

LEGISLATIVE COUNCIL

Thursday, 12 September 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.

Ministerial Statement

GAYLE'S LAW REGULATIONS

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:16): I seek leave to make a ministerial statement.

Leave granted.

The Hon. S.G. WADE: Yesterday, the Legislative Review Committee withdrew its holding motion on regulations made under the Health Practitioner Regulation National Law (South Australia) Act 2010, more commonly known as Gayle's Law. The government welcomes the withdrawal of the motion as confirmation that the regulations strike the right balance. On the one hand, the law provides strong and additional protection for health practitioners working in remote parts of South Australia; on the other, the law provides the flexibility for a health practitioner to be able to respond to an emergency without a second responder in limited circumstances and only if it is safe to do so.

I look forward to reviewing the committee's report in due course. The committee received and has published 15 submissions. The submissions are overwhelmingly supportive of the regulations as they came into effect on 1 July this year. I would like to take the opportunity to advise the council of recent actions that I have taken to ensure the full and effective operation of Gayle's Law. Under the act, health service providers must have policies and procedures in place to give effect to Gayle's Law. Pursuant to section 77H(4) of the act, health service providers must provide the minister, if requested, a copy of those policies and procedures.

On 25 July 2019, I formally asked relevant health service providers to provide me with a copy of those documents for review against the requirements of the act and regulations. In the same letter, I advised those health service providers of my decision to bring forward the statutory review of Gayle's Law so that it will now occur after one year of operation rather than two full years, as planned. To support this review, I formally asked them to actively record information that will, I believe, ensure the review is able to thoroughly and fairly assess the act's operation.

The specific information I have asked them to record includes the number of second responders the organisation has access to or employs, and the proportion of shifts, if any, where it is not possible to roster on a second responder. In relation to each incident where a health service has not been provided due to the unavailability of a second responder, I have asked that records be kept of the reason why a second responder was not available and what was the outcome for the patient.

The letter also seeks information in relation to each incident where a health practitioner has responded to an out-of-hours or unscheduled callout without a second responder, including the nature of the incident, the reason a second responder was not engaged and any impact on the health and safety of the employee.

I again pay tribute to Gayle Woodford and express my sympathy to her family. I recognise the concerns of the Woodford family and their determination to strengthen protections for doctors, nurses and other front-line health professionals. My decision to bring forward the review recognises their concerns and demonstrates the determination of this government to both protect our health professionals and support them to respond to medical emergencies when it is safe to do so.

*Question Time***TOURISM ADVERTISING**

The Hon. K.J. MAHER (Leader of the Opposition) (14:20): I seek leave to make a brief explanation before asking a question of the Minister for Trade, Tourism and Investment regarding tourism.

Leave granted.

The Hon. K.J. MAHER: The 'old mate' tourism campaign has been the subject of unprecedented negative criticism. Adam Ferrier, consumer psychologist and founder of creative agency Thinkerbell and regularly seen on TV on the *Gruen Transfer*, said about the ad:

This communications creates a paired association between South Australia and being older, sad and lonely. This obviously isn't great. It may have the opposite effect to what they were intending.

Another fear I have for this ad is that those who do hear the 'joke' may actually just find it offensive. The joke obviously falls flat, and therefore it doesn't motivate people to go.

Further, Jane Mussared, CEO of COTA, said about the ad, and again I quote:

...we were disappointed that it just uses stereotypes that are long gone here in South Australia...this is just grim and glum and bad.

The ad seems to be almost universally despised. My questions to the minister are: will the minister advise when he first became aware of the nature of the 'old mate' tourism campaign? Did the minister approve or note the campaign? At any point did the minister raise concerns about the campaign?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:22): I thank the honourable member for his ongoing interest in tourism and in particular the 'old mate' campaign. I will give a little bit of background in answer to the honourable member's question.

It was obviously this month that the South Australian Tourism Commission launched its 2019-20 spring/summer campaign for key interstate markets: New South Wales, Victoria and Queensland. It was aimed primarily at tourists between the ages of 25 and 54. The ad was designed to have cut through and to get people talking. Isn't it great that today people are still talking about the ad? It's actually what the creative people wanted, to talk about the ad.

Members interjecting:

The Hon. D.W. RIDGWAY: I am happy to carry on.

The PRESIDENT: It's a matter for you, the Hon. Mr Ridgway.

The Hon. D.W. RIDGWAY: The ad focuses on Adelaide and South Australia's award-winning chefs, bars and breathtaking nature and tells the story of someone who regrets not coming to South Australia sooner. The ad does use provocative humour to make the point that coming to South Australia shouldn't be put off: don't wait, and don't spend your lifetime wondering.

The exposure of the advertisement on various top-rating prime-time national programs such as *Sunrise*, *Today* and *The Project* has been significant. This media is media we can't afford to buy, all designed to make people re-evaluate Adelaide and South Australia. In fact, the extent of the free publicity of the 'old mate' campaign attracted in excess of \$2 million of earned media value, and there are demographics of all ages enjoying South Australia in the ad, including the older man.

Our message to the potential interstate visitors is there is something here for everyone in Adelaide and South Australia. It's clear from the response and from the results that our message is cutting through in a huge way. The honourable member quoted some people who had a point of view. Just for his benefit, I will quote some from Mr Waleed Aly, from *The Project*. He says:

What better way to sell the idea of Adelaide. It's a place that people [overlook], and they're saying, you thought that your whole life, you're wrong about that, and if you don't come, you'll have regrets. I think that's brilliant. There's no better way to tell that story.

That's Waleed Aly. Peter Helliar, from *The Project* said:

It's brilliant...that's why you have to go to Adelaide...don't just call [your Dad], take him to Adelaide.

David Koch from *Sunrise* said:

...given we're all talking about it...it's a quirky ad. He's looking at all these young people having a great time and thinking 'I could have been them'...the message is—go to Adelaide and enjoy it.

Mr Mark Beretta—this is from *The Project* and *Sunrise*—says:

...when you sit down and watch the whole ad, it leaves you with the little kicker at the end...I think its actually clever, and the pictures are beautiful. Obviously, it's not for everyone but I think it will find its spot.

It is interesting to look at some of the results. From Sunday the 1st to Monday the 9th—at only the beginning of this week—the campaign was mentioned some 407 times in the published media. This coverage had a cumulative reach of some nine million people and an advertising space ratio of more than \$2.1 million, including high-profile shows such as *The Project*, *Sunrise* and the *Today* show. On the weekend of 7 and 8 September, there were 21,498 and 22,201—I will repeat that again: 21,498 and 22,201—domestic visits, respectively, to southaustralia.com. These are the two highest days of domestic tracking ever recorded on southaustralia.com.

The PRESIDENT: We are getting close to the four-minute mark.

The Hon. D.W. RIDGWAY: Mr President, I am keen to make sure that the members opposite understand the importance of this ad.

The PRESIDENT: I am the President, and I am keen for the crossbenches to be able to ask a question, minister. Sit down. Does the opposition have a supplementary?

TOURISM ADVERTISING

The Hon. K.J. MAHER (Leader of the Opposition) (14:26): Yes, supplementary: will the minister advise when he first became aware of the ad, and did he at all note or approve the campaign before it was launched?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:27): I will just finish if I may. There was 120—

Members interjecting:

The PRESIDENT: I've got it. Minister—

Members interjecting:

The PRESIDENT: Are you two finished your conversation, because I would like to say something. The Leader of the Opposition has asked you a direct question; it was precise. You don't continue with your previous answer. Either answer him or don't answer him, and we will get on with it.

The Hon. D.W. RIDGWAY: I don't remember the exact day that I saw the advertisement. I was briefed before it was put through the approval process by the Tourism Commission. It was an ad that I thought would have cut through; it was different. Look at the figures: on 1 September, there were 124,000 visits to southaustralia.com, a 110 per cent increase on the same period last year.

The PRESIDENT: The Hon. Mr Ridgway, you are trying my patience.

The Hon. D.W. RIDGWAY: This advertisement—

Members interjecting:

The Hon. D.W. RIDGWAY: Of course I did.

Members interjecting:

The Hon. D.W. RIDGWAY: I don't have the approval process, but I was very happy for the ad to go ahead. It has proven in the stats that it's got the highest cut through that we have ever had. It has put South Australia on the map. Everybody is talking about it. I would urge members—because they have all sort of come at this a little early, I think—to actually wait for the whole campaign until it ends in January. It's the spring/summer campaign. They are passing judgement on one part of it that

has been extremely successful and has got people talking about South Australia. There are record hits on the website and a record number of leads to South Australian tourism operators.

TOURISM ADVERTISING

The Hon. T.A. FRANKS (14:28): Supplementary: of the 124,000 visitors to southaustralia.com, how many originated from South Australia, how many were Australian and how many were from overseas?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:28): I don't have the breakdown from across the nation and globally, but what I can say is that they produced 20,438 leads to South Australian tourism operators, which was a 139 per cent increase year on year. Consumers are taking action as a response to engaging with this campaign. I will see if the South Australian Tourism Commission has the breakdown on demographics and which countries overseas. I doubt they will be overseas because this advertisement only ever screened in Australia. Unless people were streaming Australian television overseas, I would be surprised if they saw it overseas. It has been a particularly successful launch to the spring/summer campaign.

TOURISM ADVERTISING

The Hon. T.A. FRANKS (14:29): Further supplementary: can the minister explain why the River Torrens was portrayed as the Adelaide Botanic Gardens in the very first post on social media by the campaign? Was that a deliberate error as a joke or was it simply just an error?

The Hon. K.J. Maher: From Victoria? No wonder, because you gave it to Victorians to make.

The PRESIDENT: Leader of the Opposition, let him answer.

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:29): To my understanding it was not a mistake. I think it was deliberate in order to get people to talk about it, to engage with the advertisement—exactly what is still happening today. That is my understanding, but I will double-check with the Tourism Commission.

Members interjecting:

The Hon. D.W. RIDGWAY: Members opposite have just quickly reminded me that TBWA is the agency that does the work. They employed KOJO, a local production company, to help do the work. I remind members opposite that TBWA won the tender through a procurement process that was started by their boy, Leon Bignell, prior to the election.

TOURISM ADVERTISING

The Hon. T.A. FRANKS (14:30): Supplementary question: what number of local people were employed on this campaign? Where is the local office and when did it open?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:30): I don't have the actual number of local people, talent and others who might have—but I certainly will take that question on notice.

Members interjecting:

The Hon. D.W. RIDGWAY: Why would I know how many people were in the advertisement and whether they were extras, whether they were actors, were they—what a crazy—

Members interjecting:

The PRESIDENT: The Hon. Mr Ridgway, through me.

The Hon. D.W. RIDGWAY: Mr President, what an uneducated, dumb interjection. I will take those particular facts on notice. The office was opened sometime last year. It is in Rundle Street. TBWA is a global company that I think has an Australian head office in Melbourne, an office in Sydney, an office in Brisbane and now an office in Adelaide.

TOURISM ADVERTISING

The Hon. K.J. MAHER (Leader of the Opposition) (14:31): Supplementary question arising from the original answer: can the minister outline what costs have been incurred so far in the development and implementation of the 'old mate' campaign?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:31): We don't disclose the actual details of each particular campaign, but it is part of the SATC's annual \$22.5 million domestic marketing budget and—

The Hon. K.J. Maher: For that one campaign?

The Hon. D.W. RIDGWAY: The domestic campaign. I would urge the members opposite to listen and not talk over the top of me, to understand that the South Australian Tourism Commission's annual domestic marketing campaign is \$22.5 million. 'Old mate' is part of a larger campaign showcasing South Australia with over 10 adverts for both an interstate and intrastate audience. The overall campaign budget cannot be disclosed as the SATC manages its campaigns on an ongoing basis and must retain flexibility throughout its life to scale the content, based on performance, to ensure maximum value for South Australian taxpayers.

TOURISM ADVERTISING

The Hon. K.J. MAHER (Leader of the Opposition) (14:32): Supplementary arising from the original answer: the minister mentioned that there were campaign launches, I think, in Victoria and New South Wales. Did the minister attend the launches of the campaign and did this campaign have its own launch in South Australia at all?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:32): I would urge the honourable member to not talk over me and to listen. I said nothing of the sort. I said that TBWA has an office in Melbourne, an office in Sydney, I believe one in Brisbane and now one in Adelaide. They were not campaign launches. I did not travel interstate for the campaign launches because there were no campaign launches.

The Hon. K.J. Maher: Did it have a campaign launch in South Australia?

The Hon. D.W. RIDGWAY: It was on the television.

TOURISM ADVERTISING

The Hon. E.S. BOURKE (14:33): A supplementary: did the minister or the minister's office approve the online content that appeared recently?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:33): The part of the Instagram activity of 'old mate'—I note that he has more followers than some members of the opposition already, and he has only been there 12 days. Clearly, way more active than some of the members opposite.

The Hon. I.K. Hunter: I have zero on Instagram.

The Hon. D.W. RIDGWAY: It is zero for the Hon. Mr Hunter perhaps. I am not sure because I couldn't find him. The actual detail of the content I will have to take on notice.

TOURISM ADVERTISING

The Hon. K.J. MAHER (Leader of the Opposition) (14:33): Final supplementary: can the minister advise of the date of the campaign launch of this ad in South Australia?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:34): My recollection is that it was launched on television on 1 September, but I will double-check that. There was no sort of fanfare launch. Last year, with the Rewards Wonder campaign, yes, we did have a big launch at the back of the Museum, I think it was. It was quite a significant launch, but this one was just screened and the intention was to get people talking about it and, as you have seen, people across the nation are talking about it. People are saying what a great ad it was and now, as you can see by the statistics, Mr President, record numbers of people are coming to South Australia's website.

HOUSING TRUST

The Hon. C.M. SCRIVEN (14:34): I seek leave to make a brief explanation before asking a question of the Minister for Human Services regarding the Housing Trust.

Leave granted.

The Hon. C.M. SCRIVEN: On Sunday evening, a 77-year-old woman suffering from dementia was found sitting on the street after waiting for police for four hours to take her to a refuge shelter. The government's Homelessness Gateway was contacted and it was explained that the woman had been evicted from her Housing Authority property late on Friday afternoon. In fact, when she had returned from a medical appointment, she found the locks had been changed on her home.

Unfortunately, because of the dementia suffered by the woman, the refuge was unable to accommodate her. The only option was to attend the Royal Adelaide emergency department. A hotel was eventually found for her at around 11pm. The elderly woman has no family and therefore has no other supports. My questions to the minister are: is the minister aware of this case and can she explain why this woman was evicted on a Friday afternoon without proper assistance in place?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:35): I thank the honourable member for her question. From recollection, that is not a situation that has arisen to me. I have spoken in this place previously in relation to the changed policy in terms of management for disorderly behaviour of tenants which has, as part of its component, to ensure that there is early assistance for people who may have particular vulnerabilities which under other circumstances may have led to evictions.

We have had a situation in South Australia with Housing Trust tenants where the policy hasn't been particularly clear. For those who wilfully misuse their properties, that has sent a clear message that you can get away with bad behaviour and enforcement action wouldn't be taken. On the comments that the member has made, that is certainly not the view that we would take in this particular case. I would dearly like to receive those details from the honourable member so that we can follow up how this situation has taken place and get some more information for her. But I would also advise that the South Australian Housing Authority isn't the only—

Members interjecting:

The PRESIDENT: Members of the opposition, other members cannot hear the minister, so let's allow the minister to say what she has to say.

The Hon. J.M.A. LENSINK: The South Australian Housing Authority isn't the only community housing provider, so it may well be that it's another provider, but without the honourable member providing me with the particular specific details I am unable to comment any further.

HOUSING TRUST

The Hon. C.M. SCRIVEN (14:37): A supplementary—and I can advise the minister that the details are being provided to her office—does the minister know of any other cases of people being evicted late on a Friday; and does her department have a policy of evicting on Fridays, noting that services are not available over the weekend?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:38): I think the honourable member misunderstands the situation because evictions are applied through the South Australian Civil and Administrative Tribunal, so cases are determined by them. They can decide whether somebody is evicted or not, and they are the organisation that actually makes the determinations about evictions.

HOUSING TRUST

The Hon. C.M. SCRIVEN (14:38): A further supplementary: is the minister saying that the orders to have locks changed on the home of a 77-year-old woman is not under the responsibility of the Housing Authority, from which she was renting the property?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:38): The honourable member, as is the wont of Labor members to try and put words into ministers' mouths—I have asked if she can provide me with those specific details and we will follow those up.

HOUSING TRUST

The Hon. C.M. SCRIVEN (14:39): A further supplementary: can the minister explain why there are no red flags to ensure that people with dementia, with health issues or who are aged—in this case 77 years old—are not evicted on a Friday with no supports available, so they are left to be found on Port Road on a cold night in the middle of winter—to do what? It could have been a tragic, tragic outcome. Can she explain why there are no red flags to stop that happening for this poor woman?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:39): I have outlined previously what the policy of the Housing Authority is; if she wants to provide me with those specific details. The Housing Authority is usually aware if people have personal challenges, and my understanding is that their policy is to treat those sensitively. Without being availed of the facts in front of me, I am unable to comment any further.

HOUSING TRUST

The Hon. C.M. SCRIVEN (14:40): Further and final supplementary: for the minister to say that it is their policy to consider this sort of situation sensitively is amazing. It was me who found this woman on Port Road on Sunday night.

The PRESIDENT: The Hon. Ms Scriven, just ask the supplementary arising without introducing any facts.

The Hon. C.M. SCRIVEN: How can you possibly defend a policy that says three strikes and you are out without taking into account dementia, health issues and age?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:40): I commend the honourable member for taking care of this woman. I will provide her with my mobile number so that next time she is in this situation I will be able to direct whatever needs to be done.

Members interjecting:

The Hon. J.M.A. LENSINK: She can have—

Members interjecting:

The Hon. J.M.A. LENSINK: No, I said—

The Hon. C.M. Scriven: What about the policy so it doesn't happen to anyone else?

The Hon. J.M.A. LENSINK: My understanding, from what the honourable member has said to me, is that that is different to the policy that is my understanding. I would be more than happy for her to provide me with those details so that I can take those up with the agency immediately.

MINISTER FOR HUMAN SERVICES, SHARES

The Hon. E.S. BOURKE (14:41): I seek leave to make a brief explanation before asking a question of the Minister for Human Services regarding a conflict of interest.

Leave granted.

The Hon. E.S. BOURKE: Yesterday, the minister was asked a series of questions about her shares and interests, whether she disposed of those shares correctly and whether those shares and interest caused a conflict of interest for the minister. The minister refused to answer those questions.

Just before parliament rose yesterday, the minister returned to the chamber to make a personal explanation about the true nature of her shareholdings. My questions to the minister are: given the error the minister has made in her register of interests, will she now publicly release all details of her shareholdings and transactions in an effort to restore her integrity? When did the minister first become aware of the mistake on her register of interests and did the minister in fact correct the record when she was first available to do so?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:42): I thank the honourable member for her question. I am, of course, grateful that the Labor Party has alerted me to the fact that

there was an omission on my register. I have not done that yet. I have not exactly had a lot of white space in my diary. I will correct that as soon as possible, but I have alerted the parliament to the fact that the IRESS shares should not have been omitted from my register. The requirement under the parliamentary act is to place on the register all interests over a 12-month period, or any interests that have been an interest within that 12-month period. My intention is to correct the record so that I comply with that requirement.

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

MINISTER FOR HUMAN SERVICES, SHARES

The Hon. E.S. BOURKE (14:42): Given the minister yesterday had to make a personal explanation that her share portfolio was incorrectly listed, and you are still yet to update that, despite coming into parliament and apologising, how are South Australians meant to have any confidence in your credibility?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:43): Look, I fessed up. People make mistakes on forms, and so I have done so. I have corrected the record. That is, I think, what the expectation is, that if an error is discovered you correct it. I would also like to reject the assertion in the honourable member's original question about a conflict of interest, because I don't believe there is a conflict of interest.

The line of questioning that the Hon. Ms Scriven took yesterday was also of that nature, and whoever the Labor Party staff are who are writing these questions for them really ought to read the estimates beforehand, because they would know that one of those particular issues had been well and truly dealt with. The Labor Party in opposition don't even bother to read the *Hansard* to ensure that they have all the facts before them. So, really that's just—

Members interjecting:

The Hon. J.M.A. LENSINK: Their righteousness in this place is noted, but they can't even be bothered to read the *Hansard* that has already taken place.

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

MINISTER FOR HUMAN SERVICES, SHARES

The Hon. E.S. BOURKE (14:44): Is the minister certain she has made no other errors in her disclosure?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:44): I can say that of myself I am quite particular. On this occasion clearly I made a mistake. I will double-check all of those records prior to resubmitting to the Clerk.

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

MINISTER FOR HUMAN SERVICES, SHARES

The Hon. E.S. BOURKE (14:44): If the minister doesn't think she is responsible to the chamber in regard to her shares and interests, can the minister explain why she felt compelled to make an embarrassing correction yesterday and stop parliament to do so?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:45): Look, I think I have done what would be expected of me, which is to correct the public record. I will do so in a written form. I would have to say that I am quite busy dealing with issues that South Australians are very interested in, such as the announcement that we made today—

The Hon. K.J. Maher interjecting:

The PRESIDENT: Leader of the Opposition, you have the opportunity to ask a supplementary, given I am reasonably generous. So if you want to ask that as a supplementary, ask it in a minute. Minister.

The Hon. J.M.A. LENSINK: —in relation to walk-up flats, the National Disability Insurance Scheme, there is a whole range of policy issues that exercise a minister's time and we have to organise our priorities accordingly.

MINISTER FOR HUMAN SERVICES, SHARES

The Hon. E.S. BOURKE (14:45): Further supplementary: is the minister aware whether the Auditor-General is currently investigating the minister's disposal of shares and potential conflicts of interest, and if so, will the minister commit to a full cooperation with the Auditor-General?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:46): I think that is a new line of questioning, but we will let that slide. I am not personally aware whether there is, but of course I would fully cooperate with the Auditor-General.

MINISTER FOR HUMAN SERVICES, SHARES

The Hon. K.J. MAHER (Leader of the Opposition) (14:46): Supplementary.

The PRESIDENT: One last supplementary on this; I am keen to get moving.

The Hon. K.J. MAHER: When will the minister correct her register of interests?

The PRESIDENT: Isn't that so much easier than screaming it across the chamber? It's delightfully simple, isn't it? Probably take that on board. Minister.

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:46): At the first available opportunity.

Members interjecting:

The PRESIDENT: You've got another opportunity for questions, Leader of the Opposition, on your bench.

LAND TAX

The Hon. T.J. STEPHENS (14:47): Can the Treasurer update the chamber on the response he has had to the recently released land tax reform package?

The Hon. R.I. LUCAS (Treasurer) (14:47): I am delighted to respond to the honourable member's question. The Premier and the member for Hartley, the Speaker, this morning, I think it was—the early hours of this morning—did a joint press conference with a teacher from Paradise and her husband, Lynnette Deguglielmo and her husband Dom, who own several investment properties and currently pay land tax on an aggregated rate. They are an example of the 92 per cent of individuals who will be better off as a result of the government's announced land tax reform package. They say, and they would know their details better than I would, that they will save some thousands of dollars as a result of the introduction of the government's policy.

These are some examples of the mum-and-dad investors who have worked hard over a long period of time; have several investment properties, residential properties; are earning rental income; and, contrary to the claims being made that in some way the government's policy was going to drive everyone to sell them because no-one could earn an income on properties which are aggregated and paid land tax, this couple is an example of people, the many thousands, who currently do so and will receive a benefit, as they say, of some thousands. Let me quote them directly:

We have felt penalised because we've had to pay such excessive taxes with the land tax...

So I say good on you, Mr Premier, for looking to do something for the ordinary mum and dad investor so we don't have to move into the pot of the pensions that should be there for people who really need them.

That represents, as I said, the ordinary mum-and-dad investor, as they have described themselves. The South Australian Centre for Economic Studies executive director Michael O'Neill, who has been asked for opinions on land tax policy and I think identified that he had been employed by the UDIA, the Urban Development Institute, to act as a consultant in relation to land tax policy, has flagged significant benefits for residential tenants who he said would ultimately have more disposable income to spend on services and in shops because rents would rise less rapidly under the government's relief plan. Let me quote him directly:

Aggregation is a principle that even industry supported,' Mr O'Neill was reported in *The Advertiser*.

Most people do. In terms of an efficient taxation system and cost, which the business sector argues all the time that it needs, land aggregation is the best thing and you must reduce the rate quickly.

There are a number of benefits, particularly for people renting properties. They often haven't had wage increases or are on fixed incomes.

There was a danger that an increase in land tax would obviously be passed on. There is no impetus now for landlords to increase rental charges.

Again, that is contrary to the many claims being made by the Property Council, and some of their fellow travellers who have supported them. Property developer Harry Perks has told InDaily:

To me, it's a lot better than I thought it would be, and more in line with other states, which is what we needed.

Finally, Mr Trevor Cooke from Commercial & General said:

Our view is that South Australia is by far the most competitive tax jurisdiction nationally.

So, right across the board, from ordinary mum-and-dad investors, like Lyn and Dom Deguglielmo from Paradise, who have invested hard-earned money in several investment properties, right through to property developers and investors, but also from learned academics, economists and consultants, who advise the property sector, such as the UDIA, they have all come to the same conclusion that the government's package announced early this week is a good package and one worthy of support.

GOH, DR T.

The Hon. K.J. MAHER (Leader of the Opposition) (14:51): Supplementary arising from the answer about people's thoughts on the land tax aggregation measure: prominent critic of the land tax aggregation measure, Unley dentist Dr Timothy Goh, featured in *The Australian* today. Can the Treasurer assure this chamber that he had no knowledge of which members of the Liberal Party provided information about Dr Timothy Goh to *The Australian* newspaper?

The Hon. R.I. LUCAS (Treasurer) (14:51): I am delighted to get that Dorothy Dixier from the Leader of the Opposition. I read *The Australian* article with great interest. I say good luck to Dr Goh. If he happens to drive a Bentley, and I understand a Lamborghini and a variety of other luxury cars, good luck to him. We celebrate the achievements of people who work hard and who do well.

Dr Goh is one of a group of people who have been outspoken critics of the government's policy, and good luck to them. They are entitled to their views—I don't agree with them. They share a number of posts between them. They have described me as Idi Amin, Dumb and Dumber, stupid, a liar and a variety of other unflattering descriptors, but good luck to them. I am happy to engage. They have similar views to the Leader of the Opposition and the Labor Party, evidently, in relation to land tax, and good luck to them.

As I read the article, it was only information available from publicly available social media posts, and inevitably, when someone involves themselves in public debate, there will be chatter and gossip between journalists, MPs, staffers and others, because they put themselves out there and they engage in public debate. As I said, they and a group of others refer to ministers such as myself as Idi Amin, Dumb and Dumber, and others.

If you engage in public debate, of course there will be chatter and gossip. In the end, the whole notion, as has been suggested in this article, that in some way the Liberal Party, a minister or a staffer directed David Penberthy to write an article, is nonsense; it is preposterous. Anyone who knows David Penberthy would know that the mere suggestion that a minister or a staffer, a spin doctor for a minister, could direct him to write anything that he did not want to write is preposterous. So we of course reject that completely.

Inevitably, if people put themselves out there and associate themselves with a group of people referring to ministers as Idi Amin, Dumb and Dumber, stupid, liars and a variety of other unflattering descriptors, they will be the subject of discussion, gossip and debate, and inevitably there will be discussion between MPs, staffers and journos, but in no way would David Penberthy or indeed any other journalist be directed. They make their own decisions and ultimately they are responsible for the articles that they write.

GOH, DR T.

The Hon. K.J. MAHER (Leader of the Opposition) (14:54): A supplementary: very simply, did the Treasurer himself or anyone from his office provide details to *The Australian* about Dr Timothy Goh?

The Hon. R.I. LUCAS (Treasurer) (14:54): I have just answered that question. I am happy to indicate that this is all public information; it is social media. If the Labor Party wants to associate itself with critics of the government's policy who happen to drive Lamborghinis and Bentleys and drink cognac at The Adelaide Club, that's fine. We make no criticism of people who work hard and are successful. Good luck to them; we celebrate their successes. I make no criticism at all. But social media posts are publicly available, and anyone can look at a social media post, particularly—

The Hon. K.J. Maher: And pass it on to the media.

The Hon. R.I. LUCAS: Anyone can look at a social media post. You don't have to pass on social media posts. The Leader of the Opposition perhaps has an unusual understanding of social media. Social media posts, particularly if you put yourself out there with another group of people who describe ministers and the government as liars, cheats, Dumb and Dumber, Idi Amin—I'm told I have also been described as Mr X and a variety of other things—good luck to them. I am not going to engage in that sort of personal invective.

I celebrate the successes of people who work hard. I would love to have a Bentley and a Lamborghini much more than my little Hyundai, but I celebrate the successes of those who are able to have a Lamborghini or a Bentley or to drink cognac at The Adelaide Club—terrific, that's fantastic. I will have my lunches at the Myer food court every day of the week and drive my Hyundai, but I will never be personally critical of anyone who works hard and is successful. They are entitled to their views. They are entitled to criticise the government and me. I haven't sought legal advice in relation to defamation when referred to as Idi Amin; I suspect it's probably a touch defamatory, but good luck to them as a group if they want to be critical of the government and myself.

GOH, DR T.

The Hon. K.J. MAHER (Leader of the Opposition) (14:57): A supplementary arising from the original answer about critics and what people are saying about land tax: how does the Treasurer seem to know so much about the different cars and the drinking preferences of Unley dentist Dr Timothy Goh?

The Hon. R.I. LUCAS (Treasurer) (14:57): I read *The Australian* article with great interest this morning and the Bentley was there, and I was automatically drawn to it. In the discussions I have been having with various people they have indicated to me that there are a number of other aspects of his social media post which might be of interest. The article in the paper today and the follow-on in InDaily, as I understand it, are of great interest, but they are publicly available social media posts. The Leader of the Opposition clearly doesn't understand social media. If you post something, it's out there. If you put up a photograph, it's out there. If you make statements, they're out there. It is public. It is not as if it is private, personal or confidential information.

LAND TAX

The Hon. K.J. MAHER (Leader of the Opposition) (14:58): A supplementary—

The PRESIDENT: I think one more supplementary. The Hon. Mr Wortley was keen to ask a supplementary.

The Hon. K.J. MAHER: —arising from the original answer: can the Treasurer assure the chamber that no taxpayers' money—that is, staff time—was spent trawling through social media to find things that could be part of that inevitable chatter and gossip that MPs and staffers have with journalists?

Members interjecting:

The Hon. R.I. LUCAS (Treasurer) (14:59): Really? Do tell, the Hon. Ms Bourke. I am not going to be drawn improperly into that particular whim; I will not be diverted. Social media is publicly available. Social media is an inevitable part of the daily 24-hour cycle of politics and anyone who is

associated with politics. The notion that the business of politics doesn't involve looking at what is being said in relation to social media or what is being said in relation to the electronic media generally is fanciful, is nonsense and would only be able to find any sort of substance in the fallow grounds of the Leader of the Opposition's imagination.

The PRESIDENT: I am allowing Labor one more supplementary on this and then we are moving on. The Hon. Ms Bourke.

The Hon. R.I. Lucas: I don't know anything about you at all, the Hon. Ms Bourke.

LAND TAX

The Hon. E.S. BOURKE (15:00): That's good.

The PRESIDENT: Let's get on with it.

The Hon. E.S. BOURKE: You did put me and my children on a pyramid on *Today Tonight*, but that's fine. Can the Treasurer confirm if the couple that he had a cup of tea with this morning with the member for Hartley are members of the Liberal Party?

The Hon. R.I. LUCAS (Treasurer) (15:00): I didn't have a cup of tea, coffee or indeed anything else: it was the Premier and the member for Hartley. As much as I would love to know Lyn and Dom Deguglielmo, I don't know them and I have no knowledge of their background, other than what they have told the media, and that is that they are mum-and-dad investors, they own several properties and, in their words, they are going to save thousands under this policy, and they said, 'Good on you, Premier, for looking after the mum-and-dad investors.'

CONFUCIUS INSTITUTE

The Hon. T.A. FRANKS (15:01): I seek leave to make a brief explanation before addressing a question to the Assistant Minister to the Premier on the topic of her ambassador role at the Adelaide University Confucius Institute.

Leave granted.

The Hon. T.A. FRANKS: Confucius Institutes are Chinese language and culture centres set up through partnerships between an Australian university, a Chinese university and Hanban, an organisation directly under China's Ministry of Education. The federal government has been so concerned about Confucius Institutes that the Attorney-General wrote to each of the universities that host them asking that they register with the Foreign Influence Transparency Scheme.

Since I last raised questions with the assistant minister on this topic, I note that the New South Wales government has now not just undertaken a review of Confucius classrooms but indeed they have changed the governance of that program in New South Wales to take control back internally with the New South Wales education department. I further note that this week the assistant minister has provided answers to my previous questions regarding the nondisclosure to media of the contents of the contractual arrangements between Hanban and the Adelaide University with regard to the Confucius Institute, of which the assistant minister is the parliamentary ambassador. In response, the honourable member has stated:

I have written to the Office of the Vice-Chancellor and President of the University of Adelaide. Subsequently, the University of Adelaide acted cooperatively and provided me with a copy of the contract.

This is given to me in confidence from the University of Adelaide and not for public disclosure.

My questions to the assistant minister are:

1. Why have you agreed, as an assistant minister in the Marshall government, to not disclose a contract between Hanban and the Adelaide University to the Confucius Institute, of which you are a parliamentary ambassador?
2. What obligations and responsibilities does your role as parliamentary ambassador to the Confucius Institute entail?
3. Are you prohibited from reflecting negatively on Confucius Institutes or, conversely, only able to positively reflect on Confucius Institutes?

The Hon. J.S. LEE (15:03): I thank the honourable member for her continuing interest in Confucius Institutes and matters relating to language studies in South Australia. As I indicated in my previous answers to parliament when the honourable member asked me those questions, I am not the only parliamentary ambassador for the Confucius Institute in this parliament. They have been supported, bipartisan and multipartisan.

In terms of the parliamentary ambassadorship, it is really just to support the Confucius Institute in promoting language studies in the South Australian community. As well, at the time, when it was brought to our attention in 2011, it was to actually engage parliamentarians to do a study tour of China to better understand the role of language studies from arrangements between understanding about China and bilateral relationships with South Australia. The Hon. Mark Parnell was also part of the Confucius Institute study tour back then. A number of members of parliament have participated in the previous study tours.

In terms of disclosure and the question regarding the contractual agreement between Hanban and University of Adelaide, the letter from the University of Adelaide requested that I keep the document confidential. That doesn't mean that I am not willing to disclose to the public. With their permission, if the honourable member would really, really want to instigate a meeting with the University of Adelaide management team to have her read the contractual agreement, I am sure that can be arranged. It is matter for the University of Adelaide to work with members of parliament and the honourable member in that context.

CONFUCIUS INSTITUTE

The Hon. T.A. FRANKS (15:06): Why has the assistant minister agreed not to disclose the contract that she undertook to this council to bring back?

The Hon. J.S. LEE (15:06): In my previous answer I stated that, upon the request of the University of Adelaide, they have asked me to read that contract in confidence. Should the honourable member require to read the contract and satisfy her inquiry in this regard, she can request the University of Adelaide for that particular contract. The other matter is this: contrary to what the honourable member mentioned, that the University of Adelaide do not meet the compliance of FOI, they do. If that request is placed upon the University of Adelaide, it will be fully disclosed.

CONFUCIUS INSTITUTE

The Hon. T.A. FRANKS (15:07): Can the assistant minister confirm that, while the University of Adelaide has actually now complied with an FOI request from media to release the contract, they refused media requests for many months to release the contract?

The Hon. J.S. LEE (15:07): It is a matter for the University of Adelaide. I am happy to take that question on notice to bring further clarification to the honourable member's inquiry. If, as the honourable member has already stated in her comment that it has been complied with, then she would already have the contract, would she not?

CONFUCIUS INSTITUTE

The Hon. T.A. FRANKS (15:07): Can the assistant minister explain why she did not make efforts to view the contract prior to the matter being raised with her in this council, in this parliament, given the concerns of the federal Attorney-General with regard to these institutes?

The Hon. J.S. LEE (15:08): I have always believed that the Confucius Institute has been a centre to promote language studies, and there has been no other complaints made or filed with my office to take that step to investigate the contract. Having those matters brought to my attention, I have acted accordingly. I believe now the matter has been addressed.

CONFUCIUS INSTITUTE

The Hon. T.A. FRANKS (15:08): Can the parliamentary ambassador for the Confucius Institute now explain why the Confucius Institute at the University of Adelaide has not complied with the federal Attorney-General's request to register with the Foreign Influence Transparency Scheme?

The Hon. J.S. LEE (15:08): I will take that question on notice and bring back the answers.

CONFUCIUS INSTITUTE

The Hon. I.K. HUNTER (15:09): Supplementary arising from the assistant minister's original answer in which she elaborated on the role of the parliamentary ambassador for the Confucius Institute: is that job specification or person specification available in a written document that you can provide to this chamber?

The Hon. J.S. LEE (15:09): There is no written document as such as being a parliamentary ambassador. It was a role for parliamentarians to be a promoter, if you like, to join the Confucius Institute for a study tour. That was a seminar held in parliament to promote the role of the Confucius Institute and to promote the study tours at the time. I believe that Martin Hamilton-Smith, a former member, former member Tom Kenyon, and former member Leesa Vlahos were all presented with, I think, just a certificate to say that they were an ambassador. There is no job and person specification as such. It was just to promote us as ambassadors so that the parliamentarians could be part of the information sharing, more than anything else.

CONFUCIUS INSTITUTE

The Hon. T.A. FRANKS (15:10): Supplementary: can the assistant minister advising the Premier on multicultural affairs please explain why she is described on the Confucius Institute of the University of Adelaide's website as the 'parliamentary ambassador' but the other members of parliament she has mentioned—the previous member for Taylor, the previous member for Newland, the previous member for Waite and also the previous member for Elizabeth, Lea Stevens—are not described on that website as 'parliamentary ambassadors' but as 'former members of parliament not in the current government'? Her role has been defined differently on the website as the 'parliamentary ambassador', whereas they are 'ambassadors'.

Does she understand the difference between holding a role in government, with responsibility for multicultural affairs, and being associated with the Confucius Institute, which is notoriously renowned for not necessarily representing the views of all Chinese speakers?

The Hon. J.S. LEE (15:11): The short answer to the honourable member's question is that I am still a member of parliament, and therefore, currently, I am the parliamentary ambassador. The other members are former members of parliament; they are not in parliament anymore.

CONFUCIUS INSTITUTE

The Hon. I.K. HUNTER (15:11): Further supplementary arising from the assistant minister's answers: she outlined her belief in the role that she would be filling as a parliamentary ambassador for the Confucius Institute. The assistant minister responded that there is no written job description. How then were the duties of the parliamentary ambassador determined, and who determined what those roles and duties would be?

The Hon. J.S. LEE (15:12): The parliamentary ambassador is probably similar to a brand ambassador for the Confucius Institute. My role is not written in concrete in terms of formal duties and responsibilities. It is for me to go to events that are organised by schools, activities around promoting language studies, etc. Those have been the types of activities I have been engaged with or involved in thus far. I believe that also because I am currently the only member of parliament who is of Chinese heritage and who can speak the language fluently. Therefore, I have been asked to become more of a brand ambassador. Perhaps I shall now ask the University of Adelaide to consider changing the particular title if it upsets so many members of parliament on the other side and the honourable member who asked the question.

CONFUCIUS INSTITUTE

The Hon. T.A. FRANKS (15:13): How does being a brand ambassador for the Confucius Institute go down when you represent the Marshall government at events as the Assistant Minister to the Premier on multicultural affairs when the events are run by the Tibetans, Taiwanese, Uyghurs or Falun Gong?

The Hon. J.S. LEE (15:13): As I previously stated in all my other answers, I am the brand ambassador because the Confucius Institute teaches Chinese language. I am the only person in this parliament who does speak a Chinese language. If the honourable member has anything against

that—and call it what it is—I feel that I have satisfied the chamber in answering all the other questions previously.

CONFUCIUS INSTITUTE

The Hon. I.K. HUNTER (15:14): A further supplementary: the assistant minister outlined some of the activities that she has been involved in as part of her responsibilities as a parliamentary ambassador for the Confucius Institute, albeit saying that there was no written description of what her role should be. Who then determines which schools you visit, when you visit them and what other activities you partake in as a parliamentary ambassador? Is it you, solely you, or does someone else in the Confucius Institute give you a list of activities to engage in?

The Hon. J.S. LEE (15:15): The list of activities is on an ad hoc basis. If an invitation comes through and I'm available and it meets my schedule, then I attend. It's not like a compulsory involvement as such. I am not deemed to be at every single activity or event that has been commissioned or organised by the Confucius Institute. Mind you, the Confucius Institute itself actually does not teach a language. It is under the Department of Asian Studies, and the University of Adelaide actually determines the curriculum of the language studies, not the Confucius Institute itself.

CONFUCIUS INSTITUTE

The Hon. T.A. FRANKS (15:15): Supplementary: what events has the Assistant Minister to the Premier attended recently, showing her support for freedom for Hong Kongers?

The Hon. J.S. LEE (15:16): I have not attended any events organised by the Confucius Institute or other events—

The Hon. T.A. Franks: The Confucius Institute is not going to organise an event for Hong Kongers.

The PRESIDENT: This is probably the last one on this topic, so I will allow you the last.

CONFUCIUS INSTITUTE

The Hon. I.K. HUNTER (15:16): I direct my supplementary question to the assistant minister, who said in her last response that if invitations come through she chooses to attend them or not. Where do those invitations come through from?

The Hon. J.S. LEE (15:16): It's the University of Adelaide; it comes from the University of Adelaide, if invitations do come through about Confucius Institute activities.

ROYAL ADELAIDE HOSPITAL BLACKOUT

The Hon. R.P. WORTLEY (15:16): My question is to the Minister for Health. How many patients were affected by yesterday's blackout at the Royal Adelaide Hospital? Has the minister identified the cause of the generator failure and, if so, what was it?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:17): I'm advised that some patient services were temporarily impacted by the outage but all treatments were able to resume once the power was restored. I'm advised that one surgical procedure in the affected area was underway when the outage occurred. In terms of investigations, I understand that an investigation was commenced immediately by Celsus and their subcontractors to determine the cause of the outage.

ROYAL ADELAIDE HOSPITAL BLACKOUT

The Hon. R.P. WORTLEY (15:17): Supplementary question: has the minister commissioned an independent review to determine the cause and how to best address any problems?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:17): As I said, an investigation was commenced immediately by Celsus. Celsus is the PPP partner with the Central Adelaide Local Health Network. I have already given the statement to the house yesterday from the director of operational services. It is incumbent on the PPP partner and the Central Adelaide Local Health Network to undertake the investigations. I look forward to being briefed in due course.

ROYAL ADELAIDE HOSPITAL BLACKOUT

The Hon. R.P. WORTLEY (15:18): Supplementary: were all the recommendations of the Frazer-Nash Consultancy report you received in May last year implemented?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:18): I'm advised that an external root cause engineering analysis was undertaken by Frazer-Nash of the February 2018 outage, resulting in a number of recommendations which have all been implemented.

ROYAL ADELAIDE HOSPITAL BLACKOUT

The Hon. R.P. WORTLEY (15:18): Supplementary: does the minister still agree with his own comments when he said on the ABC radio on 8 February 2018 that:

Well I think this is an example of a whole series of issues in relation to this incident. Let's put it this way, the case raises issues far beyond the IT glitch. It indicates a failure in scheduling. Okay, it had to be tested under load but why...did the test terminate in the middle of the morning surgery session? The morning surgery session starts at 8.30, this test terminated at 11—why not start it in the afternoon session and complete it after the surgery's finished?

The PRESIDENT: I am going to allow that supplementary; I must be generous. Minister.

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:19): Indeed, Mr President, you are a very generous man.

The PRESIDENT: Well, it was sensible, though, so I am allowing you to answer it.

The Hon. S.G. WADE: I'm not objecting. I'm just confirming what I know, which is that you are a very sensible man.

The honourable member invites me to compare the 2018 event with the 2019 event. I am very happy to do that. In 2018, under the former Labor government, they went into generator testing where procedures weren't followed, where staff were not advised in advance and the outage lasted 17 minutes. Yesterday, of course we regret that there was an outage, but, fundamentally differently, procedures were followed—procedures that reflect all the recommendations in the Frazer-Nash report. Secondly, staff were advised in advance, and the outage was four minutes—a quarter of the outage last year.

Of course, there are lessons to be learnt from every event, there will be lessons learnt from yesterday's event, but I support CALHN (the Central Adelaide Local Health Network) and their PP partners in their investigations. The fact of the matter is that we will continue to do testing of these generators because we need to make sure that, when emergency supplies are needed, they are reliable. This was a planned event, the procedures were followed, staff were advised and I wish all involved the speedy resolution of what lessons we can learn from this event.

*Personal Explanation***HOUSING TRUST**

The Hon. J.M.A. LENSINK (Minister for Human Services) (15:21): I seek leave to make a personal explanation.

Leave granted.

The Hon. J.M.A. LENSINK: I was asked today whether I had received any correspondence in relation to a matter raised by the Hon. Clare Scriven. I wish to advise the council that I received a letter by email at 2.30 this afternoon, not in the name of the Hon. Ms Scriven but in the name of the member for Hurtle Vale, about an incident that allegedly occurred on Sunday night. The member for Hurtle Vale has my mobile phone number, and I will provide it forthwith to the Hon. Ms Scriven.

Members interjecting:

The PRESIDENT: Perhaps, Treasurer, you can control your own front bench.

Members interjecting:

The PRESIDENT: Don't give me advice—get out. Are we all finished? Leader of the Opposition, I am not telling you off, I would like to get on with things.

The Hon. K.J. Maher: I didn't start it on this occasion, sir.

The PRESIDENT: No; in a rare occurrence that might actually be accurate, but you are not getting any brownie points. Treasurer, let's get on with the business.

Bills

APPROPRIATION BILL 2019

Second Reading

Adjourned debate on second reading.

(Continued from 10 September 2019.)

The Hon. C. BONAROS (15:24): I rise to speak on the Appropriation Bill 2019. I am extremely disappointed with what the budget offers or, more precisely, does not offer South Australians. It is a budget that fails to deliver to some of the most vulnerable people in our state, on whose behalf many of us have been advocating for many years.

There is a lot to be critical of in my analysis of the budget, the second for this government. We could talk about the extra taxes, fees and charges that are hitting everyday South Australians, or the many cuts to organisations that are left to fill in the gaps left by government, but I am going to focus today on areas close to my heart that I will continue to advocate for.

Regrettably, this year's state budget failed to make any provision for a garment subsidy scheme and/or dedicated treatment services for lymphoedema sufferers. There is absolutely nothing in the budget for lymphoedema sufferers—zero. They remain disadvantaged. The fact that SA remains the only, and indeed the last, jurisdiction in Australia that does not have a garment subsidy scheme nor dedicated support services for sufferers is completely and utterly intolerable.

The failure to make provision for both a garment subsidy scheme and dedicated treatment services in the budget comes despite a business case having been completed on the issue and despite the lobbying of many, as I understand, members of the government's own backbench. There was widespread support for a garment subsidy scheme and better services, and a personal plea to the health minister from the president and vice-president of the Lymphoedema Support Group SA (LSGSA), Monique Bareham and Alison Nelson, at the round table convened by me on 10 May, which the minister kindly attended. You cannot be unmoved by the stories like those of Monique, president of the LSGSA. Here is part of her story:

I have lymphoedema and am a breast cancer survivor of 10 years. At 37 I was in the swing of a busy life juggling a challenging career, with plans to start a family when I found a lump. Within a week I became a 'cancer patient' and my life would never be the same. I underwent many months of demanding life-saving treatment including taxane based chemotherapy, extended radiotherapy, hormone therapy and surgery which included a complete axilla dissection in my right armpit where all 28 lymph nodes were removed to halt the spread of my cancer.

I am profoundly grateful to the doctors who cured me of my cancer—but the cost to me of that cure is that I now live with an incurable, condition. This is because each of these life-saving treatments came with the risk of developing the chronic and progressive condition of lymphoedema. The combined effect of all my treatments put me at very high risk of developing it. Yet this was barely mentioned to me—I was not monitored or given any information about it. Sadly—I hear similar accounts from consumers time and time again.

Only weeks into my cancer treatment regime I experienced distressing and painful symptoms of chronic swelling in my arm, heaviness, cording and loss of mobility. I became one of the 20% of breast cancer survivors to be diagnosed with 'severe early stage lymphoedema'.

At that time I had private health insurance, sick leave and savings to fall back on so was able to access intensive, costly private lymphoedema therapy consisting of months of bandaging, massage and laser therapy and compression.

Once my symptoms were stable, I settled into a daily care routine, regular therapy and 24/7 compression which, for me includes Class II flat knit gloves and sleeves for daytime wear and specialised night compression garments.

Many, many others who find themselves in similar situations are not so fortunate—their lymphoedema simply goes untreated.

I was able to keep this up for 2 years before my savings ran out as lymphoedema prevented me from returning to paid employment. It was then I fully grasped the inequity suffered by so many here. I searched for public

lymphoedema services and found that although I live close to a leading hospital (FMC) in metropolitan Adelaide, there was nothing available. FMC's lymphoedema clinic had closed its doors in 2011. I was even more shocked to learn that SA is the only state without a compression therapy subsidy. All that is available to us is the 'Chronic Disease Management Plan' which is not designed to address lymphoedema so is inadequate and completely unfit for this purpose.

Now, as a 47 y/o longer term cancer survivor with limited financial resources—my situation is only getting worse. I do what we all do—self-manage, make my garments last longer and go without treatment. I have already experienced the potentially life-threatening infection of cellulitis, my arm has developed fibrosis, is getting bigger and I am constantly unwell and suffering fatigue. The ongoing emotional, physical and financial toll this has taken on myself and my family is enormous.

And I am not alone—since becoming President of the LSGSA, I have become more and more aware of the amount of people here who are affected and are suffering in silence. Not always cancer survivors, some have developed lymphoedema through infections, some from soft tissue injuries or surgery and some were born with it. With nowhere to go, the reality for many is their condition progresses to such a degree that they end up presenting to an emergency department with leaky limbs and/or cellulitis, resulting in a lengthy, stressful and costly hospital stay. But—even then, their lymphoedema is often ignored and once they can be discharged they are left on their own again. They can end up living a miserable life—isolated, in pain, house bound and literally waiting for their next trip to the ER department.

But what really, really continues to amaze me is this—all of this can so easily be avoided AND with the added benefit of cost savings to the public purse. International and Australian evidence based clinical guidelines recommend early intervention, monitoring and assessment and the provision of relatively low-cost conservative treatments and self-management education to greatly improve the quality of life for those living with lymphoedema. When these guidelines are adopted the rates of severe long term lymphoedema and the known comorbidities reduce which means consumers are more likely to stay in the workforce and importantly out of hospital. A small investment in this area will save so much.

All other states/territories recognise this and have guidelines in place. It is clear that the SA lymphoedema community desperately needs dedicated public lymphoedema services staffed by appropriately trained specialist lymphoedema therapists and a compression therapy subsidy.

And this is Lachlan's story:

Hi all. I am a young 23 year old man living with chronic Lymphoedema of the lower legs which was diagnosed by a paediatrician at Womens and Childrens Hospital. I now have frequent bouts of cellulitis. I am currently having issues with my GP who has told me twice now that my cellulitis is 'just Lymphoedema', despite the fact that I'm ending up in hospital (RAH) for days at a time almost every time. This has gone on for 14 months now and is having a significant impact on my physical and emotional wellbeing, as I am missing out on normal activities including my job and being able to go on holidays. Thus, I am desperately searching for a GP who will effectively manage my condition, and am wondering if anyone has found any good doctors for the management of Lymphoedema and cellulitis.

It angers me that South Australia continues to be the only jurisdiction in Australia without a garment subsidy scheme. It is completely unacceptable that lymphoedema sufferers in this state are discriminated against merely because of the state in which they live. As a result of the lack of available support in South Australia, many lymphoedema sufferers cannot afford the necessary treatment to relieve their symptoms.

While I note the Coalition government announced, prior to the federal election, \$10 million in funding over the next five years to provide a national compression garment scheme for lymphoedema, it appears to only offer assistance to those suffering lymphoedema after breast cancer. We certainly welcome this announcement; however, the absence of any detail surrounding the funding is extremely frustrating not only for me but of course for those people who are impacted by this condition.

Further, while approximately 20 per cent of breast cancer sufferers will develop lymphoedema as a result of removed or damaged lymph nodes, the condition also affects men after treatment for conditions, including cancer. Head and neck surgeries and other tissue damage can also trigger lymphoedema. The Australasian Lymphology Association estimates that one in every 6,000 people are living with primary lymphoedema as a result of a congenital condition.

However, the \$10 million of federal funding that was announced appears to only assist breast cancer survivors who later develop lymphoedema. Lymphoedema sufferers in our state deserve a better quality of life and better support, the same as sufferers in other state benefit from. In recent correspondence I reiterated again my call on the Marshall government to implement a garment

subsidy scheme to benefit all South Australians living with lymphoedema, and to provide dedicated services as a matter of urgency.

Sadly, and most unfairly, there is also no money for a much-needed donor conception register in South Australia— again, one of the last states not to have one. This is despite a comprehensive review into the assisted reproductive technology bill by the esteemed Dr Sonia Allan in 2017, making a strong case for a register as a matter of urgency.

Just this morning, I met with two astonishing donor-conceived people, and was overwhelmed by their plight and struggles to obtain vital information about who they are and where they came from. I will have more to say on that when I take my bill on the issue to a vote during the next week of sitting. I challenge anyone to sit down with these two individuals and not be moved by their stories.

The wonderful organisation that is JusticeNet is also another victim of the Marshall government's Ebenezer Scrooge budget. They could not even provide a meagre \$120,000 a year to look after its operating costs. JusticeNet is such a vital organisation that provides free legal services for civil claims to the poorest in our community, and feels the chasm left by the Legal Services Commission, which itself is severely underfunded and not able to provide assistance for civil law disputes.

As a result, JusticeNet was recently forced to make the difficult decision to close its state court self-representation service later this month as it diverts its self-raised funds into maintaining its core business. The self-representation service, which was run by volunteers, by some of Adelaide's most prominent law firms, has operated for the past six years, providing free legal advice and a task assistance to thousands of people facing serious civil law problems but who cannot afford legal representation.

JusticeNet's executive director, Tim Graham, estimates that the service provided around \$241,500 in annual savings to the government through reduced court operating costs, not to mention, of course, the more than \$400,000 that volunteer lawyers contribute pro bono, providing more than 1,200 hours of free legal help to the service in the last financial year.

The Treasurer and the Attorney-General should do the maths on that one, while hanging their heads in shame. Our Attorney-General knows only too well that unrepresented litigants are a heavy burden on the legal system. Adequate public funding ought to be a key priority, if for nothing else but to increase court efficiency, but not for this government.

The Marshall Liberal government has prioritised that short-term cost cutting takes precedence over long-term investment in improvements in court efficiency. And, wow, hasn't the Attorney-General's view changed now that her party is in government! In Opposition, she said, 'We have no intention of cutting them off.' But, now in government the Attorney-General has been swift to do just that, refusing further funding requests for programs or core operations since taking office, a stance that has already seen the closure of a separate service offering free legal help for refugees and asylum seekers.

Then, there is the ill-conceived land tax reforms policy in the budget that has had to undergo numerous revisions to appease an increasingly disgruntled backbench facing political oblivion at the next election. The changes have done little to quell—

The Hon. D.G.E. Hood: Look in the polls.

The Hon. C. BONAROS: —the discontent from the broader—I think if you ask them, the Hon. Dennis Hood, they may have a different opinion. The changes have done little to quell the discontent from the broader business community and leading economists. I mention again that this is what is making front-line news every day, the Hon. Dennis Hood, and leading economists warn the changes will adversely affect the property market in South Australia and threaten the state's economy.

The Marshall Liberal government cannot even get its numbers right—and I challenge you to challenge me on that one, the Hon. Dennis Hood. In the state budget, as we know, the Treasurer estimated that changes would raise \$40 million when the real number has since been revealed to be \$118 million. The latest plan will apparently raise \$86 million—and this from a government that came

to power promising accountability and transparency. I say to our Treasurer again: release your land tax modelling.

What is crystal clear is that the Premier and the Treasurer have made an absolute mess of the proposed land tax reforms. It is an absolute shemozzle. It is policy on the run, making it up as they go and attempting to put bandaids where the haemorrhaging has started. SA-Best has been clear—crystal clear, in fact—about where we stand on the changes since the budget announcement, standing with the business community and the mum-and-dad investors who will cop it heavily in their hip pockets if the Marshall Liberal government's proposed reforms are successful.

Already this year, the Marshall government has alienated farmers over its mining bill. The four Liberals who crossed the floor over that bill could all run as Independents at the next election if pushed into a corner any further, and they have every chance of retaining their seats. Now the government is facing an unprecedented, potent, cashed-up revolt from its own rock-solid base, property developers and investors, over its ill-conceived and ill-considered land tax overhaul. I guess time will tell how much this policy will hurt the government.

In closing, I am absolutely astounded by the incoherent agenda of the Marshall Liberal government and the lack of decisive direction it has for South Australia. The Premier, in opposition, said that the Liberals do not have a privatisation agenda, when clearly they do, with the privatisation of the Adelaide Remand Centre and the proposed privatisation of our trams and trains and back-up power stations. I say this to the Marshall Liberal government: lie to South Australians at your peril.

Budgets are about priorities. They are full of choices, sometimes difficult choices, but choices that show the priorities of government. Propping up the state's ailing racing industry to the tune of \$24 million—an industry that exists for one reason and one reason only, gambling—and an anticompetitive loan of some \$40 million to the Stadium Management Authority for a fancy hotel at Adelaide Oval perfectly illustrate the priorities of this Marshall Liberal government. Time will tell if these budget decisions come back to haunt them.

The Hon. K.J. MAHER (Leader of the Opposition) (15:42): I rise today to indicate that Labor will support this bill but, as the previous speaker did, we have grave concerns about the direction of this government and what it means for South Australia. The Premier, Steven Marshall, and his hapless, under-pressure Treasurer continue to break election promises.

The Premier did not really give the full story to the people of South Australia when he said that he did not have a privatisation agenda. It took the government only until its second budget to announce the sell-off of the rail system in South Australia. This comes after massive cuts to bus services that have left many workers without an adequate means of getting to work, especially for jobs that start early and finish late.

The government claimed it will maintain control over scheduling and ticketing, but example after example overseas shows that, inevitably, when the profit motive is introduced the operatives will come back to the government and demand more public money, higher ticket prices or a reduction in services—in this case, probably all of them.

When the now Premier said that they did not have a privatisation agenda before the last election, he must have forgotten about his Treasurer. For 16 years, 16 long years, the Treasurer has been waiting in opposition after he sold off our power network, after he closed down a record number of schools, after he sold off our buses, after he privatised health care at Modbury. For 16 years he and his Liberal mates have been waiting to get back onto the Treasury benches to continue the project they started.

He was champing at the bit to come after the rail system, SA Pathology, Service SA, hospital car parking, and who knows what else is next. This government does not just have a privatisation agenda, they will sell off everything they can. It is pretty clear the Treasurer wants to get it all sold off by the time he retires in 2022 and goes off to tend to his ponies full time so he can claim the credit for having sold it all but does not have to stick around to clean up the inevitable mess that will follow.

When this government is not selling off public services and assets, they are picking them apart. Two champions of South Australian manufacturing and produce, Brand SA and the I Choose SA campaign, were unceremoniously defunded and closed down, showing this government fails to

spend money in supporting South Australian businesses. A key Liberal election commitment to all South Australians is that they would have lower taxes. Since then, we have seen not one change to land tax, not two, but we are currently up to the third iteration, with possibly a fourth to come. This is a broken promise. This is so far. This is land tax 3.0, heading into land tax 4.0, with who knows how many iterations to come.

The government's changes to the aggregation of land tax are opposed by none other than the Property Council, the Urban Development Institute of Australia and the Master Builders Association. This is because some investors will be forced to pay thousands upon thousands upon thousands of dollars more in land tax while at the same time reducing the land tax bill for many big corporations by tens if not hundreds of thousands of dollars.

Not only that, not only do the representatives of the building industry fiercely oppose what the government is doing, they have had their own backbenchers lining up to criticise the aggregation changes. We have seen recently reported in the media that the members for Waite and Davenport and in our own chamber the Hon. Dennis Hood and the Hon. Terry Stephens were quoted as saying that they now support this, after having concerns about the land tax regime before. I think that is a factual representation of what the media has recently said.

We have seen unnamed Liberals saying that this is a train wreck. I do not know which of the ones who have now changed their mind were the unnamed sources but it seems likely that it was one of those who is now referred to as having changed their mind who has been backgrounding against this government. In question time on 10 September, the Treasurer said that, despite the consultation on land tax being open until 2 October, aggregation is non-negotiable, the rate is non-negotiable, the threshold is non-negotiable, but they are having consultation.

This is the Liberal way of doing consultation. Some of the technical elements of the bill: where a comma is, whether there should be a semicolon, what the numbers or the title are, maybe that is what is meant by negotiation by this decide-and-defend government. This cynical, ham-fisted excuse for consultation has meant that the Treasurer has not been able to outline anything of substance to date over the last months since the budget on this bill.

At land tax 3.0, they announced that they were out by tens of millions of dollars in their revenue forecast. Their aggregation measures are set to raise \$118 million. What did the Treasurer come into this chamber and say before the winter break? That there was modelling done, that there were estimates, and, of course, 'I'm a financial expert.' I think he actually said to me at one stage, 'You may have a law degree but you are no economics expert.'

I have an economics degree as well, but the Treasurer would not notice that because he does not read the names after people on some of the sheets that go out. But he is the financial guru. He is the absolute financial guru who claimed that estimates are modelling. They were his exact words: 'estimates are modelling'. The Treasurer, as a financial guru, also gave us the definition of privatisation that was well in conflict with the OECD definition, but no, the Treasurer knows better than the OECD.

We have seen other outrageously cruel cuts in this budget, such as cutting \$3.6 million from the Victim Support Service. For 40 years, the Victim Support Service (VSS) has been helping South Australians recover from crime, whether it is domestic or family violence, home invasions, road crashes, sexual offences or murder. More than 50,000 victims each year rely on this service. This is not simply a cost saving measure, it is a government kicking victims in South Australia when they are down. Not only does it show a lack of compassion and contempt, it shows that they do not value the critical work done by those who support victims.

I move on to the area for which I hold the shadow portfolio, Aboriginal affairs. As I noted yesterday when speaking, it is a portfolio I hold and, sadly, there is not a portfolio holder in the Liberal government. It has been noted by people such as Labor Senator and respected elder Patrick Dodson that South Australia is the only jurisdiction in the nation that now does not have a minister for Aboriginal affairs. We do not have anyone as the minister for Aboriginal affairs. When the ministry was sworn in, for those four or five days when there were only three ministers, one of them was the minister for Aboriginal affairs, but there is not anyone with that title anymore.

We saw the furore when Tony Abbott was prime minister over the fact that there was not a minister for science, and he quickly fixed that. Despite the Aboriginal community being up in arms that no-one has been given the portfolio of minister for Aboriginal affairs, there is no-one as minister for Aboriginal affairs. There is no-one who has that dedicated title to be at the cabinet table to support the hopes and aspirations of Aboriginal people because the Premier thinks it is not worthy.

If the Premier acts as someone who has the title committed to him and he does not have the decency, the time or the enthusiasm to call himself minister for Aboriginal affairs, then I would welcome him giving it to someone in his cabinet who does. I am sure there are some—and there certainly have been in the past—members of the Liberal Party who have the enthusiasm and would make a good minister for Aboriginal affairs.

The Hon. John Dawkins is chair of the Aboriginal Lands Parliamentary Standing Committee, and I am sure if the Premier owned up and said, 'I don't have the time. I don't have the interest. The Hon. John Dawkins, would you be my minister for Aboriginal affairs?', I think the Hon. John Dawkins, or the Hon. Terry Stephens, would do it. I know the Hon. Terry Stephens takes a great interest in this area and has the enthusiasm, time and interest to actually do a good job of this.

The former member for Morphett, Dr Duncan McFetridge, was a very, very good shadow minister for Aboriginal affairs. We sat down on numerous occasions, even effectively jointly drafting legislation, because I think that is how it is supposed to work. The Aboriginal community around South Australia has noticed that there is no dedicated minister and has noticed that there is no-one looking after their interests within this government.

If we look at NAIDOC Week this year, the Premier, who apparently has the responsibility but refuses to take on the title of minister for Aboriginal affairs, did not turn up to one event during the whole of NAIDOC Week. He was even absent from the Premier's own NAIDOC Awards—not a single event for the whole of NAIDOC Week.

What we do see from this government is a glossy brochure entitled: Aboriginal Affairs Action Plan. During estimates, we not only had an admission from the Premier that we could not have estimates with the minister for Aboriginal affairs because there is not one, we had an admission from the Premier that the pages of this much-hyped document were mostly Labor initiatives that were already developed. Their action plan was a fraud: a repackaged, glossy document filled with mostly recycled items—

The Hon. J.S.L. Dawkins: Is that why you criticised it at the time?

The Hon. K.J. MAHER: I certainly did—that the Premier knew were in place, commenced or completed by the former government. There were good programs in this glossy document. The problem was they were not the Liberal government's, they were not the Premier's, and one thing we can be sure of is that they were not those of the Liberal minister for Aboriginal affairs because there is not one.

It was a repackaged, glossy document that restated many Labor programs. Take, for example, the government's employment industry cluster program. I have a government document right here with me that says, 'Since 2010, the Clusters have supported over 1,000 Aboriginal people in training and transitioned over 600 Aboriginal people into employment.' Guess what? This was one of the things in the so-called Liberal government's Aboriginal Affairs Action Plan—restating something that dates back to press releases from 2010.

This is just one example of this great new deal for Aboriginal people that the Premier has talked about. There are many others: interpreter services, housing programs, employment programs, reconciliation action programs, health programs, that the Premier has claimed, in his glossy document that he has packaged together, as Liberal initiatives that are nothing of the sort.

They are things that the departments were doing anyway but have just been put in there and characterised as a new plan. In fact, a series of FOIs and other things that the opposition has lodged show that. They show that this plan was basically a call to the department saying, 'What are you doing?' and the department came back and said, 'This is what we are doing,' and then they were packaged up into a glossy brochure. That is the substitute for Aboriginal affairs policy.

Probably the most galling and outrageous one of these, stated in this plan as something that this government is doing as part of the Aboriginal Affairs Action Plan, is the Buthera Agreement with the Narungga Nation. This was the first agreement in Australia signed on the way to treaty. This was an agreement as part of the treaty negotiations, the very thing that the Premier scrapped. He scrapped the treaty negotiations, the treaty discussions with Aboriginal nations, yet the Premier has the hide to claim that in his glossy brochure: a treaty agreement, after scrapping the treaty process that was supported by over 80 per cent of Aboriginal South Australians during the biggest consultation with Aboriginal South Australia that any state government has ever undertaken.

He is claiming this as a great thing in this document. Someone did not proofread it because he is claiming treaty, which he has now scrapped and which many Aboriginal leaders around South Australia are devastated about. I guess that is why so many wish that we actually had a minister for Aboriginal affairs in this state—at least one person sitting around the cabinet table who can speak up and say, 'Hey, let's look at the interests of Aboriginal people. Let's not claim things that we are ardently opposed to, such as treaty, and let's not claim them in the program.'

This government still has no idea of how to govern. Nearly two years in, they are making mistakes and making enemies. Quite frankly, as we have seen with land tax, they are just making it up. In light of the Aboriginal Affairs Action Plan, I have written—after spending a couple of weeks on the APY lands recently, meeting with community councils, community leaders and service providers—to a range of ministers about some of the problems I have encountered.

I did note that the Premier—not the minister for Aboriginal affairs, because there is not one—popped up for two days. He went into Alice Springs to open an art exhibition. He went to a couple of art centres—which I congratulate him on; the art centres on the APY lands are truly amazing and are hubs of our community—and then had a picture taken at a football game. I welcome people like Steven Marshall flying in and flying out or turning off the highway and going to an art centre. It is good to get a glimpse but, quite frankly, someone who should be representing Aboriginal people in South Australia cannot just fly in and fly out of communities once a year to have an understanding of the challenges that are faced. It is not good enough, it does not cut the mustard and people are noticing.

The time has come to stop telling Aboriginal South Australians, from the heights of the State Administration Centre, what is right for them, but rather to spend some time listening. As I said, the Hon. John Dawkins or the Hon. Terry Stephens would make fine Aboriginal affairs ministers, and I would love to work with one of them in this portfolio area because it is important. It is something that is important. If you do not have the time, effort or inclination to do the job properly, do not do it.

There are job opportunities for young people, water quality issues, policing issues, overcrowding in housing, better access to telecommunications and health issues that you just do not understand from a photo opportunity in Alice Springs or in the centre of Australia at a football game. Would it not be an amazing thing if we could, in some way, remove the man in the middle and have issues like this raised directly with the Parliament of South Australia—something like a direct voice to parliament for Aboriginal people? Do you know what? There is a model for that. It was proposed in September 2017, when 250 Aboriginal delegates from around Australia came together and delivered the Uluru Statement from the Heart.

One of the three main things in that statement was a voice to parliament. It was immediately dismissed by Malcolm Turnbull and also Scott Morrison. It was something that was wholeheartedly embraced, I am very proud to say, by the then Bill Shorten opposition. A voice to parliament, treaty and truth telling were the three principles that came out of the Uluru Statement from the Heart. As Patrick Dodson said, 'We will work with the government but we won't wait for them,' and that is the case here.

In South Australia, we have decided that we are not going to wait for a federal government, and we are certainly not going to wait for a state government that does not even have a dedicated minister for Aboriginal affairs. We have announced as an opposition that if we win the next election we will implement a state-based form of the Uluru Statement from the Heart: truth, treaty, voice.

We are proud of our record in terms of starting treaty discussions and signing the Buthera Agreement, which the Liberal Party is ironically claiming credit for in their glossy mix-up brochure.

We are proud of the regional plans that we had with Aboriginal nations. We are proud of our Stolen Generations Reparations Scheme. It is a shame that this Liberal government does not have someone sitting around the cabinet table with the time, interest and energy to continue them.

The Hon. C.M. SCRIVEN (16:00): I rise today to speak on the Appropriation Bill 2019, and I note that the opposition will not be opposing the bill, of course, but it is a good opportunity to review the Marshall Liberal government's performance and their intentions over the next 12 months. Others have examined the debacle that is land tax in our state, and that fiasco continues. Prior to the election, the Marshall Liberal government promised lower costs and better services, but after 18 months of a Marshall Liberal government you really cannot blame voters who backed the Marshall Liberal government at the last state election for feeling very duded after its performance so far.

The Marshall Liberal government committed to delivering lower costs for the people of South Australia, but what we have seen instead are increases: increases to car registrations, up by 5 per cent; driver's licence renewals up by 4 per cent; increases to hospital car parking by a whopping 20 per cent; increases to public transport costs; individual contractor licences have risen by 10 per cent; and registration fees for tradies have increased also by 10 per cent.

On top of this, small businesses in this state in the entertainment and hospitality industry will be hit with what has been labelled an entertainment tax, where small businesses are facing increases of up to 500 per cent in fees and charges. As I am sure members can imagine, it would be incredibly difficult for these businesses to sustain such large increases, and they have little choice but to pass on those increases to consumers.

Of course, these taxes do not only affect metropolitan Adelaide. This tax will continue to have disastrous consequences, for example, for regional bottle shops. Bottle shops in regional towns near me, such as Mount Burr and Nangwarry, are facing crippling fees in state government licence increases. George Copelin owns the Mount Burr bottle shop and he faces an increase in his annual fees and charges from \$805 to \$2,800 over the next 12 months. The Nangwarry bottle shop will increase to \$1,800. These are small businesses that cannot possibly cope with these sorts of increases.

Kevin Dinnison, who has operated the Nangwarry general store for over 20 years, has spoken about this crippling tax. He told *The South Eastern Times* recently:

The Liberal Party is supposed to be for small business, but the Premier only seems to be interested in the money.

That is certainly the feeling with many small business owners, from the country to the city, that the Liberals claim to be for small business but offer very little support to back this up. Mr Dinnison goes on to say that he does not understand why the licence has risen and that there has been no justification. The Marshall Liberal government needs to seriously reconsider this policy, as it is hurting small bottle shop owners all across regional South Australia. A government spokesperson recently stated:

The state government has proposed a new fee structure, striking a balance between supporting a vibrant hospitality industry and protecting the public by encouraging a safe drinking culture.

This response does absolutely nothing to help George Copelin from Mount Burr or Kevin Dinnison from Nangwarry. For these and many other small bottle shops it is about providing a service to people in the community, people who would otherwise have to travel distances to make a purchase.

It is also about sustaining small businesses in regional townships that are already struggling to survive. These kinds of increases and these huge hikes in taxation cannot possibly help these small townships and these small businesses. This huge increase needs to be reviewed. I would also like to commend *The South Eastern Times* journalist, Fred Smith, for his research and interest in this matter. He has done a great job covering this issue.

All the increases that I listed are well above CPI, and these increases are evidence of yet another broken promise by this Marshall Liberal government. The Marshall Liberal government promised better services, and South Australians are rightly asking, 'Well, where are they?' South Australians are also asking, 'Where are they?' when it comes to the huge increase that was supposedly going to eventuate in traineeships and apprenticeships. Under minister Pisoni's watch,

we have seen very little improvement in the way of commencements, despite a lot of taxpayer money being spent through the Skilling South Australia experiment.

So the Marshall Liberals went to the election promising an additional 20,800 additional apprenticeships and traineeships in South Australia on top of the baseline figure. It has now been 18 months since they have been in office, and how many additional apprenticeships and traineeships have been created? A hundred and fifteen. Not 20,800, not even a quarter of that, on the way to that four-year target. Not 5,200, which would be a quarter. One hundred and fifteen.

The data from the independent National Centre for Vocational Education Research is clear: 115 additional apprenticeships and traineeships have been created at a cost of \$34 million so far. That equates to just over \$295,000 for every additional apprenticeship and traineeship under this Marshall Liberal government. One has to ask: is that value for the taxpayer? What the data also reveals is that the Marshall Liberal government needs to create an additional 20,685 new apprenticeships in the next three years if they are going to avoid breaking yet another election commitment.

What is more concerning is the way that apprenticeships and traineeships are being reported. The figures that I have just quoted are from the National Centre for Vocational Education Research. This is an independent centre with independent data, and yet what we get is fudging of the figures from minister Pisoni. For anyone undertaking an apprenticeship you would think that is generally a four-year trade qualification. A traineeship is generally one year or, in some circumstances, two. So what do we get from minister Pisoni when he is talking about apprenticeships and traineeships?

It was recently revealed that the figures that he uses include pre-apprenticeships, pre-traineeships, higher apprenticeships and no end of other 'ships'. I could actually pronounce it a different way, which might be a little bit closer to what it really is—'bull-ships'. It is really outrageous that courses that last as little as four weeks are being counted in figures and claimed as being apprenticeships and traineeships. This is the sort of fudging that we are seeing from this minister.

It was also revealed that reporting apprenticeship and traineeship target figures (20,800) will include all the commencements but take no account of cancellations or withdrawals. To put it simply, someone could commence a traineeship today and decide to withdraw in a few weeks, but minister Pisoni would still count that towards his figure of 20,800.

On top of the withdrawals, under the Marshall Liberal government we are continuing to see skyrocketing cancellations and withdrawals. The number of cancellations and withdrawals in trade apprenticeships increased from 1,770 to 2,095. Completion of apprenticeships and traineeships are down 16 per cent from 5,425 to 4,560. Of course, as I mentioned, there has been only a very small increase of 115 additional commencements over the past 12 months, despite spending \$34 million.

When the Skilling South Australia contract was signed, we saw the Premier beaming like a Cheshire cat. He said that the signing of this contract will result in a tsunami of jobs when it comes to apprenticeships and traineeships in this state, and yet what we see 18 months in is 115 additional numbers. Minister Pisoni recently signed off on a departmental brief prepared for him which stated, 'South Australia's in-training figure as at 31 December 2018 is the second lowest figure on record since 31 December 1997.'

The second lowest figure on record—but what was minister Pisoni's response to this information? He issued a media release on 9 June claiming, 'SA hits training targets under Skills National Partnership,' and claiming, 'We've reached an early milestone.' This is just nine days after signing off on a brief that advised that the in-training figure was the second lowest on record since 1997. Who was in government in 1997? Oh, that's right, it was the Liberals again.

How can anyone believe the minister in the future when he claims apprenticeship numbers are improving, when he makes such claims as that, when he includes four-week courses in his apprenticeship and traineeship numbers, when he claims a figure as achieving an early milestone and a great success, when he knows that it is the second lowest on record?

We have continued to see the Marshall Liberal government callously cut vital services. This year, we have seen a reduction in funding of the Adult Community Education service, sometimes

known as ACE, which will affect many users of this important service and programs. Over the next four years, \$3 million has been cut from the budget of the Adult Community Education services. The sum of \$3 million is a huge amount to an organisation that already runs, one might say, on the smell of an oily rag, which already does a huge amount on very limited funds.

Their courses include a diverse range, from developing foundation skills in language, literacy and numeracy to computing and development skills. Adult Community Education programs are run throughout South Australia in both metropolitan and regional areas and have played a significant role in assisting people to transition, some into study and some into jobs in the workforce. These cuts will disadvantage the many people who use these services for reskilling and for foundation courses. It is leading to uncertainty in the sector and it also follows on from minister Pisoni's callous cuts last year to various employment programs.

I, like many others, was shocked to discover in the recent state budget that the state's single biggest employer, small business, had no funding allocations to it, had no additional funding whatsoever in this state budget, despite the Liberals claiming to be for small business, despite the fact that small business is the biggest single employer in the state.

There was also no new spending identified in the Minister for Innovation and Skills' department budget, which indicated, again, the unlikelihood of any additional support for small business. His department has also undergone huge cuts, which must raise the question of how likely it is that there will be anything forthcoming that will really support small business in this state, particularly those very small businesses, the micro businesses, which struggle so often to maintain their presence and yet are such a source of innovation and initiative in our state.

Sadly, this lack of commitment to small business is representative of the lack of commitment of this government overall. They are not committed to services, they are not committed to keeping their promises, and they are not committed to the people of South Australia.

The Hon. E.S. BOURKE (16:12): More jobs, lower costs, better services—it is a great initiative, really. I think we can all agree that these are reasonable objectives for any government. They are, I am sure, the objectives we all aspire to achieve when entering this place. We know these objectives are not just catchy lines. They are key concerns of every South Australian. Whether you are living in the leafy streets or on the street, these three issues are a priority.

One could argue that not one of these objectives can be achieved without the other. More jobs stimulate the economy, and when we stimulate the economy we have better services, and when we have better services we have lower costs. This all seems reasonably basic. The words we bounce around in this chamber should strive to improve the living conditions for households around South Australia and for those without a home.

When politicians use words to make promises that suggest they will go in to bat for South Australians' concerns by lowering costs, creating more jobs and creating better services, they are rightfully playing into the hopes of every South Australian. But what happens when these are just words? The Premier has recently moved to using new words to sell his Liberal government policies, such as 'let's be clear' and 'supporting mums and dads'.

In the Premier's very own words, let's be clear. The Marshall Liberal government's promises to create more jobs, lower costs and deliver better services were just pre-election words. For months, if not years, leading into the last election, the Marshall opposition boasted how they would lower costs by removing the ESL. Any relief given to South Australians through the removal of the ESL has been completely washed away with a tsunami of higher taxes and charges hitting the hip pockets of every South Australian, including their new favourite phrase, their mums and dads, since this Liberal government came into power.

This budget is imposing an unprecedented \$350 million hike in taxes, fees and charges. Taxes will be increased way above the inflation rate of 1.3 per cent and will impact the cost of living of every South Australian in some way. Very few enjoy dragging the wheelie bin out once a week for collection, including myself, but this Liberal government has chucked an extra weight of unpleasantness into the common wheelie bin. A 40 per cent tax on solid waste rubbish has been chucked in by the Liberal government, increasing council rates and financial pressures on local councils to deliver important community projects.

When you open the wheelie bin, what will you find? A bin full of broken promises—more costs, cuts to services and cuts to jobs. You will see crammed into the wheelie bin of broken promises hikes to motor registration, up 5 per cent, and driver's licence renewal, up 4.5 per cent. If you rifle past the registration fee hikes, you will find more hikes for public transport fares, up 2 per cent, the axing of the two-section card costing some commuters \$849 more, and the Metrocards now costing \$5 each.

Lying amongst the broken promises is a hike in car parking fees, up \$725 per year for nurses, cleaners and other staff, while patients, their families and friends will pay 20 per cent more to visit their loved ones. Free two-hour parking at The QEH has been axed. Ambulance fees are up 5 per cent, meaning it will now cost more than \$1,000 to catch an ambulance, only to experience the worst ambulance ramping in the history of this state. As I said, this is a bin crammed full of broken promises. When you dig a little deeper you will find a 70 per cent hike in mining taxes, massive taxes worth thousands of dollars on pubs and bars and the taxing of major events with a police rent tax.

Next to the discarded knives in the bin you will find the Liberal government's new plans for the land tax reform. The land tax reform was not discussed as a pre-election commitment. I wonder why. Chucked in amongst the pages of the budget papers was a reform to land tax. The Premier and Treasurer estimated in June that the changes would raise \$40 million, when the real number was \$118 million. After months of intense internal divisions within the Liberal Party and the community, especially the business community, we are now up to, I believe, the third version of the Liberal government's tax changes. The latest plan will raise \$86 million. The Treasurer, the Hon. Rob Lucas, made it clear he did not undertake detailed modelling before the budget because he did not have time.

In fact, we know the Treasurer is not a fan of economic modelling. He has made that very clear in this chamber before, particularly in regard to the deregulation of shop trading hours. I am sure the Treasurer now regrets this slap-dash approach to tackling such a reform with little to no consultation and modelling and throwing any integrity the party had left into the crammed wheelie bin. The Premier would be absolutely correct in saying, 'Let's be clear: we are making this up as we go.'

At the bottom of the wheelie bin is a sticky mess that no garbage truck driver will be able to shake out of the bin in their lifetime: a record debt of more than \$21 billion. Every time South Australians drive their car, jump on public transport, visit family at the hospital, go to a small bar, call an ambulance or put out the wheelie bin, they will be paying the price of a Marshall Liberal government's higher costs.

When it comes to more jobs, as the Premier would say, 'Let's make it clear: there's no problem with unemployment in South Australia, none whatsoever.' This is despite South Australia's unemployment rate being 6.9 per cent, the highest in Australia. Jobs should be the number one priority for any government. A job for one South Australian will go on to create another job for another South Australian. It is astonishing that the Premier of this state sees no problem whatsoever with having the worst unemployment rate in the country. More than 62,000 South Australians are unemployed, with this number increasing by more than 13,000 since the Marshall Liberal government was elected.

The previous Labor government faced some of the most economically challenging times faced by this state in many, many years, with the closure of Mitsubishi and Holden. Despite these adversities, Labor steered the state through these challenges by investing in job creation. The member for Dunstan, the Premier of this state, Steven Marshall, promised, while opposition leader, that he would deliver more jobs. Now he has no problem whatsoever with having the worst unemployment rate in the entire country.

We have fewer people in jobs, and our economy is paying the price. South Australia's economy has gone backwards for two consecutive quarters, which the member for Dunstan has previously defined as a recession. Figures from the Australian Bureau of Statistics released last week revealed state final demand declined .2 per cent in the June quarter, following a .2 per cent decline in the March quarter. South Australia was the only state in Australia that went backwards.

Just this week, we have seen moves to cut nursing positions, with some 1,100 planned job cuts from across SA Health. This is in addition to recent announcements of mass job cuts across the RAH, The QEH and the Women's and Children's Hospital, including doctors and nurses. I ask: how will cutting jobs in SA Health help in situations such as we saw on Monday of this week, when 19 patients waited over 24 hours for a bed across our emergency departments?

Let us make it clear: there is a problem, and the problem is the Marshall Liberal government. They promised more jobs and they have failed. They promised lower costs and they have failed. They promised better services and, no surprise, they have failed. The Liberal Party went to the election promising better services and that they do not have a privatisation agenda. Well, haven't you guys kicked that out of the park! Three of the busiest Service SA centres are set to close as a result of those opposite: the Liberal government. A Public Service that provides a valuable, face-to-face service to over 300,000 South Australians every year—you are closing them.

SA Pathology: a front-line public health service that provides a diagnosis to our medical professionals to literally save lives. They are the only ones who will do the testing for the complex diagnoses that we need to save lives, and you are potentially going to privatise that service. Then there are our trams and trains. We all remember ETSA, and we are all still paying the price for Rob Lucas' last experience as Treasurer. But this time, the Treasurer even took the Labor Party by surprise, which is—

The Hon. T.J. STEPHENS: Point of order: the Hon. Emily Bourke should be referring to the Hon. Rob Lucas by his correct title. If you are going to mention the Premier as Steven Marshall, he should be called the Hon. Steven Marshall—you should know better.

The PRESIDENT: The Hon. Ms Bourke, the Hon. Mr Stephens is correct; please use the correct titles.

The Hon. E.S. BOURKE: I will do; I do apologise. But this time, the Treasurer even took the Labor Party by surprise, by yet again privatising essential public services, including our trams and trains. On 1 July this year, the Marshall Liberal government announced that it would privatise Adelaide Metro tram and train services. Similar to the announcement of the land tax reform, the Marshall Liberal government forgot to do its homework before announcing its latest plans to cut public services, claiming that the UK and Victoria were good examples of a privatised train service. In fact, the UK has seen higher fares, older trains and a bigger hit to the hip pocket for taxpayers, with train companies diverting profits to shareholders with hardly any investments.

The Hon. J.S.L. Dawkins: You want to go over and see what they're doing in the UK at the moment. I think it's a little bit different to that.

The Hon. E.S. BOURKE: You can believe what you want to believe. The privatisation of the London Underground resulted in such poor service for commuters that the government had to buy back—

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

The Hon. E.S. BOURKE: I would leave the chamber too, if I were you, to be honest. The government had to buy back services at great cost to the community. As for Victoria, in 2015—

The Hon. K.J. MAHER: Point of order, Mr President: I think the Hon. John Dawkins was on his feet walking on the floor interjecting. I wonder whether that is something that ought to be done.

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

The PRESIDENT: It is out of order. The Hon. Mr Dawkins is unlikely to cause us any difficulty at the moment. The Hon. Ms Bourke, please continue.

The Hon. E.S. BOURKE: Thank you, Mr President. As for Victoria, in 2015 it was found that more than 15 trains a day were turned into express trains to avoid paying millions of dollars in fines for late services, leaving thousands of commuters stranded each week. So when the Marshall Liberal government says, 'Let's be clear: we'll set service level requirements and expect an increase in service levels,' you can see why South Australian commuters are more than a little cynical.

For the past 18 months Labor has been standing at train stations and in front of Service SA centres and SA Pathology labs, and the message is loud and clear: public services should remain in public hands. During the winter break we have been holding a number of community forums, and I have to say that you never know whether you are going to be the only one standing in the hall when you send out an invite for a community forum, especially when you are holding it on a Tuesday night. However, to our surprise the rooms have been filled.

You know you are in the wrong when people come out on a Tuesday night to hang out with polities to tell them how frustrated they are with the government, because you have got it wrong. Hundreds of people are coming out, giving up their Tuesday nights, to tell you, via us, that you have got it wrong. These are their public services, this is how they get to their work in the morning, this is how they get to the hospital every day. You are taking that service away from them.

History certainly tells us many things about our future. History told us a Liberal government cannot be trusted. The Premier is picking up from where the Treasurer left his privatisation agenda after privatising ETSA and the bus network and closing close to 50 public schools. The public has every right to be worried about what is next. I ask the Premier, the Hon. Steven Marshall: will you be leaving this place better than you found it? Will you deliver on the promises to create more jobs, better services and lower costs or will they remain just broken promises?

The Hon. T.T. NGO (16:28): About 18 months ago the Marshall Liberal government was making promises to all South Australians, commitments that they would deliver more jobs, better services and lower costs. Before I turn to this bill and to the 2019-20 budget scheme by the Treasurer and trumpeted by the Marshall government I want to review what is, in my opinion, the most significant and crucial promise the Liberal government made to South Australians; that is, more jobs.

While this bill was in the other place, our state was experiencing the highest seasonally adjusted unemployment rate across the country. We learned from Australian Bureau of Statistics reporting that South Australia had the highest seasonally adjusted unemployment rate in Australia. At 6.9 per cent, our state was reported to have the highest unemployment rate across the nation by a significant half a per cent, a figure well above the unemployment rate reported around the close of the Weatherill government.

I want to remind this chamber that in the month the Labor government left office South Australia had the third lowest seasonally adjusted unemployment rate across the country. By my calculation, that is 1.3 per cent lower than this Marshall government's recent July figure. While Premier Marshall has reportedly claimed there is no problem here, these figures suggest a different story, and the lack of interest Marshall's federal counterparts have in increasing Newstart payments for those who can access commonwealth unemployment assistance makes this story's ending even unhappier.

As I review the Hon. Rob Lucas's plan for the Marshall government's allocation and spending of our public money, I see more broken promises. I see a plan that increases the cost of living for households and makes it harder for South Australians to get ahead. I compare the Liberal's commitment to lower costs against how the Hon. Rob Lucas is balancing our state budget, and the scales are not weighted in the community's favour.

I understand this Liberal government plans to gather a further \$350 million from South Australians through increased taxes, fees and charges. Just shy of 18 months of running the state, this government is asking our community to reach deeper into our pockets and pitch in some more. Notably, the lower costs promised to South Australians have been negated by the absurd 40 per cent increase to the solid waste levy. How can the basic cost of keeping South Australians clean increase by close to half from one budget to the next? How does jacking up costs fix our waste management problem?

As a member of the Environment, Resources and Development Committee, I understand the importance of finding sustainable solutions to recycling and waste management, especially considering the China National Sword Policy. In my view, the money accumulated from increases in the waste levy would be best spent as incentives for councils and businesses to boost waste industry innovations and seek sustainable solutions. This makes more sense than implementing a ridiculous

fee increase, which leaves our significant waste problems unresolved and will likely negatively impact the household costs of hardworking South Australians.

I predict that the increased fees will hit every ratepayer in our state. This seems to already be playing out in local governments, as I understand that some councils are increasing their rates and saying it is because of this levy rise, and who can blame them? The Hon. Rob Lucas is asking us to pay more for simply going about our daily lives. Increases in car registrations, renewing our driver's licence and catching public transport will increase the cost of going to work, going to the shops, taking our kids to school and kindy, and visiting our families.

Further, I understand public hospital workers and visitors are not escaping Premier Marshall and the Liberal government's broken promises, with increased charges at metropolitan hospital car parks a cruel blow to South Australians who simply wish to visit sick loved ones or receive treatment themselves. Earlier this week, my colleague in the chamber, the Hon. Russell Wortley, told us this budget is setting new heights for South Australia's debt record. As it is difficult for me to comprehend, it must also confuse the community as to why they are being asked stretch their household budgets further while the state is borrowing more.

The Marshall government also promised to deliver better services as they asked South Australians to back them at the ballot box. However, to me, this commitment is compromised as we witness the dark creep of privatisation seeping further into state assets. I understand plans are afoot to privatise our trains and trams. Who knows how this move might impact on services and costs for South Australian households, after the Hon. Rob Lucas has already upped our ticket prices?

As for Service SA, we see the Liberals wanting to cut services and close offices. While the Hon. Mr Lucas tells us how much more we can expect to pay for our car registrations and licence renewals, who knows what is around the corner? We do not yet know the costs of fewer services and decreased access, but we do know Premier Marshall's promise of better services is looking shaky.

As I meet with new South Australians among our multicultural communities, I see their hardship and their hopes for a better life here. However, it pains me to explain to these people who have often already struggled so much that it is getting more expensive to live in South Australia and that their state government is to blame.

Premier Marshall's Liberal government is not delivering what it promised to South Australians 18 months ago. This Appropriation Bill and state budget entrench broken promises and higher tax regimes. If Premier Marshall and his team think they are making good on their promises of more jobs, lower costs and better services, then I fear for what else they have in store for South Australians.

The Hon. R.I. LUCAS (Treasurer) (16:36): I thank honourable members for their contribution to the debate. I have to say that I have not heard so much drivel, dribble and figments of a fevered imagination in many a decade, but I will not delay the proceedings of the chamber long enough to delay the welcome support for the second reading of the Appropriation Bill. I thank members for their indication to vote for the second reading.

Bill read a second time.

Committee Stage

Bill taken through committee without amendment.

Third Reading

The Hon. R.I. LUCAS (Treasurer) (16:39): I move:

That this bill be now read a third time.

Bill read a third time and passed.

LEGAL PRACTITIONERS (MISCELLANEOUS) AMENDMENT BILL

Second Reading

The Hon. R.I. LUCAS (Treasurer) (16:39): I move:

That this bill be now read a second time.

I seek leave to have the second reading explanation and the detailed explanation of the clauses inserted in *Hansard* without my reading them.

Leave granted.

Mr President, the Legal Practitioners (Miscellaneous) Amendment Bill 2019 (the Bill) amends the *Legal Practitioners Act 1981* (the Act), makes various amendments that improve the efficiency and operation of the Legal Profession Conduct Commissioner (the Commissioner) as well as amendments to improve and preserve the ongoing viability of the Fidelity Fund.

The Attorney-General receives regular communication from the Commissioner, Mr Greg May, around his work, themes within the profession and issues he is facing. This Bill stems from The Commissioner's work and experiences since 2014 in that role and seeks to streamline the Commissioner's work for the legal community and clients.

The most complex amendments in the Bill are the amendments that deal with the operation of the Commissioner, and the way in which charges are laid by the Commissioner.

The amendments centre on the time limits that apply to the Commissioner laying charges against practitioners for misconduct, and the ability for the Commissioner to apply for an extension of time where necessary.

These amendments were requested by the Commissioner after the Full Court of the Supreme Court, in the 2017 decision of *Legal Profession Conduct Commissioner v Fittock* [2017] SASCFC 169, held that an extension of time application is not an interlocutory matter and therefore must be heard by a three-member Legal Practitioners Disciplinary Tribunal (the Tribunal), rather than by a single member.

This decision has had a significant impact on the way the Commissioner conducts matters, and, if no legislative amendments were enacted, would greatly increase the expenses involved for every extension of time application. A number of improvements have been made to the provisions dealing with extensions of time, along with transitional provisions that are intended to mitigate the impacts of the decision made in *Fittock*.

The extension of time amendments will do four things. Firstly, the amendments allow an extension of time application to be heard by a single member of the Tribunal. Secondly, the time for the Commissioner to lay charges has been extended from 3 years to 5 years. Thirdly, the time will now run from when the Commissioner becomes aware of the conduct, as opposed to when the conduct occurred. As a result, it is hoped that fewer extension of time applications will need to be made by the Commissioner. Fourthly, it will be made it clear that an extension of time application can be heard at the same time as the merits of a matter. These amendments will apply to all new complaints received by the Commissioner after the commencement of the Bill.

Mr President, the other amendment contained in the Bill is the change to section 57A, which adjusts the levels of funding allocated from the interest that accrues from the monies in legal practitioners' trust accounts.

Currently, the Legal Services Commission receives 50 per cent, the Fidelity Fund receives 40 per cent, and the remaining 10 per cent goes to 'a person' nominated by the Attorney-General. The only 'person' currently nominated is the Law Foundation of South Australia (the Law Foundation), which therefore receives the entirety of the 10 per cent.

The amendment to s 57A is being undertaken as part of a range of measures to improve the ongoing viability of the Fidelity Fund. The Fidelity Fund is administered by the Law Society with one of its primary purposes being reimbursing people who suffer financial loss arising from an act or omission that involves dishonesty and results in a default of a law practice. The Fidelity Fund is also used to support various other functions under section 57(4) of the Act, such as the Commissioner and the Ethics and Practice Unit of the Law Society.

Revenue into the Fidelity Fund consists mainly of statutory interest allocation (which represents interest accumulated on law practice trust accounts), a proportion of practising certificate fees and investment income. Due to a number of factors, including a decrease in investment income and increases in expenditure for the purposes of regulating the profession, the ongoing viability of the Fidelity Fund is at risk.

The amended provisions reduce the proportion allocated to the Law Foundation from 10 per cent to 5 per cent, and allocates the remaining 5 per cent to the Fidelity Fund.

The amendments to the extension of time provisions will also assist the future viability of the Fidelity Fund by preserving the resources of the Commissioner and increasing his Office's efficiency.

The Bill also contains other minor amendments, including an amendment that clarifies that a law firm may list the details of historical wills on the Law Society's wills register without the client's consent without breaching their confidentiality requirements, so long as a good faith effort has been made to contact the client to seek permission.

Again, the Government thanks Commissioner Greg May for his work in this area and important role he plays in regulating the standards of South Australia's legal profession by investigation complaints any suspected misconduct by lawyers.

I commend the Bill to Members.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

3—Amendment provisions

These clauses are formal.

Part 2—Amendment of Legal Practitioners Act 1981

4—Amendment of section 14AB—Certain matters to be reported by Society

This clause corrects an error in cross-referencing.

5—Amendment of section 57A—Payment of interest accruing on trust accounts

Section 57A requires financial institutions to pay interest that accrues on a trust account maintained by a legal practitioner to the Law Society. The Society is currently required to pay 50 per cent of the money to the Legal Services Commission or a community legal centre, 40 per cent to the Fidelity Fund and 10 per cent to a person nominated by the Attorney-General. Under the section as amended by this clause, the Society will be required to pay 45 per cent, rather than 40 per cent, of the interest to the Fidelity Fund. The remaining 5 per cent will, at the direction of the Attorney-General, be paid either to the Fidelity Fund or to a person or persons nominated by the Attorney-General.

6—Amendment of section 72—Functions

Section 72 currently permits the Legal Profession Conduct Commissioner to fix, and require the payment of, fees. Under the section as amended, the Commissioner will also be able to waive or refund fees.

7—Amendment of section 77N—Investigation of allegation of overcharging

Section 77N(7) provides that if the amount in dispute in an overcharging complaint is \$10,000 or less, the Commissioner may make a determination as to whether there has been overcharging. This clause amends the section so that the Commissioner can make a determination as to overcharging if the disputed amount is \$50,000 or less. The Commissioner cannot make a determination as to whether there has been overcharging unless there has been an assessment of the costs by a legal practitioner and the parties have been invited to make submissions on the assessment.

8—Amendment of section 80—Constitution and proceedings of Tribunal

Section 80 is amended by this clause to make it clear that—

- the Legal Practitioners Disciplinary Tribunal may consist of only one member for the purposes of hearing extension of time applications; and
- the Tribunal may hear and determine an application for an extension of time to lay a charge at the same time as it hears and determines proceedings relating to the charge.

9—Amendment of section 82—Inquiries

This clause amends section 82 so that a charge may be laid before the Tribunal within five years of the person laying the charge becoming aware of the conduct to which the charge relates. Currently, a charge must be laid within three years of the relevant conduct.

10—Insertion of section 95E

This clause inserts a new section.

95E—Wills register

Proposed section 95 provides that a legal practitioner does not breach a duty of confidentiality owed by the practitioner to a client for whom the practitioner has prepared a will merely by publishing on a wills register, without the client's consent, the name and date of birth of the client or the date of the will. This principle applies only if—

- the will was made before the commencement of the new section; and
- the practitioner has been unable to contact the client despite having taken reasonable steps to do so for the purpose of obtaining the client's consent to publication of the information.

11—Amendment of Schedule 1—Incorporated legal practices

The purpose of the amendment made by this clause is to clarify that the term 'approved form' in Schedule 1 means a form approved by the Supreme Court.

Schedule 1—Transitional provisions

1—Transitional provisions

The effect of the transitional provisions is as follows:

- the amendment to section 77N of the Act made by clause 7, which broadens the Commissioner's capacity to make determinations in respect of overcharging, applies in relation to a complaint of overcharging received by the Commissioner after the commencement of the amendment irrespective of whether the final bill to which the complaint relates was delivered to the client before or after that commencement;
- section 80 of the Act as in force before the commencement of the amendments made by clause 8 continues to apply to an application for an extension of time heard after the amendments commence if the charge or charges in relation to which the application is made arise from a complaint made, a direction from the Attorney-General or Law Society given or an investigation by the Legal Profession Conduct Commissioner commenced on the Commissioner's own initiative before that commencement;
- section 82 of the Act as in force before the commencement of the amendment made by clause 9 continues to apply in relation to a charge laid before the Tribunal following the commencement of the amendment if the charge arises from a complaint made, a direction from the Attorney-General or Law Society given or an investigation by the Legal Profession Conduct Commissioner commenced on the Commissioner's own initiative before that commencement.

The Hon. D.G.E. HOOD (16:40): I rise to speak in support of this bill, which amends the Legal Practitioners Act 1981 and introduces changes to improve the efficiency of the Legal Profession Conduct Commissioner's operations. In addition, it seeks to preserve the ongoing viability of the Fidelity Fund. I am aware that the impetus for this bill came from the commissioner himself, with the proposed changes arising from his experiences and observations throughout his time in this position since 2014.

As members would no doubt appreciate, the commissioner's office has the vital mandate of overseeing the conduct of all lawyers throughout South Australia from both the private and public sectors, as well as those from interstate who to choose to practise here on various occasions. It assists in regulating the standards of South Australia's legal profession by dealing fairly and effectively with complaints about lawyers, investigating any suspected misconduct and determining appropriate disciplinary action when and where required. Thankfully, that is not terribly often.

In acknowledgement of the important functions of this role, the Attorney-General has responded to the commissioner's guidance and insight in an effort to streamline his undertakings for the benefit of both the legal community and its extensive client base. Some of the key objectives of this bill are, firstly, to address time limits that apply to the Legal Profession Conduct Commissioner when laying charges against practitioners and the ability of the commissioner to apply for an extension of time. This is a very important initiative, in my view.

Specifically, the amendments pertaining to this matter allow for such applications to be heard by a single member of the tribunal, as opposed to three members. It extends the time for the commissioner to lay charges from three to five years; it alters the point at which time limit commences, now being from when the commissioner becomes aware of the conduct, as opposed to when it actually occurred; and finally, it makes it clear that both an application for an extension and the actual merits of the matter can be heard simultaneously. This should make for a more streamlined, efficient system, in my view.

As a result of these proposed changes, it is expected that the expenses for hearing each application will be greatly reduced and that fewer extension-of-time applications will be made, consequently conserving resources in the Fidelity Fund. Again, this is another good initiative, in my view.

The other fundamental aim of this bill is to adjust the levels of funding allocated from the interest that accrues from moneys in the legal practitioners' accounts to the relevant entities. As it stands, the Legal Services Commission receives some 50 per cent of these finances, the Fidelity Fund collects 40 per cent, and the remaining 10 per cent is directed to—and I say this with quotation marks—'a person' nominated by the Attorney-General, which of course is currently the Law Foundation of South Australia (which is why I used the term 'a person' in quotation marks).

I understand that, due to various factors, including a reduction in the investment income combined with increases in expenditure for the purposes of regulating the profession, the viability of the Fidelity Fund has been deemed to be at some risk. In an effort to sustain this essential resource, the provisions in the bill would decrease the proportion allocated to the Law Foundation from 10 per cent to 5 per cent and distribute the residual 5 per cent of the Fidelity Fund—a straight swap. The Fidelity Fund, which is of course maintained by the Law Society of South Australia, primarily exists to reimburse people, or their personal representatives, who have suffered loss due to a fiduciary or professional default, where there is no reasonable prospect of recovering the full amount. Unfortunately, we do see that from time to time, albeit fairly rarely.

There is no doubt a very necessary claim of last resort for South Australians in this predicament pursuing appropriate redress. However, as asserted by the Attorney-General in the other place, its moneys are also utilised for a vast number of other purposes. For instance, it is available to meet all of the expenses incurred by the Legal Practitioners Education and Admission Council (LPEAC), the Board of Examiners, the Legal Practitioners Disciplinary Tribunal and the Legal Profession Conduct Commissioner.

It can also provide for the proceedings instituted by the commissioner for the adjudication of legal costs, the payment of honoraria to members of the LPEAC and the tribunal, in addition to funding the salaries of the commissioner and his or her staff—his, currently. There are indeed many other worthy causes that rely on this fund which I have not listed, and it is therefore imperative that our parliament initiates reform, where possible, to ensure its longevity.

I note in the committee stage of the bill's debate in the other place that concerns were raised in relation to the impact these amendments will have specifically on the Law Foundation, which does make a valuable contribution to the legal profession through supporting and espousing the advancement of academic research and education in this particular field.

The government certainly appreciates its work and although the amount to the foundation, from the accrued interest and the legal practitioners' trust, will be reduced, the Attorney-General has indicated that it has currently accumulated a considerable reserve of over \$7 million. I certainly agree with her assessment in this instance that the Fidelity Fund must be prioritised in these circumstances.

The Marshall Liberal government is committed to preserving the integrity of the justice system through collaborating with those who are equipped with the necessary knowledge and expertise to advise how best practice can be established. Given the previous Labor government was also made aware of some of the inefficiencies we are seeking to address through these amendments but did not take remedial action in response to recommendations, I am pleased that the current government is taking a pragmatic approach to the weaknesses that have been identified within the certain processes that I have outlined, and many that I have yet to touch on.

I am confident that the reforms provided for in these amendments are in the best interests of all South Australians and I expect that they will receive swift passage through this place.

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

STATUTES AMENDMENT (BUDGET MEASURES) BILL

Second Reading

Adjourned debate on second reading.

(Continued from 10 September 2019.)

The Hon. J.A. DARLEY (16:47): I rise to very briefly put on the record that I am supportive of the budget measures bill. I am very much opposed to the government's proposed changes to land tax which were announced as part of the budget. The government has released a draft bill and I understand that it will be introducing a separate bill where the changes to land tax will be dealt with, so I will speak more to those changes when the bill is presented in this place. I have no issue with the proposals as outlined in the bill we are currently debating and will not delay it, but I want to stress that I am not supportive of other budget measures not mentioned in this bill.

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

ASSOCIATIONS INCORPORATION (MISCELLANEOUS) AMENDMENT BILL*Second Reading*

The Hon. R.I. LUCAS (Treasurer) (16:48): I move:

That this bill be now read a second time.

I seek leave to have the second reading explanation and the detailed explanation of clauses inserted in *Hansard* without my reading them.

Leave granted.

Mr President, I move that this Bill be now read a second time.

The Associations Incorporation Act 1985 regulates the creation and governance arrangements for incorporated associations in South Australia.

There are over 20,000 incorporated associations in South Australia, representing diverse interests and groups in the community. These associations range from special interest clubs which have few members and whose income is derived solely from subscriptions, to large organisations that operate businesses.

As the Attorney-General has already outlined in the other place, to realise the benefits of an IT upgrade that CBS is undergoing, this Bill will make minor administrative amendments by allowing for greater use of online forms and email communication.

The amendments proposed in this Bill aim to bring regulation into line with modern technology and business practice, by removing the need for statutory declarations to accompany applications for incorporation of associations or changes to an association's rules.

I understand from the Attorney-General's Office this Bill has the broad support of the Opposition and I thank them for its quick passage through the other place.

The Government understands the importance of incorporated associations in our communities—and even to our economy—which is why we are removing this red tape from organisations that are principally administered by volunteers.

Mr President, I commend this Bill to Members and table the Explanation of Clauses.

Explanation of Clauses**Part 1—Preliminary****1—Short title****2—Amendment provisions**

These clauses are formal.

Part 2—Amendment of Associations Incorporation Act 1985**3—Amendment of section 19—Manner in which application for incorporation is to be made**

This clause deletes subsection (2)(b) which requires a statutory declaration to accompany an application for the incorporation of an association.

4—Amendment of section 24—Alteration of rules

This clause deletes subsection (3)(b) which requires a statutory declaration to accompany an application for registration of a proposed alteration of the rules of an incorporated association.

5—Amendment of section 64—Service

This clause inserts paragraph (d) to allow a process, notice or other document to be served on an incorporated association by email.

Debate adjourned on motion of Hon. C.M. Scriven.

LIQUOR LICENSING (MISCELLANEOUS) AMENDMENT BILL*Second Reading*

The Hon. R.I. LUCAS (Treasurer) (16:49): I move:

That this bill be now read a second time.

I seek leave to have the second reading explanation and the detailed explanation of clauses inserted in *Hansard* without my reading them.

Leave granted.

Mr President, today I introduce the Liquor Licensing (Miscellaneous) Amendment Bill 2019. As the Attorney-General has already outlined in the other place, the proposed amendments are largely in support of the review into the Liquor Licensing Act 1997 conducted by the Hon. Mr Tim Anderson QC in 2016, which led to the passage of the Liquor Licensing (Liquor Review) Amendment Act 2017 (the Liquor Review Act).

The Liquor Review Act has been commenced in stages, and the final stage is proposed to commence on 18 November 2019. This will principally relate to the provisions that create new licence classes and that transition the current licence classes to those new classes.

I am advised that considerable consequential work, including the drafting of regulations, is being undertaken in the Attorney-General's Department to prepare for the new licensing regime.

With one exception, it is proposed that the amendments that are the subject of this bill be passed by parliament and given royal assent prior to 18 November 2019, so that they may be commenced when the remaining provisions of the Liquor Review Act are proposed to commence.

Mr President, the majority of the proposed amendments are technical.

I understand from the Attorney-General's Office that the opposition has indicated their general support for the bill, and that consideration is currently being given to the member for Florey's proposed amendment to clause 22 that would affect direct sales licensees.

Some of the non-technical amendments to this bill relate to the time frame in which alcohol can be delivered, and amendments to the short-term licence provisions (which was done at the request of industry).

Mr President, I commend the bill to members and I table a copy of the explanation of clauses.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

3—Amendment provisions

These clauses are formal.

Part 2—Amendment of Liquor Licensing Act 1997

4—Insertion of section 7A

This clause inserts a new section 7A:

7A—Exemptions

The proposed section clarifies the power of the licensing authority to vary or revoke an exemption granted by the authority under the Act. It further provides that the licensing authority must, before varying or revoking an exemption, give notice in a manner and form determined by the licensing authority.

5—Amendment of section 11A—Codes of practice

The clause inserts a new subsection (3a) which provides that the Commissioner may include provisions in a code of practice that declare various categories of offences (which have various penalties under section 45) against a provision of the code under section 11A.

6—Amendment of section 31—Authorised trading in liquor

The clause inserts a new subsection outlining that there is to be a category of licence known as an interstate direct sales licence, to be enacted by clause 13 of the measure.

7—Amendment of section 32—General and hotel licence

Section 32(d) provides that a general and hotel licence authorises the sale of liquor by direct sales transaction if it is dispatched and delivered between the hours of 8 am and 9 pm. This clause amends the paragraph to provide that sale of liquor by direct sales transaction must only be delivered between the hours of 8 am and 10 pm.

8—Amendment of section 33—On premises licence

This clause makes a technical amendment to clarify that an on premises licence authorises the consumption of liquor by a resident on licenced premises and to a person on licensed premises for consumption on those premises.

9—Amendment of section 36—Club licence

Section 36(1)(c) provides that a club licence authorises the sale of liquor by direct sales transaction if it is despatched and delivered between the hours of 8 am and 9 pm. The clause amends the paragraph to provide that the sale of liquor by direct sales transaction is authorised if the liquor is delivered between the hours of 8 am and 10 pm.

10—Amendment of section 38—Packaged liquor sales licence

Section 38(1)(b) provides that a packaged liquor sales licence authorises the sale of liquor by direct sales transaction if it is despatched and delivered between the hours of 8 am and 9 pm. The clause amends the paragraph to provide that the sale of liquor by direct sales transaction is authorised if the liquor is delivered between the hours of 8 am and 10 pm.

11—Amendment of section 39—Liquor production and sales licence

Section 39(1)(d) provides that a liquor production and sales licence authorises the sale of liquor by direct sales transaction if it is despatched and delivered between the hours of 8 am and 9 pm. The clause amends the paragraph to provide that the sale of liquor by direct sales transaction is authorised if the liquor is delivered between the hours of 8 am and 10 pm.

12—Amendment of section 40—Short term licence

The clause amends section 40(8)(c) to provide for an ongoing or annual fee to be prescribed in respect of a short term licence granted for a term of 1 year or more.

13—Insertion of Part 2 Division 2 Subdivision 4

This clause inserts a new Subdivision:

Subdivision 4—Interstate direct sales licence

41—Interstate direct sales licence

The subdivision provides for the granting of a new category of licence, an interstate direct sales licence, to a person who holds an authorisation under the law of another State or Territory authorising the sale of liquor by direct sales transactions (a *corresponding authorisation*).

The section sets out the process for applying for a licence, the circumstances in which such a licence may be suspended or revoked, and that the regulations may provide that specified provisions of the Act do not apply, or apply with prescribed variations to or in relation to an application for the licence or to the holder of the licence.

14—Amendment of section 42—Mandatory conditions

Subclause (1) inserts new subsections (1b) and (1c), making provision in relation to the name of licensed premises. Names of proposed licensed premises or a change of name of existing premises must be notified to the Commissioner. A licensee must not use a name for the licensed premises that the Commissioner has prohibited by notice to the licensee within 28 days of receiving notice of the name or change of name. The amendment in subclause (2) is consequential on the enactment of clause 13 of the measure.

15—Amendment of section 43—Power of licensing authority to impose conditions

The amendments in this clause clarify the power of the licensing authority to vary, suspend or revoke a condition of a licence including a condition imposed by the Act or a rule applying under section 39(2) but not including a mandatory condition contemplated by section 42.

16—Amendment of section 45—Compliance with licence conditions

Subclause (1) inserts several new penalty provisions for offences against a code of practice, and provides for offences to be either a category A, B, C, or D offence.

Subclause (2) provides for offences of a kind prescribed by the regulations, and offences against a code of practice in the assigned categories to be expiable.

Subclause (3) provides that the Commissioner may declare, in a code of practice, whether a contravention of or failure to comply with a specified provision in the code is a category A, B, C or D offence or a category A, B, C or D expiable offence.

17—Amendment of section 50A—Annual fees

Subclause (1) amends section 50A(5b) to provide that the Commissioner may, if the Commissioner thinks fit, within a period of 60 days after service of a notice of suspension of a licence on grounds of non payment of an annual fee, revoke the licence. The section previously allowed a period until the next annual fee was due until the Commissioner was able to revoke a licence on these grounds. Subclause (2) deletes subsection (6) which provides that the annual fee regulations do not apply to short term licenses.

18—Insertion of section 50B

This clause inserts a new section:

50B—Notification of certain variations to licences

The section provides for a licensee to notify the Commissioner of the following changes to operations under the licence, and for the Commissioner to modify the conditions of the relevant licence accordingly:

- reducing the number of hours during which the licensee trades in liquor (but not so as to allow the licensed premises to trade at later hours than those previously fixed in relation to the licence);
- reducing the maximum capacity of the licensed premises;
- no longer selling or supplying liquor under a club event endorsement, club transport endorsement or a production and sales event endorsement.

19—Amendment of section 52—Certain applications to be advertised

These amendments are consequential on other amendments in the measure.

20—Amendment of section 52A—Confidentiality of certain documents and material relevant to application

This amendment removes a requirement from the exiting provision in section 52A(1) to enable applications required to be advertised under the Act to be available to all persons, not just persons with a genuine interest.

21—Amendment of section 65A—Special provision relating to amalgamation of certain clubs

Section 65A provides that the Commissioner may cancel both licenses of amalgamating clubs and issue a new licence in the name of the single incorporated association at whose premises the amalgamated club is to carry on business. The amendments allow the Commissioner instead to cancel 1 of the licenses of the amalgamating club and issue a replacement copy of the licence in the name of the single incorporated association of the club at whose premises the association is to carry on business.

22—Amendment of section 107A—Sale of liquor through direct sales transaction

The clause inserts into section 107A(1) and (2) a maximum penalty provision of \$2 500 and an expiation fee of \$210.

23—Amendment of section 109—Copy of licence etc on licenced premises

The clause substitutes section 109(1) to modernise the provision in relation to having an up to date copy of the licence displayed on licensed premises, in accordance with the requirements (if any) of the regulations.

24—Amendment of section 109A—Records of liquor transactions

The amendment allows records of liquor transactions to be kept other than in the State.

25—Amendment of section 115—Evidence of age may be required

The clause inserts into section 115(1) a requirement that before a prescribed person asks a person to produce ID, the prescribed person must reasonably suspect that they are under the age of 18 years.

Schedule 1—Transitional provision

1—Annual fees

This clause provides a transitional provision consequent on the enactment of clause 17 of the measure.

Debate adjourned on motion of Hon. C.M. Scriven.

At 16:52 the council adjourned until Tuesday 24 September 2019 at 14:15.