You actually don't want to put the community at risk by harvesting on a fire ban day, but if it was a cool day on Christmas Day, you'd actually get out and do it, because it's your livelihood. You can't wait or work the 36½ hours a week, you know, the nine-day fortnights like the mob opposite do and still make money.

The point I make is we will sit down and have a chat with the farming community and have a look at this legislation. I think what they are trying to do is capture the people that perhaps thumb their nose at the rules, so we want to make sure that we have a robust set of rules in place so that the community is not put at risk, but we certainly don't want to affect and impact on farmers' livelihoods.

GRAIN INDUSTRY

The Hon. E.S. BOURKE (14:37): Supplementary: I am just wondering if the minister can confirm: will you be consulting far and wide on this proposal?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:37): Given we are right in the middle of harvest, it's a great time to talk about harvest, and of course it will be a good opportunity to gauge the temperature of those. But I make the point we do want to keep South Australia's community safe.

It is interesting: at the time of the Pinery fire, people were blaming it on climate change. It had nothing to do with climate change. It is modern farming practices where now we have much bigger paddocks. When I was first farming the paddocks were 50 acres; now they are 500 acres. Farmers grow the crop right to the edge of the fence. They grow very good crops. Fire management is much more challenging today, with large paddocks and big areas under crop.

In years gone by, with 50-acre paddocks, you'd have a paddock cut for hay, one that a mob of sheep were grazing on, something you'd ploughed up somewhere, a paddock of wheat over there, some peas here, beans in the back paddock, barley somewhere else. Now we see these big acreages where you have wall-to-wall stubbles and big areas. So it is important. We saw the loss of property and life with the Pinery fire. Members—this lot—when they were sitting over here said, 'Oh, it was bad, because it was climate change.' What rubbish! They were really good crops, and it was a bad day.

Members interjecting:

The Hon. D.W. RIDGWAY: It was really good crops.

Members interjecting:

The Hon. D.W. RIDGWAY: You used to claim it when it rained. We actually have to make sure that the rules and regulations are continuing to evolve and to make sure that the community is safe, but we will talk to the community.

GRAIN INDUSTRY

The Hon. E.S. BOURKE (14:39): A further supplementary: does the minister agree with the Minister for Transport and Infrastructure's public statement this morning that some farmers can be 'rogue idiots'?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:39): I think that is a bit of a stretch because, as you know, the Hon. John Dawkins and I are the only two in this chamber who have ever been farmers and so you are sort of putting me in that category. I think the challenge sometimes is that if you have a catastrophic day and a cool change blows through one side of a district could be cool enough to harvest, with a bit of moisture in the air because the sea breeze has come in, but on the other side of the district it is still 40°. There are times when people are harvesting where someone is harvesting and another one is not. I'm not going to be drawn into whether I agree with the Minister for Transport around various farmers. It needs to be monitored in a sensible way.

GRAIN INDUSTRY

The Hon. E.S. BOURKE (14:40): Further supplementary: do you think the minister should apologise in a public forum about his comments that farmers are 'rogue idiots'?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:40): I don't think that farmers are 'rogue idiots'. It's the same as if I said that union members are 'rogue idiots'—I would never say that because that would be generalising too much. I don't think he needs to apologise.

The Hon. R.I. Lucas: Some might be.

The Hon. D.W. RIDGWAY: Some might be but I would not.

RUBY'S REUNIFICATION PROGRAM

The Hon. J.S. LEE (14:40): My question is to the Minister for Human Services about the prevention of youth homelessness. Can the minister please provide an update to the council about the meaningful initiatives undertaken by Ruby's Reunification Program and their work to prevent youth homelessness?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:41): I thank the honourable member for her question. Ruby's Reunification Program celebrated its 25th birthday quite recently on 21 November at its original site in the inner western suburbs. I acknowledge that my colleagues the Minister for Child Protection, the member for Hurtle Vale and the member for Badcoe were also in attendance to join in the celebrations, as was—I should have said at first—the Governor. I apologise profusely to the Governor for not acknowledging his presence initially.

Ruby's is a rather unique program which was particularly ground breaking at the time. It's an early intervention service which is funded through the National Affordable Housing Agreement and the Department of Human Services. In 1992 a successful tender application by Tea Tree Gully Youth Housing Inc and the Adelaide Central Mission saw the service launched in 1993. It supports young people and their families.

As we know, one of the largest factors in youth homelessness is that young people can find that their home situation becomes intolerable to the point where they leave and that's because of relationship breakdowns or there may be instances of domestic violence. The program provides a therapeutic youth service. It operates 365 days a year to provide accommodation and support to young people aged 12 to 17 years who are homeless or at risk of homelessness, and also to their families.

It supports a minimum of 54 young people in metropolitan Adelaide, and 18 young people in Mount Gambier per year. The service provides young people with a safe roof over their head and also provides counselling to the young person and to their families and has a highly successful rate in terms of reunification. Obviously, it is fantastic to have those relationships brought back together and has the dual aim of ensuring that young people don't enter the homelessness system.

The house is an effective addition to the support that families can access through counselling and it provides time and space for the clients to connect with parts of themselves. It is operating in additional locations. The initial one, as I said, was in the inner west but it was expanded in 2010 to include sites at Enfield, Edwardstown and Mount Gambier. We thank the people who have been involved in that service over the years and commend the young people and their families for the work they have done with their relationships to mend those ties. We wish Ruby's well into the future.

HEALTH SERVICES

The Hon. J.A. DARLEY (14:44): I seek leave to make a brief explanation before asking a question of the Minister for Health and Wellbeing regarding primary health care.

Leave granted.

The Hon. J.A. DARLEY: I have been contacted by the Rowley Road GP clinic, a GP clinic in Adelaide's southern suburbs. They inform me that they have faced significant challenges finding GPs for the clinic and have been unsuccessful in their attempts to secure overseas-trained GPs. Can the minister update the council on GP services in South Australia?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:45): I thank the honourable member for his question, and I am happy to address the issue. As the honourable member will know, GP services are administered by the commonwealth government rather than the state. The state has only limited ability to change the provision of health services in this area. Nevertheless, the services provided by GPs are an important part of the healthcare sector and, as we have discussed previously in this house, particularly in country South Australia engagement of GPs is integral to the continued service provision in most of our country hospitals. I think it would be single figure numbers of hospitals in country South Australia that are not relying on GP-based medical services.

I think the honourable member's question refers to the Rowley Road clinic in the south, and I understand that that clinic has been unsuccessful in finding overseas-trained doctors to work at the clinic. Whilst I am not aware of the specific circumstances, I can give the council information on the GP situation generally.

The latest figures from the Australian Health Practitioner Regulation Agency for GPs in South Australia suggests that, as at 30 June 2018, 1,990 general practitioners are registered in South Australia. However, this number does not include registrars and does not include non-vocational registered general practitioners. A non-vocationally registered general practitioner is not affiliated with the Royal Australian College of General Practitioners. The essential difference between a vocationally registered and a non-vocationally registered GP is that the latter will attract a lower level of Medicare rebate. However, it is thought that those numbers would be low.

Figures from the commonwealth Department of Health for South Australian GPs for 2016-17 include the non-vocational registered GPs at 307, registrars at 341 and vocationally registered GPs at 2,147, with a total of 2,795. Although I am advised that, overall, there are adequate numbers of Australian-trained GPs to ensure recruitment to fill vacancies in metropolitan Adelaide, on some occasions a general practice may experience difficulty recruiting Australian-trained GPs and, if a practice has trouble recruiting Australian-trained GPs, they can apply via the area of need process through SA Health to recruit an international medical graduate.

The area of needs process allows an international medical graduate, who would not usually be registerable by the Medical Board of Australia, to have limited registration in a practice that has not been able to recruit an Australian-trained GP. The practice must test the market by genuinely advertising a position that would normally be suitable for and attractive to an Australian-trained general practitioner. This must take place over a three-month period without success before the position can be approved as an area of need position. This is to meet appropriate immigration and registration requirements.

Whilst I suspect they have already engaged that process, I would encourage the honourable member to refer the clinic to the program, and I take the opportunity to reiterate the concerns I have mentioned previously in the context, particularly, of Port Augusta, that the area of need process does seem to have either unintended consequences or is less than effective at targeting support to areas that need it. Whether it is an area of need within metro Adelaide or an area of need within the country,

it is very important that the commonwealth, in providing regulation for general practitioners, makes sure that their processes target the additional support where it is needed most.

SEXUAL HEALTH SERVICES FUNDING

The Hon. I.K. HUNTER (14:49): I seek leave to make a brief explanation before directing a question to the Minister for Health and Wellbeing.

Leave granted.

The Hon. I.K. HUNTER: There is no greater misnomer, I think, than that title. InDaily today reports that funding pressures within the minister's agency are forcing service cuts at Clinic 275, the Adelaide health centre on North Terrace. Now for the first time, InDaily report, the service is turning away heterosexual clients over the age of 25 who don't fall into priority groups. InDaily reports that 30 people, approximately, have been turned away from Clinic 275 each week since the policy was changed in September.

That is on the back of the clinic having already reduced its hours of service earlier this year. It is also in the context of SA Health having declared an outbreak of syphilis in Adelaide earlier this month. The budget cuts to community HIV services, to SHINE SA, forcing the closure of clinics in the northern and southern suburbs and now to his own agencies and sexual health clinics, are causing significant concerns to clinicians and to the community. We have already heard this week 300 doctors raising their concerns in an open letter yesterday.

Minister, as you are responsible for cutting the funding that kept these services available to South Australians, how will you explain to South Australians the rising sexually transmitted infection rates that we will now see on the back of these closures of these very important services?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:51): The Adelaide Sexual Health Centre provides a highly specialised service to complex cases, and it has been their ongoing practice that the centre prioritises members of the community who are most at risk. I am advised that from time to time they have provided advice and referred people. In line with similar clinics interstate, the decision was made in September to refer heterosexual people over the age of 25 with Medicare who are experiencing those symptoms to other services.

ASHC routinely refers less complex cases to GPs. The member's suggestion that this is somehow related to budget cuts is clearly ludicrous because the decision was made in September. The budget only came out during September. The reality is these services do need to prioritise from time to time and that is what the clinic has done.

SEXUAL HEALTH SERVICES FUNDING

The Hon. I.K. HUNTER (14:52): Supplementary: minister, how will you explain to the 350 clinicians who signed that open letter that cutting funding for sexual health services will lead to improved health outcomes?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:52): That's hardly supplementary, because the letter was nothing to do with the ASHC; it was to do with SHINE SA services. What I explained to the council yesterday, in the context of the motion, was that we expect all parts of the health service to constantly strive to make sure not only that their services are clinically targeted and relevant but they are also sustainable.

The former Labor government continued to tolerate gross inefficiencies across the health system. We will continue to expect all health services to work efficiently. In that period the former Labor government was allowing the Central Adelaide Local Health Network overspend to increase—I think two years ago it was $150 million; last financial year I think it was in the order of $260 million; KordaMentha's estimate was that, if urgent action wasn't taken, it would be $300 million.

While the former Labor government was allowing the management of the Central Adelaide Local Health Network to become so grossly inefficient that we were spending hundreds of millions of dollars, what were they doing? In that same period they cut the health prevention budget by two-thirds. In relation to this particular subject area, the letter that the honourable member refers to was with respect to SHINE SA. SHINE SA in 2012-13 had a cut of $6.9 million

The Hon. T.J. Stephens: How much?

The Hon. S.G. WADE: It was 6.9 per cent, sorry. But then again last year it was an additional 5 per cent. If the honourable member is suggesting that this government is being unfair to these services compared with the hospitals, I would ask him to say why he thought it was tolerable to waste tens of millions of dollars in SA Health tertiary facilities and slash the community ones?

SEXUAL HEALTH SERVICES FUNDING

The Hon. I.K. HUNTER (14:54): Supplementary: minister, are you also of the view that Clinic 275 would operate more efficiently if only those patients would stop going there for sexual health services?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:55): I don't thank the member for his nonsensical question.

SEXUAL HEALTH SERVICES FUNDING

The Hon. I.K. HUNTER (14:55): Supplementary: minister, as you are responsible—as indeed you are—for cutting funding to South Australia's sexual health services in the midst of a syphilis outbreak, will you now accept responsibility for the inevitable increases in STI diagnoses over the next 12 months?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:55): SA Health, with our commonwealth government partners, will continue to deliver a range of services and continue to target them in accordance with emerging risks.

The Hon. I.K. Hunter: You are a failure. You can't do the first basic thing of a health minister: protect South Australians in a syphilis outbreak.

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

The Hon. I.K. Hunter: It's impossible, Mr President, he's useless.

The PRESIDENT: The Hon. Mr Hunter, we are verging on being unparliamentary.

The Hon. I.K. Hunter: We are. Egg me on, sir, please.

The Hon. D.W. Ridgway: Chuck him out, sir. Chuck him out.

The PRESIDENT: Have you finished giving me gratuitous advice, minister?

The Hon. D.W. Ridgway: Yes, for the time being.

The PRESIDENT: Mr Hood.

REGIONAL TRADE

The Hon. D.G.E. HOOD (14:56): The Hon. Mr Hood, I would have thought, but thank you, Mr President. My question is to the Minister for Trade, Tourism and Investment. Will the minister update the chamber on the recent Adelaide trade showcase held last week?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:56): I thank the honourable member for his question and his ongoing interest in this particular topic. As demonstrated with the launch of Australia's first entrepreneurial visa, the Marshall Liberal government is on the front foot, actively pursuing a growth agenda, which includes increasing our state's population through business migration.

Another example of our government's commitment to attracting high-calibre business migrants to the state was clearly shown by our support of the Adelaide trade showcase held last Thursday. The showcase was sponsored by KPMG and run in partnership with Immigration SA and the Australia China Business Council. I was glad to participate.

It was held at Plant 4 in Bowden, and it was a real buzz. There was an opportunity for me to speak, but the buzz was so good and so strong that I declined that opportunity. I would rather that business and people interact together. There were 300 guests made up of current businesses—

The Hon. R.P. Wortley: You were too busy eating some of those dim sims.

The Hon. D.W. RIDGWAY: There are some groans opposite but, Mr President, you have to understand that those people didn't go there to listen to a politician speak. They actually went there to do business and to talk about business, so I let them do that, because that's what they went for.

There were 300 guests made up of business visa holders looking for investment opportunities and migration agents, and I met a number of them, especially a number of significant investors. All of them were clients of Immigration SA, and these 300 guests were able to interact with 36 South Australian businesses who exhibited at the event.

Business matching is the name of the game, and the state government is keen to ensure that these highly motivated individuals are given every opportunity to succeed by partnering with local firms to open up new export opportunities in their home countries. Of course, a number of our world-class wineries and vineyards were present, including Anderson Hill, Bent Creek, Gemtree, Wines by Geoff Hardy, Alpha Box and Dice, Lannister, Nova Vita, Patritti, Thorn-Clarke, Lake Breeze, the Wilsford group, Momentum Food and Wine, Wilton Hill, Zonte's Footstep, First Drop and d'Arenberg.

Our state has much to offer, but more than just wine. We were also pleased to see other exhibitors, including Tuckers Natural; Sophia and John from Majestic Opals; Ambersun Alpacas; Yummy Kitchen; Jumaluk, which is citrus; Y natural skin care; Brayfield Park Lavender Farm; Emu Tracks emu oil; San Remo pasta; Mountain Fresh juices; Gelista Premium Gelati; SA Honey Co.; Oleapak olive oil, whom I also met and signed a major deal with just a few weeks ago; Longridge Olives; Jonny's Popcorn Delights; Cleanseas seafood; Bickford's; Peats Soil; Blue Lake Dairy; and MiniJumbuk.

Since attending the showcase, I have been told that a number follow-up visits have been organised between a number of businesses, business migrants and exhibitors. This is exactly the type of proactive role our government wants to play in facilitating—not directing but facilitating—trade between South Australian businesses and international partners. I look forward to continuing to work with these and other South Australian exporters to unlock new export opportunities in key markets to boost our state's economic performance, drive a stronger economy and create more jobs.

OVERLAND TRAIN SERVICE

The Hon. F. PANGALLO (14:59): I seek leave to make a brief explanation before asking a question of the Minister for Trade, Tourism and Investment about the *Overland* train service and the cycling track to Melbourne.

Leave granted.

The Hon. F. PANGALLO: I am informed by a travel agent that the government's announcement to stop in its tracks the iconic train journey from Adelaide to Melbourne by ceasing its $300,000 funding at the end of the year—which is next month—will impact their businesses and others which take hundreds of bookings from people who prefer that mode of transport for various reasons, from the cheap cost to convenience of travel, which includes pensioners, the disabled, groups going to major events, schools, older tourists and travellers who cannot drive, along with train enthusiasts.

There will undoubtedly be job losses because of the ripple effect the move will have. As this is happening, the government is underwriting a $42 million loan to underpin a hotel development at the Adelaide Oval proposed by the Stadium Management Authority, which comprises of several prominent members with strong links to the Liberal Party, and is also investing millions in a cycling track from Adelaide to Melbourne. Both projects are aimed at a privileged sector of the community while battlers are cruelled by this indulgence. My questions to the minister are:

1. Why couldn't the minister find the $300,000 per year to maintain the train services from his tourism budget?

2. What will happen to the redundant train set and will the government look at running it on a rail service to Port Pirie or Port Augusta?

3. Has the route of the proposed cycling track been changed, has the government secured access rights over private property for the cycling track to cross barrages on the River Murray, and at what cost to taxpayers?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (15:01): I thank the honourable member for his ongoing interest. I think I largely covered all of the points—I have another copy of those notes that I read from earlier in relation to the *Overland*, and I am happy to repeat them, but I suspect that it would be perhaps stretching it a bit far to be that repetitious.

Certainly, the decision was made by the Minister for Transport, and I know that the honourable member talks about people—pensioners and others—but, certainly the ones who are impacted in regional South Australia. I talked about the Red Cross car service which, again, I am happy to repeat because I think it is a fabulous service, and I applaud the Red Cross and all the volunteers who drive those cars from all over South Australia to support older people and people with a disability who can't get to Adelaide themselves.

I think for anyone who lives in Adelaide—and I know that some people do have it as a preferred mode of transport, but we had railway lines all over this state that were no longer profitable over the years and we have seen them close. The Hon. Ms Scriven across the way, the Hon. Rob Lucas and the Hon. Kyam Maher are well aware that we used to have a thing called the *Bluebird* that went from Mount Gambier to Adelaide, which in the end just was not viable and the patronage dropped off. At the risk of being sat down, when I used to put things on the train in the middle of the night, some 40-odd years ago, there would be a number of people—

The Hon. K.J. MAHER: Point of order, Mr President.

The PRESIDENT: I know. Continue, the Hon. Mr Ridgway, but just limit the personal reminiscences. The member is actually asking about investment in tourist activities in relation to the hotel, so can we just keep it on point.

The Hon. D.W. RIDGWAY: I beg your pardon, Mr President, he did ask me about running trains to Port Pirie and other parts of the state—

The PRESIDENT: He did.

The Hon. D.W. RIDGWAY: —and what I am trying to put in some context is that many years ago, in the Bordertown railway station, you might have seen 20 or 30 people wanting to get on the *Overland* and today it is virtually none, so patronage has dropped off. We have seen rail services disappear. The government has no intention or budget to run a train service to Port Pirie or Port Augusta or, in fact, anywhere in regional South Australia because it has been proven to be more efficient or more nimble to use other modes of transport.

In relation to the cycle trail, which is something that I am passionate about and could speak at some length on, it is progressing. The Tourism Commission has had some discussions with most of the councils about where the track will go. Unlike the former government, where you had the minister for tourism and the minister for the environment sort of at 40 paces most days not liking each other, we have actually established something called a Visitor Economy Taskforce where we have the tourism minister, the environment minister and the Minister for Water working closely together to look at some of those options.

Of course, the honourable member talks about the barrages and access across the mouth of the river. That has been well progressed. We don't have a cost at this stage. One of the things we looked at was the Adelaide to Melbourne bike trail, which Tourism Australia sees as an iconic opportunity and an iconic tourism attraction. The former Victorian minister has resigned or been sacked. I don't quite know how they do that in the Labor Party. Anyway, Mr John Eren will no longer be the minister. There is a new one, maybe even announced today; I am not sure. I might have a look on the internet after question time.

I am very keen to pursue that, because Visit Victoria sees the Adelaide to Melbourne cycle trail as being an opportunity to enhance both their visitor experience and ours. We have started work on this side of the border. We had to wait until the election, clearly, although I have had some meetings and some discussions at the trade and tourism ministers' meetings, where the minister said to me, 'Mate, this is a great idea. We want to back it.' I know the federal minister likes it, I know

Tourism Australia likes it, and I know the SATC has had some contact with Visit Victoria, just starting to look at the route where it could go.

The SATC had people consulting in the South-East, on the Limestone Coast, talking to councils, because as you know there is already the little cycle trail through the middle of Mount Gambier on the old rail corridor. There is a strong push to take something from Penola out to Coonawarra. I know the Naracoorte council is doing some work on a cycling and walking trail from the town centre out to the Naracoorte Caves. There is also another cycling strategy for the rest of the Limestone Coast. We have the great River Murray walk and cycle trail that they are looking at doing.

There is a whole range of other activities happening on the Fleurieu area around that route. While we don't have any costs at this stage, our original election commitment, for the honourable member's benefit, was to look at the route, talk to the stakeholders, talk to the communities about where they would like that route to go, and talk to Victoria, which I am delighted is supportive of it. I know that Visit Victoria is supportive. I know the board of Visit Victoria is supportive and that Tourism Australia is supportive. It is a bit unheard of in the former government to actually be working in collaboration with another state and the national government for an outcome that suits and benefits everybody.

The PRESIDENT: The Hon. Mr Pangallo, a supplementary.

OVERLAND TRAIN SERVICE

The Hon. F. PANGALLO (15:07): Yes, only because the minister got sidetracked and was prattling on about regional railways.

The PRESIDENT: You have a wealth of material to ask a supplementary on.

The Hon. F. PANGALLO: Only because he spoke about the regional railways, I would like to ask why the government is not holding Genesee & Wyoming Australia to account to maintain existing abandoned rail lines in the regions, as agreed to in a contract?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (15:07): I think the honourable member summed it up when he said they were abandoned. I know there are some discussions around the Barossa train and that particular line, and I know there are some discussions with Genesee & Wyoming, who would like to lease it to maybe a private operator to run the Barossa wine train. It has been an ongoing discussion. We have the railway line out into the Mallee. It is sad. Railways built a lot of this nation and a lot of other nations, but we don't have the population or the freight to make these lines viable. It would be a bit pointless to maintain it in pristine condition if the volume and the economics of it simply don't stack up.

MINING LEGISLATION

The Hon. T.T. NGO (15:08): My question is to the Minister for Trade, Tourism and Investment. Does the minister support a right of veto for farmers on mining freehold land? Does the minister support public calls by four of his colleagues in the government to undertake meaningful consultation with regional communities on the issue of land access?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (15:09): I thank the honourable member for his question. I don't quite know where he has been. I will address the right of veto first. I have made it very clear to every person I have ever spoken to on Yorke Peninsula and at every meeting of every group of farmers that a never ever, never ever policy isn't going to happen. You cannot say that we are never, ever going to look in a certain area for minerals. It simply doesn't work. I have often explained it to farmers' groups on the Yorke Peninsula.

If, under a farm somewhere like my old farm in Bordertown, there was a deposit—I will use copper, but a mineral—that was to help humanity get to the next galaxy in a thousand years' time, we are going to dig it up. If it happens to be that rare that we need it, we need to always have the option.

Members interjecting:

The Hon. D.W. RIDGWAY: The members opposite laugh because that's how childish they are. You can never have a never ever, ever policy when it comes to assets that are owned by all of the people of South Australia. As I said yesterday, the Hon. Mr Ngo, as a result of the actions in the House of Assembly, there will be a lot more consultation now until at least—I forget whether it was the 23rd or the 26th of February, when that bill is scheduled to be brought back on to debate. There will be quite a lot of conversation and a lot more consultation.

The PRESIDENT: The Leader of the Opposition, a supplementary?

MINING LEGISLATION

The Hon. K.J. MAHER (Leader of the Opposition) (15:10): Yes, arising from the answer. Which particular mineral or element does the honourable member think is most likely to help us get to the next galaxy as he foreshadowed in his answer?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (15:10): I am not a scientist. Who knows what is going to happen in a thousand years' time? I would hope that there is a bit of a selection process and the members opposite get left behind when we go to the next galaxy.

LOCAL HEALTH NETWORK STAFF WELLBEING

The Hon. J.S.L. DAWKINS (15:11): I seek leave to make a brief explanation before asking a question of the Minister for Health and Wellbeing regarding staff wellbeing.

Leave granted.

The Hon. J.S.L. DAWKINS: In my current role as the Premier's Advocate for Suicide Prevention, and in similar previous positions in opposition, I have seen the impact of the work environment on individual wellbeing and how important it is to provide an appropriate workplace. Will the minister update the council on support for staff in South Australian local health networks?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:11): I thank the honourable member for his question. The Marshall Liberal government believes that workplaces should be safe for employees and free of harassment, bullying and intimidating or otherwise inappropriate behaviour. Within SA Health we are determined to deliver proper processes and adherence to Public Service ethics. Unfortunately, as detailed in the KordaMentha report that was released publicly on Monday, these values and standards of behaviour are not consistently applied in the Central Adelaide Local Health Network. The report identified the leadership and culture within CALHN as a problem.

I spoke yesterday in this place about the enthusiasm shown by nearly a thousand CALHN staff at forums held at Royal Adelaide, The Queen Elizabeth and the Hampstead Rehab Centre. Today, I am able to advise the council that the Central Adelaide Local Health Network is establishing a whistleblower hotline to empower staff to speak out about unethical or disrespectful behaviour. From now onwards, these types of behaviours will not be tolerated. As CALHN's new CEO Lesley Dwyer has told staff, they have not always had the support in the past to call out inappropriate behaviour. However, transforming the culture of an organisation requires active engagement from all members of that organisation. This is particularly the case in those circumstances where some areas of management might have been part of the problem.

To give staff this support, the whistleblower hotline enables all CALHN staff to report in good faith suspected misconduct or disrespectful behaviours. All concerns will be treated confidentially and anonymously if the staff member would prefer, and handled by trained staff who will provide the information to a disclosure officer within CALHN. It is important to emphasise that the whistleblower hotline does not replace communication with managers and human resources representatives. Rather, it gives staff another means to raise concerns and to do so in a safe environment. The helpline will be operated by an Australian company with experience in providing such confidential services for the reporting of unethical or disrespectful behaviour.

Contact will be able to be made by phone, email, internet, fax or mail. This independence is a further assurance to staff and a sign of how seriously CALHN takes this behaviour, and provides reassurance to staff of confidentiality and anonymity in making reports. I echo the words of the new

CALHN CEO, Lesley Dwyer, that it is okay to speak up, and I encourage staff to look at this new service as a powerful tool in making their voices and concerns heard.

CENTRAL ADELAIDE LOCAL HEALTH NETWORK WHISTLEBLOWER HOTLINE

The Hon. C.M. SCRIVEN (15:14): Could the minister advise the chamber of the cost of this hotline service, including the way that the company was procured, the full costs over the extent of the time that they have been engaged and what that time is?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:14): I will certainly take the honourable member's question on notice and bring back an answer.

The PRESIDENT: The Hon. Mr Pangallo, a supplementary?

CENTRAL ADELAIDE LOCAL HEALTH NETWORK WHISTLEBLOWER HOTLINE

The Hon. F. PANGALLO (15:14): Thank you. Question to the minister: will this unit also take complaints from patients or families of patients who have issues?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:15): My understanding is that it is not designed for patients, it is particularly focusing on employees. There are already mechanisms within the health system—various doors, if you like—that consumers can take. The Central Adelaide Local Health Network has a patient adviser, the Health and Community Services Complaints Commissioner can take complaints and, of course, in relation to the actions of a registered health professional, the Australian Health Practitioner Regulation Agency can also take complaints. It goes without saying that I as the minister and all members of parliament is another avenue that consumers often take up.

The PRESIDENT: The Hon. Mr Pangallo, a further supplementary?

CENTRAL ADELAIDE LOCAL HEALTH NETWORK WHISTLEBLOWER HOTLINE

The Hon. F. PANGALLO (15:16): Yes. What would happen if there were complaints that needed to be referred to ICAC?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:16): All South Australian health staff are expected to comply with their public sector duties. It is an interesting issue. There is an awareness in government that there isn't a high enough awareness within our public sector of the operation, if you like, of the probity frameworks, such as ICAC, the OPI, and other organs that are designed to help maintain the ethical health of the public sector.

I appreciate that the Office for Public Integrity actively has an education program, but certainly we can and we will do more within SA Health to make people aware of, first of all, the issues. People need to understand issues like conflict of interest. They need to understand their public sector duties generally in terms of ethics, let alone in relation to behaviour that might be corruption. I expect all staff to follow their legislative duties and in that regard SA Health will continue to try to raise general awareness within our workforce.

CENTRAL ADELAIDE LOCAL HEALTH NETWORK WHISTLEBLOWER HOTLINE

The Hon. F. PANGALLO (15:17): Will incentives be offered for people to come forward?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:17): I'm not aware of any proposals to provide incentives, but I think we need to appreciate the breadth of this hotline. Certainly, it is talking about calling out bad behaviour; it is also talking about highlighting bad practices. For example, I was talking to a nurse yesterday afternoon, or it might have been yesterday morning, in relation to his attempts to try to improve the orthopaedic pathway for patients. He expressed his frustration about the fractionalisation of the workforce, and that was a specific issue that has been highlighted by KordaMentha.

If you have a medical workforce, in particular, where people are working relatively low fractions of an FTE, the nurse was saying to me that it is hard to get consistency in the model of care. He was suggesting to me that one surgeon might only be in the unit one day a month—actually, I shouldn't say one day a month. He said he might only be in once a month; he didn't actually say how long that block of time might be.

The Hon. C.M. Scriven: So what's the fact of the matter?

The Hon. S.G. WADE: I am addressing Mr Pangallo's question at the moment. In that regard, I just stress that my understanding is that the hotline is not just for bullying, intimidation or poor culture, it is also about poor practice. We want to collect as much data, if you like, to drive good performance. In a situation like that, someone who isn't in a managerial role might have very good line of sight of opportunities to improve patient care and improve sustainability, insights that may not be as readily available to people in senior positions.

CENTRAL ADELAIDE LOCAL HEALTH NETWORK WHISTLEBLOWER HOTLINE

The Hon. K.J. MAHER (Leader of the Opposition) (15:19): Supplementary arising from the original answer: will KordaMentha get access to complaints that have been made?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:19): The fact of the matter is that KordaMentha will get access to information relevant to their role. So, for example, the orthopaedic nurse that I just referred to, I would have thought that KordaMentha would have been one of the first groups that would get access to that opportunity. But as has been explained by the government earlier in the week, KordaMentha's focus is on financial; when it comes to clinical and general management that is not their focus. They will continue to operate both under the board and under the CEO.

CENTRAL ADELAIDE LOCAL HEALTH NETWORK WHISTLEBLOWER HOTLINE

The Hon. K.J. MAHER (Leader of the Opposition) (15:20): Further supplementary arising from the original answer: are complainants made aware at the time that they are making the complaint that their complaint may be handed over to agencies outside of government?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:20): The KordaMentha role is a partnership with CALHN. KordaMentha will continue to work in partnership with clinicians, in partnership with SA Health management, in partnership with the board. Staff are well aware that KordaMentha is part of the financial team. They will continue to get data, particularly financial data but also in terms of the way the hospital operates.

I suppose one of the things that must be particularly embarrassing for the Labor Party is that, after 16 years of Labor, not only did KordaMentha give us a better insight into how the former Labor government had wasted $300 million in inefficiencies last year, they had also evolved a health network where the culture was toxic. This is meant to be a party that stands up for the worker, yet they allowed the workers in the Central Adelaide Local Health Network to be in an environment of bullying and intimidation. They completely failed their duties to the workers in the health system.

Members interjecting:

The PRESIDENT: Order! Order!

The Hon. S.G. WADE: Yet they come in here and bleat about—

The Hon. I.K. Hunter: You are the worst minister we've ever seen.

The PRESIDENT: Order! The Hon. Mr Hunter!

The Hon. S.G. WADE: They stand up and they defend inefficiencies. They defend a toxic culture.

Members interjecting:

The PRESIDENT: Order! Order!

The Hon. S.G. WADE: They defend 16 years of failure.

Members interjecting:

The PRESIDENT: The Hon. Mr Hunter! Minister Ridgway, I remind you you are a minister. Stop pointing in an aggressive fashion to the Hon. Mr Hunter. The Hon. Mr Hunter, your behaviour is equally bad.

Bills

STATUTES AMENDMENT (DOMESTIC VIOLENCE) BILL

Second Reading

Adjourned debate on second reading (resumed on motion).

The Hon. C. BONAROS (15:23): Earlier today, I was speaking on this issue in relation to the bill before us, the Statutes Amendment (Domestic Violence) Bill. I mentioned the inaugural conference for MATE, which is being held yesterday and today in Queensland with Dr Nada Ibrahim, an expert in domestic violence and family in the Australian Muslim community and senior research fellow at the University of South Australia.

I mentioned that Dr Ibrahim has a unique expertise in building healthy family relationships, including with respect to intimate partner violence in Muslim communities, and has been involved in many cross-cultural training activities with service providers on intimate partner violence and Muslim-related issues. I mention that because it is important to acknowledge the culturally specific aspects to domestic violence in migrant communities in particular, and to acknowledge that different cultural and linguistically diverse communities deal with domestic and family violence differently and, therefore, solutions and approaches should be tailored to specific communities.

The Hon. Irene Pnevmatikos spoke about this very issue in the last week of sitting. Indeed, she did so today, noting that:

> The fear surrounding migration and domestic violence are rife with inadequate or misinformation surrounding threats of deportation, visa cancellation and separation from children.

I can say that this is an issue I am acutely aware of as a result of my previous work in the Senate and in the context of the debates had at the federal level in relation to their most recent pieces of legislation on this very issue, specifically around issues of threats of deportation but also visa cancellation and also, importantly, legislation around the issue of domestic violence and visa cancellation. I have also been involved in matters where I personally advocated for individuals in those situations at that same level.

The effect of this is that many migrant women are left feeling isolated and will stay in violent relationships rather than asserting their rights, because many migrant women are not even familiar with their rights, often having migrated from countries where the rights of women are miles behind our own. This is overlaid with extended family, community and church pressures which place those sorts of pressures on migrant women, forcing them to endure violent relationships or risk being ostracised from their very own families and communities. Pressure is placed on them to drop charges against violent partners or risk losing their children because many women still believe that the threat of, 'If you leave me I'm keeping the children', is a valid one.

Religious leaders must also play an important part in understanding the very nature of domestic violence and to prioritise a woman's safety and the safety of her children over keeping the family together. I echo the call of the Hon. Irene Pnevmatikos in addressing the barriers in our regulatory framework, including the justice system and Family Court system so as to facilitate easier access and engagement with those services by migrant women.

Turning again to the bill, I make the following comments. The current laws surrounding violence are not tailored to domestic violence and, therefore, do not recognise the inherent dangers of violent behaviour within a domestic relationship. Therefore, this bill introduces an amendment by inserting section 20A in the Criminal Law Consolidation Act 1935 to create a new offence of choking, suffocation or strangulation in a domestic setting. Importantly, there is no requirement for harm to be intended or caused. Rather, the offence recognises the very danger of this action and therefore does not require harm to be proved for a conviction to occur.

The introduction of this offence is considered necessary and urgent as non-fatal strangulation is increasingly used by abusive partners as a mechanism to control their victim without killing them. Importantly, the definition of what constitutes a relationship is also expanded in the terms of the offence. I note that Queensland has introduced similar legislation. In the first year after introducing the offence of strangulation, suffocation and choking, 789 people were charged with

non-fatal strangulation. When I asked during the briefings about the effect of the new law in Queensland, I was not provided with information about whether any of the number of people charged were actually convicted of the new offence, but we certainly know that there have been 789 who were charged with such offences.

Strangulation is often considered a red flag for future serious abuse and, unfortunately, death, which is why the bill introduces this standalone penalty, to ensure the future and continued safety of any victims or possible victims of domestic abuse. The creation of this strangulation offence, rather than relying on existing offences such as causing harm or serious harm or attempted murder, is also important to educate the community about domestic violence and to ensure that domestic violence is tackled head-on rather than through general violence offences. To that end, I commend the government on introducing this offence.

Recognising the serious nature of this newly introduced measure to consider strangulation as a serious offence in domestic relationships also sees an amendment to section 10A of the Bail Act 1985, which creates a presumption against bail in particular circumstances. Specifically, the presumption against bail in the act is amended so that, when an applicant is taken into custody in relation to an offence under certain provisions of the Criminal Law Consolidation Act, it now includes the newly created section 20A, which deals with choking, strangulation and suffocation in a domestic relationship.

Approximately half of domestic violence cases do not result in a conviction at the moment because of the withdrawal of charges or a victim's decision not to present evidence in a court. The reasons for this are complex, and I have touched on a couple of them, including family and community pressures.

The bill then inserts a new section in the Evidence Act—that is, section 13BB—which is aimed at reducing the stress of victims as a result of the court process by allowing the evidence-in-chief of a victim to be admitted in the form of a police officer recording. This recording can be from a police officer's body-worn camera and will be admissible in court if it is found to be a prescribed recording. I hasten to say that I suspect that this probably will be, if anything, the most contentious part of this legislation in terms of any engagement we have with stakeholders. A prescribed recording is a recording that was made as soon as practicable after the offence had occurred. It is taken with the informed consent of the victim and is presented concurrently with a statement by the victim about their age, that they are being truthful and any other information required by the rules of court.

This particular measure, I might say, in terms of the introduction of the use of recordings used as evidence in the court, was encouraged by the South Australian Chief Magistrate, Mary-Louise Hribal. I will follow with interest how this will work in practice if, at the conclusion of the debate, it is part of this bill, particularly around issues of informed consent. I again note that the aim of this particular provision of the bill is intended at least to reduce the need for painful cross-examination of victims, which often only serves to re-traumatise them.

Another aspect of the bill relates to intervention orders, or restraining orders, and such orders are put in place to restrict the behaviour and/or actions of a particular person against another, and usually these are granted to protect victims or possible victims of domestic violence or family abuse. Currently, the act covers acts of abuse intended to result in physical injury; emotional or physical harm and unreasonable and non-consensual denial of financial, social or personal autonomy; or damage to property.

The bill expands the definition of 'relationship' that has been outlined in the act, which includes where the person who experienced the abuse is a grandchild, sibling or carer. Again, I commend the government on the initiatives in this bill, which it is hoped will protect women and children and, importantly, save lives.

I also commend the government on its recently launched Ask for Angela campaign, which began in the UK and is also used in New South Wales to help if people feel unsafe or vulnerable in hotels, pubs, clubs or restaurants. The campaign, as we know, encourages a patron of the hotel, pub or club to seek support and ask a staff member if they can speak to Angela. Staff at participating venues will then be notified and assist the person in getting help by calling a taxi, alerting security or taking them to a safe place in the hotel. Again, I also commend the government on the 24/7 domestic

violence crisis line, which went live this week. That line has been operating in South Australia for close to 30 years. The after-hours service has been until now diverted to the generic homelessness gateway, which was nowhere near adequate, so this is certainly a very welcome development. I am pleased that anyone in South Australia who needs assistance through that domestic violence hotline is able to get that assistance 24/7.

I recently wrote to minister Corey Wingard seeking an urgent response about the trial of 90-odd GPS tracking devices for domestic violence perpetrators and the recent Telstra hardware failure on those devices. Unfortunately, I have not heard back. I am somewhat disappointed that the minister has not responded to that question yet, but it is one that I will seek a response to during the committee stage of this debate because it goes to the very heart of the issues that we are debating. It followed the question I asked on the issue during question time on 7 November, which also remains unanswered.

I close with making some comments about some other aspects of family violence. Again, I reiterate my comments in relation to children. We know, achingly, children who witness or experience domestic violence become two to four times as likely to enter into relationships with a violent partner and experience violence as adults themselves. Children witnessing violence are in fear and it has a disabling effect on that child's development. For others, it normalises the behaviour and leads to a cycle that repeats for the next generation.

I commend again the Attorney-General for her recent comments on the impact on children who witness family violence, even if they are not directly attacked. It is perhaps the biggest area of reform authorities must address next. If we want to grow our children into functioning, whole and happy adults, then we must focus on the effect domestic and family violence has on our children. In the same way that society accepts the dangers of passive smoking, I am heartened to hear the Attorney-General wants to address the devastating impact of passive domestic violence on children living in abusive households. SA-Best is happy to work with the Minister for Human Services and, indeed, the assistant minister for domestic and family violence prevention, who have been tasked with looking at the area of passive domestic violence.

We must also work on changing perpetrator behaviour and we must adequately fund services that work in this area like KWY. Among their many services, KWY specifically work with Indigenous communities to change perpetrator behaviour. One of their programs is a 12-week Accountability, Responsibility and Change (ARC) program. KWY uses cultural ways to engage Aboriginal men and offers a safe place to explore the complex issues of their personal trauma whilst addressing the use of family violence. They also provide the Our Spirit, Our Culture, Women's healing program, where KWY specialist women's workers offer a culturally safe place to explore the complex issues of their personal trauma, individual yarning sessions, women's gatherings, strengths-based group work, court support, financial counselling and access to specialist domestic and family violence women's workers.

KWY also runs programs for children. I should say that it runs on the smell of an oily rag and is in urgent need of funds. To that end, I would urge the government in its next budget deliberations to consider additional funds for KWY. Women, children, domestic partners deserve to live in safe environments free from harm and free from fear.

Before closing, I would like to also commend the federal government, given that I am now giving all these commendations today.

The Hon. D.G.E. Hood: You're on a roll.

The Hon. C. BONAROS: I am on a roll. In particular, I commend minister Kelly O'Dwyer and the Attorney-General, the Hon. Christian Porter MP, for their most recent announcements in relation to family violence. We know that there is a bill before the federal parliament which has been stalled for some time. That stalling has come as a result of issues of funding. I was particularly heartened when on 20 November the federal government announced that women will be the major beneficiaries of a major funding boost for family law services and initiatives to help women establish economic security after ending a relationship, as part of the Coalition government's women's economic security package, which was announced on that day.

Specifically, victims of family violence will benefit from the new ongoing funding for legal aid commissions to support the ban on direct cross-examination by perpetrators of family violence. That is the subject matter of the bill that I just alluded to, namely, the legislation that has been stalled in the Senate as a result of funding issues.

However, we know now that funding—initially $7 million over three years—will establish that scheme and that legal services commissions will be funded to provide legal representation to parties subject to the ban on direct cross-examination through the mechanisms of that bill. The bill will protect victims of family violence in family law proceedings by banning direct cross-examinations in certain circumstances and requiring that cross-examinations be conducted by a legal representative.

I have met with the Legal Services Commission director here in South Australia and discussed this particular scheme. From what I have heard, I can say that she is absolutely delighted that our Legal Services Commission will now have the funding to be able to provide that scheme in South Australia. That is certainly a very welcome move by our federal government.

I would like to finish by noting that the government has worked with Legal Aid across Australia, not only to accurately cost that scheme but also to ensure that it does what it is designed to do. I think it is a very good initiative and one that the federal government certainly ought to be very proud of.

In addition to those funding commitments, under the 2019-20 budget the federal government has also committed to $31.8 million and ongoing funding to existing commonwealth-funded specialist domestic violence units and health justice partnerships across Australia. Again, this will benefit our jurisdiction. There is $50.4 million in new funding for family law property mediation services. Each year, $13 million will be provided to the 65 Family Relationship Centres across Australia (again including South Australia) on an ongoing basis to help families reach agreement about splitting their properties after separation and, importantly, keeping those families out of court.

In addition, $10.3 million will be provided to Legal Aid for a two-year trial of lawyer-assisted mediation in each state and territory. Further to that, $5.9 million will be provided in new funding for the federal Family Courts to conduct a two-year trial of simpler and faster court processes for resolving family law property cases with an asset pool of up to $500,000. Based on the estimates given, I think there are some 32,000 couples across Australia who are expected to benefit from that funding and from those trials, and that is quite significant. Again, I commend the federal government and this government for this most important bill, and I look forward to the committee stage.

The Hon. J.M.A. LENSINK (Minister for Human Services) (15:42): I thank all honourable members for their contributions to this debate. In order of delivering their second reading speeches, I thank the Hon. Mark Parnell, the Hon. John Darley, the Hon. Kyam Maher, the Hon. Irene Pnevmatikos and the Hon. Connie Bonaros. A number of members reflected on their personal experiences, both in their own lives and in their professional capacities, and I thank them for their commitment to ending domestic violence in South Australia.

I also commend the Attorney-General for this legislation and for the rapid way in which she has brought these matters to the parliament. I know she was very frustrated in opposition that there were some delays and a lack of action previously—following the discussion paper in July 2016 under the former government—which did not result in legislative changes. I think she has demonstrated how much she can do in just a short space of time—in just nine months of having that role. I should point out for the record that the particular matters of a new offence of strangulation, amendments to intervention orders and changes to the Bail Act are things which have not been raised in South Australia previously. With those comments, I commend the bill to the house and look forward to the committee stage of the debate.

Bill read a second time.

Committee Stage

Bill taken through committee without amendment.

Third Reading

The Hon. J.M.A. LENSINK (Minister for Human Services) (15:47): I move:

That this bill be now read a third time.

Bill read a third time and passed.

Motions

RETIREMENT VILLAGES

The Hon. R.I. LUCAS (Treasurer) (15:48): I move:

1. That, in the opinion of this council, a joint committee be appointed to inquire into and report on—
   (a) valuation policies of the Valuer-General and their impact on some residents of retirement villages; and
   (b) options available to both state and local government to alleviate any impact on SA Water and local government charges of these policies.
2. That, in the event of a joint committee being appointed, the Legislative Council be represented thereon by three members, of whom two shall form a quorum of council members necessary to be present at all sittings of the committee.
3. That this council permits the joint committee to authorise the disclosure or publication, as it thinks fit, of any evidence or documents presented to the committee prior to such evidence being reported to the council.
4. That standing order 396 be suspended as to enable strangers to be admitted when the joint committee is examining witnesses unless the committee otherwise resolves, but they shall be excluded when the committee is deliberating.
5. That a message be sent to the House of Assembly transmitting the foregoing resolution and requesting its concurrence thereto.

In speaking to the motion to establish a joint standing committee, for the benefit of members who are new to the chamber and perhaps have not had the benefit of what was an ongoing debate over a period of time prior to the 2018 election, and to provide a bit of context and background, I will read a good part of an article from Miles Kemp in the *Sunday Mail* under the heading 'Retirees face astronomical water charge'. The article goes as follows:

Retirement village residents fear a 700 per cent water bill increase is hanging over their heads because the State Government has not brought an SA Water cash grab under control.

SA Water, which already makes hundreds of millions of dollars in profit each year, wants to take advantage of a system in which the Valuer-General is valuing each retirement dwelling in a village as a separate entity.

This means that despite only one water meter going to each village, dozens of dwellings could be charged by SA Water as separate entities.

The system, which would cost retirees millions each year, was put on hold in 2015 following alarm about the first two retirement homes recording a 700 per cent increase, netting SA Water another $24,000 in revenue.

But Retirement Villages Residents Association president Bob Ainsworth said the problem had not been resolved almost three years later.

And the deal to stop SA Water acting through compensation was due to expire in 2025. 'This problem goes back to 2015 when the State Valuation Office made a decision to issue separate assessments to each retirement dwelling, rather than retain single assessments which are issued to all other multiple occupancy complexes such as shopping centres, office developments and blocks of flats,' Mr Ainsworth said.

'SA Water opportunistically wants to charge 8500 dwellings for a metered service despite there being only one meter to the complex they were in, and also to change the way the sewer charge was calculated to make even more money.'

But an SA Water spokesman defended the system of compensation from the State Government, because it avoided payment by those living in retirement villages.

I will not go on with the rest of that particular article. Suffice to say it highlights the particular issue, but from the viewpoint of those who oppose the current arrangements. I hasten to say that if the parliament chooses to establish this joint committee, they will receive strong evidence from a number of other stakeholders who trenchantly disagree with the assessment that Mr Ainsworth has outlined in that article.

SA Water has disagreed with that view. Certainly, the former valuer-general has now retired, but the state valuation office has expressed a different view in relation to some of the claims that have been made by Mr Ainsworth. I am not sure whether the committee would call former Labor ministers who had responsibility for this particular area at the time of 2015 or not, but that is entirely a decision for the joint select committee, should it be established. Nevertheless, a range of stakeholders have put a point of view disagreeing with the claims that are being made about the 700 per cent water bill increase or about the potential unfairness of the valuation system.

So there are trenchantly different views in relation to this vexed issue. The former government did, in essence, put it to bed in a political sense by signing this MOU in 2015, which goes through to 2025. As Mr Ainsworth concedes, this issue will only really become an issue upon the expiration of this particular arrangement in 2025. Nevertheless, as the residents association has highlighted, it is a matter of concern to them and they want to see the issue resolved.

I, as shadow treasurer, had a series of discussions about this particular issue. I know our colleague the Hon. Mr Darley has pursued this issue through various parliamentary committees already—the Budget and Finance Committee and possibly other committees; I cannot recall. In terms of questioning the former valuer-general, I know the Hon. Mr Darley has had meetings with the former valuer-general, etc., in terms of trying to seek a resolution to it.

The Hon. Mr Darley has a view that a particular legislative solution is a simple solution to it. Concerns have been raised about what the potential ramifications of that simple legislative change might mean, and it is for all those reasons that ultimately, in the discussions that I had with Mr Ainsworth, having put a number of proposed policy solutions to him and his association, he said, 'All we are asking is for an opportunity to have the parliament establish a committee so that we can argue our case before a parliamentary committee.' It is for those reasons that on 5 March, about two weeks prior to the 17 March state election, I issued, on behalf of my party, the then opposition, a press release policy commitment, which said:

> Liberals agree to inquiry into Valuer-General policy
>
> Shadow Treasurer Rob Lucas said today that a Marshall Liberal government would establish a Parliamentary Select Committee to investigate valuation policies of the Valuer-General and their impact on some retirement village residents.
>
> This decision has been taken in response to lobbying from the SA Retirement Villages Residents Association (SARVRA) which has called on both the Labor Party and the Liberal Party to establish a Parliamentary Select Committee on this issue.

I will not repeat the rest of the press release. I am not aware that the Labor Party responded either privately or publicly to the lobbying from the Retirement Villages Residents Association. It may well be when a spokesperson from the Labor opposition speaks to this motion they might be able to indicate that they did correspond with Mr Ainsworth committing to an inquiry or they might have issued a public statement, but I obviously have no record of whether or not the Labor Party prior to the election responded to the request from the residents' association for an inquiry.

In technical terms, there is some information I can place on the record. The Valuer-General's approach to retirement villages has been to value each independent living unit as a separate assessment rather than a grouped assessment. The Valuer-General has argued that this approach was first introduced in 1993. The Valuer-General has argued that there are 500 registered retirement villages across the state, incorporating 17,500 independent living units, of which around two-thirds are currently separately assessed and the remaining third are assessed as a grouped amalgamated unit.

Again, the committee will be able to interrogate that evidence, but that information has been provided to my office, which indicates there are 17,500 independent living units. The separate assessment process was first commenced in 1993. Two-thirds of those 17,500 units have been separately assessed and it is the remaining one-third that have been assessed as a grouped amalgamated unit. One of the challenges in this, of course, is that under the current policy rollout one particular model is that the remaining one-third will be separately assessed.

The issue is that we currently have a situation where some are already separately assessed and therefore are either currently paying or will be paying rates, taxes and charges in relation to

being a separate assessment. You have others that have not been separately assessed and that are paying the same sorts of rates, taxes and charges, but paying them at a different rate because they are part of a group assessment.

So there is an argument about an inherent inequity within the system as it exists at the moment. The committee may well look at one option, which is to separately assess all of them, and the other one is to reverse what we are told is the policy back to 1993 and I guess give an advantage to people who have been paying their taxes and charges on the basis of a separate assessment perhaps back to 1993. They are the sorts of issues this committee is going to need to have a look at.

I am advised there have been subsequent reviews since 1993. The valuations approach was subject to a select committee, I am advised, in 2013, established in the House of Assembly. As I referred to earlier, I know the Hon. Mr Darley pursued some issues in 2015 and subsequent years through some questions in the Budget and Finance Committee. The MOU that I referred to earlier that was established on 1 July is actually between, I am advised, the Valuer-General, SA Water, RevenueSA and what was then the department for communities and social inclusion. That is the one that is meant to expire on 1 July 2025.

In brief, that is the background to this motion to establish a joint committee. I think, on behalf of the residents who have relentlessly pursued this particular issue for some time, there is a significant issue that needs to be resolved. This was an election commitment that the former Liberal Party and now Liberal government made prior to the election. This is our following through on that particular election commitment and it will, of course, be subject to whether or not there is a favourable decision to support it in this chamber and in the House of Assembly to establish a joint committee.

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

HEALTH SERVICES

Adjourned debate on motion of Hon. C. Bonaros:

1. That a select committee of the Legislative Council be established to inquire into and report on health services in South Australia, with particular reference to—

   (a) the opportunities to improve the quality, accessibility and affordability of health services including through an increased focus on preventative health and primary health care;

   (b) the South Australian experience around health reform in the state, specifically Transforming Health, EPAS, the reactivation of the Daw Park Repatriation Hospital and other related projects and/or programs;

   (c) the federal government's funding of state government services and the linking of other federally funded services in South Australia, such as Medicare funded GP services, Adelaide Primary Health Network and Country Primary Health Network; and

   (d) any related matters.

2. That standing order 389 be so far suspended as to enable the chairperson of the committee to have a deliberative vote only.

3. That this council permits the select committee to authorise the disclosure or publication, as it sees fit, of any evidence or documents presented to the committee prior to such evidence being presented to the council.

(Continued from 7 November 2018.)

The Hon. F. PANGALLO (16:02): I rise to speak in support of the motion put forward by the Hon. Connie Bonaros for a select committee on health services in South Australia. Where do you begin with this mess of a health system that became a huge, rudderless bureaucracy under the previous Labor government, where mismanagement and spending were totally out of control, as we are now being told by the Royal Adelaide Hospital's auditors, KordaMentha?

At the last state election, SA-Best was howled down for calling for a royal commission. Clearly, from what we are now learning, a major inquiry was warranted. This committee will be able to examine and report on the delivery of health care, health services and failed health reforms, and then make recommendations that will complement the bean counters brought in at great expense.

It is evident that there remains a toxic culture operating within SA Health that has spread like a pandemic, engulfing pen-pushing bureaucrats to clinicians, doctors and nurses in the various local health networks, making many fearful for their jobs and leading to a failure of services. Eleven CEOs in 11 years at the Central Adelaide Local Health Network indicates a lack of leadership, and morale must be low. South Australian Country Health is a disgrace, too. The needs of our regions have been forgotten. A system in overload and bursting at the seams must eventually impact on the level of quality health care South Australians of all ages expect.

It has cost lives and will continue to do so. I have already spoken in this chamber of the needless death earlier this year of a bright and bubbly teenager with a full life ahead of her. Kiera Maraldo was diagnosed in our brand-new hospital with a potentially fatal but treatable heart condition, yet was sent home because they did not think she was a priority. She died in her sleep not long after discharge. Who should take responsibility for that?

Kiera is just the tip of an iceberg of public patients going through our health system as if it were a lottery. My fear is South Australia—and Australia—is going the way of medical care in the United States where only the rich can afford to get sick or have surgery and ordinary people are made to feel they are mere numbers.

The news remains bleak even if the Marshall government can stop the flood of red ink. There is no quick fix, and governments know it. Canberra will spend $100 billion plus on machines that are designed to kill people yet baulk at spending one extra dollar than they must on saving the health of the nation to give us more hospital beds and facilities to cope with what is about to come. Here, the state Liberals can raise loans to build a boutique hotel at the Adelaide Oval, appeasing their politically aligned footy, cricket and pokie baron chums that sit on the Stadium Management Authority while closing down facilities or cutting funding to organisations and clinics that assist the less well off in our community.

In the meantime, our already fatigued health systems are about to be hit with a tsunami they should have seen coming a decade ago. Thirty per cent of the population are boomers entering their retirement years, which means they will be needing more health and aged care. If they can still pay for private health cover, they are now thinking twice about keeping it, because the rising cost of premiums is making it unaffordable, driving more to the public system. Even young people are ditching it because the cost of living is too high.

Health and education must be a nation's top priorities for its citizens. The $2.4 billion on the new Royal Adelaide Hospital is an outrageous waste, a folly by a polly, Mike Rann. It will eventually cost taxpayers $11.8 billion but most likely more. What kind of a legacy has been left for future generations? They could not even get the move done right. Why did Labor not maintain some presence at the old site to allow a transitional period? But no, they shut it down and gave away all that was there for a place that is not fit for purpose because the bureaucrats and politicians running health did not plan or consult properly.

No thought, for example, was given about relocating the much-needed respiratory clinic from its current site across the road from the old hospital. Now they are needing to make space for it at the new place. There was not enough room for an outpatient clinic, so an entire ward, that could hold up to 16 beds on the fifth floor, has had to be set aside as a short-term fix until a solution was found. But outpatient care is such a busy area, and the waiting lists are very long; a year later it does not look like being moved.

Labor wanted to shut down other hospitals. What were they thinking—that people do not get sick as the population grows and gets older? Cutting back when demand is only going to increase makes no sense.

Cuba is one of the poorest countries on earth and one of the last bastions of communism. It also has one of the best universal health systems in the world. Right now, it is far better than ours. Cuba provides more medical personnel to the developing world than all the G8 countries combined. Its healthcare system continues, in part, due to its unique medical education system, which turns out thousands of doctors, nurses, specialists and other clinicians. There might be lessons there for us, because here it is still a closed shop.

The only ramping in Havana is done in 1950s vintage Chevy or Dodge cabs loaded with tourists waiting to buy a box of Montecristos from La Casa del Habano. Patients are treated as equals. And it's all free. Medical tourism is a booming industry there, with specialist hospitals designed for foreigners and diplomats offering low-cost surgical procedures.

Unless you have personally experienced our health system, you would not realise the extent of the problems we have here. The best illustration I can give of this are recent instances that are close to home for me. I will start with my own ailing father-in-law, a pensioner in his mid-80s who worked extremely hard all his working life, contributing much to the community in taxes so that he could enjoy retirement and a healthcare system he once helped subsidise.

Earlier this week, he was ferried by ambulance to the Flinders Medical Centre with dangerously high blood pressure and blurred vision after collapsing at home. He then had to wait in an ambulance, ramped with several others outside emergency, for more than three hours with his blood pressure above 200 before anybody could see him. The frustrated ambulance medics, who cannot be faulted for their care and concern, handed him a pamphlet calling for action on ramping, an issue that nobody can make disappear despite years of rhetoric and politicking.

It took another two hours before a doctor suspected that he may have suffered a stroke, and it was only confirmed after further tests. Why must it take six or seven hours for an aged person presenting with serious neurological symptoms to be assessed when there is a real risk they could have another stroke? Staff talked about sending him home when it was obvious that he was in no condition to leave the ward and before they completed all the necessary tests—because they needed the bed.

He went home on Monday and was booked in for an MRI yesterday. He duly rolled up only for the MRI to be cancelled because he has a pacemaker fitted. Flinders staff knew this from his records yet still made the booking and did not communicate it to the MRI staff. An appointment cancelled, time and money wasted, and the hospital's already groaning waiting list extended because of poor communication skills. A bad decision has a domino effect. My anxious father-in-law has been told to wait while they find a solution.

I would also ask if staff at our hospitals are thinly directed to give less priority to aged patients. On my way out from visiting my father-in-law I bumped into the Varbaro family who were visiting their 90-year-old mother, and another horror story of communication breakdown unfolded. She had gone to Flinders Private in mid-October for a heart ailment. Family members advised staff not to give her the drug Endone because it had an adverse effect—but they still gave it to her. Then she had a serious fall with nobody watching her and broke her neck. In pain, Mrs Varbaro was then left in a bed wearing a hard neck brace. When no visitors came to check on her she became upset, thinking that her family did not care about her; however, it was because no staff member cared to call her next of kin to inform them of the incident and the subsequent injury.

The family only discovered what had happened when one of them happened to call her some eight hours later. From that day she has been complaining of head pain. She was recently moved to Flinders public where she was to have an MRI. Five weeks later no MRI has been done and she is still complaining about the head pain. Her son Tony tells me that staff only seem to react when he contacts them to complain about the level of care—not good enough, Mr Acting President.

Ron McIntyre, a friend I have known since childhood, has the unenviable reputation of being in the new RAH longer than any other patient, thanks to complications from surgery which may or may not require further investigation. He can no longer eat or drink himself; it must be done intravenously. He has cancer but now is not fit enough for surgery. He has been punted from the hospital to the Hampstead Rehabilitation Centre and back into ICU so many times that the system does not know what to do with him anymore.

He cannot go home or into a nursing home as he would be back in hospital within days because of pulmonary aspiration. At Hampstead they wanted him to sign a form as to whether he wanted to be revived if he had another incident. Has it got to that point where they want someone to sign away their life, Mr Acting President? Today, he is in the new RAH as a private patient. They were supposed to give him an MRI but that has not occurred. They want him out.

Hampstead does not want him either. He cannot get a straight answer. Does anyone care anymore? As a doctor warned me only last week, you do not want to get old in this state and get sick. However, it happens to the young as well. A distressed young father, who I have come to know quite well, Mahir Parikh, called me last week complaining about the substandard care initially given to his three-year-old son Rushi at the Women's and Children's Hospital last month. Rushi was rushed to the emergency department at the hospital with a very high temperature, and was constantly vomiting.

Without his condition being properly assessed by a doctor, a nurse at reception decided Rushi was not a priority case, so Mahir waited and waited in the packed emergency department as his son's condition worsened. He inquired twice about the length of time to see a doctor, but was told he had to wait. Five hours later the boy was treated for dehydration, but no tests were taken. Only by chance a visiting doctor noticed the boy was not doing so well, recognised the seriousness and ordered blood tests and an ultrasound, which revealed renal failure. One of his kidneys had already shut down.

After seven hours, Rushi was put on a ventilator and given dialysis, but even then, Mahir claims, the nurse had difficulty operating the machine. There were more dramas for the family the following day, when a scheduled operation was delayed by four hours because no other emergency operating theatre was available at the hospital. The boy was required to fast for that surgery, but was so hungry and distressed that his distraught father and mother had to stop him from biting his fingers.

The treating doctor said that Rushi faced the risk of dying had he not gone into ICU when he did. He was in hospital for 22 days, including 13 in intensive care. Rushi was found to have a rare case of HUS syndrome. Some of you may remember the terrible toll a type of HUS had on children during the Garibaldi contaminated meat poisoning scandal. The kidney took 11 days to start working again, but is operating at 70 per cent.

Rushi is taking an expensive subsidised drug on a trial that ends in March. It will then cost $6,000 per 300 milligram dose. Doctors cannot tell Mahir if there is long-term damage to Rushi's kidney, but he wants to know why it took so long to be seen, and then for the life-threatening problem to be diagnosed. Now he has the added burden of the high cost of ongoing treatment. He was told there was not enough staff to cope with the demand. Had Rushi been treated differently when he presented, the costs could have been significantly less for the hospital, the family and taxpayers.

How often does this happen? It would not be a rare occurrence. Waiting lists and staffing issues in our hospitals must also be addressed. I have outlined four cases I have personally encountered. How many others are occurring every day that we do not know about?

I note that today the new CEO of CALHN has announced a whistleblower hotline. It all sounds good, but what will it achieve when little is being done about the mountain of actual documented complaints? It is not acceptable. We live in one of the world's top 10 liveable cities, not a Third World country, unless of course you get sick.

I am that sure many of those working in our hospitals are doing their very best under difficult and demanding circumstances beyond their control. I will heap enormous praise on SA Ambulance for their dedication to the patients they serve. Their job is to collect and care for patients for the journey to our hospitals. They should not be a back-up ward in a car park, in the process holding up others requiring their assistance in emergencies. People have died as a result of ramping.

Something must be done; things must be fixed; we must get answers. There is an urgency that can no longer be swept aside. We are in the midst of an unprecedented crisis. Hopefully, we can get clarity from this committee's inquiry. I commend this motion to the chamber.

The Hon. E.S. BOURKE (16:19): I rise to briefly speak on the motion and indicate the opposition will be supporting the establishment of this select committee. The select committee will give this council the ability to gain a deeper insight into the government's policies and decisions in the health and wellbeing portfolio. The committee will be able to act as both the reviewer and accountability mechanism over the government's decisions in health moving forward. Given the importance of this portfolio and its impact on the lives of every South Australian, we believe it is a positive step for the Legislative Council to be considering the health portfolio at a more detailed level.

The first reference point of the select committee is centred on investigating opportunities to improve the quality, accessibility and affordability of health care, particularly looking at preventative and primary health care. The future of preventative and primary health care is particularly front of mind with the government's budget cuts in these areas. As we have heard in this chamber just today and yesterday, the cuts to SHINE SA, to sexual health funding and to Centacare's Cheltenham Place services demonstrates a shortsightedness of this government.

Cutting these services might represent a small budget saving in the immediate sense, but the rise in unplanned pregnancies, increased STIs and untreated HIV patients will have a huge impact on our health system and our health budget in the years to come. The opposition will be seeking to focus on those poor decisions of this government in considering how we move forward on preventative and primary health in this select committee.

The second reference point references a number of matters for the committee to consider. The opposition believes that a number of these matters have already been canvassed in great detail, some in previous committees. However, we are willing to support the motion and in particular seek to focus our efforts in this committee on current and future matters. In summary, the opposition will be supporting the establishment of this select committee. We look forward to having a level of oversight of the government's decisions in health moving forward.

The Hon. S.G. WADE (Minister for Health and Wellbeing) (16:21): The opposition will be supporting this motion and the government will, too. I must admit I will be highlighting different things than the Hon. Emily Bourke. The first reference deals with, as the honourable member said, quality, accessibility and affordability. In the context of accessibility, I am sure the committee, as the Hon. Frank Pangallo highlighted, will want to be looking at waiting lists because access is a huge issue in relation to elective surgery. In the last year of the Labor government the elective surgery waiting list increased tenfold.

In terms of affordability, clearly it is important that we budget appropriately for the increasing cost of health care and the ageing of our community. Once you have set your budget, you have to stick to it. What we saw under the former Labor government was that, having set a budget and factoring in relevant growth, they blew it year after year. My understanding is that two financial years ago it was about $150 million; in the last financial year in CALHN it was $260 million; and this financial year the projection is $300 million.

These are not issues of cutting money; it is a matter of living by your budget. It is one thing to say, 'We will budget for growth', and then just ignore the budget. What KordaMentha found was that SA Health, in CALHN in particular, just had gross disrespect for the budget. That is not the way to make sure that our health services are affordable and accessible.

The second dot point of the terms of reference talks about the South Australian experience around health reform in the state. The Hon. Emily Bourke was religious in looking forward. She kept talking about looking at issues going forward. I would like to make it clear that the government expects this committee to honour its terms of reference; that is, to see the whole health reform experience.

I notice that the Hon. Connie Bonaros in her motion refers to Transforming Health, and I think that is very appropriate. The only way to see where we are, going forward on health services, is to know where we are now, and that is significantly affected by the experience of the last four years. For those of us who celebrate anniversaries, yesterday was actually four years exactly since the Transforming Health summit. A bit like an Amway convention, it was held at the Convention Centre and was all about launching a PR campaign that turned toxic against Labor.

The Hon. I.K. Hunter: Guess what this week is? It's AIDS Awareness Week, when you cut funding to sexual health services. You are useless. Stop trying to apportion the blame to someone else. Accept your own responsibilities.

The ACTING PRESIDENT (Hon. D.G.E. Hood): The Hon. Mr Hunter, please!

The Hon. S.G. WADE: The problem with Transforming Health is that it significantly failed to engage the community and failed to engage clinicians. In that respect, it was not alone in terms of projects of the former Labor government. I met a nurse this week who is a senior nurse manager at

the Royal Adelaide Hospital and has been so for some time. She said that, in spite of her seniority, not once in the new Royal Adelaide Hospital project was she consulted on the hospital's design and the configuration of its services. It is hard to imagine that the former Labor government would think that you could have a fit-for-purpose facility and not engage the people who are going to use it, but that is exactly what they did.

Something I want to stress to the Hon. Connie Bonaros is that it is the government's view that it would be helpful not to stop at Transforming Health but also to look back over two other health reform initiatives, which I would like to highlight for the honourable member. The John Menadue report, called the Generational Health Review, in 2003, which recommended a very significant shift towards primary and preventative health. This was a report commissioned by Labor and the Labor government endorsed it. Yet, within three or four years, suddenly, instead of investing in primary and preventative health as the Menadue report suggested, we were building a large centralised Royal Adelaide Hospital. A lot of people in the health sector are saying that there is a disconnect here.

Secondly, I would also encourage the honourable member to be aware of mental health reform. Let's remember that this is not just about physical health; we are also concerned about mental health. I think it would be helpful for the committee to do a stocktake on mental health reform after Cappo. There is a lot of work to be done. A lot of issues have been raised over the last 10 to 15 years. You would expect, after all of the reports and all of the discussions on health reform, that we would be going forward. I think a lot of South Australians have lost confidence in health reform, and a committee to look at our experience and a more constructive way going forward would be helpful.

I certainly support the third recommendation in relation to the interaction between federal and state services, particularly with the emergence of the PHNs. I think there are a lot of issues in terms of federal and state interaction—a classic example is the NDIS. The interaction between different sectors and different levels of government, including local government, certainly warrants attention. If the committee were able to provide suggestions on how we could better cooperate with other levels of government, I think that would add real value. I offer those few remarks in joining other members in supporting this motion.

The Hon. T.A. FRANKS (16:28): Because of my own ill health, I am finding it a little hard to make vocal contributions at the moment. However, at this point I certainly want to make a contribution, some of which is similar to what the minister has just reflected on. I simply want to indicate that the Greens support the establishment of this select committee. In doing so, I note that, while it is unparliamentary to mention other select committee or standing committee inquiries currently underway, there is a standing committee about to look into workplace fatigue, bullying and stress within the health workforce itself. I flag that that work is underway and will soon commence.

Of course, I was a member of the previous Transforming Health select committee, which provided many reports to this place, and there will be much food for thought there. Two other things I wish to reflect on are that, within these terms of reference—and the minister has hit the nail on the head—there is little reference to mental health, and that is such an essential part of our health. Transforming Health, the most major transformation in a generation of our health system, did not even touch on mental health, and that is an error of the previous government itself. You would have thought that Transforming Health would have addressed that situation and had that particular cohort at its very core.

In fact, when the focus was on clearing out EDs and not having people seeking care on multiple occasions, and the idea that you would get the best care, first time, every time—well, when you do not look at mental health care, you are never going to get the best care, first time, every time. Finally, in terms of preventative health, I would hope the committee would undertake to look at the McCann review. From my own perspective, I get a lot of constituents come to me who do not fit into the mainstream health system. We have had the debates about SHINE and the services there, but trans people also find that they cop a pretty raw deal from the health sector.

We do not have a gender clinic in this state like Victoria does and, when we have South Australians having to go to Victoria for that sort of health care, I think we need to assess whether our health system is even coming close to giving those particular citizens of our state best care, first time, every time, but go to Victoria to get it. I hear a lot of heated words in this place and, while it would be unparliamentary of me to reflect that there is another motion coming up, which I am certainly also

interested in, I ask in this case that we start to put some of these health challenges first. We are here we are politicians, and there is no getting away from that, but there are also quite pressing issues that face us, which I think we are here to make a difference to and make better. With those few words, I commend the motion.

The Hon. T.J. STEPHENS (16:32): I hope the chamber will indulge me. It has been brought to our attention that it would be the government's preference to have two members participate on this select committee. Whilst I know that those of us who are participating in committees are rather stretched at the moment, the Hon. John Dawkins has been kind enough to put his hand up to participate on the committee on our behalf. The minister, the Hon. Stephen Wade, thinks it is quite desirable that we have a second person, particularly on the off-chance that if the Hon. John Dawkins cannot make it we would like to be represented on this committee. So I am going to move to amend the Hon. Emily Bourke's motion—

Members interjecting:

The Hon. T.J. STEPHENS: Sorry, the Hon. Connie Bonaros's motion to make sure—

The Hon. C. Bonaros: I have already put two in.

The Hon. T.J. STEPHENS: —that we have two. I have flagged that, when we move onto the next one, we will certainly be doing this as well to make sure that we have two members on these particular select committees.

The Hon. C. BONAROS (16:33): At the outset, can I thank all honourable members for their contributions: the Hon. Frank Pangallo, the Hon. Emily Bourke, the Minister for Health and Wellbeing and, lastly, the Hon. Tammy Franks. I would like to make a few comments before finalising this issue in relation to the ills of our public health system, which I think are now well known and well documented, and the crisis impacting our public health system, which simply cannot be underestimated.

So bad is the long-term diagnosis that the state government recently gave the keys of the SA Health agency that runs the new Royal Adelaide Hospital to the bean counters who resuscitated the Whyalla steelworks. KordaMentha has been put in charge of turning around the massive $300 million budget blowout in the Central Adelaide Local Health Network—at a cost, of course, to taxpayers. In return, KordaMentha aims to return CALHN's budget blowouts by 2021. It is expected that savings of $41 million will be seen by the middle of 2019, $101 million by 2020 and $134 million by 2021. I expect that these are matters that the committee will certainly be looking into in the months to come.

According to media reports, KordaMentha's plans to save $276 million in three years include dramatically cutting patients' length of stay by an average of 1.5 days, saving $130 million over three years and freeing up 65,000 occupied beds per annum, overhauling rosters and cutting overtime, gaining greater revenue from privately insured patients, improving efficiency in both health services and financial services, and stricter controls on purchasing practices.

Whichever way you look at it, it is severe and it is drastic, and there will no doubt be a lot of heated discussion to come on this very issue. We acknowledge, very rightly, the basket case I think the Marshall government inherited from the Labor government and the difficult task that lies ahead of the government as it attempts to stop the bleeding.

The people of South Australia are absolutely depending on this. SA-Best has said from the outset that it is willing to work with the government in any way it can to ensure that a practical solution is found to ensure the hospital's doors remain open, and that commitment remains. For the record, I have made it clear to the minister and to stakeholder groups that we have been working with that that commitment remains. To that end, the terms of reference for this inquiry have been drafted intentionally broad enough to cover all manner of health issues, and I envisage that the committee will be able to undertake this task on an ongoing basis, but only with the referral and agreement on instruction of the council, should of course the council agree.

As I have said, I think the terms of reference are ample in terms of covering the issues that SA-Best and other members of this place and stakeholder groups have highlighted as being critically

important. Importantly, they recognise that, in order to look into the future, it is absolutely imperative that we also look back to identify the errors that were made previously and ensure that they do not happen again. If we are truly genuine in our attempt to fix all those problems plaguing our health system, of course we must know the depth of what we are dealing with.

As much as the opposition may not like it, that certainly involves looking back to see how it is that we got to this point now. To that end, we have to remove the political motives and agendas, because, as we know, ultimately what this is about is people's lives, people's health and people's wellbeing. That should be what guides us, and that should be front and centre of all our deliberations on this issue. That is why we pushed so heavily for a royal commission into health, because we thought it was only appropriate that people's lives, people's health and people's wellbeing be the front and centre consideration on the issue of health.

This matter demands the support of everyone in this chamber, whatever their political allegiance, and I am extremely grateful to everyone who has supported the inquiry, but especially to the two major parties for their support, because I know it has been contentious. I am grateful for the cooperation of the Hon. Emily Bourke, and also particularly to the Minister for Health and Wellbeing, who I think has been very genuine in his commitment to working with me in relation to the terms of reference that have been drafted and ensuring that they provide a balanced position in relation to both the past and the future.

I am also pleased that the minister and the Hon. Tammy Franks have raised issues of mental health, which I see as central to this inquiry. It is definitely an issue that I have canvassed extensively with stakeholder groups, in particular SASMOA, because it is one of the issues that is front and centre of that organisation's agenda.

I can highlight for the record that it has always been SA-Best's intention that mental health will form a significant part of this inquiry and I believe that the terms of reference do cover that and allow for that and I certainly see that being an integral part of this inquiry. With those words, I thank members again for their support and I look forward to a fruitful and productive and beneficial committee process.

Motion carried.

The Hon. C. BONAROS (16:40): I move:

That the select committee consist of the Hon. D.G.E. Hood, the Hon. E.S. Bourke, the Hon. J.S.L. Dawkins, the Hon. I. Pnevmatikos and the mover.

Motion carried.

The Hon. C. BONAROS: I move:

That the select committee have power to send for persons, papers and records and to adjourn from place to place and to report on 3 July 2019.

Motion carried.

Parliamentary Committees

NATURAL RESOURCES COMMITTEE: ARID LANDS FACT FINDING VISIT

The Hon. T.J. STEPHENS (16:42): I move:

That the report of the committee, on a fact finding visit—South Australian arid lands natural resources management region, be noted.

I would like to thank the staff of the Natural Resources Committee for the hard work they did in organising the very important fact-finding mission. I would like to thank, from this chamber, the Hon. Russell Wortley, who managed to attend and represented the Legislative Council with some distinction, and members of the other place who attended. I would like to commend the very comprehensive report to the chamber.

Motion carried.

Motions

SA PATHOLOGY AND SA MEDICAL IMAGING

Adjourned debate on motion of E.S. Bourke:

1. That a select committee of the Legislative Council be established to inquire into and report on SA Pathology and SA Medical Imaging, with particular reference to—

   (a) the importance of high standards of safety and quality in the provision of pathology and imaging services;

   (b) the importance of timeliness in the provision of pathology and imaging services and the impact of delayed results on patient outcomes and the broader South Australian health system;

   (c) the importance of South Australian-based research and teaching associated with pathology and imaging services;

   (d) the importance of access to pathology and medical imaging services in primary health, including the role of SA Pathology and SA Medical Imaging in ensuring accessibility of health care and the provision of bulk-billed services;

   (e) staff workloads within SA Pathology and SA Medical Imaging and the impact of unsafe workloads on staff health and wellbeing and the quality of service provided;

   (f) the impact of the 2018 state budget in regard to SA Pathology and SA Medical Imaging, including the impact on staff, the quality of service provision, patient outcomes, teaching and research;

   (g) the effects of potential privatisation of SA Pathology and SA Medical Imaging as foreshadowed in the 2018 state budget, including the impact on staff, the quality of service provision, patient outcomes, teaching and research; and

   (h) any other related matters.

2. That standing order 389 be so far suspended as to enable the Chairperson of the committee to have a deliberative vote only.

3. That this council permits the select committee to authorise the disclosure or publication, as it sees fit, of any evidence or documents presented to the committee prior to such evidence being presented to the council.

4. That standing order 396 be suspended to enable strangers to be admitted when the select committee is examining witnesses unless the committee otherwise resolves, but they shall be excluded when the committee is deliberating.

(Continued from 7 November 2018.)

The Hon. S.G. WADE (Minister for Health and Wellbeing) (16:43): I intend to speak briefly on this motion and indicate, on behalf of the government, that we will be supporting it. In doing so, I would like to move two separate amendments. The first has already been distributed in my name and it relates to adding three additional subparagraphs to the terms of reference. The amendment, which has been distributed in my name, proposes a new (ea) which refers to the former Labor government's efficiency improvement program.

That was an SA Pathology efficiency initiative in the last term of government and it would significantly address a similar issue as to what is being considered by the PricewaterhouseCoopers report. It makes sense, as we did in relation to the Hon. Connie Bonaros's motion, that if we are looking forward to efficiencies in SA Pathology that we understand what we have learnt from the past.

I think one thing we have learned from the Labor government's efficiency improvement program is the importance of transparency. A major problem in the implementation of those efficiency reforms was a lack of agreement on the terms of the agreed set of facts, and that was significantly related to the fact that the consultants did not provide access to the data that they based their conclusions on. I am very keen that the next process of review does include transparency.

The second item, (eb), relates to the former Labor government's EPLIS program. Members would be aware from problems, particularly in the last 18 months, that the rollout of EPLIS was both a stress on staff and had negative patient outcomes. The third reference is (ec), the outsourcing of

medical imaging in South Australia in the past. Considering this committee will be looking at both SA Pathology and SA Medical Imaging, it makes sense to get a better understanding of the impact of outsourcing. My understanding is that there are currently 14 country hospitals and a number of metropolitan services that outsource medical imaging services. I will move the amendments standing in my name.

I would also move that the committee consist of six members and that the quorum of members necessary to be present at all meetings of the committee be fixed at four members, and that standing order 389 be so far suspended as to enable the chairperson of the committee to have a deliberative vote. I do acknowledge that the mover has appropriately consulted with parliamentary groups. There were four non-government members who indicated an interest in being involved, and the government initially suggested that it did not seek a second.

Following further discussions, the government would like to have two members, which is consistent with convention. It is also only asking for as many government members as there are opposition members, so we would suggest, therefore, that none of the four non-government members who have already been agreed to be members would be excluded. We propose accommodation for the maintenance of the government's entitlement to equal rights with the opposition, that we have six members of this committee, and I will move the amendment accordingly.

The PRESIDENT: Due to a technical matter, those two motions will be moved by the Hon. Mr Stephens.

The Hon. T.J. STEPHENS (16:48): I move:

Leave out paragraph 2 and insert new paragraph as follows:

2. That the committee consist of six members and that the quorum of members necessary to be present at all meetings of the committee be fixed at four members, and that standing order 389 be so far suspended as to enable the chairperson of the committee to have a deliberative vote only.

I will also move the amendment that is being circulated. I move:

After paragraph (e) insert new paragraphs (ea), (eb) and (ec) as follows—

(ea) The former Labor government's efficiency improvement program, including the access to data, potential and actual impact on staff, the quality of service provision, patient outcomes, teaching and research;

(eb) The former Labor government's Enterprise Pathology Laboratory Information System and its implementation, including the impact on staff, the quality of service provision, patient outcomes, teaching and research; and

(ec) The outsourcing of medical imaging in South Australia in the past.

The Hon. T.A. FRANKS (16:50): I rise on behalf of the Greens to support this select committee inquiry that has been put before this place by the Hon. Emily Bourke. Indeed, I think the Hon. Emily Bourke probably thought this would be a far more straightforward matter than it was. Had she had my experience during the election, particularly of meeting with Professionals Australia and the SA Pathology workers and seeing the extraordinary and extreme pressures that they are under but indeed the valuable and vital work that they do, she would certainly have shared my belief that we would all be getting on with this inquiry much earlier than we had.

I note that this inquiry has previously been attempted to be brought to a vote before this place but has been deferred a few times now. We have received some amendments from the government on it today, and the Greens will be happy to support the content of those amendments, but I indicate that I will move an amendment. I move:

That the quorum of members necessary to be present at all meetings of the committee be fixed at three members.

I note that the government has just added an extra government member to this committee, which is now six members. Should the two government members choose not to attend it would require all members who are non-government to turn up to reach quorum. I do not think that is a satisfactory position. As we know, committee work is work that we take quite seriously, but we cannot be in two places at the same time, and many of us are very busy, so it is often hard to reach quorum with some of our committees.

I think four for quorum is far too great a burden to place on this particular committee, which seeks to do its work rapidly, given that this is quite a live issue of a government consideration of changing policies which may have a profound implication. I reiterate that I am moving that the quorum be three members not four. I also note that I am very keen to serve on this committee and again applaud the work of those people who work in this sector and the very important work they do.

I note that the government has issued what I would call quite a late amendment, has previously sought to fold this committee into another committee and has now, today, added an additional government member to the committee. So I put on record that I have just sought an assurance in this place from the Minister for Health and Wellbeing that the Hon. Emily Bourke, who has instituted and instigated this particular motion before us, will be the chair of this committee.

That is what the Greens will be supporting when it gets to the stage of the rubber hitting the road—the vote for who chairs this committee—and I seek an assurance from government members that they will hold true to that promise that has just been made. With those few words, I commend the motion.

Parliamentary Procedure

VISITORS

The PRESIDENT: The Hon. Mr Hood, you have the call, but before you start can I acknowledge the Hon. Carolyn Pickles in the gallery. I think we are going to get involved in some complexity in a minute.

Motions

PATHOLOGY AND MEDICAL IMAGING SERVICES

Debate resumed.

The Hon. D.G.E. HOOD (16:54): I indicate that the government will be pleased to support the Greens' amendment that quorum be three for the committee and also will accept the Hon. Emily Bourke as the chair and will not oppose that either.

The PRESIDENT: I am glad we are all in furious agreement, but there has to be a series of motions now presented to the council.

The Hon. F. PANGALLO (16:54): I rise to say that we will be supporting the motion and we will be supporting the amendments that have been put up by both the government and the Hon. Tammy Franks.

The Hon. J.A. DARLEY (16:55): For the record, I indicate that I will be supporting all the amendments and the motion.

The PRESIDENT: The first amendment that we will deal with is from the Hon. Ms Franks because it is seeking to amend the Hon. Terry Stephens' amendment to the motion. I put the question that the amendment moved by the Hon. T.A. Franks to the amendment moved by the Hon. Mr Stephens be agreed to.

Amendment carried.

The PRESIDENT: The next question I am going to put is that the new paragraphs (ea), (eb) and (ec), as proposed to be inserted by the Hon. Mr Stephens, be so inserted.

Amendment carried.

The PRESIDENT: The next question is that the amendment moved by the Hon. Mr Stephens, as amended by the Hon. Ms Franks, be agreed to.

Amendment as amended carried.

The PRESIDENT: I now put the final question that the motion as amended be agreed to.

Motion as amended carried.

The PRESIDENT: That completes the process. I call on the Hon. Ms Bourke.

The Hon. E.S. BOURKE (16:57): Well, this has been an extraordinary experience; how much fun it has been. I am a very patient person—very patient—and I think I am also very accepting of suggestions and ideas, but I think that the government needs to look at their process. I will put this on the record because three weeks ago, if not longer, I went to the government and asked who would be going on the select committee, and I was advised of only one member.

I reconfirmed that discussion only yesterday. However, I am happy to have six people on there, that is not a problem. I look forward to this committee and I thank the members who have contributed to the discussion. I have been willing to accept the government's amendment; that is not a problem, if they want to try to deflect from the committee's agenda of looking at SA Pathology and the potential for it to be privatised. However, we will be looking at how we can protect the hundreds of jobs that are at risk, and that will be the focus of this committee. I look forward to working with everyone. The fact is that SA Pathology undertakes the most complex pathology work in South Australia.

Members interjecting:

The Hon. E.S. BOURKE: I think I have been pretty patient.

The PRESIDENT: The Hon. Ms Bourke, you can speak but you did not move the motion. Can we just move the motion standing in your name and then continue with what you wish to say?

The Hon. T.A. FRANKS: Point of order, Mr President: I believe that when one is summing-up a motion, if there is new information one is allowed to speak on that new information for as long at it takes.

The PRESIDENT: No, it has been summed up and it has been put. The Hon. Ms Bourke can talk but she did not move her motion, which she is about to move, which is putting the people on the committee; therefore, she is entitled to speak after she moves it.

The Hon. E.S. BOURKE: Thank you for everyone's feedback.

The PRESIDENT: So if you just move it and then continue with what you need to say.

The Hon. E.S. BOURKE: I move:

That the select committee consist of the Hon. C. Bonaros, the Hon. J.S.L. Dawkins, the Hon. T.A. Franks, the Hon. J.E. Hanson, the Hon. T.J. Stephens and the mover.

The fact that SA Pathology undertakes the most complex pathology work in South Australia, while private labs send their samples to SA Pathology to manage, gives grounds to the need to address the risk of privatisation in a timely manner. These concerns were also recently highlighted by the Chief Medical Officer, Professor Paddy Phillips, when he was asked if there would be any impact if tests had to go interstate, and his answer was a resounding, 'Yes, there would be.'

This is a timely matter, and I am a little disappointed, I have to say, about the politics that has been played with this matter, with hundreds of jobs at risk. Therefore, it needs to be addressed and reviewed in a very timely manner. I look forward to working with all six committee members, and I commend the motion to the chamber.

Motion carried.

The Hon. E.S. BOURKE: I move:

That the select committee have power to send for persons, papers and records, to adjourn from place to place and to report on Wednesday 3 July 2019.

Motion carried.

Bills

SOCIAL WORKERS REGISTRATION BILL

Second Reading

Adjourned debate on second reading.

(Continued from 5 September 2018.)

The Hon. I. PNEVMATIKOS (17:02): I rise today to speak about the Social Workers Registration Bill 2018, as introduced by the Hon. Tammy Franks. Social work is a profession that provides support and services to individuals and families who may be experiencing challenging circumstances and therefore may be vulnerable. It can impact upon a wide range of people, including people in acute and chronic health care, aged care, mental health services, Indigenous health, disability services and addiction support, as well as children and families, refugees and individuals affected by natural disasters.

Social workers intervene during these vulnerable times to assist clients with a range of issues encompassing physical, psychological, social and economic wellbeing. Yet most social workers practice in environments alone. For example, sessions are often conducted on a one-on-one basis, with few or no witnesses or others involved. Currently, social work is a self-regulated profession, where professional standards are maintained but not enforceable.

They are represented by their professional body, the Australian Association of Social Workers, which was established in 1946. Registration and formal recognition of the profession through legislation is something that they have been pursuing. Through enabling registration we are legitimising a professional and specialised area to ensure consistency and transparency and recognised parameters and standards. This will also result in increased community confidence. Accordingly, this bill seeks to make provision for the registration of social workers to establish the social workers registration board.

I also understand it is the desire of the Hon. Ms Franks to refer this bill to a cross-party joint house committee, which the opposition supports. I am pleased to report the member for Hurtle Vale will be representing the opposition from the lower house, while I will also be taking a seat on the committee from this chamber. I am looking forward to contributions to this bill from those opposite, particularly the Minister for Human Services, given the government's strong commitment to this policy position ahead of the last election. Indeed, I note their policy paper 'A strong plan for real change' reveals a commitment to, and I quote:

- draft legislation to require the registration of social workers in South Australia
- lobby to have social workers included under the National Registration Accreditation Scheme (NRAS) with oversight from the Australian Health Practitioner Regulation Agency (AHPRA).

Given the absence of national leadership on this important issue, it is incumbent upon us as a state parliament to legislate in the interests of South Australians.

I would also seek to briefly pay tribute to the former member for Playford, Jack Snelling, who as health minister was a determined advocate for a national social workers registration bill. He took this position to COAG but was sadly defeated by the Liberal-National government in Canberra. I pay tribute to his work and thank him for his contributions.

I want to be clear: Labor supports and would prefer a federal scheme or agreement to move the regulation of social workers to sit under AHPRA, as it would ensure a nationally consistent framework. This would, of course, be beneficial for social workers who practice in more than one state or who move jurisdictions in mid-career.

Given that this has time and again proven to be a fringe issue for the federal parliament, the time for us to act as a state legislature has arrived. The work of the Social Workers Registration Bill will increase community confidence in the standard and professionalism of the social work profession, improve safety for members of the public who interact with social workers, and provide a complaints mechanism for individuals or organisations that suspect wrongdoing or impropriety on the part of a social worker. It will also provide security for social workers in terms of ethics and standards. It will do this by establishing a registration framework for social workers, and the social workers registration board. Significantly, it will recognise educational and professional development training for social workers in South Australia, leading to better patient and community outcomes.

It is also significant to note the support of the Australian Association of Social Workers who strongly support registration within the profession. Indeed, as the Australian Association of Social Workers national president, Christine Craik, rightly points out, 'Comparable countries such as the UK, USA, New Zealand, Ireland and Canada have long recognised the complexity of social work and

have regulatory schemes for social workers.' Indeed, Australia is the only English-speaking country in the world that does not require social workers to be registered as a strategy for public protection.

The evidence and the recommendations are on the record for all to see. Commissioner Mullighan called for the registration of social workers in the past, as has Professor Scott, former director for the Centre for Child Protection through the 2009 parliamentary select committee findings. The Public Service Association also supports this bill and 'considers that registration would be of benefit to the clients of the department and to social workers'. Clearly, the time has come for South Australia to step up. Labor reserves the right to make amendments and alterations to the bill going forward but currently supports the referral of the Social Workers Registration Bill to a cross-party joint house committee.

The Hon. J.A. DARLEY (17:08): I rise very briefly to indicate my support for the Hon. Tammy Franks' position on this matter in referring the issue to a committee. I understand the push to register social workers has come from the industry to bring accountability and standards into the profession. This is commendable, but I also understand there are concerns about what will occur if South Australia is the only state to do this. What problems will this cause for those who work across state borders? I support referring this bill to a joint committee so that this matter can be investigated more thoroughly and look forward to reading the report once finalised.

The Hon. C. BONAROS (17:09): I rise to speak in support of the second reading of the Hon. Tammy Franks' Social Workers Registration Bill 2018. The bill would make an act to make provision for the registration of social workers, the establishing of a social workers' registration board and other associated purposes. SA-Best agrees with the policy of social workers registration that has given rise to this bill; others do too. In fact, the policy is one the Liberal Party took to the election. I will read a few words from their policy document:

> If elected in March 2018, a Marshall Liberal Government will ensure a system of registration for social workers is introduced.
>
> This could involve the inclusion of social workers under the National Registration Accreditation Scheme…

The policy goes on to state:

> A State Liberal Government will:
>
> - draft legislation to require the registration of social workers in South Australia
> - lobby to have social workers included under the National Registration Accreditation Scheme…with oversight from the Australian Health Practitioner Regulation Agency...

The issue of social worker registration is a critical reform acknowledged by the Marshall government in opposition. The legislative reform is long overdue. It was recommended by the Layton report on the review of child protection in South Australia 15 years ago. It was also recommended by Justice Mullighan in the Children in State Care Commission of Inquiry 10 years ago. It was also a recommendation of State Coroner Mark Johns' inquest into the death of Chloe Valentine three years ago, a recommendation of a South Australian parliamentary committee three years ago and a recommendation by the deputy coroner in the baby Ebony case two years ago.

The Marshall government, when in opposition, were highly critical of the former Labor government for not implementing the reform, arguing that it was ignored by the former government—and rightly so. I cannot fathom why such an important reform has been delayed by the Marshall government when they were so strident about the need for its implementation in opposition. The need for the reform is simply overwhelming. The aforementioned reviews, inquiries and inquest into our child protection system are a testament to that overwhelming need.

Social work is a fundamentally important profession, providing support and services to individuals and families experiencing difficult circumstances and vulnerabilities, including people in acute and chronic health care, aged care, mental health services, Indigenous health, disability services or addiction support, and, most importantly, children in out-of-home care, among others. Social workers routinely work with children and adults at risk, including women and their children escaping from family violence—an issue that we have canvassed quite extensively in this place today. They also work with victims of sexual assault—an issue that we have canvassed very

extensively in this place recently over recent months—people suffering with mental illness, survivors of torture and war, the elderly and infirm and people with disabilities.

The capacity for serious harm is therefore compounded by the very nature and life circumstances of a very vulnerable cohort of people. The Australian Association of Social Workers conservatively estimates that social workers come into contact with approximately half a million people a year. The vulnerability of the client population is significant when you weigh the risk, as misconduct and abuse has the potential to have a profound and ongoing impact on the lives of the most vulnerable in our community.

Social workers are the largest allied health profession in the public health system, and the fact that they remain unregistered means that serious misconduct cannot be adequately addressed. The vulnerability of their clients, many of whom are vulnerable in multiple ways, means that few of them will raise complaints and voice their concerns in cases of misconduct. It is unacceptable that social workers, even when employed in the public system, are free to move to a new jurisdiction and continue to work without being detected. The current institutional arrangements are so lacking that the minority of social workers who cause serious harm can continue to hold themselves out as social workers and practice without adequate penalty or sanction.

The self-regulatory system in place at the moment is not adequate and is limited with respect to the sanctions and penalties it can impose. The industry itself is crying out for a regulated system of registration. Such registration would allow for legally enforceable probity, qualification and practice standards, and for these to be a requirement for entry into the profession. It would also allow for the maintenance of continuing professional development, something that many professions across the board are having to undergo, and something marriage celebrants are even required to undertake as a requirement for maintaining their registration and accreditation.

Registration of social workers will provide a safety net for vulnerable individuals and families to exercise their right to protection from social workers who do harm. We cannot and we must not risk another Shannon McCoole in this state. I note that the bill requires further consideration, and it is the intention of the Hon. Tammy Franks to refer the bill for inquiry, and SA-Best supports that course of action. I close with another quote from the Liberal Party's policy for the registration of social workers:

> The longer this important reform is delayed the greater the risk to vulnerable children...

I and SA-Best completely concur with those comments.

The Hon. J.M.A. LENSINK (Minister for Human Services) (17:15): I rise to make some remarks in relation to this bill, and thank the honourable member for putting this matter on the agenda. Social workers are one of the largest professional groups in Australia, responsible for protecting and supporting the wellbeing of some of Australia's most vulnerable people. It is critically important that they are qualified, trained and accountable, and work within an ethical framework. The Liberal Marshall government has committed to work across jurisdictions to establish a national registration scheme for social workers, and to develop state-based legislation consistent with that national scheme.

The Liberal Marshall government committed to establishing a registration scheme for social workers that would ensure public safety, embed higher standards of conduct, improve professional development and, most importantly, drive improved outcomes across a number of social services, including health, education, justice and child protection, which demonstrates the breadth of areas in which social workers operate. As honourable members who spoke prior to myself have noted, the Liberal Party took to the 2000 election a policy of social worker registration. From our position in opposition in 2016, a scheme of registration of social workers was made a policy of the party, called for in part in response to the Chloe Valentine coronial inquest.

Following the Liberal Party's adoption of that policy, the then health minister, Jack Snelling, took a proposal to the health minister's COAG in 2016, which was unsuccessful—but I might add that I recall that he had quite a bit of reticence at that time. The Australian Association of Social Workers has been calling for a registration scheme for more than 15 years. I have managed to retrieve a letter from July 2012, addressed to someone named Mr Martin Hamilton-Smith MP, the

shadow minister for health, ageing, mental health and substance abuse. I think they wrote to a number of us, but the copy I have before me requests that he:

> …support the inclusion of social workers in the National Registration and Accreditation Scheme (NRAS).

The letter goes on:

> We have asked Health Ministers to address this request at the August Standing Committee on Health Meeting by agreeing to develop a Regulatory Impact Statement for the inclusion [of] social work in NRAS.

Social workers have been seeking regulation through a registration process for a considerable period of time. I have been long enough in this place to recall that we used to have at a state level registration for a range of medical professions: doctors, nurses, all the allied health professionals, physiotherapists, occupational therapists, optometrists, dentists—a whole range which has transitioned. We debated each of those professions in this place to transition to a national scheme but, in that process, social workers were omitted.

I have, in my former professional life, worked with a number of social workers at the Repat Hospital in particular as part of a multidisciplinary team, and appreciate that they have a critical role in those areas. What they do is quite broad. There is a range of areas in which they work, and I appreciate their concerns that anybody can hang up a shingle, so to speak, and claim to be a social worker, and that social workers can, and do, cause harm.

The government supports the referral to a committee. We think that will be an excellent way to tease out some of the issues. Clearly, there is a national scheme, and we will be able to outline a range of those issues in a cross-party and cross-chamber way. Some of the things that the government would like to have fleshed out through this process are to demonstrate how a scheme—whatever the committee ends up coming up with—will sit within a national framework and to develop a nationally consistent approach.

Consultation with stakeholders clearly will be very important because there are a number of different fields in which social workers are employed, a range of agencies in the non-government sector as well as the government sector, so it is broader than just child-related social work. We also need to look at some of the key processes and responsibilities, as previous members have talked about, in relation to professional development.

Other things include the potential composition of the board, what relationship the board might have with the Australian Health Practitioner Regulation Agency (AHPRA) and the definition of a social worker, as well as providing for a continuum approach to the disciplinary actions resulting from unprofessional conduct, which I think is probably one of the key concerns of the association of social workers. My understanding of the bill is that it provides for practice restriction and deregistration without consideration of warning or warnings with conditions such as supervision.

We look forward to further debate on this legislation. I thank the honourable member for putting this matter on the agenda. I also thank the Australian Association of Social Workers for their persistent and diligent pursuit of this issue and look forward to the committee reporting in due course.

The Hon. T.A. FRANKS (17:22): I would like to thank those members who have made a contribution, not just today, to this bill. They are the Hon. Irene Pnevmatikos, the Hon. John Darley, the Hon. Connie Bonaros and the Hon. Michelle Lensink. Indeed, many members of this parliament and outside this parliament have been very supportive and worked together, aside from our political and party differences.

Particularly in terms of members of this parliament, I would like to thank the minister, Rachel Sanderson, who as a minister has engaged in this most actively. I look forward to working with her further on this, as well as with the member for Badcoe and the member for Hurtle Vale, Nat Cook, who are also going to be actively engaged in this process, as is the member for Heysen, Josh Teague.

Minister Stephen Wade, as health minister, has some interest in, and I do believe some support for, progress in this area, and he has been most cooperative. I acknowledge the work of the previous Labor health minister, Jack Snelling, on this matter. He attempted time and time again to have this agitated at a national level.

I particularly want to thank the Hon. Michelle Lensink as Minister for Human Services, who has gone above and beyond, working across the portfolios. It was a Marshall election commitment to see a move towards the registration of social workers. I have to say, in terms of sitting there at the Australian Association of Social Workers forum that they held on this and other issues, it was possibly the cutest election forum, given her young son, Mitchell, took the microphone for part of the night, and it was all on Facebook live.

It is going to be young children like Mitchell and the most vulnerable members of our community who will benefit from us putting aside our party political differences and working together. This has been a long time coming for Australian social workers, but it does already exist for social workers across the seas. I would note that there was a live stream of when I introduced the bill across the country and we had a full gallery come to watch. I commend the work of the Australian Association of Social Workers for not giving up.

The discussion of the registration of social workers back in 2010 was actually part of the debate on one of the very first bills I ever handled in this place, and at that time it was still being put in the too-hard basket. I could not believe that eight years on it was still in the too-hard basket and it had not happened at a national level. What I will say is that there is hope. This is the first step today in a journey. We will pass the second reading of this version of the bill. I do not think the bill will come back in exactly the same form. I am sure it will come back in a new, improved version and that this state parliament and this state government will get on with the business of progressing it.

However, we are not alone. Across the border in WA, my esteemed colleague the Hon. Alison Xamon is also working on this with the health minister in the McGowan government. That health minister wrote to my Greens colleague Alison Xamon back in I think May this year, noting that he had been advised that, during the recent second reading debate in the Legislative Council in WA on the Health Practitioner Regulation National Law (WA) Amendment Act 2018, she raised the concerns regarding the inclusions of psychotherapists, social workers and counsellors in the National Registration and Accreditation Scheme. The minister there has gone on to say:

> As you may be aware, the…(AASW) provided a submission on the inclusion of social workers in the National Scheme.

I think many members of this place are now very well aware of that. He noted that that submission was referred to the Australian Health Ministers Advisory Council for advice in 2016 and that the proposal was then considered by COAG. Based on that advice, a decision was made not to include social workers in that national scheme. He states:

> I agree that it is important for health professions to join the National Scheme and for those health professionals to meet the relevant qualifications, standards and guidelines to protect the public from unsafe practices.

He goes on to say:

> As you know, I was not the Health Minister at the time that the proposal to regulate social workers was considered. However, the AASW may wish to resubmit their proposal to the COAG Health Council strengthening the areas where there may have been a lack of detail or evidence.
>
> The protection of the public is paramount and a measure that will assist in this regard is the proposal to implement a National Code of Conduct for Health Care Workers (National Code) in WA.

He also goes on to say that WA will cover those three professions that were previously mentioned, including social workers. He continues:

> The Government Department that will be responsible for the National Code is the Health and Disability Services Complaints Office (HaDSCO). When the National Code is implemented in WA; [that body] will have the necessary powers to stop a particular unregistered health professional from acting in an unsafe manner and causing harm to members of the public.

That is similar to what we now have here where the state is managing the situation but not through a specific registration scheme. However, he goes on to say, very hopefully:

> Please note, I will consider any proposals that are included in COAG Health Council papers based on the matters that you have raised regarding the inclusion of social workers, psychotherapists and counsellors in the National Scheme.
>
> Thank you for bringing this matter to my attention…

I hope that gives hope that we are not alone here in South Australia and we can work on addressing this issue that has been so far put in the too-hard basket, because it cannot be put in the too-hard basket for much longer. We are here in these parliaments across all the jurisdictions in this country to protect the most vulnerable members of our community, and I believe that passing this bill and taking a first step today is the very first step in ensuring that in the social work profession and that those who come into contact with it are not harmed and certainly that we have done all we can to protect those citizens of our state. With those few words, I commend the bill.

Bill read a second time.

The Hon. T.A. FRANKS (17:29): I move:

1. That the bill be withdrawn.
2. That, in the opinion of this council, a joint committee be appointed to consider and report on the Social Workers Registration Bill 2018.
3. That, in the event of a joint committee being appointed, the Legislative Council be represented thereon by three members, of whom two shall form a quorum of council members necessary to be present at all sittings of the committee.
4. That this council permits the joint committee to authorise the disclosure or publication, as it thinks fit, of any evidence or documents presented to the committee prior to such evidence being reported to the council.
5. That standing order 396 be suspended as to enable strangers to be admitted when the joint committee is examining witnesses, unless the committee otherwise resolves, but they shall be excluded when the committee is deliberating.
6. That a message be sent to the House of Assembly transmitting the foregoing resolution and requesting its concurrence hereto.

As you know, there have been discussions in this place and briefings held, done with both goodwill and good intent, and we should just get on with it. I thank members of both the opposition and the government—and, indeed, the crossbenchers right across the parliament—who have expressed an interest in progressing this. I look forward to a committee that comes back with a model that can be adopted, not just here but hopefully across the country.

Motion carried.

The Hon. T.A. FRANKS: I move:

That this order of the day be discharged.

Motion carried; bill withdrawn.

LOCAL GOVERNMENT (DIFFERENTIAL RATES ON VACANT LAND) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 1 August 2018.)

The Hon. C.M. SCRIVEN (17:32): In introducing this bill, the Hon. Mr Darley explained that its intent was to protect first-home buyers from the imposition of higher differential council rates. The objective to protect first-home buyers from higher costs is, of course, a worthy policy goal and a goal shared by the opposition.

I note that in September 2018 the metropolitan Adelaide median house price was $470,000, many times the South Australian annual average adult full-time wage, which is approximately $78,750, as at May 2018. However, the opposition does not believe that the Local Government (Differential Rates on Vacant Land) Amendment Bill provides the right mechanism to protect first-home buyers from excessive council rates.

The bill proposes a three-year moratorium on the application of differential rates on land that is intended to be used for residential purposes. As the Hon. John Darley outlined in his second reading speech, the intent behind this moratorium is to allow first-home buyers to reduce their mortgage debts prior to their mortgages being subsequently extended to finance the construction of

their homes. Amidst rising house and land prices, policies designed to assist first-home buyers are worthy of consideration. However, the bill's three-year moratorium on differential rates provides a blunt instrument for this purpose. It would inadvertently facilitate speculative investment.

Differential rates offer a deterrent to speculative investment. Speculative investors, those interested only in making unearned profits from the purchase and sale of vacant land, should be deterred or possibly prevented from this pursuit. Land that is owned and intended for residential development should be purchased for this purpose, because investment in residential construction is productive investment. It provides essential shelter for our community and contributes significantly to economic activity and employment growth.

The Housing Industry Association reported earlier this year that residential construction and land sales in South Australia amounted to $9 billion per annum, or a significant 8 per cent of the state's gross state product. In addition, the HIA also reported that residential housing construction employs 65,000 South Australians directly, with an additional large employment multiplier also contributing to employment in other industries.

Unfortunately, however, this bill does not differentiate between homebuyers and large speculative investors. Differential rate reductions would apply indiscriminately to all purchasers of vacant land and would therefore provide a loophole allowing for speculative investment. In addition, the benefits accruing to speculative investors would place more of the council rate revenue burden onto other ratepayers.

Further, there already exists a mechanism whereby first-home buyers can be exempted from higher differential rates. The Local Government Act 1999 allows applications to be made to councils on a case-by-case basis for discretionary rebates on differential rates applied to vacant land that is planned to be developed for residential use. Through this provision, first-home buyers can be exempted and spared the costs of higher differential rates.

The opposition believes that this bill will facilitate unproductive speculative investment and place a heavier council rate burden on other ratepayers while ignoring existing measures which can be applied by councils to protect first-home buyers from the costs of differential rates on vacant land. For these reasons, the opposition opposes this bill.

The Hon. M.C. PARNELL (17:35): I rise to indicate that the Greens will be supporting the Hon. John Darley's bill. But that is not to say that the remarks of the Hon. Clare Scriven are not valid concerns about the bill; it is just that we take a slightly different approach. The approach that we are taking is to look at the intent of the bill, which is to improve housing affordability, especially for young families who might be looking to buy a block of land and then build a house on it. I acknowledge that there are concerns about applying the same standard to speculative investors as to home owners, but it seems to us that this is something that, if the bill passes this house, can be dealt with. It can be dealt with between the houses, and we can have a look at whether any further finetuning of the bill might be necessary.

The starting point for the Greens is that we want to do what we can to address housing affordability. Young families often see it is very unfair, as they scrape together the money in stages. They first of all manage to get enough together to buy the block of land; they are not speculators—they have every intention of building on that land, though it might take them a few years to scrape the money together to build their house—and it seems that they are being unduly punished with these differential rates. I fully accept, though, that there are others who could take advantage of that for speculative purposes as well, but as I say I think we can fix that up between the houses.

We have had the calculator out, Mr President, and we have tried to have a look at what this bill might mean in various council scenarios. Each council sets its rates differently, but one thing that we have noticed is that many councils have what you might call a fixed element, expressed in dollar terms, and then there is a variable component as well. When we applied the formula in the bill, what we found was that there was in most cases many hundreds of dollars of savings by ensuring that the increased rate did not apply in those three years. So over a three-year period a young couple, for example, might save a thousand or so dollars, and that is going to be important to them when they are saving for their new house.

I suspect that Mr Darley will not have the numbers today, but I do want to put on the record the Greens' congratulation of his efforts to put this on the agenda. It is well intentioned in terms of housing affordability. The Greens think that any unintended consequences can be remedied between the houses, so we are happy to be supporting the bill at this stage.

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (17:38): I rise on behalf of the government to speak to the Local Government (Differential Rates on Vacant Land) Amendment Bill, and I indicate, in the first instance, that the government does not support the bill. However, I will make a few remarks.

The bill seeks to amend the Local Government Act 1999 with regard to the level of differential rates that can be applied by councils to vacant land that is to be used for residential purposes. Prior to setting council rates each year, all councils are required to adopt an annual business plan, a budget and a rating strategy. One of the key rating decisions for councils is whether to declare rates on the basis of capital value, site value or annual value of the land. The majority of councils use capital value.

Councils then set a rate in the dollar to distribute the rate burden amongst the community to generate the required rate revenue. Amongst the tools available to councils to use when they are setting their rating strategy is an ability to use differential rates. Section 156 of the act allows councils to vary the rate in the dollar applying to different ratepayers according to the use and/or locality of their rateable land. A reduction in vacant rates will therefore shift the rate burden to other ratepayers. A decision to apply higher rates to vacant land is not unusual to both encourage land development and to create a greater degree of equity between residential and vacant land rates, as vacant land rates will attract lower capital value than developed residential land. It is, however, a decision for each council to make.

The local government system in South Australia is underpinned by the principle that councils are primarily accountable to their communities in carrying out their roles and functions and achieving their objectives. Each council has flexibility within the parameters set out by the act to adopt a rating strategy which in the opinion of the council best suits its community. Importantly, councils must be accountable to their communities for their rating decisions.

A key element of this is a requirement under the act for councils to consult with their community on their draft annual business plan which includes information on proposed rating decisions. This assists each council to understand their community's views on the appropriate policy to ensure an equitable distribution of revenue contributions.

While many councils may apply a higher rate to vacant land, it is acknowledged that some councils apply a significantly higher rate than the rate for residential land. In these instances the actual rates notice received by the property owner could be substantially more than the rates notice received for the land when developed. It is understood that the councils do this so as to prevent land banking and to promote development. A number of councils also provide a rate rebate to individual properties at a point at which the development is underway—for example, the laying of foundations—to provide rate relief at this point.

While this bill may be intended to address those instances where the variation between the residential rate and the vacant rate is significant, this amendment may have broader implications across a number of councils. This is because the bill makes no distinction between those councils that set a higher rate in the dollar for vacant land in order to make rate notices closer to or equivalent to that land when it is developed and those councils that utilise a higher rate in the dollar to impose rates that are significantly more than the rates that would apply to the land when it is developed.

This government is committed to strengthening local government transparency and accountability; however, we do not believe that it is achieved with this bill. In response to the council rate increases that over the past decade have increased at a pace more than double that of the consumer price index or the local government price index, the government has introduced the Local Government (Rate Oversight) Amendment Bill 2018 into parliament.

The bill, which passed the House of Assembly, will establish a much-needed oversight on council rates, restraining increases and requiring councils to make a clear and convincing case for

an increase above the cap for both their communities and to an independent regulator. The bill therefore is not supported by the government.

The Hon. F. PANGALLO (17:42): We will be supporting the bill.

The Hon. J.A. DARLEY (17:42): First of all I would like to thank the Hon. Clare Scriven, the Hon. David Ridgway, and the Hon. Frank Pangallo. What the bill intended to do was to provide a positive incentive for people to build rather than the negative disincentive that currently exists in the act and quite clearly does not work. I understand the mood of the chamber, but I commend the bill to the council.

The council divided on the second reading:

Ayes.....5
Noes 13
Majority 8

AYES

Bonaros, C.	Darley, J.A. (teller)	Franks, T.A.
Pangallo, F.	Parnell, M.C.	

NOES

Bourke, E.S.	Dawkins, J.S.L.	Hood, D.G.E.
Hunter, I.K. (teller)	Lee, J.S.	Lensink, J.M.A.
Lucas, R.I.	Maher, K.J.	Ngo, T.T.
Ridgway, D.W.	Scriven, C.M.	Stephens, T.J.
Wade, S.G.		

Second reading thus negatived.

Motions

LONDON BRIDGE ATTACK

Adjourned debate on motion of Hon. S. G. Wade:

That this council—

1. Acknowledges the selfless display of courage and compassion of Kirsty Boden who rushed to the aid of victims injured in the terrorist attack at London Bridge on 3 June 2017;

2. Mourns the tragic loss of the eight innocent individuals killed in the attack, including two Australians (Ms Kirsty Boden and Ms Sara Zelenak);

3. Condemns the actions of the three terrorists who drove their van along London Bridge and into pedestrians before attacking people in the Borough Market area;

4. Acknowledges the Kirsty Boden Memorial Nursing Scholarship for regional students at Flinders University, funded by the state government;

5. Acknowledges that Ms Boden has been recognised with a posthumous Queen's Commendation for Bravery; and

6. Pays tribute to South Australia's nurses who serve selflessly both nationally and internationally.

(Continued from 25 July 2018.)

The Hon. R.P. WORTLEY (17:48): I rise on behalf of the opposition to indicate our support for the motion. Every day our nurses serve the community with distinction. Every South Australian owes a huge debt of gratitude to the nurses who keep our hospitals, our health system and our families running.

Kirsty Boden was a phenomenal nurse and a phenomenal South Australian. A former Immanuel College student, a graduate of nursing at Flinders University, and a born and bred South

Australian, she moved to London to take up a senior nursing position at Guy's and St Thomas' Hospital. Kirsty's career was promising and her work was vital. In the words of her boyfriend James Hodder, 'Helping people was what she loved to do in her job as a nurse and in her daily life.'

This, of course, only makes the reason we are even discussing this motion even more tragic. Kirsty was enjoying a Saturday night out in one of the most beautiful and lively cities in the world and, like everyone else, she deserved to enjoy a night out. Yet Kirsty found herself a victim of the London Bridge terror attack on 3 June last year, an event which shocked the world and made a deep impact on the South Australian community.

At London's Borough Market, terrorists drove a van into a crowd of pedestrians and later stabbed other innocent passers-by. Eight people were killed in that awful attack, and 48 more were injured. No-one could have been blamed for running for their life or freezing in terror in the face of these atrocities—it is just a natural human reaction. But Kirsty Boden was a nurse through and through. She sprang into action, running to help those injured on London Bridge.

Her heroism saw Kirsty herself killed. Her selflessness saw South Australia lose a treasured daughter. The thoughts of this council are with Kirsty's family, her friends, her colleagues and all those who knew her throughout her short but vibrant life. Not only will the records of this parliament now forever remember Kirsty but the world undoubtedly will as well. She is remembered as 'the Angel of London Bridge', a selfless hero who did all she could to help others in danger.

In July this year, Kirsty was posthumously awarded a Queen's Commendation for Bravery for her selflessness that night. At home, the Remembering Kirsty charity supports young country athletes to attend national and state championships, a tribute to Kirsty who was a former swimming captain of her school. Her alma mater, Flinders University, remembers her through the Kirsty Boden Memorial Nursing Scholarship for two third-year nursing students every year.

Kirsty Boden's legacy lives on in so many ways. I hope that in what still must be unimaginable sorrow, those who loved Kirsty take some comfort in knowing that she will be remembered. I would also like to take this opportunity to note the tragic passing of another Australian, Sara Zelenak of Brisbane, on that awful night in London.

Our state and our nation suffered deeply on the night of 3 June 2017. It is fitting that we take the time to reflect on that. With those few words, I commend the motion to the council and pass on my condolences to the many that Kirsty Boden left behind.

Parliamentary Procedure

VISITORS

The PRESIDENT: Before I call the Hon. Ms Bonaros, can I welcome the Hon. Dean Brown, former premier, and Trish Draper in the gallery.

Motions

LONDON BRIDGE ATTACK

Debate resumed.

The Hon. C. BONAROS (17:52): I, too, rise in support of the Minister for Health and Wellbeing's motion honouring the courage and compassion of Kirsty Boden who was tragically killed on 3 June 2017 during the London Bridge and Borough Market terrorist attacks. Woven within our communities are strong, nurturing and selfless people. We call them nurses. Kirsty Boden was a shining example of a dedicated and selfless nurse. Kirsty trained and worked as a senior nurse at Guy's and St Thomas' Hospital in London. As we know, she rushed to the assistance of other victims that fateful night without any concern whatsoever for her own safety.

Kirsty chose in a split second to run towards those in need and not run in the opposite direction to safety, as many others—myself included—probably would have done. The heroism Kirsty displayed that fateful night has led to her being known as 'the Angel of London Bridge'.

Kirsty's death touched all South Australians and brought home the horror of terrorism for all of us. That courage earned Kirsty the Queen's Commendation for Bravery in this year's civilian gallantry honours list awarded in July. A Flinders alumnus, Kirsty was also honoured last year by the

former Labor government with a scholarship in her name, supporting Flinders University nursing students from regional SA.

Kirsty was a graduate of the class of 2009 and her teachers remember her as an outstanding scholar, winning the School of Nursing and Midwifery study abroad scholarship in 2008. The Vice-Chancellor of Flinders University, Professor Colin J. Stirling, has said, and I quote:

> Kirsty Boden was distinguished by her generosity, selflessness and her determination to help others and to make a difference…Her enthusiasm and zest for life made her much loved by staff and peers, and a natural ambassador for the benefits of higher education and the discipline of nursing.

It is these remarkable qualities that are honoured in the memorial scholarship, and the former Labor government is to be commended for establishing the Kirsty Boden Memorial Nursing Scholarship for regional nursing students in their final year of study.

As we have heard, the scholarship was developed in consultation with the Boden family. It provides $20,000 per year to support two students in their final year of study and is awarded on the basis of financial need and academic commitment to their studies. The scholarship will remain a legacy to Kirsty's selflessness and courage and the indelible impact she has had on our lives. She will continue to inspire future generations of graduate nurses building careers to care for the sick, the infirm and the dying.

In March this year, James Cheeseman and Rita Amyan were honoured to be the first recipients of the scholarship. Both recipients are mature age students inspired to complete a degree started over a decade earlier—in the case of James Cheeseman it followed a personal tragedy in his family and, in the case of Rita, it was to retrain as a nurse from the ground up because of the length of time that had elapsed since she was a nurse in her native Hungary. Both recipients are from the Riverland, the same area in which Kirsty was born and raised.

The scholarships will provide the deserving recipients with much-needed financial assistance during unpaid placements as they complete their studies, help them achieve their ambitions and, importantly, carry on Kirsty's legacy of loving care. The former Labor government initially provided $100,000 to fund the scholarship for at least five years. I am hoping the Marshall government will commit to continuing the scholarship for many years beyond the five years initially promised by Labor. I am sure I would be joined by other members in this place in calling on the Marshall government to do just that. I thank the Minister for Health and Wellbeing for moving the motion and giving this place the opportunity to acknowledge Ms Boden's selfless display of courage and compassion and to acknowledge her heroic actions.

I also want to take a moment, as the Hon. Russell Wortley has just done, to honour Sara Zelenak, the 21-year-old au pair from Queensland who was also tragically killed during the London Bridge and Borough Market terrorist attacks. As we know, Sara was on the trip of a lifetime, doing what thousands of young Australians do each and every year, experiencing the Aussie rite of passage of living and working in the UK and travelling around Europe.

Her parents were due to meet Sara in Paris at the end of June last year to climb the Eiffel Tower, eat cheese and drink wine. Sadly, none of that happened. Instead, her parents undertook an emotional bike ride called Meet You in Paris, riding from London to Paris along with four other cyclists, including members of the Met police whom they became close to during the investigation into the terrorist attacks. The ride raised money for Sarz Sanctuary, a not-for-profit organisation her parents set up and named after their daughter to offer help to victims of violence. The purpose of Sarz Sanctuary, in the words of her parents is:

> We want to honour Sara's life and give purpose to her loss by helping others who have, like us, suffered traumatic grief. We are motivated to find a greater good from what has happened. We keep a positive outlook and want to build this positivity in others.

The charity's mission is to open a healing sanctuary for those experiencing traumatic grief so that they can find peace and support through holistic, personalised care. I encourage all South Australians to contribute what they can to this wonderful and worthy charity.

The minister's motion also recognises the work of all South Australian nurses who serve selflessly, both nationally and internationally, and who are the heart and soul of our health system.

Nurses are the trusted professionals we turn to when we are sick and hurting, but nurses do not just practice at the bedside. They bring their care, thinking, teaching, problem-solving and get-it-done qualities into our families, homes, schools, churches, businesses, legislatures and neighbourhoods, and we are so very much the richer for it.

One such person, whom we have mentioned this week and last week on a few occasions, was Gayle Woodford, the dedicated remote area nurse who dearly loved the community she cared for. Tragically, as we know, Gayle was murdered in March 2016, while working alone in the remote APY lands in SA's far north. Gayle's Law, the Health Practitioner Regulation National Law (South Australia) (Remote Area Attendance) Amendment Act 2017 was drafted and passed by this parliament in December of last year in honour of Gayle Woodford. As we know, that law requires remote area nurses to work in pairs when attending after-hours callouts, and is intended to reduce isolation and improve safety for health workers and practitioners, particularly in remote areas.

We are waiting for that law to become operational, but I think we all agree that remote area nurses, like all nurses, deserve to be safe while carrying out the work that they dedicate their lives to every day. I am certainly heartened by the minister's comments during question time this week in particular and his commitment to ensuring that Gayle's Law is operational as a matter of urgency. With those words, I thank the minister for raising this most important matter in this place and, like other members, I extend my condolences to Kirsty's family and commend the motion to the house.

The Hon. S.G. WADE (Minister for Health and Wellbeing) (18:01): I would like to thank the Hon. Russell Wortley and the Hon. Connie Bonaros for their contributions. I also acknowledge that, if her health had been better, the Hon. Tammy Franks was also seeking to associate herself with this motion, and I acknowledge that all honourable members are associating themselves with this motion. It is obviously a source of great pride for South Australians that Kirsty Boden stepped up in London on foreign shores to act selflessly to help others, which is a credit to her family, her community and the values that she lived by.

In the context of this motion, we wanted to also recognise the courage and compassion of nurses day by day—everyday heroes who often put themselves at risk in all sorts of ways, whether it is attending to someone with an infectious disease, dealing with somebody with challenging behaviours in an ED, the day-to-day compassion that people show in palliative care wards and the nurses in the community who go into situations where they are often unaware of what they will face. The compassion of nurses is legendary but it often goes unnoticed that nursing also involves courage.

We acknowledge the life of Kirsty Boden and mourn her death, and take the opportunity to recognise the selfless service of nurses both nationally and internationally. I thank members for their contributions and commend the motion to the house.

Motion carried.

At 18:03 the council adjourned until Tuesday 4 December 2018 at 14:15.

Answers to Questions

SUPPORTED ACCOMMODATION

In reply to **the Hon. I.K. HUNTER** (25 October 2018).

The Hon. J.M.A. LENSINK (Minister for Human Services): The Department of Human Services has advised that:

A wide variety of communications have been sent to clients, staff and the non-government sector in relation to the state government's decision to gradually withdraw from supported community accommodation services provision in line with the approach taken for other state disability services in response to the introduction of the National Disability Insurance Scheme, including:

1. 12 June 2018 chief executive email update to DHS staff
2. 12 June 2018 deputy chief executive newsletter for the SA disability sector
3. 26 June 2018 chief executive email update to DHS staff
4. 26 June 2018 director, NDIS strategy and reform, email update to the non-government sector
5. 2 July 2018 client letter, dated 29 June 2018, regarding the state government decision to withdraw from SCA
6. 2 July 2018 family letter, dated 29 June 2018, regarding the state government decision to withdraw from SCA
7. 10 July 2018 July NDIS reform staff update
8. 13 August 2018 disability bulletin, accommodation services updates
9. 24 August 2018 deputy chief executive NDIS reform staff update
10. 11 September 2018 update from director accommodation services
11. 17 September 2018 update from director accommodation services
12. 26 September 2018 update from director accommodation services
13. 28 September 2018 update from director accommodation services
14. 3 October 2018 KPMG invitation to register for Accommodation Services Transition Sector Forum
15. 19 October 2018 message from director accommodation services
16. 19 October 2018 client and family letter, dated 17 October 2018, regarding the consultation on the state government decision to withdraw from SCA

Copies of these written communications are attached.