

**LEGISLATIVE COUNCIL****Tuesday, 30 April 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***CRIMINAL LAW (HIGH RISK OFFENDERS) (PSYCHOLOGISTS) AMENDMENT BILL***Assent*

His Excellency the Governor assented to the bill.

**RAIL SAFETY NATIONAL LAW (SOUTH AUSTRALIA) (MISCELLANEOUS) AMENDMENT BILL***Assent*

His Excellency the Governor assented to the bill.

*Parliamentary Procedure***PAPERS**

The following papers were laid on the table:

By the President—

Report of the Auditor-General on Update to the Annual Report for the year ended 30 June 2018, Report No. 4 of 2019

By the Treasurer (Hon. R.I. Lucas)—

Regulations under Acts—

Criminal Law (Clamping, Impounding and Forfeiture of Vehicles) Act 2007—  
Prescribed Offences

Fines Enforcement and Debt Recovery Act 2017—Treatment Programs  
Public Interest Disclosure Act 2018—General

Rules of Court—

District Court—District Court Act 1991—

Criminal Rules—Amendment No. 7

Criminal Supplementary Rules—Amendment No. 6

Supreme Court —Supreme Court Act 1935—

Civil Supplementary—Amendment No. 12

Criminal—Amendment No. 7

Criminal Supplementary—Amendment No. 6

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

Regulations under Acts—

Fisheries Management—

Demerit Points

General

By the Minister for Human Services (Hon. J.M.A. Lensink) on behalf of the Minister for Environment and Water (Hon. D.J. Speirs)—

Reports, 2017-18—

Ikara-Flinders Ranges National Park Co-management Board

Vulkathunha-Gammon Ranges National Park Co-management Board

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

Training and Skills Commission—Report, 2017-18

Regulations under Acts—

Controlled Substances Act 1984—Poisons No. 3

*Parliamentary Committees*

**ENVIRONMENT, RESOURCES AND DEVELOPMENT COMMITTEE**

**The Hon. J.S.L. DAWKINS (14:18):** I lay upon the table the report of the committee on an inquiry into heritage reform.

Report received.

*Parliamentary Procedure*

**ANSWERS TABLED**

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

*Question Time*

**WOMEN'S AND CHILDREN'S HOSPITAL**

**The Hon. K.J. MAHER (Leader of the Opposition) (14:27):** My question is to the Minister for Health and Wellbeing. Does the minister support federal Labor's commitment to contribute \$50 million in funding to kickstart the construction of the new Women's and Children's Hospital, and has the minister encouraged the federal Liberal Party to match this commitment to the Women's and Children's Hospital?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:27):** As Minister for Health and Wellbeing, I welcome commonwealth investment in health, but to be able to deliver money you need to be able to manage your finances and, given Labor's record in that regard, I can have no confidence that that commitment can be delivered.

**The Hon. J.S.L. Dawkins:** That was a dead duck, wasn't it? You will have to stop taking your questions from Picton all the time.

**The PRESIDENT:** The Hon. Mr Dawkins, please.

**INFLUENZA VACCINATIONS**

**The Hon. C.M. SCRIVEN (14:28):** My question is to the Minister for Health and Wellbeing. Does the minister stand by his claim that there are no supply problems with access to the flu vaccine, is the minister taking any action to make sure that South Australians can gain access to the vaccine given the horror start to the flu season, and on what date will the 2,000 flu vaccinations arrive at the Flinders Medical Centre to immunise doctors and nurses, as promised by the minister?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:28):** I thank the honourable member for her cluster of questions. In relation to supply, I am advised that there are no problems with the supply of vaccines into South Australia. We have a very effective national immunisation program. The commonwealth manages supplies and I am assured that they have arrived in a timely fashion. In terms of the honourable member's question in relation to the Southern Adelaide Local Health Network, up until the end of last week there had been 2,150 staff vaccinations, and I am advised that another 3,100 vaccines arrived today.

**The Hon. I.K. Hunter:** How is it that doctors can't use supplies when they're not in their offices?

**The PRESIDENT:** The Hon. Mr Hunter, please restrain yourself, because if we listen to the minister then we might learn where the vaccines are.

#### INFLUENZA VACCINATIONS

**The Hon. C.M. SCRIVEN (14:29):** Supplementary: is the minister saying that all the doctors and nurses who sought vaccinations have now had those vaccinations at the Flinders Medical Centre?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:29):** Considering that the 3,100 vaccinations arrived this morning, I would be very confident that they have not been administered by this afternoon.

#### INFLUENZA VACCINATIONS

**The Hon. C.M. SCRIVEN (14:30):** Further supplementary: on what date will there be enough vaccines provided to the Flinders Medical Centre to vaccinate all of their 7,000 staff?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:30):** I am not sure whether the honourable member is suggesting that we should introduce mandatory vaccination of staff. That is not the position of the Liberal Party: the Liberal Party believes that people have the right to receive medical treatment. For example, my recollection—and I will say that it is only a recollection—is that, in relation to one of the units in the Flinders Medical Centre, one of the higher risk units, last year they experienced a 68 per cent vaccination rate. We do not compel our health workers to take vaccinations. We do make them available and we certainly do encourage them to have the vaccination.

#### INFLUENZA VACCINATIONS

**The Hon. C.M. SCRIVEN (14:30):** Further supplementary: is the minister saying that the 2,000 vaccinations that he said arrived this morning are sufficient to vaccinate all those who are choosing to be vaccinated, in terms of staff, at the Flinders Medical Centre?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:31):** No, I am not, but I am also not saying this is the last order for the year.

#### INFLUENZA VACCINATIONS

**The Hon. C.M. SCRIVEN (14:31):** Further supplementary: on what date will further supplies arrive at Flinders Medical Centre to ensure that all those staff who are seeking vaccinations can have their vaccinations in a timely manner?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:31):** I might be surprised, but I suspect that management might see how the 3,100 go before they order the next lot.

#### INFLUENZA VACCINATIONS

**The Hon. C.M. SCRIVEN (14:31):** Further supplementary: on what date will doctors and nurses at the Royal Adelaide Hospital be given access to the flu vaccine?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:31):** Today.

#### INFLUENZA VACCINATIONS

**The Hon. C.M. SCRIVEN (14:31):** Further supplementary: on what date will doctors and nurses at The Queen Elizabeth Hospital be given access to the flu vaccine, and will that include all other staff who are seeking vaccinations?

*Members interjecting:*

**The PRESIDENT:** It arises out of the original answer.

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:31):** Sorry, The Queen Elizabeth Hospital? I beg to differ, sir, but in deference to you I will answer the question.

**The PRESIDENT:** We spoke on the health system.

*Members interjecting:*

**The PRESIDENT:** I can look after myself, honourable Leader of the Opposition.

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

**The PRESIDENT:** I cannot hear the minister.

**The Hon. S.G. WADE:** Unlike the Leader of the Opposition, I respect the guidance of the Chair. In terms of The Queen Elizabeth Hospital, I will take that on notice.

**The PRESIDENT:** I know we have had a bit of a break; this is not an opportunity for a casual conversation across the chamber. The Hon. Ms Franks, do you have a point of order?

**The Hon. T.A. FRANKS:** I had a supplementary, Mr President.

**The PRESIDENT:** I will give you the call in a moment. I give the call for a supplementary to the Hon. Ms Scriven and then I will give the call to the Hon. Ms Franks for a supplementary.

#### INFLUENZA VACCINATIONS

**The Hon. C.M. SCRIVEN (14:32):** Given the minister just said that he will have to take on notice when doctors and nurses at The Queen Elizabeth Hospital will be given access to the flu vaccine, can he tell the chamber why flu vaccinations were provided to head office bureaucrats in the health department last Wednesday, but front-line staff at major hospitals have had to wait at least until today, and in fact he can't even say when The Queen Elizabeth Hospital will be supplied with vaccine?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:33):** I would simply make the point to the chamber that our hospitals started immunising their workers in early April so, considering that they were not scheduled to be rolled out until a month later, on average, I think the fact that a number of networks have already started vaccination of healthcare workers is to be commended rather than condemned.

#### INFLUENZA VACCINATIONS

**The Hon. T.A. FRANKS (14:33):** Supplementary: what was the uptake of the MPs and staff in the Parliament House vaccination program, and has the government considered any options for MPs to pay for their own vaccinations?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:33):** Sorry, could I have the second one again?

**The Hon. T.A. FRANKS:** Will the government consider any options for MPs to pay—

**The Hon. R.I. Lucas:** And staff?

**The Hon. T.A. FRANKS:** No, not the staff, MPs only—for their own vaccinations?

**The Hon. S.G. WADE:** Vaccination for Parliament House occupants is a workplace program organised by the parliament. Vaccines are not supplied or paid for by SA Health. I am not going to criticise any employer for working to protect the health of their staff.

**The PRESIDENT:** The Hon. Ms Bonaros caught my eye. The Hon. Ms Bonaros, a supplementary.

#### INFLUENZA VACCINATIONS

**The Hon. C. BONAROS (14:34):** I am not sure if the minister addressed this question, but can he confirm when medical staff at the Lyell McEwin and Modbury hospitals can expect to receive their vaccinations?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:34):** I am advised that staff vaccinations in the Northern Adelaide Local Health Network start tomorrow.

#### INFLUENZA VACCINATIONS

**The Hon. C. BONAROS (14:34):** Supplementary: and is the minister aware of situations where GPs have not been able to receive the number of vaccinations requested for their vulnerable group patients, and what is being done to address this?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:35):** I think it is important to remind the parliament that the public health clinicians who run our immunisation program are extremely well qualified and able clinicians. They made a decision to bring forward the vaccination program, which of course disrupted the schedules. I think that is part of what we are experiencing at the moment as the distribution is settling down.

In terms of the early vaccinations, I am advised that they were distributed in a way such that not everyone got what they asked for, but to make sure that all service providers got access as early as possible there were caps for the first two weeks of the program only. I am advised that no caps have applied since 18 April.

#### INFLUENZA VACCINATIONS

**The Hon. C.M. SCRIVEN (14:36):** A further supplementary: is the minister aware that ambulance paramedics have had difficulties getting access to flu vaccines due to cancelled clinics because of ramping and lack of resources?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:36):** The honourable member's question reminds me of the advice of the honourable Minister for Human Services, which is, 'Never believe what a Labor member asserts in a question.'

*Members interjecting:*

**The Hon. S.G. WADE:** No, no, the honourable member's question has a vague similarity to comments made by a union leader earlier today, a person I respect. I sought advice from the Ambulance Service and I was advised that there was one day where the clinic was not able to be delivered because of staff sickness. I am not aware of any other disruptions to that immunisation service.

#### INFLUENZA VACCINATIONS

**The Hon. C.M. SCRIVEN (14:36):** Further supplementary: so can the minister advise by what date all ambulance paramedics will have had access to the flu vaccine, given he is saying there are no problems?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:37):** I am happy to take that question on notice.

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

#### INFLUENZA VACCINATIONS

**The Hon. C. BONAROS (14:37):** Did the minister consult personally with the Chief Medical Officer and SA Health executives about the early onset of the flu season, and why wasn't the department—or does the minister believe that the department was not prepared for the predicted early onset of the flu season?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:37):** I think it is really important for me to reject that assertion. I do not believe the department was not ready. Also, I think it is really important for us to remember the context here. We are experiencing influenza notifications that are unprecedented since these forms of records were taken. What I mean by that is that my understanding is that notifiable conditions were not reported in this way until 2007, but we have not had such a large number of notifications and such an early large number of notifications since 2007. So I think it is really important that we back our clinicians but back our public health team. They are working to deliver an effective response, and an effective response will require full public cooperation.

To make sure that there is clear, consistent clinical advice, I am not going to be commenting on clinical issues. I will be making sure that I do not get in the way of the people of South Australia getting the clear, consistent clinical advice from the public health team.

In terms of public health, public health teams act with a significant degree of independence. The last thing that people want is for public health clinicians to get every decision signed off by the minister. So the decision to bring forward the flu vaccinations by about a month was a decision of

the public health clinicians, a decision which I am very grateful for. I believe it will be an important early step in dealing with what looks like being a very significant influenza event this year.

#### INFLUENZA VACCINATIONS

**The Hon. F. PANGALLO (14:39):** Supplementary question: can the minister explain the process that is involved in ordering vaccines each year?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:39):** May I ask the member to clarify: was the member referring to supply from the commonwealth or supply to the immunisation providers?

**The Hon. F. Pangallo:** Well, from both.

**The Hon. S.G. WADE:** As I said earlier, there's a national program for immunisation and the commonwealth manages the contracts and we order through those contracts. In terms of distribution, my understanding is that there is a network of immunisation providers, from recollection I think it's about 800, and on a two-weekly cycle they lodge an order and if they require vaccines outside of the two-week cycle then they can put in special orders.

#### INFLUENZA VACCINATIONS

**The Hon. F. PANGALLO (14:40):** A further supplementary: when does the government order? What is the cycle for the government? When do you put your order in for these vaccines?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:40):** I am happy to take that on notice. Considering that we received our first deliveries I think in early March, I imagine that it was late last year or early this year.

#### INFLUENZA VACCINATIONS

**The Hon. E.S. BOURKE (14:41):** My question is to the Minister for Health and Wellbeing. What was the earliest date the minister was advised that GPs were being provided with less flu vaccines than they had ordered from SA Health? Can the minister confirm if there are 116,000 flu vaccines just sitting in a warehouse?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:41):** The issue of order requests not being fulfilled was raised with me last week and it was explained to me, after discussing this with public health clinicians, that that was in relation to the first two weeks so that the initial supplies could be managed equitably and that all service providers could get access.

#### INFLUENZA VACCINATIONS

**The Hon. E.S. BOURKE (14:42):** A supplementary question: can the minister confirm if there are 116,000 flu vaccines, as in my original question, sitting in a warehouse?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:42):** I'm happy to clarify the number of doses in store. I just ask the honourable member to think about the implications of her question. I would be criticised if there were no vaccines in the warehouse. It is a public health clinician's job to make sure they manage the distribution of the doses and maintain the integrity of what I understand is called the cold chain. These are not, shall we say, standard pharmaceuticals. Vaccines are products that need to be maintained at a very high quality for the whole duration of their journey.

#### INFLUENZA VACCINATIONS

**The Hon. E.S. BOURKE (14:43):** Supplementary question: why was a GP and former AMA president, Dr Peter Ford, only provided with 60 vaccines when he ordered 300 for his patients?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:43):** I don't know the detailed circumstances of the order but I can only presume that the order was being fulfilled in a way that public health clinicians believed would provide all service providers access in the early stages—

**The Hon. E.S. Bourke:** But why did you say that there was no supply problem?

**The Hon. S.G. WADE:** —the first two weeks of the distribution.

**INFLUENZA VACCINATIONS**

**The Hon. E.S. BOURKE (14:43):** Supplementary: can the minister assure parliament that no other GP practices have been provided with less flu vaccines than they ordered?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:43):** I'm sure that Dr Ford was not the only person who had that situation with their order.

**INFLUENZA VACCINATIONS**

**The Hon. E.S. BOURKE (14:43):** Further supplementary: does the minister still maintain his claim that supply is not an issue and there is no shortage for GPs getting access to the flu vaccine?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:44):** I am backing my public health clinicians. I am confident that they are managing the program well.

**INFLUENZA VACCINATIONS**

**The Hon. E.S. BOURKE (14:44):** Supplementary question: I ask the minister if he is still backing his own claims that there is no shortage?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:44):** I have nothing to add to my response. I am a politician; I am not a clinician.

**HANNOVER MESSE**

**The Hon. D.G.E. HOOD (14:44):** My question is to the Minister for Trade, Tourism and Investment. Can the minister update the council about the state government's presence at the global advanced manufacturing exhibition at Hannover Messe in early April?

**The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:44):** I thank the honourable member for his question.

*Members interjecting:*

**The PRESIDENT:** Order! I can't hear the minister.

**The Hon. D.W. RIDGWAY:** Thank you, Mr President, for your protection. I thank the honourable member for his question and his ongoing interest in advanced manufacturing. Indeed, on 31 March to 5 April, I travelled to Europe on a business mission centred around furthering trade and investment opportunities among some of our key sectors, including advanced manufacturing, defence, agribusiness and the space industries.

The centrepiece of the trip was South Australia's attendance at the Hannover Messe: Industrie 4.0, one of the world's leading trade shows for industrial technology, held at the Hanover Fairground, Hanover, Lower Saxony. This year it was opened by the German Chancellor, Dr Angela Merkel, with the theme being industrial intelligence.

The exhibition ran from 1 to 5 April and more than 215,000 people attended to see the enormous range of new technologies and capabilities on display. Spread across 27 separate industrial hangars, it is difficult to really convey the size of this particular exhibition to the chamber today. It was bigger than anything I had ever seen before.

Artificial intelligence, automation, robotics, machine learning, big data, advanced communication technology, defence, space, energy production, energy storage, renewables—you name it, it was there at Hannover Messe. Some of the world's largest advanced manufacturing companies, such as Siemens, Bosch, LG and thousands more, had their own very impressive stands showcasing the future of manufacturing and, in many ways, the future of work.

South Australia had our own stand at Messe. It was the first time ever and we were the only state to have one. Interestingly, Austrade had their own stand, but we had a much larger presence and so South Australia became almost the de facto Australian stand for the week. Our state did have a significant advantage at our stand: we had the Brabham BT62 supercar. It was pride of place in the centre of the booth and served as the perfect drawcard to the passer-by inquiring about the car,

where it was manufactured and its features. It was a fantastic way to showcase the manufacturing capability of South Australia in one package and illustrated what can be done in our great state.

As part of the visit to Messe, I was also able to meet with many companies interested in doing business in South Australia and explain to them the new-found confidence in the state under the Marshall Liberal government. The companies we met with were Pilz around automation, Schaeffler around advanced mining equipment and manufacturing such as bearings, Optimum around smart production lines, and Continental.

I thought they only made soup here in Australia, but Continental is a global company making mining technology and renewables, pipes and tyres and hoses. They were a particularly interesting company to meet. They were very keen to hear about the opportunities and how they can get involved in South Australia's future, in particular in the landing pad that we have announced for companies to try to enter this market.

I was also given a tour of the Siemens booth by the Siemens Australia executive general manager, Mr Michael Freyny, and was able to witness how they go about nurturing start-up businesses within their organisations and their very interesting work on hydrogen. With South Australia's multibillion-dollar defence spend over the coming decades, as well as our own expertise in renewables, mining and agribusiness, and the enormous opportunities that the National Space Agency affords us, the state is uniquely positioned to tap into the expertise at Messe and build business connections to facilitate investment in South Australia.

While I was only able to attend the Messe for a single day as part of a wider trip, the team from DTTI was there for the whole conference with a number of South Australian companies such as Fox3D, Rowlands, Dematec and Dematec Automation and more. It was the first time that South Australia has had a fully fledged presence at this exhibition, and it is a space that has been largely unattended by Australia and South Australia in the past. With so much uncertainty in the EU and the UK around Brexit, it was a good time for us to make our presence felt in this very important market. If we can build enough momentum in this sector in the years ahead, Hannover Messe is keen to look at Australia being a partner country down the line.

Many thanks go to the hardworking team in the department who brought the week together and spent many hours discussing significant opportunities in South Australia at Hannover Messe. My thanks also go to Dan Marks and the team from FusionCapital for bringing the Brabham BT62 to the stand for the week. As I said earlier, it was a great attraction and a way to draw people to the stand to talk to them in more detail about the great opportunities here in South Australia.

#### HANNOVER MESSE

**The Hon. C.M. SCRIVEN (14:49):** How many South Australian businesses attended the Hannover Messe trip, and who were they?

**The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:49):** I don't have the full list with me. There was a number. I do have a few additional notes here, but I don't have the full list of the companies that attended, so I will take that on notice.

#### HANNOVER MESSE

**The Hon. C.M. SCRIVEN (14:49):** Further supplementary: did the department ask businesses to pay a fee to attend this trade mission and, if so, how much was it?

**The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:49):** I don't believe they did because one of the people there said perhaps we should—if we come back for another visit that maybe we look at taking a bigger stand and ask people to pay a fee. I will double-check that for the honourable member.

#### HANNOVER MESSE

**The Hon. I.K. HUNTER (14:50):** A supplementary question arising from the minister's answer: you said that it was a fantastic drawcard to have the Brabham BT62 supercar at the stand and that it was a fantastic way to explain South Australia's manufacturing expertise. How then did the minister explain that it was a federal Liberal government, with support from the state Liberals, that drove car manufacturing out of South Australia and out of Australia?



**The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:50):** I am struggling to see how that arose out of the answer, but anyway.

**The PRESIDENT:** Actually it did arise—

**The Hon. D.W. RIDGWAY:** It was interesting to explain to people there that we are now a new government with a bold vision for the state to embrace advanced manufacturing. I will inform the chamber of some of the discussions I had around space at a later date because I wouldn't want to detract from an answer I might give in a couple of days' time.

People were impressed that we had the capability to make a car of that calibre here in South Australia. It drew people to the stand. We had a great opportunity. You have to understand, a lot of these companies that were there are the sort of companies that are considering looking at investing in South Australia. They wanted to have a look at the current capability. We didn't discuss the past: we talked about the future—the very bright future under the Marshall Liberal government.

#### HANNOVER MESSE

**The Hon. K.J. MAHER (Leader of the Opposition) (14:51):** Supplementary question arising from the answer: how many contracts were signed during this exhibition? What was the value of the contracts and approximately how many jobs will they provide in South Australia?

**The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:51):** I thank the honourable member for his probing question. I don't have a figure or know if there were any contracts signed, but I will take his question on notice and see if there are any answers that I can provide that help him.

*Members interjecting:*

**The PRESIDENT:** Have the opposition benches finished, have they?

*Members interjecting:*

**The PRESIDENT:** The Hon. Mr Ridgway, you are not assisting. You have had your chance to have your say.

*Members interjecting:*

**The PRESIDENT:** Opposition benches, cease the commentary. The Hon. Mr Darley, you have the call.

#### CORONIAL REPORT

**The Hon. J.A. DARLEY (14:52):** I seek leave to make a brief explanation before asking the Leader of the Government, representing the Attorney-General, a question concerning a decision made by the state Coroner.

Leave granted.

**The Hon. J.A. DARLEY:** I was contacted by a constituent whose father suicided in the 1980s whilst a member of the South Australia Police. My constituent was only nine at the time of her father's death and she has recently embarked on a personal journey to get to know her father and better understand him as a person. As part of this process, my constituent asked if I could assist her with obtaining a copy of the coronial file. I wrote to the Coroner in late January and received the following letter in late March in response. I seek leave to table the letter from the Coroner to me.

Leave granted.

**The Hon. J.A. DARLEY:** In my request, I asked that the file be provided with sensitive information redacted; however, the Coroner has refused release of the entire file. My questions are:

1. Is the Attorney-General aware of the state Coroner's decision to refuse this request?
2. Is the Attorney aware of any other circumstance where coronial files have been refused outright rather than provided with sensitive information redacted?

**The Hon. R.I. LUCAS (Treasurer) (14:53):** I will refer the honourable member's question to the Attorney and bring back a reply.

#### **KORDAMENTHA**

**The Hon. J.E. HANSON (14:53):** My question is to the Minister for Health and Wellbeing. Is the minister concerned about any aspect of the procurement of KordaMentha without tender to undertake the diagnostic review and plan for the Central Adelaide Local Health Network? Has the minister been made aware that the Auditor-General will look into the procurement of KordaMentha without tender?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:54):** No issues have been raised with me. I do understand that the Auditor-General appeared before Budget and Finance yesterday and that this issue was raised, but beyond that I am not aware.

#### **LGBTIQA+ COMMUNITY**

**The Hon. J.S. LEE (14:54):** My question is to the Minister for Human Services about LGBTIQA+ inclusion. Can the minister please provide an update to the council on the progress that has been made on the government's commitment to holding a round table with members of the LGBTIQA+ community and others who are supporting the community in South Australia?

**The Hon. J.M.A. LENSINK (Minister for Human Services) (14:54):** I thank the honourable member for her question. A number of parties would have received a letter in the lead-up to the election from the South Australian Rainbow Advocacy Alliance, including the Liberal Party. As a number of organisations that represent various cohorts of people want to do in the lead-up to the election, they put to us a number of questions and sought our formal responses prior to the election.

One of the commitments we made to SARAA is that we would host a round table to ensure that the voices of LGBTIQA+ people were heard at the highest levels of government, so I was very pleased that on 12 April we were able to fulfil that commitment with about 50 people in attendance to discuss a very broad range of issues. I am grateful that my colleagues the Hon. Stephen Wade and Carolyn Power were in attendance, particularly given there are issues that are quite relevant to their particular portfolios. We also held a one-off round of small grants that were aimed at increasing the sense of wellbeing and connectedness for young people who identify as LGBTIQA+, which will assist with the expertise of youth services.

A range of issues was raised at the round table, covering topics including youth, domestic and family violence, community capacity building, health and wellbeing, ageing and aged care, law and policing, economic participation in the workforce, safe spaces, training, regional concerns, invisibility and recognition. The day was followed up with a world cafe in the afternoon.

Clearly, there is a broad range of topics, and the feedback I have had was that it was probably all quite compressed in terms of the information to be gathered. However, there was very positive feedback in that we were engaging in this space and wished to continue to have some positive engagement.

I would like to thank the Department of Human Services and, in particular, principal policy officer Colleen Ross, who, I understand, is regularly engaging with people in the LGBTIQA+ community to ensure their issues are raised. I am personally very committed to it, and I know that my colleagues the Minister for Health and Wellbeing and the Minister for Education are also particularly keen to gain feedback from people so that we can ensure our policies and funding arrangements going forward are positive.

#### **KANGAROO ISLAND FERRY**

**The Hon. F. PANGALLO (14:58):** I seek leave to make a brief explanation before asking the Minister for Tourism, representing the Minister for Transport and Infrastructure and Minister for Planning, a question on the Cape Jervis ferry terminus.

Leave granted.

**The Hon. F. PANGALLO:** At the 2018 state election the Liberal Party promised to extend the Cape Jervis breakwater to boost tourism and create new jobs. The promise was, and I quote from the party's own literature, to:

...extend the Cape Jervis breakwater to maximise the number of days that the Kangaroo Island ferry is able to operate to boost tourism and create new jobs. We are investing \$2 million to extend the breakwater 100 metres to reduce the number of days the ferry is unable to operate due to poor weather conditions.

Our hardworking Centre Alliance colleague, the federal member for Mayo Rebekha Sharkie, has been keeping a close eye on this commitment, and I know that she was pleased to receive a response to her letter on the matter from the Minister for Transport, Infrastructure and Local Government. In that letter the minister stated that his department was in the process of engaging a suitably qualified consultant to investigate the feasibility of a breakwater extension. My questions are:

1. Has this consultant now been appointed and, if so, when?
2. Were tenders called for the consultancy?
3. Will the investigatory work undertaken by this consultant be made public and, if so, when?
4. How does the government intend to spend the \$2 million to best serve the communities of Kangaroo Island and Cape Jervis and other South Australians who use the port facilities?
5. How many tenders have been received for the contract to operate the ferry service from Cape Jervis to Penneshaw and when will the successful tenderer be announced?

**The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (15:00):** I thank the honourable member for his question. It's interesting, I was at a function at Goolwa only this weekend and ran into the member for Mayo, Rebekha Sharkie, and also the very hardworking candidate for the Liberal Party in this federal election, Georgina Downer. Neither of them—but especially Ms Sharkie—spoke to me about this particular issue.

As the honourable member spoke about, it is really a matter for the very hardworking Minister for Planning and Minister for Transport and Infrastructure, the Hon. Stephan Knoll. As there is a range of questions around the tender, tendering and a tender for the ferry service, I think it is best served if I take them on notice, refer them to the Hon. Stephan Knoll and bring back an answer.

#### RURAL HEALTH WORKFORCE

**The Hon. I. PNEVMATIKOS (15:00):** My question is to the Minister for Health and Wellbeing. What action has the minister taken to alleviate the shortage of GPs in regional areas, noting that the minister has stated that regional areas are 60 doctors short?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:01):** The key initiative that the Marshall Liberal government has taken in terms of the rural health workforce is a four-year commitment to a rural health workforce strategy. I should stress that this does relate to the medical workforce but it also relates to the broader workforce.

I am sure that part of responding to the challenges faced by rural communities in terms of the health workforce is making sure that all of our health professionals work to their scope of practice and work together in a complementary way. An example of that would be the SAVES program, whereby technology is used to link country-based nurses with our medical personnel in Adelaide so that they can support emergency services in country hospitals.

In terms of the medical workforce in particular, there is a workshop being held on 9 May which is looking at developing pathways for medical practitioners, particularly in country South Australia. The Marshall Liberal government was elected with a commitment to double the number of medical interns in country South Australia, in partnership with the commonwealth. That has already been delivered. From this year, the number of medical interns has doubled, going from five to 12. In January 2019, seven interns commenced duties at Mount Gambier and five at Whyalla.

I think it's important to recognise that the Whyalla cohort in particular will be engaged in general practices. Whyalla is already providing support to practices on Eyre Peninsula. Upper Eyre

Peninsula is a particular hotspot for GP services. I won't say the number of days, but I am certainly aware that there is a Whyalla general practice that is providing support to Cowell.

With the medical interns based at Whyalla, as part of the Marshall Liberal government's doubling of the number of medical interns in country South Australia, those students will be participating in GP practice not just in Whyalla but also in Port Lincoln and in other parts of the region. That's an example of where investing in training is also an opportunity for the state government to contribute to the development of the medical workforce.

In the middle of a federal election campaign, I would remind all parties in the federal parliament to remember that the commonwealth government is primarily responsible for the education, training and support of the primary health workforce, and particularly GPs.

We are a partner, as is local government, but the primary responsibility of Medicare-funded GP services, whether in rural, regional or metropolitan Australia, is a commonwealth government one. Whoever gets elected to be the commonwealth government after the next election, I will be very keen to work with them to make sure that we address the rural medical workforce shortage in South Australia because South Australia isn't alone and a lot of the levers are in the hands of the commonwealth.

### RURAL HEALTH WORKFORCE

**The Hon. I. PNEVMATIKOS (15:05):** Supplementary: does the minister share the view of his federal colleague, Rowan Ramsey, that additional incentives would not attract additional doctors to regional areas?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:05):** I do, because I think that people overestimate the relevance of remuneration to medical practitioners who are making the choice. When talking to a number of medical practitioners, many of the issues are not monetary. For example, I think there are a lot of young medical practitioners who find the diversity of work that a rural practice would offer very attractive. But on the other side of the equation, they are very concerned about, early in their career, putting themselves in a situation where, shall we say without the support and infrastructure of a major metropolitan hospital, there are challenges in serving in the country.

That's why I think the SAVES program, which the Marshall Liberal government is investing in again this year with hundreds of thousands of dollars to expand the network, will be an important way of supporting recruitment and retention of medical practitioners. Whether you are a doctor, a nurse or an allied health worker, you can have the latest digital communication technology to link you to specialists in Adelaide or, for that matter, anywhere in the digital telehealth network. We are already using it very effectively in areas such as psychiatric care and rehabilitation.

I can recall being in the Berri hospital and being present when a rehabilitation consultant from Modbury was able to work alongside, through the miracle of technology, the rehabilitation health worker in the Berri hospital. So I think there's a lot more to recruitment and retention of health professionals than remuneration.

### RURAL HEALTH WORKFORCE

**The Hon. I. PNEVMATIKOS (15:07):** Supplementary: what would be the budget impact on hospitals like Port Pirie, Wallaroo, Port Augusta, Whyalla, Port Lincoln and Mount Gambier through the use of locums to pick up the slack?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:07):** There's no doubt that the use of GPs as inreach services into a hospital is significantly less costly than the use of locums. My recollection is that the daily rate of a locum can be between \$1,500 and \$2,500, so that the locum option is not an affordable option or a cheap option. Also, it's not a quality option.

Of the honourable members on the government benches, a number of them come from the country and they know how important it is for a country community to have continuity. A locum who flies in from wherever may be there for a very short period of time—probably not enough time to get an understanding of the community and the sort of industry they are involved in and of the sorts of health challenges that that particular community may have, let alone get to know the patient and their

medical history. A locum service, almost by definition, can't provide the continuity of care that a locally resident GP and health workforce can provide.

#### KEITH AND DISTRICT HOSPITAL

**The Hon. C.M. SCRIVEN (15:08):** Further supplementary: given the cost that the minister has outlined in regard to locums and given that the extended use of locums at the Keith hospital has been a cause of the budget increase for that hospital, will the minister now offer further support to the Keith hospital?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:09):** I thank the honourable member for her Dorothy Dixier. She never misses the opportunity; I really appreciate that. The Marshall Liberal government has been very generous to the hospital at Keith; we gave emergency grant funding of \$400,000 at the end of last year.

One of the tasks that was agreed with the Keith hospital board at that time was that we needed to work together on a business case on a long-term plan. That project has been managed by Mr Grant King, the incoming chair of the South East Local Health Network. That report is due in mid-May. I was very concerned a couple of months ago to be made aware that, in spite of my clear statements to the Keith hospital that the \$400,000 needed to get them to the end of this financial year, that wasn't going to be the case. Mr King has been having discussions with a number of stakeholders because he and I both thought that it was important that the business case be received, and that the long-term future and direction of the hospital be clarified.

The problem is that, given the advice of the hospital that the funding would not last until the end of the financial year, the opportunity to consider the business case in an orderly fashion might have evaporated. Mr King had discussions with the local council, the Tatiara District Council. The Tatiara District Council has given a commitment to invest \$70,000 in the Keith hospital. In response, the state government has agreed that we will allow the Keith and District Hospital to bring forward funding from the 2019-20 financial year into this financial year and there is also about \$20,000 of commonwealth money being provided by the Rural Doctors Workforce Agency.

So, together, the resources of three levels of government are allowing the Keith District Hospital and community the breathing space to receive the business case and to have discussions both at a regional level and with governments so that we can seek to secure the long-term future of the Keith and District Hospital.

#### KEITH AND DISTRICT HOSPITAL

**The Hon. C.M. SCRIVEN (15:12):** A further supplementary: can the minister advise when a letter or other document was given to the Keith hospital saying that that funding must last until 30 June, and is he willing to table that document?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:12):** My recollection is that that was made clear in my letter in December 2018.

**The Hon. C.M. Scriven:** Is the minister willing to table that letter?

**The Hon. S.G. WADE:** I certainly don't have it with me but I am happy to make a copy available.

#### CENTRAL ADELAIDE LOCAL HEALTH NETWORK

**The Hon. J.S.L. DAWKINS (15:12):** My question is directed to the Minister for Health and Wellbeing. Will the minister update the council on services in the Central Adelaide Local Health Network?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:12):** I thank the honourable member for his question. Members will recall the Auditor-General's scathing report of Labor's mismanagement of CALHN, which was backed up by KordaMentha's diagnostic report. Labor left CALHN with a budget overspend of nearly \$300 million and an organisation that Mark Mentha of KordaMentha described as the most broken he had ever seen. The Marshall Liberal government considers that South Australians deserve better. The government began the CALHN turnaround project last year, appointing a new board led by Raymond Spencer as chair and Mick Reid as deputy

chair. A new chief executive officer, Lesley Dwyer, has also been appointed and we engaged KordaMentha, who have a track record of financial turnarounds here in South Australia having saved the Whyalla steelworks.

Today, I am pleased to advise the council that the 100-day update is in and it is showing good positive signs of the successes in CALHN. For example, the use of agency staff is down from highs of 7.7 per cent of nursing workforce to 0.7 per cent. This means that patients get better continuity of care and also it is more affordable. It is also a win for our nurses and other staff in ongoing positions and is a development the ANMF has welcomed. The average length of stay in CALHN's hospital has been reduced by half a day. This means that patients are not spending unnecessary time in hospital when they could be home and it means that beds are freed up for other patients to move out of the emergency department or ambulances.

The coding backlog that Labor has left has been resolved, with more than 9,000 uncoded separations now completed. Importantly, staff at CALHN have welcomed these changes. The government is putting in the work needed to support better health services in the state after Labor left the system broken from its own mismanagement and its own Transforming Health disaster.

Labor's scare campaign on bed closures was called out by the ANMF, which recently advised a parliamentary committee that this government has not closed any beds commissioned for long-term use. The Marshall Liberal government is supporting our hospitals and front-line staff to deliver high quality health care and deliver it sustainably.

#### **CENTRAL ADELAIDE LOCAL HEALTH NETWORK**

**The Hon. J.E. HANSON (15:15):** Supplementary: does the minister have any concerns that the contract for KordaMentha was signed off the day after KordaMentha was asked for a proposal?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:15):** I will seek advice on the honourable member's comment.

#### **CENTRAL ADELAIDE LOCAL HEALTH NETWORK**

**The Hon. J.E. HANSON (15:15):** Further supplementary, but also I might ask the minister to clarify that that means he will take it on notice and will bring it back to me. Supplementary: was any probity or procurement advice provided before the contract was signed off with KordaMentha without tender?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:16):** I am happy to take both questions on notice.

#### **CENTRAL ADELAIDE LOCAL HEALTH NETWORK**

**The Hon. J.E. HANSON (15:16):** Further supplementary: is the minister aware that KordaMentha was initially appointed to be a recruiter for a staff member, but instead recommended hiring themselves?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:16):** I am happy to take the honourable member's question on notice, but it will be very difficult to get an answer without more clarity, and perhaps the honourable member might provide that after question time.

#### **CENTRAL ADELAIDE LOCAL HEALTH NETWORK**

**The Hon. J.E. HANSON (15:16):** Further supplementary: will the minister be cooperating with the Auditor-General's review into the appointment of KordaMentha without tender?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:16):** I have every intention of cooperating with the Auditor-General in the discharge of his statutory duties.

#### **CENTRAL ADELAIDE LOCAL HEALTH NETWORK**

**The Hon. J.E. HANSON (15:16):** Further supplementary: will the minister be providing all documents, including cabinet documents, that the Auditor-General might need as part of his review into the appointment of KordaMentha without tender?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:17):** The release of cabinet documents is not something that I can approve.

### SCISSOR LIFTS

**The Hon. T.A. FRANKS (15:17):** I seek leave to make a brief explanation before addressing a question to the Treasurer on the subject of the safety of scissor lifts in South Australia.

Leave granted.

**The Hon. T.A. FRANKS:** In recent years, elevated work platforms, colloquially known as scissor lifts, have been linked to two fatalities, several critical incidents and a number of near miss incidents in our state. That is why just one of the two deaths at the new RAH worksite that were related to a scissor lift was the subject of a Coroner's inquest. The Coroner, in November last year, brought down his findings on the death of Jorge Castillo-Riffo. In that, the Coroner was quite scathing of SafeWork SA, noting that:

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

He further noted that he was not impressed by the SafeWork SA investigation as a whole, and the Coroner further stated in his findings:

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

At that time, a week later in this place, in this council, I asked the Treasurer a question as to what was his response to that Coroner's report and the recommendations, particularly that a spotter be implemented immediately for all scissor lift operations in this state, or at least on government projects, and the Treasurer responded that he would take it under consideration, consult and then make a response. This council is still waiting for such a response; it is now almost May.

I note that SafeWork SA is now, as of January this year, undertaking an audit where they go into workplaces and ask them how scissor lifts are being operated and, indeed, ensuring that operators are properly trained, have proven competency and are familiar with the specific scissor lift issues: they are conducting pre-start checks; they are reporting and addressing issues with equipment and filling in a daily logbook; they are considering using a spotter to eliminate risks; they are ensuring that their staff are trained in an emergency descent process and emergency response; they are ensuring that there is unimpeded access to emergency descent controls; they are considering eliminating or at least implementing engineering controls to reduce the risk of a crush injury and setting up exclusion zones, if required.

My question to the Treasurer is: if the Coroner was so scathing of this agency to ensure the investigation of an industrial death related to a scissor lift, why is he entrusting them to do a six-month navel-gazing exercise without taking up the Coroner's recommendation to immediately implement spotters for scissor lifts in this state?

**The Hon. R.I. LUCAS (Treasurer) (15:20):** I thank the honourable member for her question. I think I have indicated this before: I agree with many of the criticisms of regulatory authorities, if I can broadly describe ICAC in terms of its evaluation of SafeWork SA and the Coroner in terms of various reports the Coroner has brought down, of the operations of SafeWork SA under the former Labor government. It is clearly damning in terms of the way the former Labor government managed regulatory arrangements in relation to SafeWork SA, and the evaluation that ICAC has done, which is publicly available, and quite a number of recommendations in various Coroner's reports that have been made are damning in relation to the operations of SafeWork SA under the former Labor government.

I would very much hope that under a Liberal government the performance of SafeWork SA, both under the new management of SafeWork SA in terms of its leadership but also the fact that there is now a reformist Liberal government there rather than a lazy Labor government—and I can assure the honourable member and all other honourable members that worker safety is important in terms of the Marshall Liberal government's approach to the recommendations that have been given, not just by the Coroner but by the ICAC evaluation as well.

Nevertheless, the views of the ICAC commissioner and the Coroner in relation to the operations of SafeWork SA have been now consulted on in terms of a whole range of other stakeholders. In relation to the specific recommendation—I don't propose to delay question time by going through all of the recommendations and criticisms that relate to the operations of SafeWork SA, because that will take much longer than the time available in question time, but in relation to the specific question of spotters there is very significant opposition from significant stakeholders in relation to the potential impact of that particular recommendation of the Coroner.

The government is respectful of the recommendations the Coroner has made, but certainly from my viewpoint, as with the ICAC commissioner, whilst always respectful of the recommendations that these people bring to the government, I don't adopt the position that each and every one of them has to be implemented as recommended by either the ICAC commissioner or indeed the Coroner. The government should respectfully consider them, should consult on them and then ultimately make a decision, and should at some stage the government decide it is not going to implement either an ICAC commissioner recommendation or a Coroner's recommendation it should be prepared to explain publicly the reasons why it might not implement them.

So in relation to spotters, in terms of the consultation we have received, there has been very significant concern raised about the practicality, the cost impact, but in particular the practicality on some of our very large industrial worksites in terms of how the actual recommendation might be able to be implemented by builders, even the very best of builders who have 100 per cent the interests of worker safety at the forefront of their minds—how in practice that particular recommendation might be implemented.

I am respectful of those views that have been put without necessarily agreeing with them at this stage. As the responsible minister, I am considering further the differing views that I have received in relation to the position of spotters, and in the not-too-distant future I will indicate my position on behalf of the government.

What I will say is that, unlike under the former Labor government, SafeWork SA, as the member has just outlined, has been very active in terms of the audit that is now being conducted at worksites—that wasn't being conducted under the former Labor government. I would be concerned if the honourable member was dismissive of the value of workplace audits. That is the responsibility of the SafeWork agency. If that agency doesn't do those sorts of audits, whether or not you do have spotters or you don't, even if you implement spotters as the Coroner has recommended, I don't believe that that would mean that SafeWork SA shouldn't be conducting the sorts of audits that are being implemented under current management and under this particular government.

I don't see them as being mutually exclusive options in terms of worker safety. If the honourable member is dismissive of SafeWork SA's role in undertaking audits, I respectfully disagree with that position in terms of her view. I think in terms of worker safety a regulatory authority, such as SafeWork SA, undertaking comprehensive audits of workplace safety in relation to elevated work platforms is a sensible course of action and one I strongly endorse.

#### SCISSOR LIFTS

**The Hon. T.A. FRANKS (15:26):** Supplementary question: how many safety instances have been recorded since January 2019 when SafeWork undertook this audit, and how many of those have required hospitalisation?

**The Hon. R.I. LUCAS (Treasurer) (15:26):** I am happy to take that question on notice and bring back a reply.

#### AMBULANCE RAMPING

**The Hon. R.P. WORTLEY (15:26):** My question is to the Minister for Health and Wellbeing. Does the minister agree with Phil Palmer of the Ambulance Employees Association that the number of hours ambulances were ramped in March actually increased from 1,100 last year to 1,559 this March?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:27):** I will certainly take that question on notice because I don't have that information available. It is interesting, though, because it's the same day that I was having part of a conversation with Lesley Dwyer, the Chief



Executive of the Central Adelaide Local Health Network, who highlighted that hours lost to ramping at the Central Adelaide Local Health Network have halved—that is my recollection of the statement—since the stop ramping summit.

I think it is an important point to highlight in the context of my earlier statement about the Central Adelaide Local Health Network; the point being that the financial sustainability of the Central Adelaide Local Health Network and the RAH in particular is being strengthened at the same time as quality of care is being strengthened. For example, if we can increase the flow of patients—evidenced by the fact that there has been a half a day length of stay reduction since the CALHN recovery plan has been underway—that means that we have fewer patients, particularly elderly patients, who are at the hospital and therefore vulnerable to hospital-based infections.

The other aspect in which I think the financial recovery has backed quality of care is in relation to the use of agency nurses. Under the financial recovery plan the percentage of agency nursing staff used fell from 7.7 per cent in January to 0.7 per cent last month. It is really important to highlight that to have the continuity of care of a stable nursing workforce that knows each other and knows their patients is a significant improvement for the quality of care that is provided to patients, not just to the financial.

In terms of coding, the Treasurer, I know, is quite excited about the improvements in addressing the coding backlog—9,000 uncoded episodes of care. What it did was not merely undermine the financial situation of the hospital but also understate the level of care being delivered. It meant that people looking at the Royal Adelaide Hospital, I am told, could see a hospital that was the same level of acuity as the Mount Gambier hospital.

With all due respect to the honourable members from the South-East, including my honourable colleague the Minister for Trade, Tourism and Investment and all sorts of things, the Mount Gambier hospital is not a quaternary hospital; it is not operating at the same level of acuity. The former Labor government's mismanagement of the financial situation at the RAH meant that we were losing millions and millions of dollars. That's part of the reason why, when this government took on the Royal Adelaide Hospital and The Queen Elizabeth Hospital in the Central Adelaide Local Health Network, it was budgeted to have a budget overspend this financial year of \$300 million. I am proud of the fact that under the Marshall Liberal government not only have we recovered the financial situation by about \$41 million but we have also improved quality of care.

#### *Bills*

### **STATUTES AMENDMENT (SCREENING) BILL**

#### *Committee Stage*

In committee.

(Continued from 4 April 2019.)

Clause 9.

**The CHAIR:** We have before us amendment No. 1 [Scriven-1], which is yet to be moved. Whilst the honourable member is seeking advice, minister, do you have any contribution?

**The Hon. J.M.A. LENSINK:** Yes. I was asked a number of questions during the committee stage. I have a document which I can table for distribution, if that is appropriate, or I can read all the answers, whatever you prefer.

**The CHAIR:** The benefit of reading is that they go into *Hansard*. If you table them, they do not go into *Hansard*.

**The Hon. J.M.A. LENSINK:** So I will have to read them.

**The CHAIR:** Are they lengthy? If they are lengthy, a copy should probably go to the members to assist them in the debate, but it is a matter for you. It is not a requirement of standing orders.

**The Hon. J.M.A. LENSINK:** Why don't we seek that these be copied?

**The CHAIR:** And then read them into *Hansard*?

**The Hon. J.M.A. LENSINK:** Yes.

**The CHAIR:** Can I ask you, minister, to read them into *Hansard* now.

**The Hon. J.M.A. LENSINK:** I would be delighted. If honourable members will bear with me, I will need to read the questions as well. The Hon. Ms Scriven asked the following questions:

For 2018-19 so far, how many volunteers have applied for screening, and can you provide that information broken down by child-related, disability services, vulnerable person-related, aged-care and general employment probity?

The Hon. Ms Scriven also asked:

Given my question was about all screening applications, are you able to provide that information for all volunteer screening applications and, if so, with it broken down by child-related disability services, vulnerable person-related aged care and general employment probity? Although, noting your answer to the previous one, I take it that you will not be able to do general employment probity.

The answer that I have is a table entitled Volunteer Applications Received by Screening Type for 2018-19. As at 17 April 2019, the total for child-related screening was 30,449; disability was 2,548; aged care was 2,548; vulnerable persons was 3,734; general probity was 3,613, with a note to say general employment probity screening application numbers are available. As general probity screenings are role specific, it is not known how many are still active or in use. The total is 40,921.

The Hon. Ms Scriven asked:

Would the minister be able to table the document that she is reading from?

The table relevant to this shows the time frame in which all the applications were submitted and finalised, and I seek leave to have it inserted into *Hansard*.

Leave granted.

Applications Submitted and Finalised in 2018-19 (as at 17 April 2019)

Applications Determined	Number	Percentage	Cumulative Percentage
0 - 5 days	105,611	77.3%	77.3%
6 - 10 days	15,525	11.3%	88.6%
11 - 15 days	9,911	7.2%	95.8%
16 - 20 days	2,136	1.6%	97.4%
21 - 25 days	895	0.7%	98.1%
26 - 30 days	484	0.4%	98.5%
31 days plus	2,071	1.5%	100%
Total	136,633*	100%	

\*This includes applications that have been processed but then withdrawn because the Screening Unit has determined the application was invalid (eg failing to declare a name) or the application was no longer required.

**The Hon. J.M.A. LENSINK:** Ms Scriven also asked the following question:

So far in 2018-19, how many screening applications have been approved?

The response is, as at 17 April 2019, a total of 134,589 applications have been received for 2018-19 and have been approved; 86 applications were not cleared. The fourth question asked was:

Could you also get back with the same breakdown, specifically in regard to volunteer screening applications...How many have been approved and how many have been rejected?

As at 17 April 2019, 37,263 applications from volunteers have been received and cleared, which is for the 2018-19 year; 18 applications were not cleared. In the fifth matter, the Hon Ms Scriven asked:

...the minister has referred to the current situation. If the passage of this bill is successful, can the minister explain...how the insertion of section 33A will operate?

Our response is as follows: volunteers will still receive a free check to use when they volunteer to work with children. If a person requires a working with children check for paid employment and they have had a free volunteer check, a new working with children check will be undertaken. Within

20 days of commencing paid employment the individual will need to submit the new application and pay the associated fee, which they can do by going to the screening unit's online portal.

The screening unit will obtain new criminal history and other assessable information and conduct a risk assessment and a new outcome will be provided. Once finalised, the new check will be valid for five years and transferable across roles. A person's unique identifier will remain the same. They can provide this to the employer who can confirm they have a valid check by checking their organisational portal. If a person has a working with children check for paid employment and then wishes to volunteer with children, the paid check can be used for the volunteer roles.

The sixth matter that was raised was:

How many volunteers does the minister anticipate will be applying annually for free screening?

And the following question was:

What modelling has the minister drawn these numbers from?

We responded to those questions as follows: in 2016-17 and 2017-18, approximately 23 per cent of applications submitted and finalised related to volunteers. As part of the 2018-19 budget, the government allocated a budget to the Department of Human Services to abolish fees payable for volunteers for screening by the Department of Human Services. This budget initiative provides \$1.4 million per annum, indexed, commencing 1 November 2018 and continues in 2019-20, 2020-21 and 2021-22. This was based on 23 per cent of screening applications received being for volunteers, with no change to legislative requirements for screening such as under the prohibited persons act, which commences on 1 July 2019.

It is difficult to ascertain how many volunteers will be required to acquire a new working with children check due to the commencement of the act, as many may already hold one for other purposes. Budget consideration has been given to the revenue impact and associated resourcing to process these applications, in addition to the budget adjustment made in 2018-19 to abolish free screening for volunteers.

**The CHAIR:** The Hon. Ms Scriven, my understanding is that you have not yet moved amendment No. 1 [Scriven-1]. Do you wish to do that now?

**The Hon. C.M. SCRIVEN:** Yes, thank you. I move:

Amendment No. 1 [Scriven-1]—

Page 6, lines 19 to 40—Delete clause 9 and substitute:

9—Amendment of section 27—Application for working with children check

- (1) Section 27(1)(d)—before 'must be' insert:  
subject to subsection (1a),
- (2) Section 27—after subsection (1) insert:
  - (1a) If a person applies for a working with children check and satisfies the central assessment unit that—
    - (a) the person is a volunteer; and
    - (b) at the time of the application, the person is not also engaging in child-related work, other than as a volunteer, that would require the conduct of a working with children check under this act, the person is not required to pay any fee to the central assessment unit in respect of the application.

This clause is the crux of the difficulties in this current bill. As we mentioned previously in the second reading speeches, the opposition has a strong commitment to the passing of this bill; however, there are some problems that have arisen, in particular in regard to a number of volunteer organisations raising issues of what will, regardless of what we call it, in effect actually happen under the bill as it currently stands.

Someone who is working as a volunteer and who gets a screening free of charge will, as soon as they commence some work, need to get a screening check for their employment capacity.

The Hon. Ms Bonaros referred to it as a different class, which I know is not a perfect term but it is probably the best one we can come up with.

Following further briefings from the minister since the last sitting week—for which I place on record our appreciation—it is still the view of the opposition that a volunteer in effect ends up having to pay back their free volunteer screening. We can talk about the semantics, but what we are talking about is the effect on an individual who has been working as a volunteer who then gets some paid work—potentially only a few hours of paid work—and who then has to purchase an employment screening check.

The effect is, 'Well, you didn't really get it free. You've been working as a volunteer all this time, thanks very much, but as soon as you do a couple of hours of paid work then suddenly you actually have to fork out \$109,' (I think that is the figure, although I stand to be corrected). One of the issues around that is there may be only a small amount of work. If someone works for eight days—maybe they are working in disability and they work two-hour shifts for each of those eight days—and they are perhaps on minimum wage with maybe a casual loading, they may end up earning \$350 but they have to pay \$109 (if that figure is correct) for a screening. They are losing a third of their income.

We need to remember that people working in fields that require screening are often amongst the lowest paid workers, and that is a considerable disincentive to try to pick up some paid work. During the briefings the minister said, 'Well, there are lots of inequities, there are lots of problems in terms of people picking up a bit of work being disadvantaged.' The opposition's view is that we do not need to add any more disincentives or disadvantages to people on low incomes, to people who have perhaps been on no income but who pick up a little bit of extra work.

There is a number of amendments we will be working through today, but the essential principle, from the view of the opposition, is that if someone has been a volunteer we should be appreciative of their willingness to work and assist free of charge, and therefore we support the free screening. Of course, that was the Liberal Party's commitment prior to the election. If, as soon as they pick up a little bit of work, they have to pay for an employment screening then essentially it is not free screening we are offering.

If someone is in full-time work for a long period of time, then that is certainly a different issue, but that is not necessarily what we are talking about here. I appreciate it may be an unintended consequence, but the reality is we are talking about people potentially having a very small amount of work, a small amount of remuneration from that work and then having to fork out perhaps a third of that in some scenarios to be able to be in that screening situation because they are in paid employment. I also have a number of questions, but I am not sure whether there are any other contributions before we move into some further questions.

**The CHAIR:** I am in the hands of the committee. Before we put that motion to a vote, I will require the minister to also move her amendment, but it is appropriate for members to ask questions in relation to amendment No. 1 [Scriven-1].

**The Hon. C. BONAROS:** Thank you, Chair. My question is to the mover of the amendment. I would like to say for the record that on the face of it, and certainly with the discussions that I had with the opposition, the increase appeared innocent enough. It is something that we have been willing to entertain. However, I have also had a number of discussions with the government, which I have made known to the opposition.

The first question I have is: does the opposition have any indication of the number of individuals that may be impacted by the changes that are being proposed? We have the 23 per cent that the minister has alluded to, in terms of the number of free screenings, but my question is in relation to the number of individuals who move from volunteering to paid work and therefore take advantage of the proposed amendments.

**The Hon. C.M. SCRIVEN:** It is fair to say that the opposition does not have the resources to be able to perform that sort of modelling. Whilst we cannot provide numbers, I think the principle is a very important one. Whether it is a small number of people or more than that, those individuals will still be affected in a way that I am sure was not expected when we had the original undertaking to have free volunteer screenings.

It will have a negative impact on the individuals affected and will particularly impact their likelihood of seeking paid work. Sometimes people volunteer because they have to meet their requirements for an income support payment, for example. The important part of that is to give them skills and the ability to then move into paid work; however, that is very difficult for many people. So someone may pick up a couple of hours of paid work, perhaps on the basis that they will then be trialled by the organisation, and that is a positive thing. I think that anything that will stand in the way of that or serve as a disincentive is something we should not be accepting within this bill.

**The Hon. C. BONAROS:** Thank you for that response. Perhaps if the minister could assist with my next question? I will take answers from the opposition and the minister. Has the government or the opposition had any advice about whether the amendment potentially opens the door for people to be exempt from the prohibited persons legislation in its entirety in relation to this amendment? If we are having 150 hours—no, it is not this one; sorry, I stand corrected. I think I am moving on to another issue.

I will direct this to the minister. The discussions I have had with the minister indicate that the screening unit might not be equipped logistically to deal with the proposed 150-hour exemption, especially because it would be over—I think a one-year period is being proposed. Can the minister provide details regarding the concerns that have been raised with her in relation to this?

**The Hon. C.M. SCRIVEN:** May I propose that, whilst there are a number of amendments which are competing and so on, the committee resolves to have a free-flowing discussion about the various issues that are being discussed today, rather than particularly limiting it to clause by clause.

In so saying, may I flag the fact that the minister has lodged an amendment to be moved that would enable seven days—correct me if I am wrong, minister—of paid work to be undertaken without affecting the volunteer versus paid, and that the opposition is planning to move an amendment to the around 150 hours of paid employment. However, all of that is subject to my amendment not winning the favour of the chamber. I appreciate that it is quite confusing, but my preferred view would be that we explore all the issues at the moment before then voting on the various amendments that are interrelated.

**The CHAIR:** It is a matter for the committee. Minister.

**The Hon. J.M.A. LENSINK:** I am happy to proceed in that manner because I think the issues are interrelated. Can I say in relation to this particular amendment that I have been very disappointed in the way the Labor opposition has been behaving. This bill was tabled in February. We are on a tight time frame in terms of having the screening unit ready. They have made as many adjustments as possible to ensure that the legislation, which was passed in 2016, is ready to be implemented on 1 July.

We were very clear in the election that we support free screening for volunteers; we were the only major party to do so. The Labor Party has been seeking to muddy the waters at every opportunity in relation to this bill, with I would say the worst outcome, which is to sabotage the legislation. This would undo the good work of the government in terms of seeking to provide free screening for volunteers.

People who have needed a screening for work have always had to pay for one. They had to pay for one under Labor; they have to pay for one, we believe, under the ongoing arrangements. Four weeks ago, Labor was seeking to potentially remove clause 9, which would have meant that free checks for volunteers could not be implemented. They have now sought to make other amendments.

There are unintended consequences to their amendments, particularly relating to equity matters. If somebody starts a role as an employee and then volunteers, they still pay. I think the Labor Party has tried to portray this as people having to pay back their screening. That is not the case; they still have the period during which they were a volunteer for free. If they then need to have a screening for work they have to pay, as everybody else does. As in other cases, it is a new screen for five years.

This amendment potentially means that the screening unit has no recourse to catch out people who are gaming or cheating the system. You can find inequities anywhere you look. The

examples that I have considered are potentially young carers or single mothers who do not have time to volunteer but then get some part-time work. Labor has ignored that particular cohort.

The screening unit is potentially going to be in a position where it may have to try to assess whether someone is or is not a genuine volunteer at the time of application. Some people who might have been given a paid job would be coerced into being a volunteer to avoid the fee, which opens up further potential exploitation of workers—something I would have thought was anathema to the Labor Party. Be that as it may, if they wish to play games for their own sake then I suppose they will do these things.

In Victoria, some modelling has been done in terms of what the screening unit thinks could be the leakage, and that is in the order of some 10 per cent. We have estimated that the loss of revenue to the screening unit would be in the order of \$700,000 per annum, which is significant. Let us not forget that the purpose of the screening unit in undertaking all of these checks is to assess whether people are as safe as they can possibly be. It is there to protect vulnerable people. It is not there to start calculating the number of hours that people are working and so forth. It does not mean test people. While I am sympathetic to some of the arguments, I think the activities of the Labor Party have demonstrated that they are not fair dinkum about this.

As the Hon. Connie Bonaros has requested, I can discuss some of the other opposition amendments in some detail. Other amendments from the Labor Party have the effect that they remove provisions that provide a seven-day exemption from the requirement to obtain a working with children check. This has the effect that any person, whether they are a paid employee or a volunteer, will be exempt from the requirement to obtain a working with children check for up to a full 20 working days or even more if a person works part time. This means a person may work with children one day a week for nearly four months without a working with children check having been conducted.

This goes against the commonwealth Royal Commission into Institutional Responses to Child Sexual Abuse recommendations, which provide that exemptions should only apply to people who engage in child-related work for seven days or fewer in a calendar year, except in respect of overnight excursions or stays. It is also consistent with national standards for working with children checks, which SA and other jurisdictions endorsed late in November 2018. The standards aim to ensure consistency amongst working with children checks amongst jurisdictions and provide that a person should only be exempt from the requirement to obtain a working with children check if they are engaged in child-related work for seven days or fewer in a calendar year.

The Labor Party's amendments go further than the time-based exemptions that have been provided in other states or territories. The amendment expands the period of time that someone is excluded from the legislation to 150 hours per annum, and this exclusion applies unless they are a person providing education or early childhood services, a person providing child-related work with overnight excursion or stay or a person with close personal contact with a child with a disability. Arguably, this amendment will allow people who believe that they will not work for more than 150 hours per year with children to be completely exempt from the legislation, and this could extend to some of the classes that we have sought to bring into the scheme, including priests, children's party entertainers and sporting coaches.

By way of example, if someone was to conduct a children's choir for two hours per week unsupervised that would total perhaps 100 hours per annum, those people would be exempt from the legislation completely, whether they are volunteers or paid workers. This amendment undoes the intention of the original legislation to ensure that anyone who has regular contact with children is screened.

**The Hon. C.M. SCRIVEN:** I would like to add a couple of comments. Firstly, on the final comment that the minister was making, understandably, I think she is under the impression that amendment No. 1 [Scriven-2] was still intended to be moved, and I understand that that could potentially have the implications that the minister was referring to. It is not my intention to move that amendment, so all of those issues around not needing screening can now be laid to rest and people can be most confident that will not be the case because that amendment will not be moved.

I have a couple of other points. The minister alluded to the fact that the opposition has brought in amendments quite late. If the minister is going to break an election commitment, which is

essentially the outcome of her current bill, then that needs to be perhaps raised during briefings rather than waiting for it to come up through stakeholders raising the issues. So consultation with stakeholders around the bill perhaps would have enabled the minister to escape the situation that we are currently in.

The minister refers to a concern about rorting of the system. Let us think about that. On face value perhaps it sounds like, 'Oh, yes, perhaps everyone will go off and say they're a volunteer for an hour or two so that they can get free check,' when they are actually intending to go into work. I think we need to be realistic about how likely that is. That point of view is alleging that volunteers—so people who give up their own time, often doing great things for our community—will actually only do that as a way to save roughly \$100 for a job that they may get some time down the track. I mean, how realistic is it that this is going to be rorted in a widespread way?

It still comes back to the key point: the whole point of free screenings, presumably, is to ensure that those who volunteer their time, who give up their free space and time to help others to work in areas voluntarily, which are of benefit to the community, will not, therefore, have to incur the cost of a screening.

Someone who then goes in to a few hours of work who has already done that volunteering, that self-sacrifice, if you like, of their time and has put in their effort, they should not then be told, 'Well, yes, best, because you have a few hours' work, you need to now pay for your screening.' Now, 150 hours is the amendment that we are hoping will get up, if my amendment to delete the entire clause 9 is not successful. One hundred and fifty hours is equivalent to four weeks' full-time work. If someone is working full time for four weeks, one would hope then that they have the money together to be able to afford a screening for paid employment, so 150 hours seems like a reasonable amount. If one is only working a couple of hours a week, yes, that means that they will not need to get a screening that they pay for for some considerable length of time: that is a good thing, because they are still mainly not working in a paid capacity.

The 150 hours seems like a reasonable compromise in terms of ensuring that the intent of the legislation and the intent to ensure that people who volunteer their time are appreciated is actually fulfilled without being undermined through this legislation. People who work as volunteers, certainly in my experience, generally do not go into it to see what they can get. They are not there to say, 'What can I get out of this?' They are there to give of themselves, to be able to give their time and to be able to help their communities. They are the kind of people who we would want to have a free screening and not incur a cost to be able to help others.

The purpose of the various amendments that the opposition is moving is to ensure that that is not undermined and that people who potentially have only a couple of hours of work over a period longer than seven days are not then disadvantaged. I think the Hon. Connie Bonaros alluded earlier to logistical issues and asked a question of the minister before we resolved to deal with all the issues that are interconnected. My question to the minister would be that, if there are concerns about those logistical issues, how they would differ between having a seven-day limit as opposed to a 150-hour limit.

**The Hon. J.M.A. LENSINK:** I will respond and repeat some of my concerns about the 150 hours, which goes against the commonwealth Royal Commission into Institutional Responses to Child Sexual Abuse recommendations. That amendment is very problematic, and there is absolutely no way we will be supporting any of the Labor Party's amendments.

In relation to the logistics in terms of the screening unit, their core business is to verify people's identities and to check those against the information of various databases, which comes from the child abuse line from SAPOL and various other databases, so that they can assess any of that information to validate, first, that the person is the person that they claim to be and, secondly, whether they have any issues that need to be assessed as to whether or not they are suitable to hold that check.

In terms of having to keep data on the number of hours people are working, that is not something they do. They are geared at the moment to their core business. What the Labor Party is asking them to do is a whole new task, bearing in mind that the honourable member in her questioning was concerned previously, when we had a previous committee stage, about the

resourcing of the screening unit. I think it is somewhat hypocritical to be asking the screening unit to undertake new tasks, to be reducing their revenue and to be concerned about whether they are going to be able to process checks on time, all at the same time that they are being burdened with an entire new set of information that they currently do not collect.

**The Hon. C.M. SCRIVEN:** A question on the alleged burden on the unit: how would that differ between the minister's amendment, which talks about seven days, and the opposition's amendment, which talks about 150 hours?

**The Hon. J.M.A. LENSINK:** The seven-day period is a grace period which is similar to the amendment which is put into the 2016 prohibited persons legislation. It is a gesture, if you like, to recognise that there are people who may only do a few days worth of work, as we talked about in this place before: the Santa Claus clause. If we are going to start talking about monitoring whether people do 150 hours of work, we are talking about a whole new regime in terms of: how is that information verified? And there are problems with the issue being over an extended period of time, which, as I have said, is contrary to recommendations of the royal commission.

**The Hon. C.M. SCRIVEN:** The minister has not made it clear how, if there is a—the term she uses—grace period of seven days, so if someone works for seven days, and so if in some way that information needs to be kept or produced or signed away or with some other mechanism, how is it different if it is 150 hours or if it is potentially seven days' worth of seven hours, so 50 hours for example?

**The Hon. J.M.A. LENSINK:** The advice I have received is that in terms of the logistics, explaining to people who contact the screening unit, it is relatively easy to explain to people about seven days; if you try to explain to them about the 150 hours, that is going to be quite an extensive operation to even get people to understand that.

**The Hon. C.M. SCRIVEN:** Could the minister explain how talking about seven days or 150 hours is so much more difficult? I mean, if one knows how long one works for, if you work for 150 hours total, then you are required to get a paid screening. How is that very different to saying: if you work every day for seven consecutive days or non-consecutive days you have to get a paid screening? I cannot see how it is so terribly difficult for people to understand, if we are talking about the two things in comparison.

**The Hon. J.M.A. LENSINK:** Under the Labor Party's amendments it is 150 hours within a year. As I have said several times now, as well, that is contrary to royal commission recommendations. I think for most people it is pretty reasonable for them to understand that if you do seven particular days—you know, with a couple of hours here or maybe 14 hours there—that is relatively easy to understand. I think there would be a lot of questions that people would ask in relation to how that 150 hours is calculated, how it is monitored, who is going to keep all that information in some sort of spreadsheet.

We all know ourselves from when we do our annual tax returns, if you pay one of your expenses in one lump sum, it is much easier to monitor that than if you pay something monthly and you have to pull all of the data out of your various bank accounts. I guess we will just have to have a difference of opinion.

**The Hon. C. BONAROS:** I think at the outset I did jump the gun in terms of which amendment I was referring to. What has become apparent to me and what I would like some clarity on for the benefit of all members is the effect of the amendments that we are talking about. My understanding from Ms Scriven's comments is that the opposition's first position is that free screening for volunteers be enshrined in the legislation and that they be treated as someone who is working with children.

So there is a series of amendments to that effect which would, in effect, treat a volunteer as someone who is working with children. There were amendments in relation to the 150-hour exemption, and if we could get some clarity again: that the Hon. Ms Scriven is suggesting now that when it comes to the exemption the opposition is not proposing to proceed with that amendment but is instead proposing to proceed with an amendment which would provide someone with 150 hours of work before they would be required to pay back—if that is how you want to describe it—the screening fee.



That is my current understanding. I think what this points to in the broader context is the problem with considering amendments on the run, which is I think what we are doing, but I would like the mover of the amendments and perhaps the minister to clarify that at least I am on the right page in relation to which amendments we are moving and what they actually do.

**The Hon. C.M. SCRIVEN:** Based on what the Hon. Connie Bonaros has just said, I can agree that, yes, that is the case. The opposition's preferred position would be amendment No. 1 [Scriven-1]; however, if that is not successful and is not supported by the chamber, we will then be seeking, when the minister moves her amendment in regard to the exemption or grace period or whatever it is referred to of seven days, that that would become instead 150 hours. Is that the question the Hon. Ms Bonaros was asking me?

**The Hon. C. BONAROS:** It does and it does not because the government bill provides an exemption for anybody who works up to seven days from being required to have to undergo a screening. The amendment that I understand you are not moving would increase that seven days to 150 hours. Is that correct?

**The Hon. C.M. SCRIVEN:** No. The—

**The Hon. C. BONAROS:** I will just jump in again—and I think this is why it is not a good idea to be dealing with amendments on the run. The 150-hour exemption to replace the government's seven-day exemption is the exemption from having to have a screening. That is the amendment that I think you indicated you will not be proceeding with.

**The Hon. C.M. SCRIVEN:** Correct.

**The Hon. C. BONAROS:** But in its place you will be proceeding with an amendment that would enable somebody to work up to 150 hours before they are required to pay back a volunteer screening fee, or working with children fee?

**The Hon. C.M. SCRIVEN:** That is correct, and that is why the minister's comment that the amendment is against the royal commission is not correct. As you have said, not moving that someone working 150 hours would not require a screening, the 150 hours is simply in regard to having to pay back the cost of the volunteer screening.

**The Hon. C. BONAROS:** Just so we are all on the same page, somebody under that proposal could volunteer up to 150 hours—sorry, could work with children for up to 150 hours before they would be required to pay back a fee that would apply to a working with children clearance.

**The Hon. C.M. SCRIVEN:** Yes, that is correct.

**The Hon. C. BONAROS:** I note what the minister has pointed out, and I agree entirely that the last thing we want to be doing is undoing the intent of the protected persons legislation, which is in effect what the opposition's amendment—which they are not moving—would have done. Can I just ask the minister to clarify: in both cases how does 150 hours compare to other jurisdictions in terms of exemptions?

**The Hon. J.M.A. LENSINK:** I thank the honourable member for her question. The 150 hours is effectively four weeks. Other jurisdictions have similar provisions to what the government position is and what is in the prohibited persons act as it stands. For New South Wales, it is short-term work for not more than a total of five working days in a calendar year, if the work involves minimal direct contact with children or is supervised when children are present. In the ACT, it is three days in any four-week period and seven days in any 12-month period.

In Victoria, there are no provisions exempting a person from obtaining a working with children check based on short-term work or time periods. In Queensland, there are limited exemptions for volunteers, only up to 10 days, and paid employees have exemptions that amount to between four and eight days, depending on circumstances. In WA, there are no provisions exempting a person from obtaining a working with children check based on short-term work or time periods. In Tasmania, it is seven days or less, explicitly stating that it is based on days not hours. In the Northern Territory, there are no provisions exempting a person, except a parent, from obtaining a working with children check based on short-term work or time periods.

The seven days is comparable with other jurisdictions. I think the Labor Party is trying to keep nudging the boundaries. You can keep doing that until you exempt everybody because, as I said, you can find inequities wherever you look with these issues, if that is what you want to call them. I reiterate that this is legislation to provide for free checks for volunteers.

**The Hon. C.M. SCRIVEN:** I might just clarify with the minister whether the information that she has just read out is in regard to paying back a fee or whether that is in regard to getting a screening in the first place.

**The Hon. J.M.A. LENSINK:** That was in relation to exemptions. The advice I have received in terms of people who seek a working with children check, or work-related check, is that they pay when they start employment. New South Wales is the only exception, but their check only lasts for two years.

**The Hon. C.M. SCRIVEN:** So the information that you read out was in regard to being exempt from having to get a check?

**The Hon. J.M.A. LENSINK:** No, the matter that I was just talking about was for someone who is in a volunteer situation and then engages in employment.

**The Hon. C.M. SCRIVEN:** For someone who is in a volunteer situation and then engages in employment. You spoke about seven days or two days, or whatever it might be, that was in regard to having to get a different check; is that correct?

**The Hon. J.M.A. LENSINK:** No, there are exemption provisions in the prohibited persons act which outline what the circumstances are under which somebody does not require a working with children check. That includes the seven days. It includes children, for instance babysitters, who are under 14. There is a whole range of people in the prohibited persons act.

**The Hon. C.M. SCRIVEN:** Yes, that was my understanding. I just want to reiterate that the opposition's amendments—remembering that we are not moving the amendment that was originally lodged in regard to clause 5—do not change exemptions; they do not change exemptions. Our amendments are purely in regard to having to pay back the cost of a screening check for volunteers who then move into some level of paid employment. My understanding, which may have been incorrect, was that the Hon. Ms Bonaros was asking about comparisons with other jurisdictions about paying back, rather than exemptions.

**The Hon. C. BONAROS:** If I can just clarify for the record, I think 'paying back' is probably not a good use of terminology. It is probably better to explain it this way, that under the government's bill if you move from a volunteer to a paid employment position then you pay going forward. So from that point on you are paying for a paid employment working with children check. Under the Hon. Clare Scriven's amendment, you will be paying forward if and only if you have completed 150 hours of working with children employment. So you will not need to pay anything forward unless you have undertaken 150 hours of work with an organisation. Up until that point, you will not be required to pay anything.

**The Hon. C.M. SCRIVEN:** Insofar as that question relates to the opposition's amendments, the Hon. Ms Bonaros is correct. If one already has a volunteer check, one will not need to then pay for an employment check until one has completed at least 150 hours of paid work.

**The Hon. C. BONAROS:** Thank you for that clarification. I think that then brings us back to the original concerns that were raised with the minister in terms of the role of the screening unit and whether it is equipped logistically to monitor the 150 hours versus the seven-day exemption. I appreciate they are different things: to monitor 150 hours versus seven days. What I am still concerned about—and this is where I probably part company with the Hon. Clare Scriven—is that I think there would be a lot more work involved in monitoring 150 hours versus monitoring seven days. Seven days is a relatively short period. There is an exemption that has been given for seven days and so they are being monitored to ensure they do not go over that period.

When we are talking about 150 hours, and depending on the number of people who would fall into this category, the concern I have is that the role of the screening unit would change from one that is supposed to be ensuring that people who are not appropriate to be working with children are not working with children, to one that is simply monitoring whether someone has kept under the

150-hour cap or gone over the 150-hour cap. I do not think it is fair to say that it is black and white to suggest that somebody would be able to monitor from the outset, given that it goes for a 12-month period, whether or not they would indeed go over the 150 hours.

For the record, I would like to ask a question of the mover. I appreciate that there are differing views amongst stakeholders and I am well aware of the views that I am sure the Hon. Tammy Franks will refer to shortly of SACOSS, but in this instance I have been talking to Volunteering SA as well and if I can place on the record what I think is fair in terms of their view, and that is that the free volunteer screening is enshrined in legislation. That is effectively the original intent of this and that is, I think it is fair to say—I am not speaking for Volunteering SA, but the feedback I have had from them is that that is what they want to see.

They do not want to rely on the goodwill of this government or any other government, they want enshrined in the legislation the free screening for volunteers. We have delved into other areas, and I am sure we will continue to do that for a while yet until we get some resolution on all these questions that are coming up. My question to the mover is: what discussions, if any, have you had, or your party had, with Volunteering SA in that regard?

**The Hon. C.M. SCRIVEN:** Perhaps I can come back to your final question, the Hon. Ms Bonaros; if I can just address the other queries first. First of all, in terms of the logistics that have been referred to, we are talking about 150 hours. Currently, the seven days is over, as I understand it, up to 12 months. Either way, under the current proposal or under the proposal of the opposition, there is the potential for monitoring over 12 months. That is why the opposition is of the view that there is not a big change in terms of logistics. That is the first point to be made.

Perhaps more importantly, it is the opposition's preferred view—if amendment No. 1 [Scriven-1] is successful—that volunteers will not need to pay out until their existing screening has expired. That means that when they renew their screening and they are then a paid employee, that is when they pay for a paid employee screening. If the current amendment No. 1 [Scriven-1] is successful it will have the impact of ensuring volunteer screening is free and ensuring that volunteers do not then have to pay until they renew their screening at the expiration of that existing screening when they have had those paid hours.

**The Hon. C. BONAROS:** Just on from that, what, if any, mechanism is proposed to overcome the issue the minister has pointed to in terms of the potential rorting of the free screening unit? I could have a job lined up tomorrow and I could say, 'Do I want to pay \$115 or do I just say I'm volunteering, knowing full well that my intention is to actually go into paid employment that would involve working with children?' Is there anything in the amendments being proposed that would effectively stop individuals from rorting the system and not having to pay when it was always their intention to enter the workforce?

**The Hon. C.M. SCRIVEN:** My understanding is that the scenario put forward by the Hon. Ms Bonaros is possible. I guess there is always the possibility of rorting any system, and this is not exempt from that. However, I think we need to look at it in context. First, how likely is it? It takes some time for a screening to go through; if you are going to start work tomorrow the chances are you are not going to get volunteer screening, which would then show up on the database and so on that I understand is going to be put in place before you would actually start work tomorrow.

My understanding is that there are some logistical barriers; however, I do appreciate that I am not working within the screening unit and there may be other aspects that others may be able to put forward either in favour or against that point of view.

In terms of the context, we have the possibility of rorting, the possibility that people are going to set out to say, 'Okay, yes; tomorrow I'm starting a full-time permanent job but I'll say today that I'm a volunteer.' Even if that is possible, we need to look at how likely that is compared to the issue of people who are desperately trying to move into the workforce, who might have volunteered for a long time, who are put off by having to pay straight away. That is going to be working against them both in terms of gaining employment and also in terms of simple social justice issues of someone gaining a few hours work or a very small amount of work having to then pay for a screening.

We need to weigh up those two things, being realistic that the scenario the Hon. Ms Bonaros mentioned is possible, but it is the opposition's view that the alternative of having volunteers pay back their screening, however we describe it, straightaway is a worse outcome than the simple possibility the Hon. Ms Bonaros mentioned.

I will now take the opportunity to respond to the member's previous question in terms of engagement. The shadow minister in the other place has had a large amount of engagement with many stakeholders, and of course that has included Volunteering SA, the peak body. My understanding is that unfortunately the minister—not the shadow minister, but the minister—did not liaise or consult with Volunteering SA as the peak body when preparing the bill. I think that is probably where some of these issues have arisen.

**The Hon. J.M.A. LENSINK:** In relation to the last point about liaising with Volunteering SA&NT, that is not correct. We have had regular contact. As I stated on the previous occasion when we were in the committee stage, the department and my office have been in regular contact with Volunteering SA&NT.

The Labor Party amendment will have the effect that someone could effectively be in paid employment for very close to five years without actually paying for their screening. When somebody applies for a screening check, the screening unit asks whether they are seeking the check as a volunteer or for paid employment, and that assessment is made at that particular point. The language that the Labor Party keeps using about 'paying it back' is incorrect, because somebody obtains a completely new screening, which is valid for five years.

**The Hon. T.A. FRANKS:** Following on from some of the points raised by the Hon. Connie Bonaros, I have some more broad questions at this point. This morning, I undertook to send the opposition's amendments to Volunteering SA&NT and SACOSS. At this stage, I do not have firm positions in terms of a response.

There has been a telephone call from SACOSS to my staff, but I do not have a particular position put forward by those two organisations. I do, however, have previous comments made by SACOSS, in writing, regarding the bill in general. I note that their concern at clause 9 is that it is 'an intention to make volunteers pay if they use screening for paid employment'.

I am a little confused at this point, and I am sure I am not alone. We had the answer about time-based exemptions by jurisdiction, but what is the difference in each jurisdiction? Where does it exist that volunteers are exempt from a fee and where does it exist that paid employees are exempt from a fee? What is the rough ballpark figure of these fees? Are they similar to the South Australian proposed fees?

**The Hon. J.M.A. LENSINK:** The advice I have received is that all other jurisdictions have very low or free screening checks for volunteers. Prior to the implementation on 1 November 2018, South Australia was the most expensive volunteering check in Australia. All other jurisdictions, with the exception of Western Australia—it is actually WA, not New South Wales—require people who then apply for a work-related screening to pay for it. Western Australia only has a two-year check in any case.

**The Hon. C.M. SCRIVEN:** A related question, coming back to the concerns about rorting. The free volunteer checks have been in place since November 2018. What evidence has there been of the system being rorted?

**The Hon. J.M.A. LENSINK:** Part of the issue is that, under the current arrangements, people do not apply for the screening themselves. I think a requesting organisation applies on their behalf. Since voluntary screenings became free, the screening unit has detected that a number of organisations have been lodging those applications on behalf of people, stating that they are volunteer roles. When the screening unit has said, 'Can you check that this is actually the case,' they have said, 'Actually no, they are actually employee roles.' In Victoria, where they have done some hard research on this, the estimate is that some 10 to 12 per cent of people will avoid having to pay a fee by each year converting from one to the other. That has helped us to estimate that we would lose in the order of some \$700,000 worth of revenue every year.

**The Hon. C.M. SCRIVEN:** To clarify, based on what you have just said, currently some organisations are seeking to rort the system. However, you do not have any evidence that individuals are seeking to rort the system. Is that correct?

**The Hon. J.M.A. LENSINK:** Individuals cannot because they are not able to apply at the moment. The only way you can get a screening is through a requesting organisation.

**The Hon. C.M. SCRIVEN:** In effect, then, the evidence that you have just supplied about rorting does not really relate to the circumstances we are talking about post this bill, if it passes, because the only evidence relates to organisations. That is clarified, thank you.

**The Hon. J.M.A. LENSINK:** We are talking about hypotheticals, but we are also talking about human nature. If there is no penalty in the legislation for applying for a screening that is not for the purposes for which you say you need it, human nature tells you that people will use it that way, and there is no comeback under Labor's amendments to prevent that from happening.

**The Hon. C.M. SCRIVEN:** Is the minister suggesting that there should be some sorts of penalties or comebacks for that kind of behaviour?

**The Hon. J.M.A. LENSINK:** Yes, I think human nature is such that we do need to have some sort of disincentive for people to not do the wrong thing and rort the system, and that is why that is contained in the legislation.

**The Hon. C.M. SCRIVEN:** What will be the difference between someone rorting the system if they are working for less than seven days or, under the proposal of the opposition, if it is 150 hours?

**The Hon. J.M.A. LENSINK:** The advice is that Labor's amendments would remove any comeback for the screening unit to be able to stop people from rorting the system. The honourable member's first amendment removes the ability for the screening unit to penalise someone altogether, and her other amendments are the ones that relate to the 150 hours.

**The Hon. C.M. SCRIVEN:** Did the government consult with peak bodies such as Volunteering SA and SACOSS about this seven-day limit in terms of having to pay for a check?

**The Hon. J.M.A. LENSINK:** Is the honourable member asking about the seven-day amendment?

**The Hon. C.M. SCRIVEN:** Yes, so the question is: did the government consult with Volunteering SA or SACOSS in regard to the amendment that the minister has indicated she will be moving in regard to the seven days?

**The Hon. J.M.A. LENSINK:** In relation to that specific amendment, the answer is yes.

**The Hon. C.M. SCRIVEN:** What was the view of SACOSS and Volunteering SA in regard to the seven-day amendment?

**The Hon. J.M.A. LENSINK:** Volunteering SA is happy with the amendment as it is. I think SACOSS's view is that they would prefer more.

**The Hon. C. BONAROS:** Can I ask a couple of questions in relation to the 150 hours? Is it the government's intention, if those amendments get through, that the screening unit will in fact be monitoring—as the Hon. Clare Scriven has just alluded to—whether someone has worked up to or over 150 hours? Are we not actually dealing with something that would in effect be an offence by somebody who is working? So if you have worked over 150 hours what you have effectively done is committed an offence under the act.

It is not necessarily something that the screening unit is going to be monitoring in terms of ensuring that everybody is complying with that requirement. If that is correct, does that not lend itself to the issue of rorting even more, in that if you are never reported for working over 150 hours then you will just continue to do so until somebody notices, I suppose, and what will be the outcome when they do notice?

**The Hon. J.M.A. LENSINK:** I think the concerns of the honourable member are valid. I think it is very difficult for the screening unit to keep track of how many hours somebody works in a particular year. I am not quite sure what that would look like, whether they have a spreadsheet and

it is supposed to be validated by an employer, or how that is supposed to work, but it is certainly not something they are geared towards doing at the moment. What we think is a relatively simple explanation for people who make inquiries in relation to seven days is something that would become unnecessarily complicated.

**The Hon. C. BONAROS:** By the same token, if somebody were to work 21 days instead of seven days, effectively they would be committing an offence by doing that?

**The CHAIR:** Minister, at some stage may I ask you to move your amendment as well?

**The Hon. J.M.A. LENSINK:** The government's position is that if somebody works for more than seven days without obtaining a working screening then they commit an offence.

**The Hon. C. BONAROS:** Can I also ask: is it envisaged that this monitoring of hours would place any additional onus on employers in terms of knowing that somebody has not worked more than 150 hours and therefore keep track of how many hours an employee is actually working to ensure they do not go over the 150 hours or, indeed, the seven days?

**The Hon. J.M.A. LENSINK:** The offence applies to the individual, so the burden is on individuals to keep those records themselves. I assume they would need to have some sort of spreadsheet and keep records of their employment, and the like. I think to keep track of the number of hours you have worked over a particular year is probably much more difficult to manage than the seven days.

**The Hon. C.M. SCRIVEN:** Can the minister confirm that the seven days is over a 12-month period?

**The Hon. J.M.A. LENSINK:** Yes. I take the opportunity to move the amendment standing in my name. I move:

Amendment No 1 [HumanServ-1]—

Page 6, after line 31 [clause 9, inserted section 33A]—Insert:

- (1a) However, subsection (1) does not apply in relation to a person who works with children other than as a volunteer on less than 7 days in any 12 month period (whether or not the person also works with children on a volunteer basis during that period).

**The Hon. C.M. SCRIVEN:** Is it not fair to say, then, that the amendment the minister is moving, which means that one cannot be in paid work for more than seven days without having to pay for a screening, and the amendment of the opposition, which says that one cannot work for more than 150 hours in a 12-month period without having to pay for a screening, have exactly the same impact? The onus is on the employee to keep those records—payslips or timesheets, presumably; all of those things are fairly normal. It can potentially be over a 12-month period for the person who is working up to seven days or for the person who is working up to 150 hours. Any offence would be committed in the same way by each of the individuals in those examples and any monitoring would have to be done or not done regardless of whether it is seven days or 150 hours.

**The Hon. J.M.A. LENSINK:** As I have stated before, I think the opposition and the government take different views about how easy or difficult it is to monitor things and we will have to agree to disagree.

**The Hon. C.M. SCRIVEN:** But can the minister explain how it is different to monitor seven days over a 12-month period than it is 150 hours over a 12-month period?

**The Hon. J.M.A. LENSINK:** I think I have already talked about this and I think it is a matter of common sense.

**The Hon. C.M. SCRIVEN:** I just want to make a final contribution before we move to our amendments. I understand that in a moment we will be voting on the amendment that I have moved, and I just wanted to remind members that what this means is that for volunteers who then move into paid employment their screening check would continue until renewal. That is the effect, the impact, of what will be the situation for volunteers if this amendment is supported. We think that is an important way of helping to support volunteers and also removes any of the issues the minister has raised in terms of logistical problems in relation to monitoring or otherwise.

The benefits of this amendment mean it is clear and simple. Volunteers who then pick up some paid employment continue on their volunteer check until the natural expiration of that check. If they are working, they then apply and pay the fee for a check for someone who is in paid employment. It therefore meets all the benefits of providing free screenings, making sure there is not any additional administrative issues, and volunteers will be encouraged to volunteer as well as hopefully pick up a bit of extra work, when possible.

**The Hon. J.M.A. LENSINK:** Mr Chairman, I think we need to clarify the order of these amendments.

**The CHAIR:** Yes, you are anticipating the Chair, thank you. I will walk through what I propose to do and then we will have an opportunity for members to ask any questions of the order. What I propose to do is to put the question that all—and I am not actually putting the question, I am just indicating what I am about to do—words down to and including line 31 stand as printed. If you support the minister's view of the world you vote yes, because that holds those parts of clause 9 as they are printed in the bill. If you support the Hon. Ms Scriven you vote no.

If the vote is successful, that is that the committee supports the minister, I will then allow an opportunity for the Hon. Ms Scriven to amend the minister's amendment, which is amendment No. 1 [HumanServ-1] and I will put the question that the amendment moved by the Hon. C.M. Scriven to the amendment moved by the minister be agreed to. That has not yet been moved, so there will be an opportunity, if the minister is successful, to have some debate and then I will ask the Hon. Ms Scriven to move as I have indicated.

If the minister is unsuccessful and members of the committee vote no, that the words down to and including line 31 stand as printed, obviously then the remainder of the clause will have to be removed and there will be another question about the remainderment of the clause. If the council does not agree to the words standing as printed there is half a clause remaining.

**The Hon. J.M.A. LENSINK:** Remainderment?

**The CHAIR:** It is an actual word, minister; one that you can look up at your leisure. It is actually a legal term but I was using it in the broader sense here. Have I made myself clear? We are going to go through it slowly so there is no need for members to have any anxiety. I am going to put the question that all the words down to and including line 31 stand as printed. If you support the minister you vote yes and if you support the Hon. Ms Scriven's propositions then you vote no.

The committee divided on the question:

Ayes ..... 10  
 Noes ..... 9  
 Majority ..... 1

**AYES**

Bonaros, C.  
 Hood, D.G.E.  
 Pangallo, F.  
 Wade, S.G.

Darley, J.A.  
 Lee, J.S.  
 Ridgway, D.W.

Dawkins, J.S.L.  
 Lensink, J.M.A. (teller)  
 Stephens, T.J.

**NOES**

Bourke, E.S.  
 Hunter, I.K.  
 Pnevmatikos, I.

Franks, T.A.  
 Maher, K.J.  
 Scriven, C.M. (teller)

Hanson, J.E.  
 Ngo, T.T.  
 Wortley, R.P.

**PAIRS**

Lucas, R.I.

Parnell, M.C.

Question thus agreed to.

**The CHAIR:** The Hon. Ms Scriven, now that the minister has been successful, I need you to move your amendment No. 1 [Scriven-4], which is seeking to amend the minister's amendment, which has been moved by the minister, amendment No. 1 [HumanServ-1].

**The Hon. C.M. SCRIVEN:** I move:

Amendment No 1 [Scriven-4]—

Amendment to Amendment No 1 Human Services—1—

Page 6, after line 31 [clause 9, inserted section 33A]—Delete 'on less than 7 days' and substitute:

for less than 150 hours (in total)

For clarity for the chamber and for all honourable members, the discussion that we have been having in regard to whether there is a requirement to pay back—however one wants to describe that—or to pay for a screening as soon as one starts work, the minister's amendment is that that would happen once someone has done seven days of paid work; any seven days, but, as has been clarified earlier, over a 12-month period. The amendment that I am moving would change that figure to 150 hours in total instead over a 12-month period.

I reiterate that, whether it is seven days or whether it is 150 hours, any of the issues that have been raised as problematic remain. If there is a problem in terms of monitoring or if there is a problem in terms of penalties for someone rorting the system, they remain whether it is seven days or whether it is 150 hours. None of those arguments have any weight, essentially, because they are the same.

We are therefore left with the sole argument of what is appropriate for a volunteer. If a volunteer has been volunteering and then moves into some paid employment and does a couple of hours over an eight-day period and earns maybe \$300, is it fair and right that they should then have to pay for their screening?

They may not get any more work. There has been much made of the 'Santa Claus clause'. Leading up to Christmas, people will often work for two weeks as Santa in the Magic Cave, or whatever the modern equivalent is. So the issue here now really is: do we think that, regardless of whether you have only earned \$300, it is reasonable or not to then have to pay more than \$100 for a screening? The equivalent of four weeks of full-time work means that someone who has been a volunteer can do that amount of work. It might be a short-term contract or it might be a couple of hours a week over many weeks.

Essentially, they are not in a full-time ongoing position until they have been there for more than four weeks. Obviously, that is a matter of how one actually encourages people to take up short-term work if they are going to have to fork out over \$100 immediately, even though that might equate to perhaps a third of the total income they will make for that whole period. Therefore, I would encourage honourable members to support my amendment to the minister's amendment.

**The Hon. J.M.A. LENSINK:** The government is opposed to these amendments, as would come as no surprise. I think it is worth pointing out that employers often pay for screenings. I think a number of non-government organisations do pay for employment-related screening. I would also point out that people who are Newstart recipients are often provided with assistance in gaining employment, and our understanding is that through those arrangements some subsidies are paid for people as well.

**The Hon. J.A. DARLEY:** Can I indicate for the record that I will not be supporting the opposition's amendment.

**The Hon. T.A. FRANKS:** The Greens will be supporting the opposition's amendment.

**The Hon. C. BONAROS:** Obviously, we have had lots of discussions about this amendment and the effect that it would have. I think that one of the issues that has led us to this point is that we have been talking, to a large extent, at cross-purposes, firstly, as to whether we should be drawing the line in the sand somewhere and saying that at some point you are deemed to be employed as somebody who is working with children as opposed to volunteering. I think it is important for the



record to note that certainly the discussions that I have had with Volunteering SA have been that we want enshrined in legislation that concept rather than leaving it, as I said previously, to the goodwill of the government of the day to be providing that.

My issue is—I know I had several discussions with the opposition about the 150 hours—whether we could land on a time frame that would be suitable, noting that Volunteering SA, as I understand, has not raised the concerns in relation to the seven days. I suppose we could keep going for a while in terms of finding where to draw the line—seven days, 14 days, 21 days, 150 hours, 100 hours, 75 hours—and I am sure that, if we kept going, ultimately, if that was the will of the chamber, we could find somewhere where everybody was comfortable to land, but my issue remains. I am concerned about the matters that have been highlighted by the minister in relation to extending it to 150 hours and I do not think they have been clearly addressed. I think those concerns are valid and they remain, and for that reason we will not be supporting the amendment.

**The Hon. J.M.A. LENSINK:** I thank honourable members for their comments. Can I just add that I think this has highlighted the dangers of these amendments on the fly. Some of these amendments the Labor opposition has not even had the courtesy of letting me know about. I received one email yesterday and I understand that these other amendments were then filed. I did not receive any direct communication from any member of the Labor Party. I think it is a pretty shabby process. In the Legislative Council we have had a heritage of, wherever possible, actually letting everybody else know about what amendments are coming up as early as possible, and I think the Labor Party can learn a few lessons perhaps from the way it has conducted itself.

**The Hon. C.M. SCRIVEN:** I will point out that I believe amendments were received from the government yesterday; however, I do take note that an email was not sent out. I do not think that was deliberate, that was an oversight. I thank the minister for the tip and will certainly try to make sure that happens in the future. I have a couple more questions in regard to the minister's amendment—

**The Hon. J.M.A. LENSINK:** It's your amendment. You are asking me about your amendment?

**The Hon. C.M. SCRIVEN:** No, we are amending your amendment, which you have moved. Based on the practice in the chamber this afternoon in regard to the bill, we talked about having a free-flowing discussion without limiting it only to one part or another.

**The CHAIR:** The Hon. Ms Scriven, you are entitled to ask further questions on the amendment you are seeking to amend.

**The Hon. C.M. SCRIVEN:** Thank you, Chair. Can the minister explain what is meant by seven days? Is that seven full days of work or is that the smallest possible time on any given day during that seven-day period?

**The Hon. J.M.A. LENSINK:** I will get kicked under the table if I am not correct, but my understanding is that any part within a 24-hour period counts towards a day. If a shift goes over midnight then that would be one day, that shift would count as their first day.

**The Hon. C.M. SCRIVEN:** I am sorry, I could not quite understand that. Could you repeat that answer, please?

**The Hon. J.M.A. LENSINK:** Within any 24-hour period those hours would be considered one day, one of those seven days. If a particular shift starts on a Tuesday night and continues over into Wednesday morning, for instance, that would be considered one.

**The Hon. C.M. SCRIVEN:** So a period of two hours, for example, could be over a 12-month period if it were only seven individual days of two hours each time; is that correct? Someone could work for two hours a day once in January, once in February, once in March, once in April, once in May, once in June and once in July and that would still be considered seven days; is that right?

**The Hon. J.M.A. LENSINK:** Correct.

**The Hon. C.M. SCRIVEN:** Can I just clarify again how this is going to be monitored in terms of the screening unit?

**The Hon. J.M.A. LENSINK:** The screening unit will ask people to declare that is the particular situation.

**The Hon. C.M. SCRIVEN:** They declare that is the situation, yet if my amendment were successful that person could not declare that they were not working more than 150 hours; is that right?

**The Hon. J.M.A. LENSINK:** I think the honourable member is trying to engage in the same argument in which we have agreed to disagree.

**The Hon. C.M. SCRIVEN:** Yes, I think we have: one can declare one thing and one can declare another but somehow they are treated differently. We have agreed to disagree, I think.

**The CHAIR:** I put the question that the amendment moved by the Hon. C.M. Scriven to the amendment moved by the Minister for Human Services be agreed to.

The committee divided on the Hon. C.M. Scriven's amendment:

Ayes ..... 9  
Noes ..... 10  
Majority ..... 1

AYES

Bourke, E.S.  
Hunter, I.K.  
Pnevmatikos, I.

Franks, T.A.  
Maher, K.J.  
Scriven, C.M. (teller)

Hanson, J.E.  
Ngo, T.T.  
Wortley, R.P.

NOES

Bonaros, C.  
Hood, D.G.E.  
Pangallo, F.  
Wade, S.G.

Darley, J.A.  
Lee, J.S.  
Ridgway, D.W.

Dawkins, J.S.L.  
Lensink, J.M.A. (teller)  
Stephens, T.J.

PAIRS

Parnell, M.C.

Lucas, R.I.

Amendment thus negatived.

The Hon. J.M.A. Lensink's amendment carried; clause as amended passed.

Clauses 10 to 12 passed.

Clause 13.

**The Hon. T.A. FRANKS:** In terms of the Greens' undertaking for consultation on this bill, we contacted SACOSS and they raised some questions that I think require some airing to provide clarity on the workings of the scheme. Clause 13 notes, with regard to section 39A on the extra notification requirement, that this clause will add a new requirement that reporting bodies notify the screening unit if they suspect a person poses or may pose an unacceptable risk to children.

The example given is that the requirement relating to a suspicion that someone may pose a risk is very loose and further erodes a presumption of innocence. It goes on to note that perhaps someone might find a Catholic priest falls into this particular suspicion. It would be much appreciated if the government could provide some clarity around the workings of this particular provision and allay the concerns expressed here by SACOSS.

**The Hon. J.M.A. LENSINK:** I thank the honourable member for her question. The advice I have received is that this clause is directed at a small number of governing or regulatory bodies such as, for example, the Teachers Registration Board and the Education Standards Board SA. A

legislative provision is the appropriate mechanism to establish formal arrangements with the reporting body.

It also addresses privacy concerns and requirements placed on reporting bodies, as they may require statutory authorisation under their establishing legislation that may otherwise prevent them from reporting. On receipt of notification, the central assessment unit must still conduct an assessment to determine whether a person poses an unacceptable risk to children. This does not establish a reporting scheme that is open to the public.

**The Hon. T.A. FRANKS:** Following on from that, is the government of the opinion that bodies such as registration bodies for professional associations are indeed a useful tool in combating predator access to children?

**The Hon. J.M.A. LENSINK:** Yes, the government does agree with the proposition that organisations like the Teachers Registration Board have information that is useful for the screening unit.

**The Hon. C.M. SCRIVEN:** I have a question on that section where reporting bodies are required to notify. How is the reporting documented and progressed?

**The Hon. J.M.A. LENSINK:** The exchange of information would perhaps be best considered through a mechanism like a memorandum of understanding because both of those units or organisations, whatever you want to label them, have information which is germane to the screening assessment, so they will have protocols between them that will be established through regulation.

**The Hon. C.M. SCRIVEN:** What is the process when an individual is suspected of posing an unacceptable risk to children but then that is proved not to be the case—overturned if you like—at some stage in the future? What would occur then?

**The Hon. J.M.A. LENSINK:** The advice I have received is that the screening unit does a risk assessment on all of the relevant information that it receives. In the example where someone might be charged with an offence that would clearly revoke their screening if they were found guilty, such as sexually abusing a child, then their screening is revoked. If they are subsequently found not guilty then they can reapply for a screening after that event.

**The Hon. C.M. SCRIVEN:** I have a further question in regard to the definition of 'child-related work'—and if it is not appropriate for this clause, please advise me where it would be appropriate to ask—because I understand that parents are exempt but they need to show that they are not prohibited people. Can you clarify if that is a correct understanding and, if so, how a parent shows they are not a prohibited person under the proposed changes?

**The Hon. J.M.A. LENSINK:** Can I clarify with the honourable member whether she is talking about the existing prohibited persons legislation that was passed in 2016 or whether she is talking about amendments to child-related work under this particular bill?

**The Hon. C.M. SCRIVEN:** If you are able to answer the question for both scenarios, that would be appreciated.

**The Hon. J.M.A. LENSINK:** I am not quite sure what the honourable member is really getting at, because if someone is a prohibited person under the prohibited persons act of 2016 then clearly they are not able to work with children. Could the member be more specific about potential examples of what she is trying to get at?

**The Hon. C.M. SCRIVEN:** Is it fair to say then that there is a presumption that someone is not a prohibited person unless they are proved to be? The situation is around parents. Parents are able to work, as I understand it, without a check unless they are a prohibited person, so how do they prove that they are not a prohibited person?

**The Hon. J.M.A. LENSINK:** I will try to answer it this way: if a parent is assisting at a school and they are not engaged with other children—say, for instance, they are there for the purposes of assisting their own child—then they are not required to have a check. If they are there to read to other children then my understanding is that they do need to have a working with children check. The prohibited persons concept is that the screening unit will be required to keep two sets of

databases: one is the matter about people who have screenings. There is a separate list of people who are considered prohibited, who obviously will never obtain a screening.

Perhaps if I could phrase it this way: is the honourable member seeking to understand whether a prohibited person could ever enter a school? Is that the sort of scenario you are trying to ascertain?

**The Hon. C.M. SCRIVEN:** No, as I understand it, as a parent working, as you say, for example, with their own child at a school, they are not required to have a screening unless they are a prohibited person?

**The Hon. J.M.A. LENSINK:** No.

**The Hon. C.M. SCRIVEN:** No, that is not correct?

**The Hon. J.M.A. LENSINK:** If you are a prohibited person you cannot get a screening full stop. If you are attending at school to attend to your child you are not required to get a check, but obviously if you are working with other people's children then you are.

**The Hon. C.M. SCRIVEN:** Yes. What you have just said is what I was attempting to say, obviously not very clearly. If a person is working with their own child, is it correct to say that they are therefore not required to get a check unless they are a prohibited person?

**The Hon. J.M.A. LENSINK:** I think there is a range of separate issues. We are clear that if someone is attending a school to attend to their own child, they do not require a check. If other children are involved, they require a check. If you are a prohibited person, you will not obtain a working with children check and therefore you cannot work with those children on that site, and you are also prohibited regardless of whether or not you have applied.

**The Hon. C.M. SCRIVEN:** Would a parent going in to read to a group of children be required to have a full screening?

**The Hon. J.M.A. LENSINK:** Correct.

**The Hon. C.M. SCRIVEN:** There are no exemptions for them. It is simply a full screening, the same as any other volunteer screening; is that correct?

**The Hon. J.M.A. LENSINK:** Yes.

**The Hon. C. BONAROS:** I want to ask the minister something we discussed in one of the briefings we had. I hope that the minister can clarify this for the record. The national checks that occur only occur every five years. Are there moves afoot for a national database that would make the screening process more robust so that we are not just relying on the five-yearly national check?

**The Hon. J.M.A. LENSINK:** I thank the honourable member for that question. My understanding is that, through the standing committee of attorneys-general at a COAG level, work is underway to provide data sharing between jurisdictions, but we are not there yet.

**The Hon. C. BONAROS:** Can I also clarify, probably for the benefit of the majority of us here who visit places like schools: if you are visiting, for instance, a primary school to give a lecture at an assembly, or if you attend to speak to a group of grade 5 students about the role of parliament, would that be something that requires a screening check?

**The Hon. J.M.A. LENSINK:** That would fall under the Santa Claus clause, unless you intended to speak to the school assembly for more than seven days. But, yes, I think as a member of parliament it is probably always worthwhile having a working with children check. I am sure the Treasurer would love it if every member of this parliament had a working with children check.

**The Hon. C. BONAROS:** I assume that the same situation would then apply to all NGOs or any other group that goes into a school. You might have somebody who goes in and does a gardening seminar or a cooking seminar, or something like that. Individuals might just go once every year to speak to a group of students—the Carly Ryan Foundation is a good example. Sonya will go into a school and address a group of students during an assembly or address classrooms about the dangers of online usage. Would those individuals be covered by the seven days as well, even if they are ordinarily employed but just not employed to work with children? So if they are just going in for

that odd visit to give a lecture or a talk or whatever the case may be, they do not need a working with children check?

**The Hon. J.M.A. LENSINK:** Yes, the advice that I have received is that if somebody does not need a working with children check in the course of their daily job but they do incidental attendances in that scenario, if they did not do more than seven days' worth then they would not require a working with children check.

**The Hon. C. BONAROS:** I am going back one step but in relation to the national database, in terms of that streamline has any time frame been put in? Is there any time frame around when we are expecting that to come to fruition?

**The Hon. J.M.A. LENSINK:** The advice I have received is that they are working towards it for the end of the year. The Attorney-General is handling this legislation in the House of Assembly so I will ask her if she has more detail that she can provide.

**The Hon. C.M. SCRIVEN:** Returning to my previous question regarding someone reading to their own child and a group of children, for example in a school, the information provided was that they would need to have a screening. Is that a change from the recent position either before the November changes or prior to that?

**The Hon. J.M.A. LENSINK:** I can clarify that the prohibited persons legislation that passed in 2016 put that cohort in scope. We have put in regulations through the Child Safety (Prohibited Persons) Regulations 2019 which means that if you are in a scenario where you are reading to your child and a group of children you do not need to get a working with children check; if you are reading to another group of children and your child is not part of that then you do.

**The Hon. C.M. SCRIVEN:** To clarify: will that be the situation under this bill, that if someone is reading to their child within a group of children they will not require a screening?

**The Hon. J.M.A. LENSINK:** It is not amended by this bill, it has been amended through the prohibited persons legislation and the consequential regulations.

**The Hon. C.M. SCRIVEN:** And therefore will not be changed by this bill. Is that correct?

**The Hon. J.M.A. LENSINK:** Not this bill, no. I think there has been some misunderstanding about this bill and the cohort of groups of people who are brought into it. Those cohorts will come into effect on 1 July because of the prohibited persons legislation that went through in 2016. This is very much about the transitional arrangements to manage those cohorts in a much more orderly fashion and also to implement free screening for volunteers and also the NDIS worker screening.

**The Hon. C.M. SCRIVEN:** I think I still need to ask this question, which is a specific example of a parent who is reading to their own child within a group and therefore does not require a screening: is there a further provision in any of the acts that are under discussion or impacted by this bill that says that is only the case—they do not need a screening—unless they are a prohibited person?

**The Hon. J.M.A. LENSINK:** Yes; under the prohibited persons act somebody who is a prohibited person cannot work with children. The fact that they do not have a screening does not mean that they are therefore exempt from being required to have a screening. They cannot work with children full stop, and they would not be able to read with other people's children.

**The Hon. C.M. SCRIVEN:** So they are not allowed to, but the purpose, of course, of a screening is to ensure that people are not doing things that they are not allowed to do. If they are not required to have a screening because they are only reading to a group that includes their own child, yet they are a prohibited person, how will we know they are a prohibited person is essentially the issue and therefore how can we ensure that they are not allowed into the school?

**The Hon. J.M.A. LENSINK:** The situation is that if somebody is a prohibited person, they are not allowed to work with children. Their name will be on a database that is kept by the screening unit. What I think we are working towards is that the school may avail itself of being able to check whether particular people are on that list and therefore inappropriate to be allowed to read to other people's children.

**The Hon. C.M. SCRIVEN:** In that scenario, if someone is reading to their own child and a group of children, of which their own child is one, but the school has a suspicion for whatever reason that perhaps they are not an appropriate person, they will then be able to access the screening unit. That relates then to the two databases that you talked about, one of which is those who have a screening and one of which is those who are prohibited persons. They may be able to access the prohibited persons database to find that actually no, this person should not be allowed in our school despite the fact their child is attending our school.

**The Hon. J.M.A. LENSINK:** Yes, that is correct, but my understanding is that the person can attend to their own child, just not others.

**The Hon. C.M. SCRIVEN:** Is there a definition of child-related work?

**The Hon. J.M.A. LENSINK:** Mr Chairman, I am going to beg your indulgence. This is a question that relates to the prohibited persons legislation, which was passed in 2016. It does not relate to this particular bill.

**The Hon. C.M. SCRIVEN:** Okay; so further definition would be in that act and is not affected by this?

**The Hon. J.M.A. LENSINK:** Yes.

**The Hon. C.M. SCRIVEN:** Thank you for that clarification. In relation to government contracts, do all contract clauses that relate to screening match the legislative requirements that will be in place if this bill is passed?

**The Hon. J.M.A. LENSINK:** I think the honourable member is going beyond the scope of this particular bill. We have not actually passed this legislation yet, so I am not quite sure what her intent is in terms of the information that she is asking.

**The Hon. C.M. SCRIVEN:** I have a concern about contracts that, I guess, are already part way through. Once this comes into effect—assuming that it is passed—will they still be compliant or will there be changes needed for any government contracts?

**The Hon. J.M.A. LENSINK:** The advice I have received is that if any of the contracts are contradictory to the legislation, the legislation takes precedence over them.

**The Hon. C. BONAROS:** Just one point in relation to the point made by the minister in response to a question from the Hon. Clare Scriven: it is not just the school that will be able to check the database. This is my understanding, if you can confirm whether I am correct: anybody would be able to access the prohibited persons database and punch in details to ascertain whether or not somebody who they are concerned about is a prohibited person or not, providing, of course, they have the right details.

**The Hon. J.M.A. LENSINK:** The advice I have received is that whether somebody has a valid screening and whether they are a prohibited person will both be searchable.

Clause passed.

Clause 14.

**The Hon. J.M.A. LENSINK:** I move:

Amendment No 2 [HumanServ-1]—

Page 8, lines 4 to 16—Delete clause 14

This amends section 40—Certain persons to advise central assessment unit of changes in information, under the prohibited persons act. It requires applicants to advise the screening unit of relevant changes of personal information. Amendment No. 2 removes the definition of 'relevant change of particulars' in relation to personal information. I might just refer to amendment No. 3, because they are consequential, or shall I wait until we get to it?

**The CHAIR:** Just looking at it, this amendment seeks to delete clause 14. The amendment does not actually need to be moved, it is just that you are recommending to the council that no-one support the clause standing as printed, because you are seeking to delete it.

**The Hon. J.M.A. LENSINK:** Yes, I am happy to do that. Should I be giving an explanation right now?

**The CHAIR:** Yes. I was not asking you not to explain, but for the clarity of the committee the amendment as drafted really is an indicator to the members that you are seeking for no-one to support the question I will put to the chamber that the clause stand as printed. You are going to ask everyone to vote no, but we need an explanation of why you are doing that, and the Hon. Ms Franks indicated earlier that she has some questions.

**The Hon. J.M.A. LENSINK:** I flag that there is a similar amendment to section 53, which is very similar. This addresses some concerns of SACOSS about people's contact information as it was drafted in the existing bill.

**The Hon. T.A. FRANKS:** Given that I was going to raise the concerns raised by SACOSS, I think my question was answered.

Clause negatived.

Clause 15.

**The CHAIR:** There are no amendments indicated by any honourable member to clause 15. There is a subsequent amendment No. 3 [HumanServ-1] that inserts a new clause 15A. Minister, there is no need for you to speak to amendment No. 3 at this point in time but you may wish to, given that it may relate to clause 15 itself.

**The Hon. J.M.A. LENSINK:** What did you ask me?

**The CHAIR:** We have clause 15, to which there is no amendment indicated. After we have put that clause 15 stand as printed, I will ask you to move amendment No. 3 [HumanServ-1], but you may wish to make comments on clause 15 if they are relevant to the subsequent amendment, given that they may well be related. It is not consequential, so I am not indicating to you technically. You do not need to make any comment on clause 15, but you are seeking to insert a new clause 15A and it may be relevant that you make some comments on clause 15.

**The Hon. J.M.A. LENSINK:** The two amendments remove the requirement for contact details through the legislation, and the subsequent amendment seeks to insert it into regulations, which allows for changes to the ways in which we as humans communicate with each other. I think email is pretty prevalent at the moment, but some people tell us that it may not be in the future. So we are seeking to make the screening unit's collection of contact details as contemporary as possible into the future.

Clause passed.

New clause 15A.

**The Hon. J.M.A. LENSINK:** I move:

Amendment No 3 [HumanServ-1]—

Page 10, after line 40—Insert:

15A—Amendment of section 53—Regulations

Section 53(2)—after paragraph (b) insert:

(ba) requirements relating to the provision of information or documents to the central assessment unit;

New clause inserted.

Clauses 16 to 19 passed.

Clause 20.

**The CHAIR:** The first amendment is amendment No. 2 [Scriven-1], which relates to inserting some words at page 20. The Hon. Ms Scriven.

**The Hon. C.M. SCRIVEN:** Just bear with me for a moment.

**The CHAIR:** Take your time. For your assistance, amendment No. 2 [Scriven-1] is closely followed by amendment No. 3 [Scriven-1]. It looks to me that amendment No. 3 [Scriven-1] is consequential and the substantive provisions that you are seeking to insert. When you are ready to move amendment No. 2 it is probably best that you move amendment No. 3 as well and seek to explain them collectively to the committee.

**The Hon. C.M. SCRIVEN:** If I can clarify, are we doing my amendment No. 2 [Scriven-1] and amendment No. 3 [Scriven-1] as a consequential?

**The CHAIR:** Yes, because by amendment No. 2 [Scriven-1] you are seeking to insert subject to subsection (3a), and then amendment No. 3 [Scriven-1] is that subsection (3a).

**The Hon. C.M. SCRIVEN:** Thank you. My apologies to the chamber. With the number of amendments we have today, they are a little out of order. I am seeking to not move those amendments.

**The CHAIR:** So we are all clear, you are not going to move amendment No. 2 [Scriven-1] and amendment No. 3 [Scriven-1]?

**The Hon. C.M. SCRIVEN:** Correct.

**The Hon. J.M.A. LENSINK:** I move:

Amendment No 1 [HumanServ-2]—

Page 26, lines 29 to 42 [clause 20, inserted section 18R]—Delete inserted section 18R

This is really just the mirror of the issue that I spoke to on the previous amendment in relation to people's contact details. I am removing it from what will be the act and placing it in the regulations.

Amendment carried.

**The CHAIR:** The Hon. Ms Scriven, amendment No. 4 [Scriven-1] seeks to delete section 18ZK. The minister is also seeking, in amendment No. 2 [Human Serv-2], to amend section 18ZK.

**The Hon. C.M. SCRIVEN:** I do not intend to move amendment No. 4 [Scriven-1].

**The Hon. J.M.A. LENSINK:** I move:

Amendment No 2 [HumanServ-2]—

Page 35, after line 18 [clause 20, inserted section 18ZK]—Insert:

- (1a) However, subsection (1) does not apply in relation to a person who performs NDIS work other than as a volunteer on less than 7 days in any 12 month period (whether or not the person also performs NDIS work on a volunteer basis during that period).

**The CHAIR:** The Hon. Ms Scriven, I note that we also have amendment No. 1 [Scriven-5], which is an amendment that seeks to move the amendment No. 2 [HumanServ-2] that the minister has just moved. Are you intending to proceed with that one?

**The Hon. C.M. SCRIVEN:** I am not intending to proceed with that one.

**The Hon. J.M.A. LENSINK:** I wish to speak on this very briefly. We have canvassed a range of these issues already. We have reached the part of the bill that deals with the NDIS worker screening arrangements. The previous ones were the working with children check arrangements, so this is just a repeat of the previous amendments to other legislation.

Amendment carried; clause as amended passed.

Clauses 21 to 23 passed.

Clause 24.

**The Hon. J.M.A. LENSINK:** I move:

Amendment No 3 [HumanServ-2]—

Page 40, after line 1—Insert:



(a1) Section 33(2)—after paragraph (b) insert:

(ba) specify requirements relating to the provision of information or documents to the central assessment unit; and

Amendment carried; clause as amended passed.

Schedule and title passed.

Bill reported with amendment.

*Third Reading*

**The Hon. J.M.A. LENSINK (Minister for Human Services) (18:12):** I move:

That this bill be now read a third time.

Bill read a third time and passed.

**MOTOR VEHICLES (COMPULSORY THIRD PARTY INSURANCE) AMENDMENT BILL**

*Final Stages*

The House of Assembly agreed to the bill without any amendment.

At 18:14 the council adjourned until Wednesday 1 May 2019 at 14:15.

*Answers to Questions***ADELAIDE METRO**

In reply to **the Hon. J.A. DARLEY** (5 December 2018).

**The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment):** The Minister for Transport, Infrastructure and Local Government has provided the following advice:

Upkeep and maintenance of rail infrastructure remains a key safety requirement and where required, substitute bus services are offered as replacements for train services during closures. Advance notice regarding these works and the deployment of substitute buses is advertised via the Adelaide Metro website, social media, announcements at impacted stations along with SMS and emails to customers who subscribe to alerts.

These communication notices enable our customers to make an advanced choice whether to travel via the substitute bus service or other means. The cost of fares for bus services are the same as trains. The planning of rail substitute services includes careful consideration to minimise disruption to passengers. This includes ensuring there is a bus service to replace every train service, providing a mix of express and all-stopping services and locating bus stops as close as possible to train stations, subject to local street networks.

Our public transport network continues to undergo a significant transformation with a number of projects already completed or underway and the South Australian government and Department of Planning, Transport and Infrastructure appreciate our passengers' patience during these times.

Metrocard or any products produced by the Metrocard system are non-refundable with the exception of senior Metrocard's whereby card holders are referred to the Seniors Card Unit as part of the Office for Ageing Well. In the event that a system error or public transport network issue is suspected, it is investigated prior to any determination on a refund on a case by case basis.

Information regarding Metrocard policies and conditions of use is also available for all customers via the Adelaide Metro website where information regarding the refund policy is included.

**ADELAIDE FOOTBALL CLUB**

In reply to **the Hon. F. PANGALLO** (28 February 2019).

**The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment):** The Minister for Transport, Infrastructure and Local Government has provided the following advice:

1. There have been no applications lodged, or preliminary discussions with the State Commission Assessment Panel (SCAP) in regard to redeveloping the site. It is suggested that contact be made with the Adelaide Parklands Authority and City of Adelaide.

2. Any new redevelopment would require approval under the Development Act 1993. An application would be assessed against the Adelaide (City) Development Plan and require the approval of the City of Adelaide as relevant planning authority, except in the following circumstances where SCAP is the relevant authority:

- Any development, that exceeds \$5 million when all stages of the development are completed, that has been 'called-in' by the State Coordinator-General.
- Any development that exceeds \$10 million when all stages of the development are completed.
- Development undertaken by a state agency (other than in partnership or joint venture with a person or body that is not a state agency).
- Development undertaken by a state agency for the purposes of public infrastructure (whether or not in partnership or joint venture with a person or body that is not a state agency).
- Development undertaken by a person where the development is initiated or supported by a state agency for the purposes of the provision of public infrastructure and specifically endorsed by the state agency for the purposes of this clause.
- Development undertaken by a prescribed person for the provision of electricity infrastructure.

3. Department for Planning, Transport and Infrastructure (DPTI) is not the owner of the site. It is suggested that information be sought from the City of Adelaide as landowner.

4. DPTI has not been requested by government to assess such a proposal. It is suggested that information be sought from the Adelaide Parklands Authority and City of Adelaide (as site owner).

In response to questions 5, 6 and 7 the minister advised that DPTI is not the owner of the land. It is suggested that information is sought from the City of Adelaide as the relevant authority with respect to lease arrangements.

8. No approaches have been made to DPTI.

**GOVERNMENT-FUNDED TELEVISION PROGRAMS**

In reply to **the Hon. F. PANGALLO** (19 March 2019).

**The Hon. R.I. LUCAS (Treasurer):** The Premier has advised the following:

The government has not slashed funding to the Channel 9 Building Ideas television show. The government is continuing to jointly fund this program.

#### TRANSPORT SUBSIDY SCHEME

In reply to **the Hon. E.S. BOURKE** (20 March 2019).

**The Hon. J.M.A. LENSINK (Minister for Human Services):** The Minister for Transport and Infrastructure and Local Government has advised:

The National Disability Insurance Agency is currently developing its transport policy, while this occurs SATSS members who have transitioned to the NDIS will be issued with one further book of 80 vouchers when they re-order voucher books before 30 June 2019. These vouchers will remain valid after 30 June 2019.

Dr Squirrel would be eligible for an additional book of vouchers, as announced, according to the SATSS conditions.

#### DOG FENCE

In reply to **the Hon. J.A. DARLEY** (20 March 2019).

**The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment):** The Minister for Primary Industries and Regional Development has advised the following:

1. I refer the honourable member to the media release issued on 7 March 2019 titled '\$25 Million fix required for Ageing Dog Fence.'

2. In total, 115 kilometres of the 2,150 kilometre South Australian Dog Fence was replaced over 16 years under the former Labor government. Of this, 68.5 kilometres is electric fence, which now needs to be replaced because it is too low and because pastoralists don't believe it is effective.

3. Based on the advice received about the failure of the electric fencing installed under the former Labor government I would not envisage replacing sections of the Dog Fence with electric fencing.

#### EYRE PENINSULA FREIGHT

In reply to **the Hon. F. PANGALLO** (21 March 2019).

**The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment):** The Minister for Transport, Infrastructure and Local Government has provided the following advice:

1. The Eyre Peninsula Freight Study has recently been made available. It can be found at: [https://dpti.sa.gov.au/infrastructure/eyre\\_peninsula\\_freight\\_study](https://dpti.sa.gov.au/infrastructure/eyre_peninsula_freight_study).

2. It was important for the state government to complete its investigations and consideration of the best way forward. This included discussions with the federal government regarding investment options for the Eyre Peninsula road network to accommodate the closure of the rail network. As the council would now be aware, these discussions have been successful in securing federal government funding for the upgrading of roads on the Eyre Peninsula as part of the \$100 million Roads of Strategic Importance initiative for the Port Augusta to Perth corridor.

3. The federal government has not requested to delay the release.

4. The South Australian government has appreciated the candour with which Genesee & Wyoming Australia (GWA) and Viterra have kept the government briefed. The announcement on 26 February 2019 by Viterra to cease its contract with GWA was a commercial decision and came after both GWA and Viterra assessed a number of options over the past two years. The state government did not participate in these negotiations, as this would have been inappropriate.

5. Built more than 100 years ago, the railway is now limited in sections to 20 km/h operating speeds and wagon loads not exceeding 12 tonnes per axle. The cost to upgrade the rail network is estimated to be around \$150 million dollars, with no guarantee that there will be sufficient grain volumes to justify this investment.

An option to retain the Cummins to Port Lincoln line was considered, contingent on Genesee & Wyoming Australia (GWA) and Viterra agreeing this was a viable long-term option, when taking into account future region-wide developments. GWA and Viterra have concluded that rail operations are not viable. Under these circumstances it would not be appropriate to commit public funding to a capital upgrade and ongoing operating expenses to deliver a service that can be delivered more efficiently by road transport.

The state government is therefore not seeking to intervene in a commercial outcome.

6. The estimated increase in vehicle movements does not take into account allowance for the development of T-Ports' facility at Lucky Bay, or other potential new ports. T-Ports recently announced that the Lucky Bay port facility and associated grain storage facilities at Lock and Lucky Bay will be ready to receive grain, as an alternative to Port Lincoln, for the 2019 grain harvest. Further ports on the Eyre Peninsula, including Cape Hardy and Port Spencer, are also proposed.

The resultant impact on the movement of grain is an evolving matter. However, the increase in grain volume travelling via road through Port Lincoln is not expected to reach the level considered in the study.

7. The state government is very conscious of the potential impacts extra truck movements will have on the Eyre Peninsula road network. As previously stated, productive discussions with the federal government have resulted in funding being made available as part of the \$100 million Roads of Strategic Importance initiative for the Port Augusta to Perth corridor.

The state government will work closely with local councils to identify opportunities to improve road safety outcomes as part of this package of works.

#### JOYCE REVIEW

In reply to **the Hon. C.M. SCRIVEN** (21 March 2019).

**The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment):** I have been advised:

The total cost of the report was \$108 493.95 (GST not applicable).

The Hon. Steven Joyce visited Adelaide four times between October 2018 and February 2019, spending four days on the first trip, five days on the second trip, four days on the third trip and four days on the fourth trip. In total Mr Joyce spent 17 days in Adelaide as part of the review.

Mr Joyce's flights were covered by the Department of the Premier and Cabinet and are included in the total cost of the report, apart from the flights for the fourth trip, the cost of which was shared with the federal government on a 50:50 basis, as part of Mr Joyce's time was spent on the federal government's VET review.

#### NU SKIN

In reply to **the Hon. T.T. NGO** (21 March 2019).

**The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment):** I met with representatives of Nu Skin (Shanghai) on two occasions late last year, at the request of the Adelaide Convention Bureau (ACB) and in the company of Tourism Australia, to help promote South Australia as a potential destination for the company's incentive program.

I have received no products from Nu Skin.

During a visit to China in January 2019, I was informed by the ACB that there had been recent media reports relating to the scrutiny of the practices of several direct-selling companies in China. I sought to be kept up-to-date by the ACB.

In early February the ACB provided a further update to my office (by email), sharing a link to a China Daily article discussing moves by the Chinese government to have direct-selling companies review their management and marketing practices.

I have since had no further updates from the Convention Bureau.

#### NU SKIN

In reply to **the Hon. K.J. MAHER (Leader of the Opposition)** (21 March 2019).

**The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment):** I met with representatives of Nu Skin (Shanghai) on two occasions late last year, at the request of the Adelaide Convention Bureau (ACB) and in the company of Tourism Australia, to help promote South Australia as a potential destination for the company's incentive program.

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In early February the ACB provided a further update to my office (by email), sharing a link to a China Daily article discussing moves by the Chinese government to have direct-selling companies review their management and marketing practices.

I have since had no further updates from the Convention Bureau.

#### SEAFORD AND TONSLEY RAILWAY LINE CLOSURE

In reply to **the Hon. J.A. DARLEY** (4 April 2019).

**The Hon. R.I. LUCAS (Treasurer):** I have been advised the following:

1. Information regarding the line closure has been broadcast to commuters through the following methods since early April:

- Displayed on passenger information screens in the Adelaide Railway Station;
- The message on hold recording for the InfoLine has included information about the closure;
- Flyers have been distributed on the Seaford and Tonsley line services advising passengers of the closure by passenger service assistants and customer service officers;
- Customer service officers have been deployed to key stations on the Seaford line to provide to passengers information about the closure;
- Information, including timetables, have been included on the Adelaide Metro website;
- My Metro SMS and email notifications sent to passengers registered for the Seaford and Tonsley lines;
- Regular social media updates regarding the closure were and are sent out;
- Timetable signage was installed at railway stations and at sub bus stops;
- Voice annunciators at every railway station along the Seaford/Tonsley line have a regular looping message about the closure that repeats every 20 minutes;
- Closure announcements have been included in the newspapers and local messengers; and
- Schools within close vicinity of the Seaford line that will be impacted by the closure have been contacted and provided information to notify students and parents of the closure.

2. SMS and email notifications about the closure have been sent to passengers registered for the Seaford and Tonsley lines on three separate occasions via the My Metro notification system. Footy Express patrons to affected Adelaide Oval AFL matches have also been notified via the My Metro SMS and email notifications. Notifications are also to be sent for additional Anzac Day substitute services for these lines.

3. To undertake the works within the Seaford electric rail corridor the overhead electric wires must be isolated and to facilitate a partial line closure infrastructure is required to be in place to enable trains to turn back. The isolation points and turn-back infrastructure is located at Lonsdale, Brighton and Oaklands railway stations.

If the isolation points and infrastructure were located at Marion and Warradale, this is not an effective option for passengers, particularly those travelling the full length of the line who would have to transfer between a train, a substitute bus and then another train to complete their journey. For this reason, substitute buses will be used between Adelaide and Brighton.

#### **THE BEND MOTORSPORT PARK**

In reply to **the Hon. M.C. PARNELL** (4 April 2019).

**The Hon. R.I. LUCAS (Treasurer):** I have been advised the following:

I am advised that the Peregrine Corporation has complied with its condition of exemption to pay the relevant funds into the Native Vegetation Fund pursuant to section 23 of the Native Vegetation Regulations 2017. This has been confirmed by the Native Vegetation Management Branch.

In each exemption a report prepared by a qualified native vegetation consultant has been provided and reviewed as appropriate by the Native Vegetation Management Branch and in accordance with the Native Vegetation Management Plan, developed in October 2015 for the site.

I am advised that due to the size, complex factors and novel nature of The Bend Motorsport Park (Motorsport Park) development, in 2016 the previous government made variations to regulations for future developments on the site and for its ongoing operations. These regulations cover the process to seek development approval, native vegetation clearance and noise management. In relation to native vegetation clearance the regulations require a significant environmental benefit on the land, or within the same region of the state, or payment into the Native Vegetation Fund of an amount sufficient to achieve an environmental benefit. In relation to noise, the Motorsport Park is required to comply with noise guidelines approved by the Environment Protection Authority. Any new developments on the Motorsport Park site require approval from the South Australian government. Relevant agencies retain their enforcement capabilities in relation to both development and ongoing operations of the Motorsport Park.