

LEGISLATIVE COUNCIL**Tuesday, 26 February 2019**

The PRESIDENT (Hon. A.L. McLachlan) took the chair at 14:15 and read prayers.

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

*Bills***RESIDENTIAL PARKS (MISCELLANEOUS) AMENDMENT BILL***Assent*

His Excellency the Governor assented to the bill.

ELECTORAL (PRISONER VOTING) AMENDMENT BILL*Conference*

The Hon. R.I. LUCAS (Treasurer) (14:17): I move:

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

Motion carried.

*Parliamentary Procedure***PAPERS**

The following papers were laid on the table:

By the President—

Report of the Auditor-General on Adelaide Oval redevelopment for the designated period
1 July 2018 to 31 December 2018, Report No. 2 of 2019

By the Treasurer (Hon. R.I. Lucas)—

Aboriginal Lands Trust, Report, 2017-18

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

Regulations under Acts—

National Electricity (South Australia) Act 1996—Civil Penalties

National Energy Retail Law (South Australia) Act 2011—Civil Penalties

Road Traffic Act 1961—

Electric Personal Transporters

Road Rules—Electric Personal Transporters

*Ministerial Statement***PARLIAMENTARY PRIVILEGE**

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:19): I seek leave to make a ministerial statement.

Leave granted.

The Hon. J.M.A. LENSINK: As politicians we must be very careful about what we say in parliament and more broadly in the community. We have a responsibility to respect the confidentiality of individuals, particularly our most vulnerable citizens, as well as the reputation of organisations that have for many years provided critical services to South Australians in our community.

The community sector plays a vital and significant role in ensuring that individuals and families receive necessary services. Community organisations are often the innovators, the advocates and the campaigners; without them many in our society would not have a safe place to sleep, a meal to eat or somewhere to go when they need a helping hand. I have had the good fortune to visit many community service organisations to see firsthand the amazing work they do on a day-to-day basis.

A common theme discussed during these visits is the acknowledgement that the community sector is being forced to think carefully about its service models, leadership and governance. This is because the sector is undergoing major structural change due to new models of service delivery, new ways of doing business and a strong focus on achieving tangible social and economic outcomes. What this means is that, over the next few years, some of our local community organisations will grow, some will consolidate, while others will merge or close their doors.

This transitional time presents both opportunities and challenges for organisations and makes their reputation in the marketplace and community that much more critical. Many are dependent upon securing and maintaining ambassadors, sponsors and donors for their ongoing success and viability, which is why it is so important that they are not carelessly used as political pawns. Doing so can cause lasting damage to their reputation and brand and, ultimately, to the breadth of services they can provide into the future.

It also negatively impacts on clients and families who are dependent upon these services and the volunteers and workers who give their heart and soul to helping our most vulnerable. So when members of the Labor Party ask specific questions about clients, organisations and alleged investigations in some misguided attempt to score political points, I would urge them to think carefully about the damage—

The Hon. I.K. HUNTER: Point of order, sir.

The PRESIDENT: The Hon. Mr Hunter. Minister, there is a point of order.

The Hon. I.K. HUNTER: Mr President, I ask you to consider, on the basis of what we have heard so far, whether this is best categorised as a ministerial statement or more likely to be a personal explanation.

The PRESIDENT: I am going to allow the minister some leeway but, minister, be mindful that you cannot debate the issue in your ministerial statement.

The Hon. J.M.A. LENSINK: Yes. I thank the President. I do not think I will be taking the advice of the Labor Party Whip. Let me start this sentence again. So when members of the Labor Party ask specific questions about clients, organisations and alleged investigations in some misguided attempt to score political points—

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

The PRESIDENT: The Hon. Mr Hunter.

The Hon. I.K. HUNTER: The minister on her feet is clearly debating a matter and not making a ministerial statement, so I ask you rule in such a way.

Members interjecting:

The PRESIDENT: Order! Minister, bear in mind that the ministerial statement is generally a statement of facts and not necessarily having a go at the opposition, so just bear that in mind and exercise some restraint.

The Hon. J.M.A. LENSINK: Sorry, I will have to start that sentence for a third time, Mr President, because I did not get to finish it.

The PRESIDENT: Can we just move on from that sentence.

The Hon. J.M.A. LENSINK: So when members of the Labor Party ask specific questions about clients—

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

The PRESIDENT: I understand, the Hon. Mr Hunter. Minister, can we just move on from that sentence.

The Hon. R.P. Wortley: So we are not allowed to ask questions about these sorts of things.

The PRESIDENT: The Hon. Mr Wortley, you are not assisting the President. A point of order has been made by a member of the opposition. Minister, can we just move on to the next bit of the ministerial statement.

The Hon. J.M.A. LENSINK: I did not get to finish the sentence. So when members of the Labor Party ask specific questions about clients—

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

The PRESIDENT: I am giving the minister some leeway.

The Hon. K.J. MAHER: You have asked the member to move on from this sentence and she is defying your—

The PRESIDENT: Yes, I appreciate that. I do not need reminding of my own direction. Minister, just please move on to the next part.

The Hon. J.M.A. LENSINK: I think I was up to the words: some misguided attempt to score political points, I would urge them to think carefully about the damage they might be doing to the very organisations and people they are disingenuously vowing to protect. I urge them to think about how carelessly throwing words around can cause irreparable harm to an organisation's reputation as well as impacting on a client's privacy.

It is because of these reputations and client privacy that I will not disclose in parliament details that pertain to serious client investigations, except to say that the Department of Human Services (DHS) takes reports of mistreatment very seriously and makes every effort to ensure the safety and wellbeing of all state-funded clients. Any reports or allegations of substandard care are actioned appropriately, including referral to the relevant authorities and liaison with service providers, families and advocates. There are procedures in place to ensure that any allegation of a criminal offence is immediately reported to SA Police.

I encourage all members of parliament, particularly the member for Hurtle Vale, to forward details of any concerns they have for the safety and wellbeing of constituents to my department—

Members interjecting:

The PRESIDENT: Order! Order! I cannot hear the minister. Continue, minister.

The Hon. J.M.A. LENSINK: —or to my office when they first receive them, so they can be followed up promptly. I ask that actual details are forwarded and not just broad allegations that contain inadequate substance. The member for Hurtle Vale—

Members interjecting:

The PRESIDENT: Are we finished? The Hon. Mr Hunter, please, I cannot hear the minister.

The Hon. J.M.A. LENSINK: The member for Hurtle Vale stated in parliament on 14 February 2019 that she wrote to me directly on 18 October 2018. What the member for Hurtle Vale failed to disclose—

The Hon. K.J. MAHER: Point of order: this is clearly not a ministerial statement—when someone was written to, what the response was, is only a personal explanation.

The PRESIDENT: This part of the ministerial statement is within the bounds of a ministerial statement.

Members interjecting:

The PRESIDENT: The members on the government benches are not assisting me either. I would like to hear what the minister has to say.

Members interjecting:

The PRESIDENT: Have we all got it out of our systems? Minister, please continue with your statement.

The Hon. J.M.A. LENSINK: What the member for Hurtle Vale failed to disclose was that according to the dates on third party letters that she forwarded to my office, it took her three weeks to write to me after receiving this information. Such a lag in providing this information is very concerning. Thankfully, when we received the 18 October letter, my department was already in the process of following up these issues, having received the information from the third party the previous month.

Members interjecting:

The PRESIDENT: Leader of the Opposition, the minister is now answering, in her ministerial statement, those matters which you were complaining about a few minutes ago her not addressing, so perhaps give the minister the courtesy to finish her ministerial statement.

The Hon. J.M.A. LENSINK: Upon receiving this information, my department acted promptly—the same could not be said for the member for Hurtle Vale. There have been other letters sent to me without specific details. When my office has sought more information from the member, it has not been provided. I will not discuss these matters in parliament further, given they involve vulnerable members of the public and respected organisations. I would be happy for the member for Hurtle Vale to be briefed to assist her to better understand correct processes moving forward.

The type of politics currently being played by Labor only serves to harm the community sector and its clients, volunteers and workers and has the potential to undermine investigations. It is self-serving and conveniently fails to interrogate the poor past performance of successive Labor governments that oversaw a litany of bumbles, mistakes and cover-ups. South Australians have long memories. None of us will forget the previous Labor government's poor record when it comes to caring for the state's most vulnerable people. Attempts by current Labor members to redirect the public outrage at their mismanagement is a dangerous underestimation of public sentiment.

Members interjecting:

The PRESIDENT: Can the frontbench of the government and the opposition cease their conversations. Save your energy for question time.

Question Time

HIBBERT REVIEW

The Hon. K.J. MAHER (Leader of the Opposition) (14:37): My question is to the Minister for Health and Wellbeing. Has the minister ever received advice about a reportable death pursuant to the Coroners Act, and in particular has the minister at any time received advice that the cluster of nine deaths, which are the subject of the Hibbert report, are or may be reportable deaths pursuant to the Coroners Act, and when was the Coroner first informed of these deaths?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:37): The nine cases that were part of the Hibbert review have been referred to the Coroner. In terms of when they were referred, I will take that on notice.

HIBBERT REVIEW

The Hon. K.J. MAHER (Leader of the Opposition) (14:38): Has the minister met his obligations under the Coroners Act, particularly part 5 of the Coroners Act, in relation to reporting these deaths?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:38): My understanding is that the duty to report deaths is the duty of the medical practitioner involved. I stand by my previous answer.

HIBBERT REVIEW

The Hon. K.J. MAHER (Leader of the Opposition) (14:38): Supplementary.

The PRESIDENT: Leader of the Opposition, it might be hard to get a supplementary up, but I will listen.

The Hon. K.J. MAHER: From the original answer, I note the minister said he will take on notice when he was first informed. My supplementary is: is the minister able to give a general time line about when the Coroner was first informed; that is, was it in December last year, was it in October last year, or was it within the last week, according to his knowledge?

The PRESIDENT: I will allow the question. Minister.

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:39): I think it is important to stress that the Hibbert review was the systemic review that went alongside the individual investigations. I have no reason to believe that those reports were not made in the normal course of events.

HIBBERT REVIEW

The Hon. K.J. MAHER (Leader of the Opposition) (14:39): Supplementary in relation to the original answer, when the minister said he would take on notice when the Coroner was informed: is the minister able to inform the chamber if he believes it is only medical practitioners who have any responsibility to inform the Coroner of reportable deaths?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:39): I am happy to consult the Coroners Act and clarify that and get back to the member with an answer.

The PRESIDENT: Leader of the Opposition, is this a new question or a supplementary?

HIBBERT REVIEW

The Hon. K.J. MAHER (Leader of the Opposition) (14:39): A final supplementary on this: does the minister think he has any responsibilities under the Coroners Act as the health minister?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:39): I have taken that on notice.

SA AMBULANCE SERVICE

The Hon. K.J. MAHER (Leader of the Opposition) (14:40): My question is to the Minister for Health and Wellbeing. Why did the minister wait three months to tell the South Australian public about 17 adverse incidents, including a cluster of nine people who died unnecessarily following adverse incidents involving ambulance calls, and when was the minister first informed about this cluster of deaths?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:40): In terms of the last question, I was briefed in December 2018. Regarding the question why did I wait three months, following an unexplained cluster of adverse incidents in late 2018, the Ambulance Service acted swiftly in November 2018 to assess each case and determine whether there were any common or systemic factors involved.

The cases raised issues of clinical management of patients, and the Ambulance Service decided to commission an independent review. Parallel to that, the Ambulance Service took immediate action to deal with the concerns of the service to improve clinical management. I welcome the fact that the Ambulance Service took this act. It is the first systemic review that I am aware of.

For last year, the calendar year 2018, we have confirmed 12 adverse incidents at this stage. That compares with previous years. The last four years, for example, had an average of 15 adverse clinical incidents a year. In 2015, there were actually 28. That was under the former Labor government. I am not aware of whether there was a systemic review done then. I have asked the Ambulance Service whether that is the case. I am not aware of one. Certainly, it has not been released. I think it's commendable that the Ambulance Service, under the leadership of David Place, is making sure that it does whatever it can to maintain the quality of patient care.

SA AMBULANCE SERVICE

The Hon. K.J. MAHER (Leader of the Opposition) (14:42): Supplementary arising from the answer where the minister said he was first briefed about this cluster of deaths in December 2018: who informed or briefed the minister about this in December 2018?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:42): A brief came through to the department from the Ambulance Service.

HIBBERT REVIEW

The Hon. K.J. MAHER (Leader of the Opposition) (14:42): Supplementary arising from the original answer about the cluster of deaths that the minister was first briefed about in December 2018: was the report commissioned before this first briefing? If so, who commissioned the Hibbert report?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:43): The Hibbert report was commissioned before the briefing. The briefing included advice both about immediate action and in relation to the review.

HIBBERT REVIEW

The Hon. K.J. MAHER (Leader of the Opposition) (14:43): Further supplementary: to be clear, is the minister informing the chamber that the Hibbert report was commissioned and started without his knowledge?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:43): Is the Leader of the Opposition really suggesting that no clinician should investigate a matter, individual cases or systemic issues without the say-so of the minister? That's not my view. My view is that we rely on our clinicians to maintain the quality and safety standards of their organisations, and I welcome the fact that the SAAS executive team, led by David Place, commissioned the review.

HIBBERT REVIEW

The Hon. K.J. MAHER (Leader of the Opposition) (14:44): Supplementary arising from the answer: to clarify the answer, is the minister informing the chamber that when he was briefed in December 2018 the Hibbert inquiry was finished and that the minister was briefed on the report and that was the first he knew of it?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:44): A brief came to the department and my officers advised me. The report had been initiated, but my understanding is that that work went right through to this month. In fact, Professor Hibbert's report, which I have in front of me, which has been made public and the member could have looked at, is dated February 2019.

SA AMBULANCE SERVICE

The Hon. K.J. MAHER (Leader of the Opposition) (14:44): Supplementary arising from the original answer: is the minister telling the chamber that he was first informed in December 2018 that there was a problem serious enough that there would be an independent investigation and report and he decided it was not something he would tell the South Australian public?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:45): This question suggests that there is some sort of secrecy about this. I would ask the council to consider how secret can it be when the SAAS executive team met with staff across the state, including every team leader in the Ambulance Service? How secretive could it be if we had 13 staff focus groups conducted by the SAAS chief executive officer? There was staff communication and the union was briefed. Of course, the ongoing engagement of families in relation to the incidents continued. So this was not a secretive matter, but it was completely appropriate to await the independent review of the systemic issues.

SA AMBULANCE SERVICE

The Hon. K.J. MAHER (Leader of the Opposition) (14:46): Final supplementary in relation to this particular answer: is the minister informing the chamber that he didn't think a cluster of nine deaths was worthy of letting the South Australian people know and that they ought to have been able to find out because 13 departmental people knew?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:46): I will pose that question another way: did minister Snelling, in 2015, think that it was worth highlighting 28 adverse outcomes? Or perhaps to express it another way: does the council consider that the former Labor government should have advised the South Australian community about the 63 adverse clinical outcomes that occurred between 2014 and 2017?

HIBBERT REVIEW

The Hon. K.J. MAHER (Leader of the Opposition) (14:47): I seek leave to make a brief explanation before asking a question of the Minister for Health and Wellbeing regarding the cluster of nine deaths subject to the Hibbert report.

Leave granted.

The Hon. K.J. MAHER: On 14 September 2018, now Premier Steven Marshall made the following comments during an address to the IPAA. The comments were:

Ministers must be ultimately responsible to the public through parliament for the quality of services funded by taxpayers and the actions of those providing them.

If serious errors or worse occur in an agency, the minister takes responsibility, particularly where there has been evidence of warnings or maladministration not acted upon or ignored.

I have told my ministers that they cannot expect to remain in cabinet if they see nothing, hear nothing and question nothing.

Ministers have to be inquisitive, inquiring and challenging.

Responsibility ends on the minister's desk, not at the departmental door.

My question to the minister is:

1. Which minister is responsible for the Hibbert inquiry?
2. Which minister is responsible for this cluster of nine deaths?
3. When did the minister first inform the Premier that this was being investigated?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:48): In terms of ministerial accountability, it is my responsibility to make sure that the health portfolio continues to strive to provide the best possible care for the people of South Australia. I was certainly keen to follow the independent review. The actions taken by SAAS, in my view, were completely appropriate. In fact, as far as I know, there was no systemic review in the previous Labor government. So to have an executive team, which was doing a case-by-case assessment of the cases, take immediate action but also initiate a systemic review, in my mind, was very good practice.

Individual cases can bring forward, shall we say, more localised issues that need to be addressed, but what the Hibbert report shows is that, often by looking at individual cases, you can't see the broader issues that need to be addressed. I ask the council: looking at the Hibbert review, would any reasonable person think that the recommendations won't continue to enhance quality and safety in the Ambulance Service, and are to be welcomed?

HIBBERT REVIEW

The Hon. K.J. MAHER (Leader of the Opposition) (14:49): A supplementary arising from the answer: in relation to ministerial responsibility, when did the minister inform the Premier of the cluster of nine deaths and the Hibbert review?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:50): The Premier and I have ongoing discussions about health matters.

SUPERLOOP ADELAIDE 500

The Hon. T.J. STEPHENS (14:50): My question is to the Minister for Trade, Tourism and Investment. Can the minister update the chamber on some of the exciting new events and activities at the Superloop 500?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:50): I thank the honourable member for his ongoing interest in motorsport. He is fortunate enough to have been in this place with me for some 17 years now, and I think he has been excited every 17 years.

There is no doubt that the excitement is building across Adelaide as the people of South Australia welcome thousands of visitors into our state for the start of the Virgin Australia Supercars season. Four days of on-track racing, including twilight racing, Thursday to Saturday, will see the supercars on track for the first time on Thursday at twilight for a practice session.

Of course, we have the City of Adelaide Family Zone, including a giant waterslide, super soakers, race simulations, a pit stop challenge and a kids' day on Saturday, with driver signings and opportunities to play their favourite sports with interactive games—and I think, given the temperature, the giant waterslide and the super soakers will be pretty popular. There is also the introduction of the Tracks of the World, a new precinct showing cars—more than \$30 million of them—and food and culture from five of the sport's most famous tracks, including Le Mans, Nürburgring, Indianapolis, Monaco and, of course, Adelaide. There you will see a fountain, a Ferris wheel, a beer hall, Formula One and NASCARs and so much more.

There will be a fresh, new layout to enhance the fan experience and encourage people to explore, and we encourage them to do that. A new concert location in front of the heritage grandstand brings together the adrenaline-filled racing and electric concert atmosphere in one conveniently positioned location. Of course, we have rock royalty in town with a sensational concert line-up: Jet and Living End on Saturday night; Vance Joy and Amy Shark on Friday night, all supported by local South Australian bands; and on Sunday night the Red Hot Chili Peppers, also supported by local South Australian bands.

We are very excited this year to have Superloop on board as the naming rights sponsor, and we are really looking forward to them partnering for their very first event. The new Superloop Adelaide 500 logo represents a new look and a new feel for the event. Superloop has a strong local footprint in Adelaide and, with exciting plans for future expansion, it is a fantastic partnership.

We have also had a great response to the events and program, with ticket sales up 3 per cent on this time last year. Sunday general admission and grandstand tickets are now back on sale, after the original allocation was exhausted. There are also four-day general admission and grandstand tickets available. I might just add, in relation to them being exhausted, with the move of the concert to in front of the Victoria Park grandstand the SATC, when the allocation was sold, wanted to do a bit more due diligence, and they are now comfortable they can fit an even bigger crowd in and have put those tickets back on sale.

Of course, in this modern, digital world it is interesting to note that the website sessions are up 5.3 per cent on the same point last year—some 350,000 website sessions. Website page views are up 18.94 per cent on the same time last year, and that is in excess of one million page views. The Superloop Adelaide 500 social media committee is now over 100,000 fans strong.

Research conducted by Economic Research Consultants found that the 2018 event delivered an economic boost of some \$41.9 million to the South Australian economy, creating over 400 full-time equivalent jobs for the year, and I have seen some very positive industry feedback on hotel occupancy and pricing over the event period, with exceptionally—I repeat, exceptionally—strong demand especially for Sunday sales. There are some hotels saying it is the best they have ever experienced. All indications are it will be a great event and another wonderful experience for South Australians and our many, many visitors who enjoy our great state.

SUPERLOOP ADELAIDE 500

The Hon. T.A. FRANKS (14:54): Supplementary: the minister noted an increase in ticket sales for this time of the year compared with last year of 3 per cent. What is the number that that 3 per cent equates to?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:54): I don't have the exact numbers in front of me. It's a 3 per cent increase. I know that the member has an ongoing interest in motorsports, so if I can bring back a figure I will do so for her.

SUPERLOOP ADELAIDE 500

The Hon. T.A. FRANKS (14:55): Supplementary: 'if isn't good enough. I know that's actually not a question, but 'if isn't good enough. What is the number? Please bring back an answer to this council.

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:55): I will repeat the information that was provided to me, if I can find it here.

The Hon. T.A. Franks: A 3 per cent increase from this time last year, so what is the number?

The Hon. D.W. RIDGWAY: Sales are up. Great response to the event and the program, with ticket sales up 3 per cent on this time last year.

The PRESIDENT: Minister, the member is just seeking clarification that you will bring back the number on notice.

The Hon. D.W. RIDGWAY: I will bring back a number for the honourable member.

The PRESIDENT: Thank you. We didn't need to hear it was 3 per cent again. The Hon. Mr Pangallo, a supplementary?

SUPERLOOP ADELAIDE 500

The Hon. F. PANGALLO (14:56): Thank you, Mr President. Have funds been allocated for the dismantling of the stands at the Superloop after the event, which the Premier or the government had promised that they would allocate funds that would remove the stands a lot sooner than we have expected in the past?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:56): Yes, funds have been made available to the South Australian Tourism Commission to remove the grandstand quicker than last season. We are trying to get it down as quickly as we can. Every year, the team from the motorsport group within Events SA look at ways of getting it up quicker—so taking less time before the start—and to get it down quicker. It's always a challenge to get it up and down and to make sure we don't compromise worker safety. There are some occupational health and safety issues where, if you try to do it too quickly, you do put workers' lives or their wellbeing at risk. Nonetheless, I can assure the honourable member that it will come down in the quickest possible time this year.

SUPERLOOP ADELAIDE 500

The Hon. T.A. FRANKS (14:57): Supplementary: what is the amount of funding that has been provided to ensure that the grandstands come down quicker?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:57): The amount of funding, I think, is about another \$100,000 to bring it down quicker. I will bring back the exact figure to the honourable member. She has, as I said, a great interest in the race and continues to ask a range of questions. I am delighted that she has a great interest. In fact, I would almost take this opportunity: if the honourable member would like, I am happy to offer her a hot lap at this weekend's event so that she can experience the adrenaline and the thrill of the supercars race. The honourable member is always showing great interest. In fact, I think she is the one member who has asked the most questions of me about the Superloop. It is not appropriate for her to respond, but I would be delighted if she would like to take up that particular offer.

Members interjecting:

The PRESIDENT: Can we just have some order? The Hon. Ms Franks has a supplementary and then I am going to the Hon. Ms Bourke, who also wishes to ask a supplementary.

SUPERLOOP ADELAIDE 500

The Hon. T.A. FRANKS (14:58): Supplementary: what amount has been allocated for the VIP suite this year and last year?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:58): I will bring back the answer. I don't have the exact details. Last year, of course, we weren't in government

and I think there were two particular areas. I think this year there will be only one area, because my understanding is that premier Weatherill and his group used to like to be partitioned off from the rest of the punters. Premier Marshall doesn't want that; he actually wants to be there with the people enjoying the race. So my understanding is we only have one area and not two, because it's actually with the people—the important people that we have invited there.

I do recall, if you stood on tiptoe, you could look over and see the top of minister Bignell's head, minister Hamilton-Smith's head and premier Weatherill's. They were in one group, but the real people were out here with the rest of us, so we are having one area this year.

The PRESIDENT: The Hon. Mr Ridgway, please refer to the Premier as the member for Dunstan. The Hon. Ms Bourke.

SUPERLOOP ADELAIDE 500

The Hon. E.S. BOURKE (14:59): Can the minister confirm if there's been any impact on the Superloop due to \$11 million being cut from the tourism budget?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:59): Superloop themselves, of course, are a brand-new sponsor, so that is exciting in itself to have a new organisation that wants to sponsor the event. We couldn't have a sponsor last year, so that is a great step forward. The event will be spectacular. Most honourable members will be there at some point over the weekend. As always, the Tourism Commission looks to make sure that we drive value for money for the South Australian taxpayers. It is an event, as most members would know—

The Hon. E.S. BOURKE: Point of order: what does this have to do with the \$11 million cut?

The PRESIDENT: It is a point of order on relevance. Minister, are you able to answer the member's question?

The Hon. D.W. RIDGWAY: Well, I am just trying to explain that the event itself—

Members interjecting:

The Hon. D.W. RIDGWAY: We are always looking for efficiencies—

Members interjecting:

The PRESIDENT: Minister, the point of order had some substance; you have made no attempt to actually answer the question. Do you wish to take it on notice or do you wish to—I'm going to allow you a little bit of latitude, but don't stretch the friendship.

The Hon. D.W. RIDGWAY: I don't think the cuts the honourable member talks about will have any effect on this year's Superloop Adelaide 500.

SUPERLOOP ADELAIDE 500

The Hon. C.M. SCRIVEN (15:00): Can the minister advise when the stands will be dismantled? He said that it will be earlier: can he advise by which date they will be fully dismantled?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (15:00): I thank the honourable member for her question. I don't have the exact date, but—

The Hon. R.P. Wortley: What do you know?

The Hon. D.W. RIDGWAY: I know that you need to just sit there and listen and not interject. I am sure that there is a contracted date; I don't have it, but I will bring back that date and, if I can, advise the honourable member during the course of this question time or some time in the next couple of days.

SUPERLOOP ADELAIDE 500

The Hon. T.T. NGO (15:00): I also have a supplementary question. Could the minister explain the \$100,000? Why did it come down to that figure? Could he explain a bit further on that? Is it \$100,000 for half a day or, if you increase it by another \$100,000, it would be another day?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (15:01): I refer the honourable member to my previous answer. There is a correlation between how quickly you can bring it down and workers' and employees' safety. When we said to the Tourism Commission that we wanted to bring it down more quickly, we talked to them and the figure—and I will clarify it—I am pretty confident is \$100,000. That was the investment we needed to bring it down more quickly, but safely. I will bring back some details for the honourable member.

The PRESIDENT: I think the member is asking how the \$100,000 is calculated.

SUPERLOOP ADELAIDE 500

The Hon. C.M. SCRIVEN (15:01): Further supplementary.

The PRESIDENT: I think it will be the last.

The Hon. D.W. Ridgway: It's the biggest event in the state.

The PRESIDENT: I don't need your commentary from a seated position, the Hon. Mr Ridgway.

The Hon. C.M. SCRIVEN: You don't know any of the answers, but it is so important to you. Can you tell us what period of time the Liberal opposition, as it was then, committed to before the election? What would be the difference in terms of dismantling of the stands?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (15:02): My recollection is that we committed to, I think, four weeks quicker in the election commitment. When we came to office, there was a correlation between employee safety, the construction workers there, and, as I said, I will bring back the exact details, but my understanding is that we can now do it more quickly, and that the budget was \$100,000. I don't think it will be four weeks quicker, but I will bring back the exact date.

The Hon. R.P. Wortley interjecting:

The PRESIDENT: Have we finished, the Hon. Mr Wortley? I would like the Hon. Mr Parnell to be heard in silence.

ASYLUM SEEKERS

The Hon. M.C. PARNELL (15:02): I seek leave to make a brief explanation before asking the Minister for Health and Wellbeing a question about medical help for asylum seekers.

Leave granted.

The Hon. M.C. PARNELL: In federal parliament recently, new laws have been passed that will enable asylum seekers currently languishing on Nauru and Manus Island to be brought to Australia for urgent medical treatment. Apparently the federal government plans to send most of them to Christmas Island rather than to the mainland. Last year, a number of asylum seeker children and their families were quietly brought to Adelaide from Nauru for medical treatment at the Women's and Children's Hospital. At the time the minister said that the government was pleased to be able to provide help. I understand that most of these families are still here.

I also note that since the last election the Premier has been continuously pushing for South Australia to take a greater proportion of overseas arrivals, including students and migrants. My question of the minister is: will the minister again offer South Australia to the federal government as the destination for asylum seekers who are repatriated to Australia for medical treatment as an alternative to sending them to Christmas Island?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:03): As I indicated in my answer last year, the South Australian government, the Marshall Liberal government, was working with the commonwealth government and its agencies to provide medical support in South Australia. I will continue to do that.

HOSPITAL BEDS

The Hon. C.M. SCRIVEN (15:04): My question is to the Minister for Health and Wellbeing. Will the minister open resources in our hospitals, including reopening the 41 beds that he closed in

December and the 20 beds in the Cassia Ward, to ensure that the kind of extreme ramping we have seen in recent months does not continue?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:04): The honourable member raises the issue of the Cassia Ward. Ensuring that patients receive the best care is always the top priority of the Marshall Liberal government. Both the Cassia Ward and the medical Short Stay Ward at the Women's and Children's Hospital currently remain amalgamated. That amalgamation occurs every summer and coincides with what is usually a reduced demand in activity over this period. As I said, both wards remain amalgamated; however, I can assure the council that this is assessed on a daily basis and if a need is identified for Cassia Ward to be reopened then this can happen at any time across all shifts.

HOSPITAL BEDS

The Hon. C.M. SCRIVEN (15:05): Supplementary: in addition to not reopening those two mentioned wards why has the minister kept beds, previously called flex beds, closed at Hampstead and Flinders, despite the unprecedented ramping that we're seeing in the health system?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:05): The honourable member is contributing to the mountain of misinformation that the Labor Party tries to generate. In terms of the Christmas flex down beds, generally they have been opened; they are generally opened in January. If we're talking about bed closures, let's look at Labor's record. In September 2017, they caused a net loss of 100 beds at the Repat. When they closed the Oakden facility there was a net loss of 45 beds. That's more than 145 beds that are lost to the system.

This government, for its part, opened 20 new beds at the Repat health precinct. It's not a hospital because Labor closed the hospital they would 'never, ever close'. We opened 20 additional beds at the Repat and have secured 20 beds that were otherwise scheduled to close. So I think the Labor Party has got a gall talking to us about beds.

AMBULANCE RAMPING

The Hon. C.M. SCRIVEN (15:07): A further supplementary: given the worst ramping in history, will the minister suspend the KordaMentha administration's search for \$460 million of cuts to essential hospitals to ensure that the government's focus is on health care and not on budget cuts and, if not, why not?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:07): Labor, the party that built a hospital for more than \$640 million more than the budget, the party that led the Royal Adelaide Hospital out of the last financial year with a \$300 million budget overrun—they are telling us that we should ignore financial issues. This government takes very seriously our responsibility to have quality, safe and sustainable health services, and that's what we will continue to do.

AMBULANCE RAMPING

The Hon. C.M. SCRIVEN (15:08): A further supplementary: what action will the minister take to meet the demands of doctors, nurses and paramedic groups to release plans and resources to address the extreme ramping by the end of this week?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:08): I wrote to them today.

AMBULANCE RAMPING

The Hon. C.M. SCRIVEN (15:08): A further supplementary: what action is in that letter, if he wrote to them today?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:08): I seek your guidance, Mr President. I could read it all out.

Members interjecting:

The Hon. S.G. WADE: It would be tempting; very tempting.

The PRESIDENT: I'm in your hands, minister. If you wish to table it you are entitled to seek leave to table the document.

The Hon. S.G. WADE: I make the point—

Members interjecting:

The Hon. S.G. WADE: Don't worry, I don't think the ANMF is not going to provide it to their friends in the Labor Party. Let's just make the point that the Marshall Liberal government has called out ramping as completely unacceptable. I appreciate the reference in the letter from the health organisations to the former Labor government.

The fact of the matter is that it was the former Labor government that brought ramping to South Australia. They allowed it to fester and develop into the norm for our hospitals, and on coming to government we committed to stamping it out and calling it out as completely unacceptable.

Now that the member has invited me to reflect, let's think about the culture of the former Labor government when it came to ramping. Ramping is not part of the normal running of a world-class health system, but it is a symptom of a system deformed by Labor's Transforming Health experiment and 16 years of Labor mismanagement. So let me tell you what one former Labor health minister said about ramping. He fundamentally—

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

The PRESIDENT: Just wait, minister. Point of order.

The Hon. K.J. MAHER: We in the opposition have heeded your request to make sure answers to supplementaries in some way relate to the question that was asked, and I seek your guidance about whether answers to supplementaries similarly have to be—

The PRESIDENT: Minister, thank you for the point of order.

Members interjecting:

The PRESIDENT: Order! I am making a ruling on a point of order. Can the government benchers calm down.

The Hon. T.J. Stephens: I am very excited.

The PRESIDENT: Thank you, the Hon. Mr Stephens, but I don't need to hear how excited you are. I am not upholding the point of order. The minister has some leeway. I was very generous with the supplementary, which was actually probably regarding an answer midway through, so in my generosity to the government benchers I am going to give the minister some leeway to reflect and answer.

The Hon. S.G. WADE: So the letter acknowledged the state of affairs inherited by this government, and one of the reasons was because Labor didn't care about ramping. Let me refer to a former Labor health minister who brushed off ramping as basically a fight between ambulance and emergency department staff, and said that ambulances in photos showing ramping were often empty. Labor won't acknowledge the demolition job they did on South Australia's public health system. They broke their promise to never, ever close the Repat, they broke their promise twice to upgrade The QEH, they broke their promise to the eye hospital at Modbury. This government is going to deliver on its commitment to the people of South Australia to eliminate ramping.

AMBULANCE RAMPING

The Hon. C.M. SCRIVEN (15:11): A further supplementary: given this extreme ramping, what consideration is the minister giving to demands from paramedics for more SA Ambulance resources to address slower response times?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:12): The member's question is suggesting that there is a need for additional resources in the South Australian Ambulance Service. The chief executive of the Ambulance Service made a comment last week that indications are that SAAS is not under-resourced at the moment:

We are currently working on a resourcing plan for SAAS going forward but let's be clear, resourcing is not the answer for ramping because theoretically you only get more resources on the ramp. We need our whole health system working together to get people to the help they need and get them home again quickly and safely.

AMBULANCE RAMPING

The Hon. I.K. HUNTER (15:12): Supplementary question: did the minister, just two or three supplementaries ago, quote from his letter he says he sent today to the ANMF?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:13): I mentioned the letter.

The PRESIDENT: Are you going to call for it to be tabled?

The Hon. I.K. HUNTER: I will, sir, if he quoted directly from it. And, if indeed he did quote directly from it and *Hansard* shows that he did at a later stage, I invite the minister to consider now to table the document.

The PRESIDENT: The member is entitled to ask for it to be tabled if you have quoted from it.

The Hon. S.G. WADE: I am happy to table it. To be frank, I want more South Australians to know the range of actions that our government is taking to eliminate ramping. I seek leave to table it.

The PRESIDENT: The minister has sought leave to table it.

Leave granted.

The Hon. D.W. Ridgway interjecting:

The PRESIDENT: The Hon. Mr Ridgway, I appreciate it is a passionate issue. No-one needs to hear from a seated position your views on the health system. The Hon. Ms Lee.

VOLUNTEERS

The Hon. J.S. LEE (15:14): My question is to the Minister for Human Services about the outstanding contributions made by volunteers in our community. Can the minister please provide an updated account of the government's commitment and current initiatives for recognising the important contributions of South Australian volunteers?

The Hon. J.M.A. LENSINK (Minister for Human Services) (15:14): I thank the honourable member for her question and for her interest in volunteers. I know that she is a very regular attendee at many community events, which are largely put on, put together and organised by volunteers, and I thank her for her interest in this area. Of course, in fulfilling our election commitment to provide free screening checks for volunteers, we were able to implement that on 1 November and that has been extremely well received by the volunteer sector.

Very recently, the Premier's Certificate of Recognition for Outstanding Volunteer Service has been opened. This volunteer recognition acknowledges accomplishments, reinforces efforts and is a sign of appreciation for the enormous number of volunteers in South Australia. It is a way to keep volunteers involved, committed and active and to promote volunteering in the South Australian community.

The Premier's Certificate of Recognition for Outstanding Volunteer Service was developed by the Community Services Directorate of the Department of Human Services to assist volunteer-involving organisations and community groups to recognise their volunteers for excellence and significant achievements. Organisations and community groups submit a short written online nomination, available on the department's website, which is www.ofv.sa.gov.au/premiers-certificate. Selection is based on volunteers meeting one or more of the following criteria: having made significant contribution to the community and/or organisation; secondly, having provided ongoing commitment and dedication to volunteering; thirdly, having demonstrated leadership in their volunteer role; and fourthly, having promoted volunteerism within their community—and it is 'or' not 'and'.

Organisations and community groups generally choose to present certificates to their nominated volunteers during National Volunteer Week celebrations, which run this year from 20 to 26 May. Nominations have now been opened; they are closing on Friday 29 March 2019. A number of members may well have seen that there has been a range of social media which has promoted

this, and I encourage everyone to participate. In 2018, there were 138 certificates distributed, so we would like to target more people in 2019 and I encourage everyone to be involved.

SA PATHOLOGY

The Hon. J.A. DARLEY (15:17): I seek leave to make a brief explanation before asking the Minister for Health and Wellbeing a question regarding SA Pathology.

Leave granted.

The Hon. J.A. DARLEY: I understand the government has set SA Pathology a savings target of \$45 million to achieve by the financial year 2022. I further understand that, if efficiencies are not achieved, the government may consider privatising this service. My questions to the minister are:

1. If pathology services are privatised, how will the government protect consumers from unreasonable price increases or loss of services?
2. Will the government be responsible for setting the fees and charges of pathology services if privatisation occurs?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:18): I thank the honourable member for his question and for his commitment to South Australian health services. To clarify the honourable member's question, the government has not said that SA Pathology will be privatised if efficiencies are not achieved. As part of the 2018-19 state budget, the Marshall Liberal government asked SA Pathology to find efficiencies, noting that, with the devolution of health governance to local boards, if efficiencies are not achieved then local boards could choose to seek alternative providers.

It might be useful for the council to put this budget measure in its historical context. In 2014, the former Labor government commissioned Ernst and Young to review SA Pathology services. Their report, delivered in 2014, made a number of recommendations, including cutting 332 FTE from SA Pathology. There was also discussion at that time of privatising country pathology services. It took then minister Snelling until mid-February 2015 to rule out privatising country services. Labor in opposition accuses us of what they were considering doing in government. Projection does not make it true. Labor's hypocrisy does not define this government. But that's not the end of Labor's hypocrisy on SA Pathology.

Following the Ernst and Young report, and without releasing any of the data underlying the review to staff or even management, Labor developed their efficiency improvement program, or EIP, in 2015. Under the EIP, Labor aimed to cut 200 FTE from SA Pathology and Labor began the consolidation of non-essential services. Staff and employee representative organisations were not engaged in this process. It was high-handed Labor top down, ignoring the wellbeing of the very workers they now claim to stand beside.

In August 2017, then minister Snelling paused the EIP until after the 2018 state election. On 7 August 2017, Professionals Australia conceded that further job cuts might be necessary and agreed to work with the then Labor government to find those efficiencies. Sarah Andrews of Professionals Australia said at the time, and I quote:

I think invariably when you introduce new technologies to the workforce, efficiencies can be gained, and we're happy to be part of the working party to oversee that process.

In contrast with Labor, the Marshall Liberal government has not set out to privatise country practices. We have commissioned a review of SA Pathology services by PricewaterhouseCoopers. In contrast to Labor's Ernst and Young review, the Marshall Liberal government has committed to ensuring the data behind the review is released to staff and employee representative bodies. The PricewaterhouseCoopers review will inform the discussion about where efficiencies can be pursued within SA Pathology.

Also in contrast to Labor, the Marshall Liberal government has sought to engage staff and employee representative bodies. So, in answer to the honourable member's question, the government has not decided to privatise SA Pathology. As I said, if efficiencies are not met, local boards will be free to seek alternative providers.

SA PATHOLOGY

The Hon. E.S. BOURKE (15:21): Supplementary arising from the answer: you made a statement just then that you will be consulting with staff about the review. When will that occur?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:21): It's ongoing. I will underscore the fact, too, that, even while the PricewaterhouseCoopers review is going on, SA Pathology has continued to have discussions with their staff about efficiency measures that it was working on. SA Pathology had efficiency measures before the PricewaterhouseCoopers report started, and they are continuing to work on those.

SA PATHOLOGY

The Hon. E.S. BOURKE (15:22): Supplementary: if your review does come back highlighting that regional services should be privatised, will you, like the Labor government, rule out privatising regional services?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:22): As I said, we are committing to SA Pathology pursuing efficiencies. If SA Pathology can pursue efficiencies, then local boards will not be given the opportunity to seek alternative providers. My understanding is that the Treasurer has given assurance to employee organisations that, if the efficiencies can be delivered, alternative providers won't be sought.

SA PATHOLOGY

The Hon. E.S. BOURKE (15:23): So you will not rule out privatising regional SA Pathology services?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:23): The member seeks to put words in my mouth. What I will say is: we are committed to what we committed to in the budget, which is continuing to pursue efficiencies within SA Pathology. Both SA Medical Imaging and SA Pathology are pursuing efficiencies, and that work will continue, particularly in relation to SA Pathology, informed by outcomes of the PricewaterhouseCoopers report.

SA PATHOLOGY

The Hon. J.E. HANSON (15:23): Supplementary: what guarantees can the minister give that the efficiencies sought won't result in an overall reduction in servicing and what steps are you putting in place to make sure that doesn't happen?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:24): Sorry: was it a reduction in services?

The Hon. J.E. HANSON: Services.

The Hon. S.G. WADE: The whole goal is to deliver services to our patients. My understanding is that 70 per cent of health diagnoses are supported by accessing pathology. You can be sure that South Australian hospitals will continue to use pathology services. We have put efficiency targets in for SA Pathology, no different to the previous government. We are determined to make sure that we have quality, safe services for SA Health's public patients, and I have no doubt that we will continue to purchase pathology services. It may well be, as I said, that if the efficiencies can't be achieved within SA Pathology, local boards will be given the opportunity to source from alternative providers, but they still need to get the services. SA Health services will continue to need pathology services.

SA PATHOLOGY

The Hon. E.S. BOURKE (15:25): Is there a private provider in South Australia that can currently provide the same service as SA Pathology?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:25): I don't know if the honourable member is asking me whether I am about to sell SA Pathology to a private company because they can provide all those services. The answer is no. We are doing what we said, which is that SA Pathology will be given an opportunity to pursue efficiencies. If they can't be delivered, then local boards will have the opportunity to seek alternative providers.

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

SA PATHOLOGY

The Hon. E.S. BOURKE (15:26): I would just like the minister to answer the question. Is there a private provider that can provide the same service as SA Pathology?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:26): I am happy to take it on notice, but my assumption would be that the answer is no.

The PRESIDENT: The Hon. Mr Hanson, do you have a further supplementary?

SA PATHOLOGY

The Hon. J.E. HANSON (15:26): Has the minister any insight as to whether the PricewaterhouseCoopers report will provide information to him about how its services will not be affected by reductions in the amount and the efficiencies that they are seeking to obtain?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:26): This question relates to the member's previous question. I have no reason to think that Price Waterhouse Coopers will be looking at reducing the supply of pathology services into the health system. My understanding is that it is focused on efficiencies. In terms of whether or not we would improve health services by even increasing pathology services, I imagine that would be a matter for the purchaser, for the local health networks that are looking at how best to deliver health services.

The PRESIDENT: The Hon. Ms Bonaros, a supplementary.

SA PATHOLOGY

The Hon. C. BONAROS (15:27): Has the minister, or to his knowledge the Treasurer, received any requests for meetings by Public Pathology Australia to discuss this issue pending the outcome of the PwC review?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:27): I have certainly had approaches from people representing Public Pathology services. I will certainly take on notice the question from the member. I should make clear that some meetings are held with myself, some meetings are held by my main ministerial advisers and some are held by the department.

The PRESIDENT: Before I give the call to the next member, can honourable members be mindful when asking supplementaries that you cannot ask a hypothetical question. Some of those questions came very close, if not were hypothetical. The minister can be asked questions, obviously, on the original answer, but not necessarily on matters that are outside the realm of his responsibilities. The Hon. Ms Bourke, your question.

SA AMBULANCE SERVICE

The Hon. E.S. BOURKE (15:28): My question is to the Minister for Health and Wellbeing. Will the minister advise whether all the families of the 17 adverse incidents and the cluster of nine deaths of SA Ambulance patients between October and December last year have been informed of these incidents and when they were informed? Has the minister met and apologised to all these families?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:28): SAAS has contacted and spoken with the families involved. Those conversations are ongoing with some families. In some cases, it has been difficult to locate any family members. I haven't received a request by a family member to meet. I would pose the question to the opposition: when they were in government, over the last four years, when there were at least 63 adverse clinical outcomes, did the relevant Labor health minister meet with each family?

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

SA AMBULANCE SERVICE

The Hon. E.S. BOURKE (15:29): Yes, a supplementary. Why haven't you met with the families?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:29): I have not received a request.

The PRESIDENT: A further supplementary, the Hon. Ms Bourke?

SA AMBULANCE SERVICE

The Hon. E.S. BOURKE (15:29): What commitment have you made to the families to keep them up to date on the progress against the recommendations from the report in the Coroner's investigation?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:30): With all due respect, I think the member is conflating the individual case investigations and the systemic review. Families have been engaged in relation to the individual case investigations. The systemic review isn't a revisiting of that investigation, it's an attempt to look at the systemic issues that are highlighted by an overview of the cases.

Associate Professor Hibbert highlighted a whole range of issues, things like clinical supervision, assessment of risk, the maintenance of what I would call clinical observation tools: a very broad ranging set of observations, which I think will be very useful for the health service moving forward to support the maintenance and enhancement of quality and safety.

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

SA AMBULANCE SERVICE

The Hon. E.S. BOURKE (15:31): Yes, thank you, Mr President. What compensation will the minister be providing to the victims of SA Ambulance adverse incidents?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:31): All deaths have been referred to the Coroner and I don't intend to comment on individual cases.

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

SA AMBULANCE SERVICE

The Hon. E.S. BOURKE (15:31): I just wanted to confirm with the minister: will the minister be keeping the families up to date on the review process?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:31): Again, I think the honourable member is conflating the two. The system review has been made public and it is publicly available to everybody. The processes that I was talking about in terms of the contact with the families, including those who are not yet concluded, are done in the context of the individual cases.

QUEEN ELIZABETH HOSPITAL

The Hon. J.S.L. DAWKINS (15:32): I seek leave to make a brief explanation before asking the Minister for Health and Wellbeing a question regarding public hospitals.

Leave granted.

The Hon. J.S.L. DAWKINS: As a member in a previous parliament's select committee on the future of The Queen Elizabeth Hospital, I have a long knowledge of TQEH, as I know other members in this place have through the Transforming Health select committee. Will the minister update the council on services at TQEH?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:32): I thank the honourable member for his question and his support for health services to Adelaide's western suburbs. The Queen Elizabeth Hospital has been delivering quality health services to the western suburbs for many years, whilst supporting a strong research program. The credit for this solid record goes to the clinicians and hardworking staff of TQEH.

The former Labor government consistently ignored the health needs of the western suburbs. Labor's focus has been on pet projects such as the new Royal Adelaide Hospital. Labor ignored the health needs of the west, and under their disastrous Transforming Health experiment actively downgraded services at The QEH. People had to travel further and wait longer for the care they

needed. The Marshall Liberal government is working to undo the damage of Transforming Health, in particular by upgrading the cardiac catheterisation laboratory.

One continuing problem has been medical imaging. The limited nature of the MRI licence restricted the medical imaging services available at The QEH and led to increased costs for the South Australian taxpayer and South Australian patients. Through 16 years of Labor, even with a federal Labor government, they couldn't or wouldn't deliver a full MRI licence for The QEH.

In contrast, today I was present at The QEH as Morrison government minister and South Australian senator Simon Birmingham announced a full MRI licence for The QEH. This was in part due to the strong advocacy of a number of people, and I want to thank the member for Colton, the federal Minister for Trade, Tourism and Investment, senator Birmingham, and the federal candidate for Hindmarsh, Jake Hall-Evans. All three have stood up for the needs of Adelaide's western suburbs and worked to make the voice of the community heard. In contrast to 16 long years of neglect by Labor, the Marshall and Morrison Liberal governments are working together on health services for the West.

WOMEN'S AND CHILDREN'S HOSPITAL

The Hon. C. BONAROS (15:34): I seek leave to make a brief explanation before asking a question of the Minister for Health and Wellbeing.

Leave granted.

The Hon. C. BONAROS: I have been advised that the Women's and Children's Hospital is about to undergo a mandatory independent accreditation audit as part of SA Health's assessment of all public healthcare services across the state which, I understand, commenced last month. That accreditation scheme operates every three years against the National Safety and Quality Health Service Standards, developed by the Australian Commission on Safety and Quality in Health Care.

Part of that process is testing whether the relevant systems are in place and working effectively to provide the expected standard of patient safety and quality. A number of benchmarks are tested as part of that. My questions to the minister are:

1. Can the minister confirm when the audit will occur at the Women's and Children's Hospital?
2. Is the minister confident that the hospital will pass the assessment?
3. Will the minister undertake to make public the results of that assessment?
4. Can the minister detail what other public hospital and healthcare services have been assessed to date and whether any have failed that process?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:36): I will certainly take the honourable member's question on notice, but the advice I have received is that there are no current accreditations underway for South Australian public hospitals under the National Safety and Quality Health Service Standards. However, I will certainly take the honourable member's questions on notice and bring back an answer.

WOMEN'S AND CHILDREN'S HOSPITAL

The Hon. I. PNEVMATIKOS (15:36): My question is to the Minister for Health and Wellbeing. The minister referred to the closure of the Cassia Ward, which comprises 20 beds for children with medical conditions at the Women's and Children's Hospital. Does the minister intend to reopen the Cassia Ward with the unprecedented pressure on the health system in February?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:37): The honourable member's question highlights a fundamental point: there is little point opening a ward to meet the needs of people waiting for a bed if the bed you are opening is not relevant to them. For example, women at the Royal Adelaide Hospital will get no benefit from opening the Cassia Ward.

I can reassure the council of what I advised earlier, that both the medical Short Stay Ward and the Cassia Ward are currently amalgamated. However, the need is assessed on a daily basis

and if a need is identified Cassia Ward will be reopened. This can happen at any time across all shifts.

WOMEN'S AND CHILDREN'S HOSPITAL

The Hon. I. PNEVMATIKOS (15:38): A supplementary: my understanding is that the Cassia Ward offers single rooms for children. That is the issue. Children and families will be better placed having access to Cassia Ward rooms.

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:38): The medical Short Stay Ward at the Women's and Children's Hospital has 16 side rooms. Patients are assessed for their clinical need for a side room, with infectious status being the primary criteria. All wards at the Women's and Children's Hospital have side rooms and, over this period of ward amalgamation, all patients requiring a side room are being accommodated.

SOUTH-EAST REGION

The Hon. D.G.E. HOOD (15:38): My question is to the Minister for Trade, Tourism and Investment. Can the minister update the council about his recent three-day visit to the Limestone Coast and the South-East, and the opportunities and challenges facing the region?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (15:39): Thank you, Mr President. Before I thank the honourable member for his question, can I just quickly respond to—

Members interjecting:

The Hon. D.W. RIDGWAY: They obviously don't want the answers, Mr President. To the Hon. Clare Scriven, the Hon. Tung Ngo and maybe the Hon. Frank Pangallo, regarding the date the grandstands will be down, I think they have to be out of the parklands by 29 April. The total build and dismantle time this year is 18.5 weeks, which is not that long. Our initial commitment was for four weeks and then, following discussions around safety of workers and, I suspect, night-time activities, the SATC assessed that a one-week reduction could be achieved safely at a cost of \$100,000. I will add that extensive evidence was given to the Budget and Finance Committee, which I think the Hon. Frank Pangallo and maybe the Hon. Tammy Franks—

The PRESIDENT: You shouldn't refer to a committee, the Hon. Mr Ridgway.

The Hon. D.W. RIDGWAY: I know I shouldn't, but there is a lot of information from that.

The PRESIDENT: I know you know, so don't do it. The Hon. Mr Hood is anxious that his answer is delivered.

The Hon. D.W. RIDGWAY: Thank you, Mr President, and I do thank him for the question.

The PRESIDENT: He spent hours crafting it.

The Hon. D.W. RIDGWAY: He has. I recently had the opportunity to get out into the regions, as I always do. In fact, I have had a lot of regional trips this year to talk to the locals about the opportunities and challenges they face. From 21 to 23 January I visited the Limestone Coast in the South-East of the state to meet with a range of stakeholders, businesspeople and locals about issues that matter to them. Of course, we know that that is an area that I am very familiar with, having been born and bred in Bordertown. Interestingly—

An honourable member interjecting:

The Hon. D.W. RIDGWAY: I will come to that shortly. On the way down I visited Beston Global Food's factory at Jervois to look at their mozzarella plant. It is a reasonably impressive mozzarella plant that was recently refurbished. It adds value to local milk production and they have some exciting business developments.

On Tuesday 22 January, I was able to go to Naracoorte Seeds, South Australian Seed Marketers, having known the family for many years. It is a great business that employs between 10 and 20 staff, depending on the time of the year. They are heavily involved in the local supply chain, both importing and exporting seeds. It is a great opportunity for local producers to get straight

to market. They have an innovative seed coating technology, and they are just one of many great small businesses we see in our regions.

I also had a chance to go to the rooftop walk at the Naracoorte caves, where the Minister for Environment and Water, minister Speirs, and I, with the local member for Barker, Tony Pasin, opened this particular walk. Minister Speirs spoke about his first visit to the caves and then there was a chance for me to speak, and I reflected on my first visit to the caves, which demonstrates the diversity in our cabinet. My first visit to the Naracoorte caves was 17 years before minister Speirs was born; it was on a grade 5 trip from the Bordertown Primary School. That shows that these wonderful natural assets we have transcend many generations.

The Hon. K.J. MAHER: Point of order: the minister is probably not aware, but the clock is already on zero. The completely irrelevant answers are entirely unnecessary.

The PRESIDENT: That's not relevant. He is entitled to answer the question.

Members interjecting:

The PRESIDENT: The Hon. Mr Hood doesn't get much opportunity to ask questions, so allow the minister—

Members interjecting:

The Hon. D.W. RIDGWAY: The members opposite, when they were in government, just wanted to talk the clock down; I want to give you information. So 17 years before he was born I went on my first visit. We also went to Teys, the meatworks in Naracoorte, a great local employer. I was impressed with their new 36° South brand, which they are now marketing as a particular brand local to that particular area.

Of course, we also had a chance to visit the Coonawarra and look at some of the issues that confront the Coonawarra vignerons, because it is a challenging time in this competitive world. We looked at a number of other opportunities, especially with the Coonawarra vignerons and their passion to try to connect Coonawarra to Penola with a bike trail. As members opposite would know, I am passionate about bike trails, but I won't dwell on that.

One thing that stood out on this particular trip was the visit to Flinders University's New Venture Institute, which showcased three great local small businesses through their Venture Dorm Accelerator Program. They were fabulous, and Mount Gambier is becoming a hotbed of fashion talent. I met the founder of Ashlee Lauren, which makes bespoke designer bridal headpieces and tiaras. Mr President, you can see that headpieces and tiaras probably don't fit with me, but it is a great little business. It is interesting that a highlight of this little business in Mount Gambier was that Kesha wore one of her custom-made pieces at the 2018 Grammys, so from little old Mount Gambier onto the global stage.

I could go on for another 20 minutes or so on this great trip, but I won't. I thank the honourable member for his question. If he would care to ask me for more details of that trip, I will elaborate at another time when we sit.

Motions

IKARA-FLINDERS RANGES NATIONAL PARK

Adjourned debate on motion of Hon. J.M.A. Lensink:

That this council requests His Excellency the Governor to make a proclamation under section 27(3) of the National Parks and Wildlife Act 1972 excluding allotment 63 in approved Plan No. D93043, Out of Hundreds (Parachilna), from the Ikara-Flinders Ranges National Park.

(Continued from 13 November 2018.)

The Hon. I.K. HUNTER (15:44): I rise very briefly to speak in support of this motion. As honourable members will be aware, I moved, I am advised, an identical motion on 6 July 2017, which was carried unanimously in this place and in the other place. As the Minister for Human Services outlined in moving this motion, the end of the Fifty-Third Parliament, ahead of the 2018 state election, meant that a new motion would be required for the land swap to go ahead.

In December of last year, I was briefed on this matter by the minister's office and departmental officer (that was the Minister for Environment, not the Minister for Human Services), and I am grateful to the minister for allowing that briefing to go ahead. They confirmed to me in that meeting that the motion is identical. However, they did also state that no correspondence with the landowner has occurred, indicating that the passage of the motion may still be a rocky one, and something we should be watching.

It is interesting to note in passing how this Liberal government is so interested in the environment that it has removed responsibility for pastoral land management from the environment agency and shifted it to primary industries and regional development. It is not enough for this government to direct the environment agency to become an economic agency and pretend that the government is committed to the environment. Perhaps they are taking a leaf out of Barnaby Joyce's playbook when he shifted responsibility for water and the River Murray away from the environment department and into the minister for the department for aquaculture, saying that he did not want the greenies to be in charge. I think that says quite a bit about this government's attitude to the environment. With those few words, I commend the motion.

The Hon. J.M.A. LENSINK (Minister for Human Services) (15:46): I thank the former minister for agreeing to this land parcel swap, which was commenced under his tenure. This motion is for the excision of land from the Ikara-Flinders Ranges National Park, which is located between the townships of Hawker and Blinman, some 450 kilometres north of Adelaide. The national park is renowned for its natural and geological significance and is a major part of the South Australian identity.

The park is managed by the Ikara-Flinders Ranges National Park Co-management Board under the National Parks and Wildlife Act. The Willow Springs Station is a neighbouring pastoral property that abutts the south-eastern boundary of the national park. The Department for Environment and Water and the lessees of Willow Springs Station, a neighbouring pastoral property to Ikara-Flinders Ranges National Park, have reached a mutually beneficial agreement for the exchange of land.

Pursuant to section 27(4) of the National Parks and Wildlife Act of 1972, an alteration to the boundary of the national park, where land ceases to be included in the park, requires the resolution of both houses of parliament and a subsequent proclamation by the Governor. The agreement proposes that Willow Springs Station surrenders a parcel of land with high biodiversity and landscape values from their pastoral lease for addition to the Ikara-Flinders Ranges National Park. In return, a portion of land better suited to pastoral activities is proposed to be excised from the park for addition to the Willow Springs Station pastoral lease. The land proposed for addition to the national park contains significant intact biodiversity and landscape values, while the land for excision from the national park contains land of low conservation value better suited to pastoral activities.

The necessary resolutions were passed by both houses of the previous parliament. However, the necessary proclamation to alter the boundary was not able to be progressed for approval of His Excellency the Governor in Executive Council prior to prorogation and then dissolution of the previous parliament. That has caused the previous resolutions to lapse, necessitating new resolutions.

Excision of allotment 63 is necessary to trigger action on the part of the lessee to complete a partial surrender of the pastoral lease. Once these two actions have occurred, finalisation of the land exchange will then be possible, first through the addition of the excised allotment to the Willow Springs pastoral lease, and through the addition of the surrendered pastoral lease into the park. I commend the motion to the council.

Motion carried.

Bills

CONSTRUCTION INDUSTRY TRAINING FUND (BOARD) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 14 February 2019.)

The Hon. I. PNEVMATIKOS (15:50): I rise today to speak to the Construction Industry Training Fund (Board) Amendment Bill 2018. The building and construction sector is an enormously important industry for the South Australian economy. According to Master Builders South Australia, the industry directly employs more than 65,000 South Australians as well as indirectly supporting tens of thousands more jobs. It undertakes about \$15 billion of work every year and indirectly generates more than one-quarter of South Australia's wealth. It is therefore in South Australia's best interests that we do everything we can to ensure that the building and construction industry continues to thrive, including that we have a well-trained workforce that is able to meet the demands and challenges of this dynamic industry.

Any substantial change that affects this industry is something we should all pay very close attention to. This bill seeks to significantly alter the composition of the Construction Industry Training Board, which is the minister's principal advisory body on matters relating to training in the building and construction industry. The CITB was established under the Construction Industry Training Fund Act 1993 to administer the fund and coordinate appropriate training. According to the CITB's own Strategic Plan 2017-22, its vision is to 'promote excellence in training, career development and advice to support a safe and productive South Australian construction industry', utilising the pillars of 'communication, leadership, agility, innovation, collaboration and inclusivity.'

It appears that the CITB has indeed been working collaboratively and inclusively in its current form. This is reflected in the feedback the opposition has received from employer as well as employee bodies expressing high levels of satisfaction regarding the board's work, precisely because it is democratically representative and includes all major stakeholder groups.

Currently, the board has 11 members: a presiding member, a person nominated by the minister after consultation with the employer and employee associations stated in the schedules; two people with experience in vocational education or training; five people nominated by employer associations; and three people nominated by employee associations. By all accounts, this composition has been working well and has not had widespread criticism from any sector. The proposed composition of the board under this bill is for between seven and 11 members, all of whom would be nominated by the minister with no guaranteed employee voice.

It is important to note that the now Treasurer originally supported this bill in 1993 and it included union representation. Employer, employee and training provider representation on the board has been essential in achieving the board's vision and mission, including the specific aims of:

Supporting our industry workforce to adapt to change and develop their careers through information, incentives and advice.

To provide trusted information and advice gained by using our data, research and networks to support our industry and government decision-making.

The effectiveness, independence and integrity of the board would be significantly compromised if we remove one of the main stakeholders. This may align with the government's political ideology but it certainly would not ensure that training within the construction industry is effective and appropriate. After all, the aim of the CITB is to ensure appropriate training for workers. Would it not make sense to ensure that employee associations are included in the decision-making?

The last thing the construction industry and its workers want is for the board's work to be questioned and clouded by controversy, as has occurred following the recent appointment of Mr Nicholas Handley from Handley Accounting Services to the board. I want to be clear: I do not wish to personally attack Mr Handley, but there does appear to be some discrepancy between his experience and qualifications and the stipulation in the act that a person appointed to the board must 'have appropriate experience in vocational education or training, and are or have been employed or engaged in the provision of such education or training.'

In addition, Nicholas Handley is also the chair of the Liberal Party's fundraising arm, Future South Australia Unley Forum, where he is responsible for signing up members for the \$5,000 annual membership of the forum. And just a few weeks after his appointment to the CITB, Mr Handley hosted a fundraiser for the Liberal Party.

Now, I repeat: I do not wish to personally attack Mr Handley's credentials, but can it really be in the interests of the CITB and the construction industry to have such controversy lingering behind these appointments? I understand the Ombudsman is currently reviewing some freedom of information requests regarding Mr Handley's appointment, and it would be appropriate for those who value transparency and accountability to defer further consideration of this legislation until after the Ombudsman's decision is handed down.

Deferral for a short time will clarify whether the minister's actions have been in good faith and therefore provide a valuable insight into the motivations in moving this bill. Such controversy, however, can be avoided by ensuring that appointments to the board are transparent and the board remains representative of all those involved in the industry. It is important to note, however, that while the opposition does not accept that there is a problem with the current board structure, we are open to amendments that will further streamline the operations of the board and will genuinely bring about positive reform. We will do this because we are committed to ensuring positive reforms for an industry that plays such an important part in our state's economy.

I therefore hope that members will support an adjournment of this debate when it is called for shortly. If members of this place truly value transparency and accountability, there can surely be no problem with deferring this for a few weeks to ensure that we have all the relevant information to hand before voting on the bill. Failure to support such a move would understandably be construed as a clear sign that those members do not value adherence to legislation, do not think that it is important for ministers to uphold the law and do not think this chamber should scrutinise appointments made in apparent contravention of the law. That will be the choice before members when they vote on whether to adjourn this legislation for a few weeks.

The Hon. I.K. HUNTER (15:58): I move:

That the debate be now adjourned.

The council divided on the motion:

Ayes	10
Noes	11
Majority	1

AYES

Bourke, E.S.
Hunter, I.K.
Parnell, M.C.
Wortley, R.P.

Franks, T.A.
Maher, K.J.
Pnevmatikos, I.

Hanson, J.E.
Ngo, T.T.
Scriven, C.M. (teller)

NOES

Bonaros, C.
Hood, D.G.E.
Lucas, R.I.
Stephens, T.J.

Darley, J.A.
Lee, J.S.
Pangallo, F.
Wade, S.G. (teller)

Dawkins, J.S.L.
Lensink, J.M.A.
Ridgway, D.W.

Motion thus negatived.

The PRESIDENT: I now call on the minister to sum up the debate. Minister.

The Hon. S.G. WADE (Minister for Health and Wellbeing) (16:03): I will do so ever so briefly, just to indicate why the government did not support the adjournment. This bill would see, under the schedule, all current appointees lose their position with the proclamation of the bill, so Mr Handley's CV is not relevant to the bill before us. Of course the opposition is entitled to seek reviews from the Ombudsman, and of course the opposition has the right to pursue those issues in parliament separate from the bill. There is no need for this bill to be held up.

Bill read a second time.

Committee Stage

In committee.

Clause 1.

The Hon. C.M. SCRIVEN: I rise as the lead speaker on this bill. I would just like to place on the record a number of comments before going into some specific questions for the minister. First of all, the minister just referred to the unsuccessful attempt to adjourn this bill because we do not have an answer back from the Ombudsman in regard to the release of the CV of an appointee to the board. The minister claims that that is not relevant to this bill. That would be the case if transparency was not relevant to this bill. That would be the case if accountability was not relevant to this bill. However, those are the claims of the minister in the other place as to why this bill has been introduced.

The reality is that we all know that this bill is not about accountability, it is not about transparency and it is not about improving the operations of the Construction Industry Training Board. This bill is about giving a big kick to unions. Why? Because the minister has an ideological problem with unions.

The Hon. S.G. WADE: Point of order: to clarify, is the member attacking me or a member in another place?

The CHAIR: The Hon. Ms Scriven, please clarify whether it is the minister in this chamber or—

The Hon. C.M. SCRIVEN: I was referring specifically to the comments of the minister in the other place. However, if the minister in this place similarly likes to attack unions, then I am sure he is happy to accept that as well.

The Hon. S.G. WADE: Point of order: I suggest to the Chairman that the approach that Ms Scriven is taking is reflecting on a previous decision of this council not to adjourn debate. The Hon. Ms Pnevmatikos, on behalf of the opposition, made it clear why they were seeking the adjournment. Her line of questioning specifically reflects on an adjournment motion which was lost.

The CHAIR: The Hon. Ms Scriven, please be cautious. You cannot reflect on the vote of the council but you can obviously reflect on your disagreement with the minister in the other place, and that minister can be referred to—are you referring to the member for Unley?

The Hon. C.M. SCRIVEN: Yes.

The Hon. S.G. WADE: That would be safer.

The CHAIR: Yes, that would be safer.

The Hon. C.M. SCRIVEN: Thank you for the guidance, Mr Chairman, but for the benefit of the minister in this place, I had moved on to this bill rather than the adjournment debate. As I was saying, the member for Unley is on the record as having great disdain for unions, no matter that this board, the Construction Industry Training Board, has operated very well for 25 years. It has operated well because there is a requirement to have involved members of employee associations—unions—members of employer associations and people with experience and expertise in vocational education and training.

It should not surprise members that experience and expertise in vocational education and training might be quite useful for the Construction Industry Training Board—note: training. The fact that the appointment of Mr Handley to a position, which required—required—expertise and experience in vocational education and training, when there is no evidence that he has such experience, is relevant. Why is that relevant? Because we have a minister claiming that his intent is to improve the matter of the board.

The Hon. S.G. WADE: Mr Chair, I understood that clause 1 was for the context of comments and questions, not a re-reading of your second reading speech.

The CHAIR: In committee, minister, it is free-ranging debate. Members can make statements and comments, and we have had the practice in the past of members reflecting on their

dissatisfaction with the bill, including, I have to say, myself in another capacity. The Hon. Ms Scriven, you are free to speak your mind and then, if you have a question, to direct it towards the minister.

The Hon. C.M. SCRIVEN: Thank you, Mr Chair. I trust that this minister will be able to answer the many questions I have. The member for Unley in his second reading explanation, and I think the minister in this place also, said:

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

Yet, Mr Handley was appointed with no apparent experience of vocational education, no expertise in the sector. The fact that his CV would not be released under freedom of information surely suggests that there is something to hide.

The Hon. T.T. Ngo: Who is he?

The Hon. C.M. SCRIVEN: This bill, of course, is on the priority list for this week. Why? The Hon. Mr Ngo happened to ask, 'Who is Mr Handley?' He is an accountant. Mr Pangallo, in his contribution, made reference to the fact that accountancy skills might be useful to the board. I do not necessarily disagree with that. What I disagree with is that someone without the required experience, required in the act, required in the current act, part of the law, is appointed without that experience. That is the problem.

Why? Because one, it is against the law, it would appear, and two, it indicates what the real motivation of the member for Unley is in moving this legislation. It is not about merit. It is about him being able to handpick whoever he wants to put on the board for whatever reasons. Some of my questions around this bill will certainly get to the heart of what some of those things might be.

Why did we need to keep going with this bill despite the big question marks hanging over it? Board appointments that were expiring this month have been renewed for a further six months, and it is worth noting that the minister, in his arrogance, appointed a number of members for only six months until February this year because he clearly imagined that this chamber would simply rubberstamp his changes to the board.

He arrogantly appointed people only for six months and then had to, embarrassingly, go back and reappoint members for a further six-month period. However, given that we now have that further six months, why the rush? I can think of only two reasons: either this government has such a light legislative agenda that it did not want to show that it had nothing else to progress—

The Hon. E.S. Bourke: That would be true.

The Hon. C.M. SCRIVEN: The Hon. Ms Bourke suggests that might be true. The other explanation is that the minister wants this legislation passed before there can be further scrutiny of his appointment of Mr Handley to the board. Surely he fears that scrutiny. If he did not, there would have been no problem with deferring this bill for another couple of weeks. After all, we have six months before the current board membership will expire.

There are concerns about probity. There are concerns about jobs for the boys. There are concerns about good faith in appointing people supposedly based on merit. What we have seen is the exact opposite of what this bill purports to be about. I now move to a number of questions, which I trust the minister here will be able to answer. If he is unable to answer them, I think it would be quite problematic to proceed with the bill. Can I go into questions now, Mr Chair?

The CHAIR: You are free to do as you please; you have the call.

The Hon. C.M. SCRIVEN: Can the minister advise how many times in the past 18 years there has been a decision of the CITB that was not consensus? That is, how many times have the so-called veto provisions been used?

The Hon. S.G. WADE: I am advised the veto power has been used, but I do not have information as to the number of times.

The Hon. C.M. SCRIVEN: Is the minister able to find out that information? Given that the so-called veto power is one of the items being removed in the current bill before this chamber, it is surely relevant to know whether it has been used very many times in the past 18 years.

The Hon. S.G. WADE: The opposition has raised this before. As I said, it has been used, but I am not able to tell you the number of times it has been used.

The Hon. C.M. SCRIVEN: Why not?

The Hon. S.G. WADE: Because I do not have that information.

The Hon. C.M. SCRIVEN: Why not?

The Hon. S.G. WADE: Because I do not have that information.

The Hon. T.A. FRANKS: In the other place, the minister noted that there was a particular motion that he raised with regard to the veto power and that was with regard to a recent veto power used on a motion that had the majority vote of the board but union members of the board used section 5(1)(d) to veto that process. Where did the minister get that information and has that motion now, in fact, been actioned rather than vetoed?

The Hon. S.G. WADE: I am advised that the minister was given information in confidence by the board and so I am not in a position to provide it.

The Hon. T.A. FRANKS: If the minister was given the information in confidence, why did he bring it to the parliament?

The Hon. S.G. WADE: That is a matter for the minister in the other place.

The Hon. T.A. FRANKS: The government so far has refused to reveal Mr Handley's full CV. Could the government simply identify exactly what component of his CV is relevant to his appointment under the act?

The Hon. S.G. WADE: My key point in response to this question is that I cannot see relevance. Mr Handley is a current member of the current board. If the bill is to pass—and that is the question before us—he will no longer be a member. His future appointment is completely in the hands of the relevant minister.

The Hon. C.M. SCRIVEN: I think, perhaps, the minister was not listening when I said it comes to the point of accountability and transparency, which is the purported reason for the bill. That is why it is relevant. However, minister, you have confirmed via the member for Unley's statement in the other place that you are aware of only one time that the veto provision has been used. You say you do not have any other information as to how many times it has been used. Is that correct?

The Hon. S.G. WADE: The advice I gave was that I understand the veto power has been used. I am not able to provide information as to the number of times it has been used. I did not say it has been used once and once only.

The Hon. C.M. SCRIVEN: I was not actually suggesting that he said it has been used once and once only, I was saying that is how many times he has confirmed it has been used. In 18 years, the minister in this place is only aware of one time the veto power has been used. I would like to put on record that the argument that this veto power is somehow preventing the board from moving forward really does not hold water if it has been used either only once or possibly twice, as I think the member for Unley may have alluded to in the other place, in 18 years. It has been used twice in 18 years and this is supposedly stopping the board from moving on with its work and stopping the development of the construction industry training sector. Members must surely realise that is an absolutely ludicrous proposal.

The so-called veto power is the opportunity for all sectors to decide collectively what is good for industry training in South Australia, and I remind members what that so-called veto power is: it is the majority of the union representatives on the board, the majority of the employer representatives on the board, as well as at least one of the two appointees who are supposed to have vocational education and training experience. That is about collectively ensuring that any decisions made by the board are in the interests of the industry as a whole. The opposite of that is being put forward, and that is one of the objections the opposition has to this bill. Can the minister advise who has raised concerns about the composition of the board?

The Hon. S.G. WADE: I am advised that a range of stakeholders have raised concerns, particularly industry stakeholders.

The Hon. C.M. SCRIVEN: Can the minister table a list of who those concerned persons or groups are?

The Hon. S.G. WADE: I am advised that minister Pisoni formally consulted with three organisations: the Property Council of Australia, the Civil Contractors Federation SA Branch and the Master Builders Association of South Australia. I am also advised that he wrote to all prescribed organisations, both industry and employee.

The Hon. C.M. SCRIVEN: Which of those organisations—the Property Council, the Civil Contractors Federation or the Master Builders Association—raised issues about the composition of the board? Are there any other organisations or individuals that have raised concerns about the composition of the board?

The Hon. S.G. WADE: I am advised that the Property Council of Australia, the Civil Contractors Federation and the Master Builders Association have all indicated their strong support for the bill.

The Hon. C.M. SCRIVEN: I thank the minister for his answer, but my question was who had raised concerns about the composition of the board. That is not necessarily the same as who may now support this bill.

The Hon. S.G. WADE: I do not have the detail of the minister's consultation.

The Hon. C.M. SCRIVEN: Is the minister able to obtain that detail and report it back to the chamber?

The Hon. S.G. WADE: I am not inclined to take that on notice because this opposition is clearly wanting to delay the bill endlessly. These issues have been thoroughly canvassed in the other place and in this place. The council needs to make decisions.

The Hon. T.A. FRANKS: Is the minister aware that the debate in the other place was actually guillotined?

The Hon. S.G. WADE: It is my understanding that the bill progressed through the House of Assembly expeditiously.

The Hon. T.A. FRANKS: Is 'expeditiously' now the Marshall government's new word for 'guillotined'?

The Hon. S.G. WADE: The honourable member should not reflect on the proceedings of the other place. All I can say is that, considering this bill was tabled in this place on 8 November, it is about time we got on and dealt with it.

The Hon. T.A. FRANKS: I draw to the minister's attention that he is the one who raised the point, in response to repeated questions unanswered, that the matter had been fully debated in the other place, which is clearly misleading this council. Would the minister like to reflect on his belief and statement to this council that the matter was fully debated in the other place?

The Hon. S.G. WADE: I am talking about the issues in the bill. The issues in relation to this bill have been fully canvassed. It is a matter of public record that there is a diversity of views amongst the stakeholders. It is the responsibility of this council to make a decision on the merits of the bill.

The Hon. C.M. SCRIVEN: Could the minister explain, if all the matters for this bill have been fully canvassed, why he cannot answer almost any of the questions that I have asked so far?

The Hon. S.G. WADE: I continue to provide the information that is available to me.

The Hon. C.M. SCRIVEN: Could the minister explain why the Master Plumbers Association was not part of the consultation that he just outlined?

The Hon. S.G. WADE: I am advised that the Master Plumbers Association of South Australia was written to in relation to the legislation.

The Hon. C.M. SCRIVEN: Thank you for the clarification since they were not mentioned in the previous answer the minister gave. Can the minister advise what approaches—and from whom—were received by the government about the Construction Industry Training Board prior to the election?

The Hon. S.G. WADE: It would amaze me if the relevant shadow minister at the time did not receive representations from stakeholders, considering that this bill is now greeted with strong support by a number of industry stakeholders. In terms of the detail of who, I do not have that detail.

The Hon. C.M. SCRIVEN: Which members of the CITB specifically were consulted by the minister before the introduction of this bill in the other place?

The Hon. S.G. WADE: I am advised that the public consultation processes were primarily through the prescribed organisations.

The Hon. C.M. SCRIVEN: My query was about who was consulted before the introduction, which I understand would be before public consultation.

The Hon. S.G. WADE: I am advised that the minister met with representatives from the Property Council of South Australia, the Civil Contractors Federation (SA Branch) and the Master Builders Association of South Australia to discuss the draft amendment bill. The representatives indicated their support of the bill. He also wrote to all the prescribed employer and employee organisations and the CEO and presiding member of the Construction Industry Training Board to inform them that the bill had been tabled in parliament.

The Hon. C.M. SCRIVEN: Why did the minister meet with three of the employer groups and not the Master Plumbers Association to discuss the draft bill?

The Hon. S.G. WADE: I am advised that the minister had discussions with the Master Plumbers Association about the reforms, both before and after the bill was tabled.

The Hon. C.M. SCRIVEN: So the minister is saying that the member for Unley met with the Master Plumbers Association before introduction of the bill; is that correct?

The Hon. S.G. WADE: What I said was that the minister had discussions with the Master Plumbers Association about the reforms before the introduction.

The Hon. C.M. SCRIVEN: Could the minister advise in what form or forum those discussions took place?

The Hon. S.G. WADE: I am advised that the minister has met with the Master Plumbers Association many times since becoming a minister, and these reforms have been discussed with them. As I have said, they were one of the groups that was written to to be advised that the bill had been tabled.

The Hon. C.M. SCRIVEN: So just to clarify that I understand correctly what the minister is saying: the member for Unley met with the Property Council, the Civil Contractors Federation and the Master Builders Association specifically to discuss a draft bill before it was introduced, but he did not meet with the Master Plumbers Association specifically to discuss the draft bill before it was introduced; is that correct?

The Hon. S.G. WADE: For the sake of clarity, I will take that question on notice.

The Hon. C.M. SCRIVEN: Will the minister support a report of progress until we have an answer to that question?

The Hon. S.G. WADE: I suggest it would perhaps be wiser for the honourable member to continue placing her questions on the record: those that I can answer I can answer and those that I need to take on notice I will take on notice.

The Hon. C.M. SCRIVEN: I trust then that if there are some to be taken on notice where the minister cannot provide answers that we will be able to have the benefit of those answers before we proceed further with the bill. Did the minister meet with the two representatives from Vocational Education and Training before the introduction of the bill?

The Hon. S.G. WADE: Could the member clarify which members she is referring to?

The Hon. C.M. SCRIVEN: There are two members who are appointed to the board under the legislation who must have expertise and experience in the delivery of vocational education and training—they are the two members. We know Mr Handley did not have such experience; however, for the sake of the question I am including him in that category as that is where he was appointed, however inappropriately and improperly, and the second is someone who has experience in TAFE.

The Hon. S.G. WADE: Is the honourable member talking about the current membership, the current board members who fulfil that role? Is the honourable member referring to the member and the deputy member?

The Hon. C.M. SCRIVEN: The question regards discussions before the bill was introduced, so I am referring to those members who held those positions prior to the introduction of the bill and not referring to their deputy members at this stage.

The Hon. S.G. WADE: There are a number of questions here which are difficult to answer without further consulting the minister. I would suggest that the honourable member might like to pose the questions and then we might take them on notice to consult the minister. I think it would be expeditious to have all the questions on the table so that we can seek advice.

The Hon. C.M. SCRIVEN: Did the minister meet with the Housing Industry Association prior to the introduction of this bill to discuss the bill?

The Hon. S.G. WADE: I will take that on notice.

The Hon. C.M. SCRIVEN: Did the minister meet with any of the employee representatives on the board to discuss this bill prior to introducing the bill?

The Hon. S.G. WADE: I will take that on notice.

The Hon. T.A. FRANKS: I do not have a question exactly but I would like to raise a matter in response to what the minister has just advised the government's approach will be. If there are to be answers brought back to this council, could they be provided in writing to members before we resume the debate?

The Hon. S.G. WADE: I will seek the advice of the minister but certainly that would be my expectation.

The Hon. C.M. SCRIVEN: So to clarify, your expectation would be that we would have those answers before proceeding with the debate?

The Hon. S.G. WADE: As I said, that is my expectation.

The Hon. C.M. SCRIVEN: I will go back to the question I asked as to whether the minister met with the Housing Industry Association prior to the introduction of the bill.

The Hon. S.G. WADE: I would suggest that the honourable member might want to put all of the questions on notice.

The Hon. T.A. FRANKS: Previously in response to my questions through my briefing in November last year, the minister's office advised that the Property Council, the Master Builders Association and the Civil Contractors Federation all met on, I believe, 10 September, to provide feedback and advice on the drafting of this bill. My question is: was that meeting together or separate, who else was invited to that meeting, and were any unable to attend?

The Hon. S.G. WADE: It will not surprise the council that I need to take that on notice.

The Hon. C.M. SCRIVEN: Can the minister advise whether the member for Unley met with any representatives of the three employee associations to discuss this bill prior to its introduction in the same way that he met with members of the Property Council, the Civil Contractors Federation and the Master Builders Association?

The Hon. S.G. WADE: As I said, I will take that question on notice.

The Hon. C.M. SCRIVEN: Given that so far we only know that there were three organisations met with to discuss this bill prior to its introduction—so prior to its final drafting—and there are 11 members of the board, can the minister explain why the Master Builders Association, the Civil Contractors Federation and the Property Council were considered worthy of involvement early in the development of the bill and yet the other members of the board were not?

The Hon. S.G. WADE: I will take that on notice.

The Hon. C.M. SCRIVEN: I will be very interested in that answer because it certainly comes back to the core of what the intent of the bill is. As far as we can see, the minister met with three organisations, all of whom may potentially benefit from the bill—benefit in a financial way, which we will certainly come to later on when we discuss further clauses—before the bill was publicly tabled and before the bill was finally developed, so these are very pertinent questions that go to the integrity of the bill, the integrity of the member for Unley and the integrity of the government in introducing the bill. For the record, what percentage of employers are satisfied with Construction Industry Training Board-funded courses?

The Hon. S.G. WADE: I am advised that a recent CITB survey identified 90 per cent of employers were satisfied with CITB courses.

The Hon. C.M. SCRIVEN: And what percentage of construction workers were satisfied with CITB-funded courses?

The Hon. S.G. WADE: That information is in the hands of CITB, and I will seek that information. Considering it is in the hands of CITB, it may or may not be possible to have it in time for the resumption of debate.

The Hon. C.M. SCRIVEN: Can the minister check whether that information is contained in the CITB annual report?

The Hon. S.G. WADE: I am happy to check the annual report.

The Hon. C. BONAROS: Just by way of clarification, and I may have missed this: in relation to those groups that meetings were confirmed for—I think there were three bodies listed—can we also confirm for the record whether at the same time, or about the same time, the National Electrical and Communications Association (NECA), the Air Conditioning and Mechanical Contractors' Association (AMCA), the Master Plumbers Association and the Australian Subcontractors Association also attended meetings with the minister?

The Hon. S.G. WADE: I am happy to take that question on notice.

The Hon. C.M. SCRIVEN: Adding to that question, were there any other people present at that meeting who have not so far been mentioned?

The Hon. S.G. WADE: I think we might be conflating here. I do not think the Hon. Connie Bonaros was asking me whether all of those people were in the same room at the same time. So—

The Hon. C. BONAROS: Just to clarify, I am not suggesting that they were all in the same room at the same time but that there may also have been meetings with those organisations in a similar respect to the organisations that have been mentioned before.

The Hon. S.G. WADE: And as I said to the Hon. Connie Bonaros, I am happy to take that question on notice.

The Hon. C.M. SCRIVEN: Have there been any meetings with any other individuals or bodies prior to the introduction of this bill to discuss this bill?

The Hon. S.G. WADE: I am happy to take that question on notice.

The Hon. C.M. SCRIVEN: I did ask the minister, for the record, what percentage of employers and construction workers were satisfied with CITB courses. I have to hand details that 91 per cent of construction workers were satisfied with CITB-funded courses. So, for the record, I am just placing that information there. The minister has said that 90 per cent of employers—and we see from the annual report 91 per cent of construction workers—are satisfied with CITB-funded

courses. Could the minister outline what sort of improvements he and his government are looking to see, given that over 90 per cent satisfaction ratings are pretty high by anybody's standards?

The Hon. S.G. WADE: The fact of the matter is that boards continue to maintain and improve the quality of courses to make sure they stay relevant to the people they serve. We need to have a vibrant board to do the best by the industry. The government believes that this bill will continue to enhance the good work already being done by the CITB.

The Hon. C.M. SCRIVEN: Could the minister outline in what way he expects this new board will perform better than the existing board?

The Hon. S.G. WADE: On a point of corporate governance in and of itself, it is not good corporate governance practice to have members who are, if you like, designated as subgroups within a board. I have never been part of a board that was structured in that way. It is the government's view that not only does this bill reflect best practice around Australia but also we believe that the operation of the board would be enhanced by being refreshed.

The Hon. C.M. SCRIVEN: I note the minister's academic, if you like, response in regard to corporate governance. What I am looking for is specifically what improvements the government is looking for from the board that it thinks will be achieved through this changed structure.

The Hon. S.G. WADE: The whole point of having board governance is that the government is entrusting the responsibility to the board members collectively to make decisions according to their objects. It is not going to be for me or the government to dictate to the CITB every decision it makes.

The Hon. C.M. SCRIVEN: Indeed, I am not seeking for the government to dictate any decisions. I am asking what outcomes—what outcomes—the government is seeking from the CIT Board that are not currently being achieved and how this change in board composition will supposedly assist?

The Hon. S.G. WADE: In broad terms, the government wants a broader industry representation so that the board will be more responsive to the services it provides.

The Hon. C.M. SCRIVEN: To clarify, the minister has just said it wants broader industry representation, but in his previous answer I understood that he said corporate governance is not well served by having representation of different sectors. Is that correct?

The Hon. S.G. WADE: I was referring to subgroups. What I was suggesting is that, for every board that I have been part of, it has been an important principle that all members come to the table as board members to make collective decisions to fulfil their duties as directors. To have some subgroups each holding a veto is not conducive to good corporate governance.

The Hon. C.M. SCRIVEN: I come back again to: what are the outcomes that the government is seeking from this changed board?

The Hon. S.G. WADE: The government looks forward to the CIT Board continuing to develop services within its objects. The fact that satisfaction with the board courses is high, is to be welcomed, but we cannot be lazy in making sure that we put in place the best arrangements possible to make sure the CITB responds to the needs of the industry.

The Hon. C.M. SCRIVEN: Can the minister be specific about what improved outcomes are being sought by the government?

The Hon. S.G. WADE: I do not know how many times the honourable member wants to ask the question. I am not even sure if she has changed the structure or wording of it. I have answered that question.

The Hon. C.M. SCRIVEN: I would like to put on the record that I have needed to ask the question a number of times because there has not been an answer. To say we want broadly better representation, we want to do wonderful things, the minister himself talked about the continuation of what obviously is good work. We have over 90 per cent satisfaction from employers, we have over 90 per cent satisfaction from construction workers. It is not unreasonable to ask what is intended from the new board if this legislation passes. What outcomes are expected that are currently not being met and, therefore, what is the reason for this bill?

The Hon. S.G. WADE: I have nothing more to add.

The Hon. C.M. SCRIVEN: Well, I think that is very representative, very illustrative: there is nothing more to add. So there are no new outcomes that are being sought from this bill, there are no better outcomes than what we have currently. So, clearly, the evidence stands that this bill is solely to kick unions—an ideological crusade—and not to actually improve any better outcomes for the construction industry and for training. Does the minister concur?

The Hon. S.G. WADE: No.

The Hon. C.M. SCRIVEN: If the minister does not concur, can he outline what the improved outcomes are that are being sought by the government?

The Hon. S.G. WADE: I put it to you, Chair, that this is just repetitive questioning, which is wasting the time of the chamber.

Members interjecting:

The Hon. C.M. SCRIVEN: It is alright; we have the answers that are obvious, and the minister has nothing to respond. Under the current composition of the board, South Australia has had less than a third of the decrease in apprenticeship numbers compared with other states. Why, then, is a model that is apparently based on other states being proposed?

The Hon. S.G. WADE: I do not know on what basis the honourable member asserts that that outcome is associated with the composition of the boards in any jurisdiction.

The Hon. C.M. SCRIVEN: The basis of my question are comments from the member for Unley about the purported reason for this bill, which is to improve apprenticeships and traineeships.

The Hon. R.P. Wortley: And the scope for Pisoni to appoint his mates.

The CHAIR: The Hon. Mr Wortley, would you like to ask a question in committee?

The Hon. R.P. WORTLEY: I am waiting for an answer; just one answer.

The CHAIR: Well, stand up and ask for the call. You will get the call and you can ask the minister.

The Hon. R.P. WORTLEY: I think the Hon. Ms Scriven—

The CHAIR: This is not a conversation; this is a committee of the whole.

The Hon. S.G. WADE: I am not aware of any statements by the minister linking those two elements. If the honourable member wants to bring them to my attention, I can seek further comment from the minister.

The Hon. C.M. SCRIVEN: I refer to comments from the member for Unley in the other place, so I will take it that the minister is going to take that on notice. Is that correct?

The Hon. S.G. WADE: I will seek a response from the minister.

The Hon. C.M. SCRIVEN: The minister in the other place cited the need for improved apprenticeship and traineeship focus as a reason for changing the structure of the board. The CITB spent \$11.13 million on apprenticeship and traineeship support last year. How is that expected to change as a result of this legislative change?

The Hon. S.G. WADE: The government has strong commitments to extra apprenticeships and traineeships over the next four years, so the refreshment of the board will ensure that the board has the appropriate skill mix to enable it to respond to changing industry demands and address skill shortages that many sectors of industry are suffering.

The Hon. C.M. SCRIVEN: Is the minister saying that the amount spent for apprenticeship and traineeship support will increase following this legislative change?

The Hon. S.G. WADE: There are significant funds in the board that are unspent, but the decisions in relation to expenditure are matters for the board.

The Hon. C.M. SCRIVEN: Does the minister consider that apprenticeship and traineeship support is sufficient at present, or too great or not great enough?

The Hon. S.G. WADE: If the honourable member is asking me that question, I am the minister representing a minister in another place. My opinion does not matter.

The Hon. C.M. SCRIVEN: If I can ask the same question of the government. I can state it again if necessary.

The Hon. S.G. WADE: I am happy to take the question on notice and seek a response from the minister.

The Hon. C.M. SCRIVEN: Thank you. On a similar note, the CITB supported 5,057 apprentices last year, which was 357 more than the previous year. What are the targets going forward for each of the next four years in terms of CITB support for apprentices, and how will they be helped by this legislative change?

The Hon. S.G. WADE: I am advised that targets are a matter for the board.

The Hon. C.M. SCRIVEN: Assuming that part of the board's purview is to increase the number of apprentices and apprentices' support, how will that be helped by this legislative change?

The Hon. S.G. WADE: The board will have an appropriate skills mix to enable it to respond to changing industry demands and address skills shortages that many sectors of industry are suffering.

The Hon. C.M. SCRIVEN: What specific skills are currently lacking on the board that the government considers are necessary?

The Hon. S.G. WADE: The public expression of interest process we are undertaking is to appoint a minimum of four and a maximum of eight building and construction representatives, but we will be looking for a skills mix that includes commercial and management skills, legal and government skills, and industry expertise.

The Hon. C.M. SCRIVEN: Which of those skills are currently lacking in the current board?

The Hon. S.G. WADE: This legislation is the most prescriptive of any Australian jurisdiction in terms of the appointments to the board. Having a less prescriptive process will make it easier to get an optimal balance of skills amongst all board members.

The Hon. C.M. SCRIVEN: So which of those skills are currently lacking in the current board?

The Hon. S.G. WADE: With a less prescriptive appointment process, the minister will be able to draw in members with both industry expertise and also a range of skills. If you have a prescriptive process, such as in the current bill, the capacity to mix and match, to blend both the range of expertise and the range of skills, is inhibited. That is why, I expect, other jurisdictions have modernised their legislation, and that is why this government is determined to do that here as well.

The Hon. C.M. SCRIVEN: I note that the minister has not been able to identify any skills whatsoever that are currently lacking from the current board. I also draw the minister's attention, for example, to Tasmania. Apparently, we are the most prescriptive, we are told, and yet Tasmania says:

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;
 - (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.
- (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;
 - (b) a balance of genders;
 - (c) members with knowledge and skills in respect of—
 - (i) all sections within the building and construction industry;
 - (ii) vocational education and training;
 - (iii) policy development and strategic planning.

Is it true, therefore, that that jurisdiction, for example, is more prescriptive than ours and therefore the basis that is being used is erroneous?

The Hon. S.G. WADE: The South Australian jurisdiction is the most restrictive because the minister is obligated to make appointments, whereas in the Tasmanian legislation there still remains a broad ministerial discretion.

The Hon. C.M. SCRIVEN: I find that quite humorous, the minister saying that we are more prescriptive yet all those factors within the Tasmanian jurisdiction are part of its structure. Can the minister advise whether there are any plans to extend the CITB levy to include other areas such as defence or mining, or indeed any other areas?

The Hon. S.G. WADE: The industries referred to, mining and defence and—

The Hon. C.M. SCRIVEN: And any other areas.

The Hon. S.G. WADE: I am advised that the CITB will be expected to respond to the needs of those sectors like other sectors, and they are strategic sectors for our state.

The Hon. C.M. SCRIVEN: Have there been any discussions about including defence or mining or any of those other areas in the levy catchment?

The Hon. S.G. WADE: I am advised there have been no discussions about expanding the levy catchment.

The Hon. C.M. SCRIVEN: Are there any plans to include non-accredited training as training to be covered through CITB-funded courses?

The Hon. S.G. WADE: Whether non-accredited training is covered is a decision of the board.

The Hon. C.M. SCRIVEN: Does the government have a view on whether non-accredited training should form part of the services offered by a CITB-funded course?

The Hon. S.G. WADE: Obviously, the answer to the question would depend on the particular case, but the government supports non-accredited training and recognises the value of non-accredited training.

The Hon. C.M. SCRIVEN: Has the government done any modelling on results achieved by, for example, industry super boards that have representational boards compared with retail funds for the purpose of seeing whether it is actually true that non-representative boards necessarily perform better?

The Hon. S.G. WADE: I am advised that the government has not done such modelling.

The Hon. C.M. SCRIVEN: Is there a reason why vocational education and training experience is not considered necessary for appointment to the board under the proposed bill?

The Hon. S.G. WADE: Those skills would be a relevant consideration for the minister in making appointments.

The Hon. C.M. SCRIVEN: Is there a reason they are not considered required?

The Hon. S.G. WADE: It is the government's intention not to be prescriptive; therefore, we are not going to prescribe.

The Hon. C.M. SCRIVEN: Is the minister therefore able to reflect on whether the composition of the board, if it did not include vocational education and training, could adequately advise on training funds?

The Hon. S.G. WADE: The minister to whom this act is committed would balance all of the skills and experience that potential board members have and appoint the most suitable team to take stewardship of the CITB.

The Hon. C.M. SCRIVEN: I do not have any further questions at clause 1, but I note that the minister undertook to come back with answers to the chamber before we progress further.

The CHAIR: The Hon. Ms Scriven, are you indicating that you are going to seek to report progress now?

The Hon. C.M. SCRIVEN: If no other members have contributions at clause 1, that would be my intention.

The Hon. S.G. WADE: If it pleases the council, I suggest that we report progress and adjourn on motion.

The CHAIR: Unless any other member has a contribution at clause 1, I will ask the minister to move that motion.

The Hon. S.G. WADE: I will move that we report progress.

Progress reported; committee to sit again.

STATUTES AMENDMENT (CHILD EXPLOITATION AND ENCRYPTED MATERIAL) BILL

Second Reading

Adjourned debate on second reading.

(Continued from 12 February 2019.)

The Hon. K.J. MAHER (Leader of the Opposition) (17:14): I rise today to indicate that I will be the lead speaker for this bill and that, in many aspects, the opposition supports it. The bill amends the Child Sex Offenders Registration Act 2006, the Criminal Law Consolidation Act 1935, the Evidence Act 1929 and the Summary Offences Act, and provides, effectively, two separate policy measures.

First, the bill establishes new offences to deal with child exploitation material websites. South Australia has legislation that deals with the possession and distribution of child exploitation material. However, often it can be challenging to use those laws to cover the administration and creation of child exploitation material on websites, and this is an area that we wholeheartedly support.

Secondly, the bill provides a means via an order for law enforcement to require a person to provide access to encrypted or protected electronic material that is reasonably suspected by police to be in connection with criminal activity. We note that this part of the bill goes beyond the title of the bill and deals with a lot more than child exploitation material.

I can indicate that we have some concerns with this part of the bill, so we will support the part of the bill that deals with the child exploitation material but we are not at this stage supporting the part of the bill that deals with the encryption that goes beyond the child exploitation side. Of course, if it is deemed that these powers are needed in some respects, we are happy to come back and look at another bill that deals with that, but I can indicate that we will support the first set of the Greens' amendments on this bill.

The Hon. C. BONAROS (17:16): I rise to speak on behalf of SA-Best in support of the second reading of the Statutes Amendment (Child Exploitation and Encrypted Material) Bill 2018. The bill seeks to amend the Child Sex Offenders Registration Act 2006, the Criminal Law Consolidation Act 1935, the Evidence Act 1929 and the Summary Offences Act 1953. It has two distinct aims. As we know, first, the bill establishes new offences to deal with administering or

facilitating the use or establishment of child exploitation material websites and, secondly, the bill provides a means for the police to compel a suspect or third party to provide information or assistance that will allow access to encrypted or other restricted access computer material that is reasonably suspected to relate to criminal activities.

It is the second aim of the bill that has caused some concern—quite a bit of concern, it is fair to say—in terms of its scope, and I will return to address these issues in detail later during this speech. It is important to note at the outset that the bill was introduced by the former Labor government. However, whilst the bill passed the lower house, it was still pending in the Legislative Council when parliament was prorogued. There have been some additions incorporated into the current bill before us that deal with a reporting provision and a review of the provisions contained in the bill, and again I will return to these clauses shortly.

No-one in our society is more despised and vilified than are child sex offenders. The insidious and devastating harm they cause innocent children cannot be overstated. We need policies and consequent legislation that keep those who might harm children away from them. To do otherwise would be negligent. So this bill aims to do that, and we certainly support the government in its efforts to do so, and also the former government in its efforts to do so, and equip law enforcement with the necessary tools to arrest and prosecute perpetrators of these crimes.

The bill is, as we know, in response to dramatic technological advances and the new ways in which crimes, especially the sexual exploitation and abuse of children, are being committed. The advances in and the use of technology are occurring at a rapid rate, often with the law trailing behind, unable to keep up and maintain relevance and accuracy. Think of the humble mobile phone, Mr President, and the rapid improvements with their inbuilt cameras for both videotaping and capturing photos.

The advent of social media, kicked into the stratosphere by Facebook some 15 years ago, has provided an easy and quick way for these images and videos to be uploaded and disseminated onto sites, which of course can be shared many, many times over. Many of these websites and social media platforms have the ability for multiple users to quickly set up and share space on a web server, or banks of web servers, in the cloud to store and make available content, whether it be by text, images or videos.

That all sounds great and these advances in technology bring obvious benefits for our modern society; however, there is also a very dark side. In parallel with the mainstream sharing services is the dark web, the part of the web that is not indexed by web search engines. These sites require specific software and configurations to access them. These networks focus on providing anonymous access to the internet. It is the perfect hiding place for paedophiles to carry out their heinous crimes and is, indeed, the very reason why this bill is required.

As at June 2018, there are more than 4.2 billion internet users worldwide. Many of them are children, who increasingly live so much of their lives online. Children find it difficult to separate between the online and the real offline worlds in which they live. Not having access to the internet is like the end of the world as we know it for the current generation of children; it is all they have ever known and, indeed, the same could be said not just for children but for many adults.

However, when it comes to children, paedophiles use this to their advantage. They use the anonymity of the internet to zero in on vulnerable children who are often roaming the digital world unsupervised. A 2009 United Nations UNICEF report detailed that at any given moment 750,000 internet users are child predators. That statistic is now 10 years old and that number is sure to have grown exponentially in the last decade with the consequent explosion of social media and proliferation of the dark web.

In the early and mid-2000s in Australia the number of images seized when an offender was arrested was around 1,000 images of child sexual abuse. These seizures were measured in kilobytes and megabytes of child exploitation material. Today, that reality is much more sickening, with an average seizure between 10,000 to 80,000 images and videos. Some seizures have contained more than one million multimedia files. The AFP is now seizing terabytes and petabytes of child exploitation material, cloud-based and hard drive material. A petabyte, for those of us who are not familiar—and I certainly was not—is the equivalent of one million gigabytes. A typical DVD holds 4.7 gigabytes of

data, so expressed another way a petabyte is the equivalent of 20 million four-drawer filing cabinets with text.

The scale of sickening data being stored by paedophiles is simply incomprehensible. In Australia a total of six million images depicting the sexual exploitation of children is held in the Australian National Victim Image Library. It is nothing short of a tsunami of child exploitation material. No other word comes close to describing the scale of the abuse.

In 2016-17, the AFP received more than 10,000 reports of child abuse material through its Child Protection Assessment Centre. Last year, the AFP assessment centre expected to receive in excess of 18,000 reports. This should be of great concern to all law-abiding Australians in South Australia, and indeed across the nation. Keeping children safe is not just a law enforcement issue, it requires the community to work together to create safer environments for children.

In 2017, I note the Internet Watch Foundation (IWF), which exists for the global elimination of child sexual abuse imagery online, assessed 78,589 reports as child sex abuse web pages: 43 per cent of victims were aged 11 to 15 years of age; 55 per cent of victims were aged younger than 10; and 2 per cent were aged less than two. A report by IWF, published in May 2018, examined the distribution of captures of live stream child sexual abuse over a three-month period and identified 2,082 images and videos of live stream child sexual abuse.

The study revealed shocking statistics on children being groomed, children being coerced and blackmailed into live streaming their own sexual abuse over webcams, tablets and mobile phones. That study found that 96 per cent of victims were girls; 96 per cent showed a child on their own in a home environment; 18 per cent of the abuse was categorised as category A, which includes the rape and sexual torture of children; 40 per cent of the abuse was categorised as category A or B, which indicates serious sexual abuse; and 100 per cent of images had been harvested from their original upload locations.

Shockingly, 100 per cent of the imagery had been harvested from the original upload location and had been redistributed on third party websites, with 73 per cent of content appearing on 16 dedicated forums. This indicates the abusive imagery was being shared with the intention of advertising paid downloads of videos of webcam child sexual abuse. Disturbingly, a huge 40 per cent of this illegal imagery was found as category A or B—category A being the most depraved form of abuse, which involves what IWF classifies as the rape and sexual torture of children. Of the live stream content, 4 per cent was captured from mobile-only streaming apps.

These figures are shocking to hear and even harder to comprehend, and I think it is really important for that reason that they be placed on the record. The measure of online exploitation is colossal and one that I think we all struggle to get our heads around. The IWF report worked with over 2,000 cases where children had been either groomed or coerced into live streaming videos of themselves via their webcam, mobile or tablet. The backgrounds in the videos studied mostly showed that the children were in their home settings, somewhere like their bedrooms or a bathroom. Critically, no adult appeared to be present in the images seen by IWF. Therefore, IWF concluded that these children were being directed to abuse themselves and live stream the sexual abuse for the sexual gratification and profit of paedophiles.

This information will be terrifying for most parents. I know it certainly terrifies me, particularly given the ease with which this can infiltrate your family home, your children's bedrooms and your family living rooms—your private spaces within the family home. I cannot stress enough the importance of organisations like the Carly Ryan Foundation in teaching parents, children, carers and professionals the importance of being aware of children's technology use and the dangers posed to them by paedophiles, and especially the potential abuse of live streaming technology used by them.

The IWF study suggests that any legitimate internet platform could be abused by offenders intent on contacting children, and this makes any platform offering live streaming a potential target for offenders. The exploitation of children can happen to any child who has access to live streaming technology, and we as parents and carers need to be vigilant. We need to be aware of the technology our children are using as there is a very real and present danger of allowing children unrestricted and unsupervised access to webcams and mobile phone cameras. Even very young children can be

groomed in this way, with the majority of children in the study aged between 7 to 13 years. But the youngest was assessed as being just three years of age.

Most of the illegal videos seen by IWF have apparently been recorded by offenders who viewed the live-streamed abuse and then distributed it. The children in these videos appear to be completely unaware a recording was ever being made. Children are clearly being abused, even if the offender is not in the room. The level of grooming is sophisticated and pervasive.

The research conducted by IWF shows a worrying new trend in the abuse of children. Permanent captures from live streams showing children being groomed or encouraged to perform sexual acts now represent more of the new images seen by such organisations. Recent data shows that so-called self-produced content accounts for more than one in three reports that are made to the IWF.

Then there are examples much closer to home. In a revelation that outraged the nation, Australia's most evil predator, Peter Scully, received half a million dollars in Australian taxpayer money under the federal government's serious criminal matters scheme to fund his legal bills to fight criminal charges of child exploitation. Scully, as most of us would know, is the evil mastermind behind a worldwide child exploitation ring. Parents handed over their children to Scully, a complete stranger, on the promise that a complete stranger would offer them a better life. What he offered them instead was a life of pain, a life of torture and a life of unspeakable sexual abuse.

From a remote corner of the Philippines, Scully operated a putrid business creating videos of child sexual abuse, which he would then market to a hungry global syndicate of paedophiles for up to \$10,000 per view. Scully was arrested in 2015 for sexually abusing several girls, including an 18-month-old infant, and for the alleged murder of a 12-year-old girl. In 2018, Scully was convicted and he is serving a life sentence in a Filipino prison.

Scully is also linked to two other Australian men, including a South Australian man. The first is Matthew Graham, also known as 'Lux', a 23-year-old man living with his parents who was sentenced to 15 years in gaol for running one of the deep web's most complex and evil global child abuse networks, known as the 'pedo empire'. The network encompassed several sites and forums, mainly featuring extreme content.

Graham shared footage of the torture, the killing and the mutilation of infants, including videos allegedly produced by Scully. His networks gained up to 400,000 hits a day and included people who posted images of themselves abusing their own—their very own—children. Graham was just 17 when he commenced offending and was 21 years of age when he became the sick and depraved head of a child abuse network.

The second person Scully is linked to is Shannon McCooles, known to most South Australians now. As we know, McCooles had no criminal history and worked for child protective services. He also controlled an international child sexual abuse bulletin, which had 45,000 members in the network that were obliged, as a condition of membership, to share a continuous stream of child sexual abuse material. It was considered proof of their commitment to sexually abuse children. McCooles would upload images and videos of himself sexually abusing young children and babies in his care while he was employed by Families SA. McCooles, as we know, was sentenced to 35 years in prison with a non-parole period of 28 years.

These examples, as difficult as they are to wrap your head around, are the stark realities of the online world of child sexual abuse and provide the context to explain why this bill is so very necessary. The amount of imagery I have described is more now than ever before and will continue to increase unless we as a community and as a parliament do more.

Returning now to the detail of the bill, as I alluded to, the first part of the bill introduces three specific offences to criminalise the creation, promotion and use of child exploitation websites with a penalty of 10 years' gaol, consistent with most existing aggravated child exploitation material offences in this state. The first offence in clause 6, inserting section 63AB(1), seeks to target offenders who create, moderate or manage an offending website, including people who might be tech support of such a site or hold the membership list, not just those who build it and manage it daily.

Those found guilty of this new offence will be registerable offenders and subject to the requirements of the state Child Sex Offenders Registration Act 2006 and consequently the Australian National Child Offender Register (ANCOR) and the National Child Offender System (NCOS) schemes as applicable.

New section 63AB(5) creates an offence of promoting or encouraging another person to use a child exploitation website. The word 'encourages' has been given a deliberately broad meaning so as to extend to any form of promotion, whether that is online advertising through an app or chat group or by direct conversation. The third new offence contained in new section 63AB(7) in this part of the bill deals with the person providing information or equipping another person with the knowledge or advice to evade or reduce the risk of getting caught.

The type of information provided could include how to use a child abuse website anonymously, how to encrypt files of child exploitation material or, indeed, how to conceal the personal details of offenders using the site. That advice may be given on the web platform itself, separate to it or even verbally under subsection (8), which does not require that the information provided was used by the person who received it. It is important to note the interaction of these new offences with division 10 of the Evidence Act, which restricts access to sensitive material during the prosecution process. Division 10 of that act ensures that sensitive material, including images of child abuse, are tightly held through the prosecution process so as to avoid the retraumatisation of victims.

For that purpose, proposed section 67H(1)(ab) in the bill expressly incorporates child exploitation material into the definition of what is called 'sensitive material' for the purposes of the Evidence Act, so that the restrictions outlined in division 10 apply to any such material. It would be highly distressing for a victim to know that material of them may be viewed again and again by the offender or offenders, and it is in this context that changes were made to the law in 2008 to limit the circumstances in which such material is viewed by all parties to a prosecution and particularly by offenders.

Further, the bill includes a proposed amendment to section 69 of the Evidence Act to allow for judges and magistrates to issue an order clearing the court where child exploitation material is adduced. Currently, this is not the case, and the proposed amendment will ensure that child exploitation material will now be an explicit ground for such an order, again with the intention of protecting children and limiting their retraumatisation.

The new offences in this bill will make it easier to arrest and charge paedophiles who are engaged in the hosting of child abuse websites and who encourage others to get involved in similar activities. Would-be sex offenders had better think twice about becoming entangled in such depravity and turn their mind to the fates of the likes of Peter Scully, Matthew Graham and Shannon McCoole before embarking down the dark and twisted path of those three individuals.

I come now to the second part of the bill, which seeks under proposed section 74BR to provide the means for police to compel a suspect, or a narrow class of third parties, to provide information or assistance that will allow access to encrypted or other restricted material that is reasonably suspected to relate to criminal activities.

The provision is, as we know, in the exact same terms, word for word, as the provision which existed in the bill of the same name in the previous parliament. It will mean, effectively, that a magistrate, at the request of a police officer, can order that a person, not just the suspect but any person, unlock a computer, phone or other device that is password protected or encrypted and contains data related to a very broad wide-ranging number of offences. Failure to do so attracts a five-year penalty.

The concern that has been raised by the Law Society in response to the bill's previous iteration in the previous parliament is that these broad powers are not limited to child abuse and exploitation crimes—the very essence of the bill—but apply in relation to a wide variety of crimes considered a serious offence. I understand that the Law Society continues to hold this same concern in relation to the bill that we are currently considering.

The Hon. M.C. Parnell: Yes.

The Hon. C. BONAROS: In fact, the provisions extend to any indictable offence or an offence with a maximum penalty of two years or more. This is certainly beyond the scope of the bill. The Law Society has submitted that the definition of 'serious offence' should strictly be restricted to offences related to child exploitation, and I think that is a sensible move.

The issue I suppose we have is that the government is adamant that the bill must be passed as a package and that they will not consider anything less. They will not consider splitting the bill, despite the very real concerns and cogent reasoning provided by the Law Society. I note on behalf of the Greens that the Hon. Mark Parnell has filed a set of amendments in [Parnell-1] that seek to split the bill. Retaining the provisions that relate to compelling a person to hand over passwords and encryption keys so that police can access evidence is sensible, insofar as they relate to child exploitation offences only—that is, the issue that is the centrepiece of this bill—given that these are the most heinous of crimes and fall within the scope of this bill.

I echo the concerns of the Hon. Mark Parnell with respect to digital privacy rights and the boundaries of police authority to force the unlocking of electronic devices, and commend him for the explanations he has certainly provided to me on those issues. I have to agree that I think there are real grounds here for dealing with this bill in two separate parts. We can deal with the child exploitation parts of the bill, but if there are concerns around this other access that police can have to encryption keys and so forth, then I think that warrants a separate debate related specifically to those issues.

Allowing the provisions to apply to any indictable offence, or an offence with a maximum of two years or more, certainly requires further examination and scrutiny, and I hope other members will agree with me on that. We are, I think I have indicated now, extremely sympathetic to the amendments that the Hon. Mark Parnell has proposed, and obviously we will listen further during the committee stage of this debate as to how that unfolds. I am certainly keen to hear from the government in response to the Hon. Mark Parnell's amendments to the bill.

The bill also contains three new offences in proposed section 74BX designed to deter or penalise people who impede, or seek to impede, an investigation by tampering with data. Subsection (1) outlines the alteration, concealment or destruction of data held on a device which is subject to an order or may be expected to be evidence.

Subsection (2) provides that a person is guilty of an offence if they tamper, or instruct another person to tamper, with data once an order has been issued. Subsection (3) is designed to address the very situation where a person purports to provide access to data to law enforcement agencies, but instead deletes, or causes the deletion of, the required data, for example, by providing a self-destruct password or the wrong password to trigger the automatic deletion of material. A 10-year penalty applies for such conduct.

The bill also increases to four hours the length of time a person can be held by police or an investigator pending an application for an order. In the previously prorogued bill, it allowed for two hours of detention, but we are advised that this extension of time was requested by SAPOL and conforms with the length of time permitted under other similar provisions.

Whilst I note that the version of the bill before us includes a requirement for the Commissioner of Police and ICAC to comply with annual recording and reporting obligations and to furnish the Attorney-General with an annual report to be tabled in the parliament, and there is also a requirement to review the provisions three years after the commencement of the act, I am not certain that this will be enough to satisfy SA-Best of the very real concerns about the extent and application of police powers and the privacy considerations that must be considered in detail. Again, we look forward to hearing from the government in response to those issues.

Before concluding my remarks, I just want to raise one other matter involving child exploitation. I had hoped that it would form the basis of amendments to the bill to deal with the shocking and unseemly issue of childlike sex dolls. Unfortunately, the advice I have is that it does not fall within the scope of the bill, but that does not mean that we will not be able to deal with that issue in this place. For those who are not aware, these objects are three-dimensional childlike dolls. They resemble children and they have imitation orifices and are intended to be used for simulating sexual intercourse with children. It is extremely disturbing that these dolls are available on the market.

It is an emerging form of child exploitation material that clearly has to be criminalised to prevent children from being abused, as the dolls normalise abusive behaviour towards children, encourage the sexualisation of children and increase the likelihood that a paedophile will engage in sexual activity with or towards children. I accept the advice of parliamentary counsel that these amendments would be beyond the scope of this bill and would expand the definition of child exploitation material to include these dolls and criminalise their use, and as such are not quite within the scope of the bill.

In closing, I foreshadow that it is SA-Best's intention to introduce a private members' bill to that effect in the next week of sitting. With those words, I support the second reading of the bill.

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

STATUTES AMENDMENT AND REPEAL (SIMPLIFY) BILL

Second Reading

Adjourned debate on second reading.

(Continued from 12 February 2019.)

The Hon. M.C. PARNELL (17:48): Twelve years ago, *The Guardian* newspaper wrote a piece about access to government information. Referencing material that will be common to people of middle age or older, the article said the following:

Almost as well known as Monty Python's parrot sketch is the rant in *Hitchhiker's Guide to the Galaxy* against local council planning by its hero, Arthur Dent. Where did he discover the council's plans to demolish his house? 'It was on display in the bottom of a locked filing cabinet stuck in a disused lavatory with a sign on the door saying, 'Beware of the Leopard'...'

In fact, if you go back to Douglas Adams' original script, Arthur Dent has to first make his way to a basement in the dark without stairs before he even gets close to the disused lavatory with its locked filing cabinet and security leopard. Why do most of us find that so humorous? The answer is because it is so true. Finding out what is going on in government can be a labyrinthine process that defies logic and appears to be deliberately evasive.

How is that relevant to the Statutes Amendment and Repeal (Simplify) Bill 2018? The answer is because the vast bulk of this bill, its 53 parts and 102 sections, is in relation to access to government information. The bill deals with dozens of acts that have existing provisions for notifying the public of decisions that have been made or that are under consideration.

Historically, the main methods of notification have been the *Government Gazette* and public newspapers. Now I bet, Mr President, that if you and I were to walk down Rundle Mall and ask a random selection of, say, a thousand South Australian citizens if they have ever heard of the *Government Gazette*, or if they have ever read the *Government Gazette*, then we probably would not need to take off our socks to count those who reply in the affirmative.

I do not want to discount the role of the *Government Gazette*. It is an important record of key decisions, but what it is not is a useful tool for notifying the public of things that might affect them and that they have a right to know about. That is why, over the last 200 years or so, rules have developed requiring certain notifications to be inserted in local newspapers. The idea was that most people read newspapers, so that would be a good way to reach people. Of course, not everyone did read newspapers but people of property, of wealth or influence did, so that was good enough.

These days very few people read newspapers. I do not know many people at all under 30 who read newspapers regularly. They might read online versions of newspapers occasionally, they might get their news from other digital sources, but young people in general do not read physical newspapers, and even those few who do do not examine the tiny public notices cramped up the back of the paper in six point font using archaic legal language that is incomprehensible to the bulk of the community. If the stated objective of public notification in the *Government Gazette* or in printed newspapers is to actually notify the public, then clearly more needs to be done.

The reforms in this bill include adding requirements for public notices to be published online as well as in the *Government Gazette* and newspapers. Of course, we do not yet have a single online government repository of public notices, but a requirement for online publication of notices is,

nevertheless, a positive development. The wording in the bill is typically that the notice 'must be published on a website determined by the minister'. Overall, the reforms in this bill are an improvement, but they are modest reforms and they lack ambition as to both what is possible and what is needed.

In my view, they go nowhere near far enough to bring government into the digital age or to provide genuine, timely and appropriate access to important information about government that affects all South Australians. In the digital age there is no excuse for the levels of secrecy that still prevail in government. I will go into what the Greens believe the government should be doing shortly, but first I want to address the cultural shift that is needed within government and within government agencies.

In my 35 years of professional experience dealing with government as a lawyer, an advocate, a campaigner and a member of parliament I have experienced the huge culture of secrecy within bureaucracies that I believe is fuelled by two primary factors. I believe one factor is an attitude or a culture of elitism. In many walks of life people become expert in what they do.

A common consequence is that they disregard the views of anyone who is not in their club, who does not have the same degree of experience or whose intervention is not likely to be useful in their eyes. At worst this manifests itself in making life as difficult as possible for people to find out what is going on. That was the experience of the fictional Arthur Dent in his hunt for the plans to demolish his house: they were hidden in the dark in a basement and guarded by a leopard.

At other times agencies will follow the strict letter of the law but they do nothing to encourage people to respond. They know that few people read the *Government Gazette*, and even a legislative requirement to publish a notice in the newspaper does not actually specify what page it has to be on, the font size, or whether the notice needs to be published in a way that makes it comprehensible, especially to a non-legally trained audience. However, we do not need to rely on fictional examples because there are a number of real-life case studies that illustrate the point.

I have previously used the example of mandatory public consultation in the planning arena. There is a provision in the legislation that requires local councils to consult their communities every five years about zoning rules, planning guidelines and development assessment. One council publishes a small newspaper advertisement way up the back, the language refers to 'a periodic review of the development plan pursuant to section 30 of the Development Act 1993', and the response they got from their community was zero. No-one responded to that ad.

On the other hand, another council publishes a much bigger ad, they letterbox all their local residents and they pose a more open-ended question along the lines of, 'What do you want for the future of your community?' If you add other questions such as, 'Are you happy with the provision of services and infrastructure in your neighbourhood?' and, 'Is there enough open space in your neighbourhood?' then you get people's attention. The council that framed the question like that filled the town hall with people who wanted to talk about those issues, and I know because I was there. It was about five or six years ago and it was Charles Sturt council under then mayor Kirsten Alexander.

The second main factor that I think goes to the culture of secrecy is an often irrational fear amongst public servants of the wrath of their political masters if they reveal too much information, whether or not the public has the right to see that information. It often involves self-censorship and it manifests itself in agencies doing the bare minimum to comply with notification rules. When we put our freedom of information applications in, you can almost hear the response in the department: 'What reason can we find to deny access to this information?'

I will give one example a bit closer to home. I hope they will not mind me referring to it because it is now old, but a few years ago I asked the Parliament Research Library to see what they could find out about a new public transport initiative that I had become aware of. The new initiative was called the passenger information system (PIS). I could not find anything online and I did not think it warranted a question in parliament or a freedom of information application, so I asked the library whether they might be able to help.

As it turned out, even professional researchers had trouble getting information out of the government. The sort of responses they were getting were: 'Who wants to know? What do they want

to know for?' It was like extracting teeth. It was a simple question that was asked and their reaction appeared to be: 'Be nervous, be afraid; someone is out to get us.' In the end, the PIS turned out to be a completely non-controversial and very sensible measure whereby loudspeakers were installed at railway stations to enable someone in the control room to notify patrons waiting at the platform if their train was delayed. It was hardly going to bring down the government. The point I make is that you do have this culture of nervousness and secrecy within the bureaucracy.

In relation to this bill, expanding public notification to government websites should ensure that more people are reached, but it does not address these cultural problems, and that requires political leadership. The problem of tiny notices buried up the back of newspapers, amongst the used car and massage parlour ads, has its digital equivalent. In fact, it is even easier to bury in a complex website a notice, especially if that website has multiple menus and submenus.

Last year, when we were discussing the ICAC powers bill, I issued a challenge to MPs to see if they could find out from the ICAC website how they should go about making a complaint about ICAC or the Office for Public Integrity. The information was there, but it was so deeply buried within the website that Bill Gates himself would have struggled to find it. That is why my plea to government and to public servants over the last 30 years has been to make access to information the default position rather than the exception.

My plea to the government is: notify the public as if you really want them to get the information and consult the public as if you really want to hear their response. That is the cultural shift that is needed. Whilst I am not privy to the process that the government went through in preparing this bill, my guess is that they probably did an electronic word search for 'newspaper' or '*Government Gazette*' throughout the statute book to identify where references to publishing notices on websites could be added to '*Government Gazette*' and 'newspaper'.

That is fine as far as it goes, but I think the government could do so much more. I would like to briefly outline a simple measure the Greens believe the government should do if they were going to seriously reform the problem of community access to information and public participation, and that would be that each government agency should be required by legislation to publicly notify the general public of the availability of documents or the ability to make submissions or representation, and they should do that in a direct notification form: directly notify people who have previously expressed an interest in receiving this type of information. That is not rocket science; we all do that every day. We tick boxes in online forms: 'Please keep me up to date,' or, 'Please notify me about X, Y and Z.' All of us do that all the time; government departments do not do it.

That would be the simplest method: government agencies maintaining email lists, which go to people, and they can subscribe and they can identify what information they want to be told. To put that simply, you should not have to trawl through government websites, which is what this bill largely is about, and you should not have to trawl through newspapers or the *Government Gazette* on the off-chance that something of interest to you might have been published.

For example, if you are interested in development applications, licence applications, management plans, a call for submissions or any of the other hundreds of types of documents that legally must be publicly notified, then why not have a simple email subscription service whereby interested people receive an email when something happens that they care about. Like I said, it is not new; we all do it all the time.

The question is: why should it be easier to be notified of the day's news or weather than it is to access things that the law says we have a right to know about? I get a notification every Wednesday night to put out my rubbish bins. I have now remembered that it is Thursday and I can turn off that notification. However, government departments do not have this proactive pushing of information.

I will say that the government's YourSAy website is starting to get there. That is a very good service, and I think that would provide a useful platform for a more general notification regime, whereby people identify what it is they want the government to tell them about, and that ties in nicely with statutory public notification in these dozens and dozens of bills that are being amended by this simplify bill.

The Leader of the Government asked me some time ago what particular questions we might have, given that there are dozens and dozens of bills that are being amended. I think there are 53 parts; I think that 52 acts of parliament are being amended. The Leader of the Government said, 'Can you tell us what questions you might have because, whilst they do fall into some natural groupings, there is no one public servant that has their head around the whole of this bill.' So we were invited to put in advance our questions.

The questions that I will put on notice now are more general questions and they relate to this more general topic. Firstly, what policies or protocols does the government have in place to guide public notification? Is there in fact any overall policy in this area, or is it simply a case of agencies being allowed to do the bare minimum that is required by legislation, with the question of how they comply being left up to individual agencies?

My gut feeling is that that is the answer, but is there some overarching document that tells government departments: 'Make the font size at least this big, pay a bit extra and get it put up the front of the paper rather than up the back'? In particular, with this new legislation we are voting on, what protocols will there be? If it says in legislation that it must be published on a website maintained by the minister, where on that website? On the front page of the website, in the 'contact us' page or in the 'more information' page—where? Where are the protocols? What guidance has the government given?

A related question is: what administrative reforms, other than those in this bill, is the government now working on? I am hoping they are working on a more general public notification policy, but that is my question. I would point out that most of these other reforms that I have been calling for do not require legislation. I understand that governments are always nervous about legislating for more than the bare minimum, but that does not mean that you should not do more than the bare minimum. If you really want to protect yourself you put provisions in there to say, 'Even if someone subscribed to a government notification service and they didn't get notified, that does not invalidate the process.' There are all sorts of things you can put in to cope with electronic glitches.

Having gone through that general material, and given the hour of the day, I do not propose to go on a whole lot more but I will say that, with these 52 or so acts being amended, one of the obligations on us as members of parliament is to go through this carefully and to look for ulterior motives or unintended consequences.

I know the Leader of the Government has had some good sport at my expense when I previously and probably unwisely declared my disappointment at discovering a provision that I believed had been snuck into a previous simplify bill that had the effect of denying public participation in relation to the disposal of publicly owned waterfront land on Kangaroo Island to a private golf course developer. I have learnt my lesson; I do not want to give the Hon. Rob Lucas too much material to beat me up on.

The minister quite rightly pointed out that the job of MPs is to fully understand both the intended and the unintended consequences of every clause in the bill that we pass. That situation holds through even if the minister does not have that knowledge and even if there is not a single public servant who has all that knowledge—MPs have no excuse. So I have chased every rabbit down every burrow and what I found were more rabbits.

Certainly, we have had comprehensive briefings. Various government agencies, from parliamentary counsel right through to officers in individual departments, have responded to particular questions that I have raised. Some drafting errors have become apparent as a result of the work that we have done.

There are a few things that have been put in here which clearly are not simplified: they are not red tape; they were policy changes and we have identified those. They are not things that we are necessarily opposed to so there will not be any specific amendments in relation to those. However, I would like to thank the government for the effort it has gone to and the very many public servants required to give us a proper briefing on this.

I always reserve the right to be disappointed. I reserve the right to be deceived. I have not found anything in this particular bill but that does not mean that it is not there. With those words, I look forward to the committee stage of the debate.

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

**SENTENCING (SUSPENDED AND COMMUNITY BASED CUSTODIAL SENTENCES)
AMENDMENT BILL**

Introduction and First Reading

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

At 18:08 the council adjourned until Wednesday 27 February 2019 at 14:15.