

LEGISLATIVE COUNCIL

Thursday, 26 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.

Petitions

STATUTES AMENDMENT (ABORTION LAW REFORM) BILL

The Hon. D.G.E. HOOD: Presented a petition signed by 268 residents of South Australia requesting the council to vote against the Statutes Amendment (Abortion Law Reform) Bill introduced by the Hon. Tammy Franks.

Parliamentary Procedure

PAPERS

The following papers were laid on the table:

By the Treasurer (Hon. R.I. Lucas)—

South Australia's Response to the Murray-Darling Basin Royal Commission dated September 2019

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

Ministerial Response to Inquiry of the Environment, Resources and Development Committee into Heritage Reform

Report by the Commission for Children and Young People entitled 'Public Transport—It's not fine'

Ministerial Statement

MURRAY-DARLING BASIN ROYAL COMMISSION

The Hon. R.I. LUCAS (Treasurer) (14:17): I table a copy of a ministerial statement relating to South Australia's response to the Murray-Darling Basin Royal Commission made in another place by the Premier.

Question Time

AMBULANCE RAMPING

The Hon. K.J. MAHER (Leader of the Opposition) (14:20): My question is to the Minister for Health and Wellbeing about deaths in ambulances. After the Flinders Medical Centre ramping death last week, the Premier stated, 'The Coroner will conduct a full investigation.' I ask the minister: did the minister check with the Coroner before that announcement was made or did both the Premier and the minister simply presume there would be a coronial inquest?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:20): I don't speak for the Premier. What I have said publicly is that these matters, as with due process, are reported to the Coroner.

AMBULANCE RAMPING

The Hon. K.J. MAHER (Leader of the Opposition) (14:21): Supplementary arising from the answer: does the minister know that there will be a coronial inquest into this matter?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:21): Deaths are reported in the normal way. That case has been reported to the Coroner, who may decide to do an investigation.

AMBULANCE RAMPING

The Hon. K.J. MAHER (Leader of the Opposition) (14:21): Supplementary arising from the answer: to be clear, does the minister have knowledge that there will be a full investigation by the Coroner or does the minister only have knowledge it has been reported to the Coroner and there may or may not be a full investigation?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:21): My understanding is the Coroner has a number—and I seem to recall the number might be 2,000—of reportable deaths a year, but I will take that on notice to clarify if I need to. Any of those reportable deaths could lead to investigations; some of those investigations may lead to inquests. Considering that this event was only last week, I would be very surprised if the Coroner has made a decision in relation to what action, if any, will be taken in this case.

AMBULANCE RAMPING

The Hon. K.J. MAHER (Leader of the Opposition) (14:22): Supplementary arising from the original answer and for the sake of clarity: is the minister's contention that we do not know yet whether the Coroner will conduct an investigation?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:22): My contention is that I don't know.

AMBULANCE RAMPING

The Hon. K.J. MAHER (Leader of the Opposition) (14:22): Further supplementary arising from the answer about the death at Flinders Medical Centre in an ambulance: the Premier also said that this death should never have occurred. Will the minister now ask the Coroner to prioritise the investigation so families and the public don't have to wait many years for an answer?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:22): I want to make it clear, particularly in relation to the tail-end comment of the Leader of the Opposition, that it is completely wrong to say that SA Health only learns lessons from coronial inquests. As with any adverse event, investigations will look to see if and what the health system could have done better. As I said last week, out of respect for the family, I don't intend to comment further.

AMBULANCE RAMPING

The Hon. K.J. MAHER (Leader of the Opposition) (14:23): Further supplementary arising from the original answer in relation to the death of a patient at Flinders Medical Centre in an ambulance: with the Premier's comment that the death should never have occurred, can the minister assure South Australians, and given that SA Health will act on it before the Coroner, that it actually will never happen again?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:23): The Premier has made clear time and time again, and I also have made clear time and time again, that this government does not regard ambulance ramping as acceptable. The former government loved to use weasel words like 'external triage' to try to, if you like, understate the issue of ambulance ramping. We haven't done that. We have consistently named it and we are committed to eliminating it. That is a commitment that I have and it's a commitment that the Premier, the leader of my government, shares.

AMBULANCE RAMPING

The Hon. K.J. MAHER (Leader of the Opposition) (14:24): Further supplementary in relation to the part of the answer where the minister said that there were—and he would check—approximately 2,000 matters reported to the Coroner every year: will the Coroner be conducting an investigation, as the minister has announced there will be an investigation, into the death of 34-year-old ambulance volunteer Jason Mountstephen, who died in July this year?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:24): I should stress that in relation to both Thursday's case and in relation to the Goolwa case my thoughts are with both

families. As I have already indicated in relation to the Flinders Medical Centre death, as with any adverse event investigations will look to see if and what the health system could have done better.

In relation to the Goolwa case, it is important to appreciate that we live in a very big state. We are committed to delivering the best possible health services to all of our citizens, including those in rural and regional South Australia. It is challenging to deliver ambulance services across the rural and regional parts of the state, but we do apologise to the family that the health system wasn't able to meet their expectations. We always strive to do better.

AMBULANCE RAMPING

The Hon. K.J. MAHER (Leader of the Opposition) (14:25): Final supplementary: in relation to the issue of ramping that was mentioned in the answer, were public hospitals ramping on 12 July, the day that ambulance volunteer Jason Mountstephen died while waiting for an ambulance to arrive?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:26): In terms of ramping, the common phrase is 'lost hours, transfer of care'. There is often ambulance ramping. There are often hours lost in transfer of care. It would be an unusual day where there was no hour lost across the system in terms of ambulance ramping. It is my understanding that on that day there were hours lost in transfer of care.

SUICIDE PREVENTION

The Hon. C.M. SCRIVEN (14:26): I seek leave to make a brief explanation before asking a question of the Hon. John Dawkins in relation to suicide prevention.

Leave granted.

The Hon. C.M. SCRIVEN: It was revealed during the recent National Suicide Prevention Week that the Construction Industry Training Board has cut to zero the funding it previously provided to MATES in Construction, which works to prevent suicide in the construction industry, given that men who work in the construction industry are twice as likely to commit suicide than males in other jobs. This follows the legislative reform of the board by minister Pisoni earlier this year, which enabled the minister to hand-pick the appointees to the board and removed the requirement for unions to be members of the board, noting that unions have been strong supporters of MATES in Construction and the excellent work they do.

The functions of the board, according to section 11(e) of the Construction Industry Training Fund Act, include promoting occupational health and safety within the building and construction industry through training. My question to the Premier's Advocate for Suicide Prevention is: does the honourable member agree with minister Pisoni's view, stated on ABC radio last week, that contributing funding to MATES in Construction is not core business of the board?

The Hon. J.S.L. DAWKINS (14:27): I thank the honourable member for her question and her interest in suicide prevention. I understand that the Construction Industry Training Board recently released amendments to funding arrangements as a result of its revised annual training plan 2019-20. I am advised that the board has made changes to some funding arrangements to enable the payment of an additional apprentice incentive. These changes affect funding for the remainder of the financial year, effective from 1 October 2019.

Changes have been communicated to affected stakeholders over the past two weeks, including MATES in Construction, with their application for grant funding to the CITB for a number of programs being unsuccessful. The minister has scheduled a meeting with the chairman of MATES in Construction, Mr Michael Harper, as soon as he returns from business overseas, to discuss alternative funding opportunities, and I am hoping to be part of that meeting.

I have had a long association with MATES in Construction, probably more than just about any member of this parliament, I would say, and they do terrific work. This funding is a relatively small element of the work that MATES in Construction does. In fact, only yesterday, I was on a phone hook-up in relation to some suicides in a rural community. A representative of MATES in Construction was on that phone hook-up and provided some very, I think, beneficial advice and suggestions about

what that organisation can do to support a particular business but also that particular rural community as a whole.

As I said, I have had a long association with MATES in Construction. I, like many others, was very concerned with the timing of the announcement, and that has been passed on from myself and on behalf of the Premier's Council for Suicide Prevention.

MATES IN CONSTRUCTION

The Hon. C.M. SCRIVEN (14:30): Supplementary arising from the member's answer: why is the member only concerned with the timing of the announcement rather than the announcement itself, and why does the member agree that this is not core business, given section 11(e) of the act, as was mentioned in the original question?

The Hon. J.S.L. DAWKINS (14:30): With great respect to the member, she put words in my mouth that I didn't say.

The Hon. C.M. Scriven: So it's a core business?

The Hon. J.S.L. DAWKINS: Well, as the shadow minister, I would suspect that the member knows that the Construction Industry Training Board is an independent body, as it was under the previous government. The board made a decision to not—

Members interjecting:

The Hon. J.S.L. DAWKINS: Well, the—

The PRESIDENT: Through me, the Hon. Mr Dawkins.

The Hon. J.S.L. DAWKINS: Mr President, through you, I think members opposite liked to always, when they were in government, talk about decisions that were made by independent bodies, but now of course it's a different scenario for them. The reality is—

The Hon. K.J. Maher: You've been here long enough to know that's not independent.

The Hon. J.S.L. DAWKINS: Well, you've been here long enough to know you shouldn't be interjecting. Can I say, and I've said many times, MATES in Construction is a terrific body and it does get funding from a range of sources. It has great support from within the union movement and within industry, and the bulk of its money comes from those sources. I have worked not only—

The Hon. E.S. Bourke: So is this the reason you want to get rid of it?

The Hon. J.S.L. DAWKINS: Do you know anything about this? I doubt it. I have worked with MATES in Construction not only in South Australia but with its founder, Mr Jorgen Gullestrup from Queensland, who is a great advocate for the work that MATES in Construction do, as am I. I will continue to support MATES in Construction in the work that they do not only in the construction industry but in the mining industry and other areas.

MATES IN CONSTRUCTION

The Hon. C.M. SCRIVEN (14:32): Supplementary: given the honourable member says that this is only a small amount of funding, the funding is for the life skills training, is he saying that that life skills training is not a valuable use of funds and is not important?

The Hon. J.S.L. DAWKINS (14:33): Here again, Mr President, the Hon. Clare Scriven is trying to put words in my mouth. What I did say is that the minister is planning a meeting with the chairman of MATES in Construction, Mr Michael Harper, as soon as that can be arranged. I will, if possible, join that meeting. If you had listened to my original answer, I said we will be exploring other funding opportunities to assist MATES in Construction.

The PRESIDENT: I will allow one more supplementary.

MATES IN CONSTRUCTION

The Hon. C.M. SCRIVEN (14:33): When did the honourable member become aware of the \$50,000 cut to MATES in Construction by the board?

The Hon. J.S.L. DAWKINS (14:33): I became aware from a media report on the Saturday morning immediately after Suicide Prevention Day and R U OK? Day.

LAND TAX

The Hon. E.S. BOURKE (14:34): I seek leave to make a brief explanation before asking a question of the Treasurer regarding land tax.

Leave granted.

The Hon. E.S. BOURKE: Yesterday, in the other place, the Premier was asked whether the Hon. Rob Lucas would remain as Treasurer until the next election. The Premier responded, and I quote:

I'm not in the habit of speculating regarding what will happen in the cabinet. In the fullness of time, we will make it clear exactly and precisely what we will be doing.

The failure to endorse the under-pressure Treasurer comes at a time when the Marshall Liberal government's land tax policy is ripping the Liberal Party apart. My questions to the Treasurer are:

1. When did the Treasurer offer his resignation to the Premier?
2. Can the Treasurer name a single business that supports the Marshall Liberal government's land tax policy?

The Hon. R.I. LUCAS (Treasurer) (14:35): A nice touch of alliteration there, I thought—the 'under-pressure Treasurer'. I congratulate the honourable member for her use of phrase. As members can tell, I am under significant pressure. I see it every day in question time. I am relentlessly beaten around the head by a merciless opposition, led by the leader and indeed the other frontbenchers. I come into this chamber cowering at every opportunity, fearing what might happen to me during question time.

The Premier answered the question as indeed he should have answered the question. He will not and does not speculate publicly about the position of his cabinet colleagues. As he has publicly opined during question time, he was a bit fearful that I would live beyond 30 June because of my high sugar diet, and he is probably being very cautious in relation to my longevity as to whether indeed I could even live to 2022, let alone complete my task of another couple of budgets as well.

The Premier responded as he should have in relation to silly questions like that. We in the Liberal Party serve at the discretion of the leader of the government of the day, the Premier. For so long as he believes in the job that we do, we will continue to serve. If at any stage he makes an alternative decision, we willingly comply with the wishes and decisions of our leader, in this case the Premier.

LAND TAX

The Hon. E.S. BOURKE (14:37): Supplementary: will the Treasurer confirm that he still has the confidence of the Premier, and that the Treasurer will also deliver the next two budgets?

The Hon. R.I. LUCAS (Treasurer) (14:37): Those questions can be directed to the Premier, but I have every confidence that the Premier has confidence, not only in me as the Treasurer but in all of his cabinet colleagues, in terms of the job that they do collectively on behalf of the government of the day.

LAND TAX

The Hon. E.S. BOURKE (14:37): Supplementary: will the Treasurer confirm that he will be the Treasurer—

The Hon. K.J. Maher interjecting:

The PRESIDENT: Leader of the Opposition, I would really like to hear the supplementary, from your own front bench.

The Hon. E.S. BOURKE: Assuming the Treasurer survives his high sugar diet, will he remain the Treasurer until the next state election?

The Hon. R.I. LUCAS (Treasurer) (14:38): Can I assure the honourable member, who might be interested in my high sugar diet, that I will never—willingly, I should say (unless, I guess, a specialist decides for me otherwise)—give up the high sugar diet: the donuts, the chocolates. The Myer Food Court will remain a staple of the Lucas diet for so long as I exist—vertical, breathing and capable of undertaking the job I have been asked to do.

These decisions are decisions for the Leader of the Liberal Party of the day. We do not have collective caucus decisions in relation to who serves in respective positions in the Liberal Party: they are the decisions and the prerogative, as they should be, of the Premier of the day. We serve willingly for so long as the Premier of the day has confidence in each of us to continue to undertake the task. For so long as I am serving, I will have to drag myself in on a daily basis to question time, to the merciless onslaught led by the Leader of the Opposition on a daily basis in this chamber.

FLEURIEU PENINSULA

The Hon. D.G.E. HOOD (14:39): My question is to the Minister for Trade, Tourism and Investment. Will the minister update us on his recent visit to the Fleurieu Peninsula?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:39): I thank the honourable member for his question and his ongoing interest in regional tourism. Indeed, I did recently travel to Fleurieu Peninsula just to catch up with a view of the tourism operators in the region.

As the members in the chamber would know, the Fleurieu is one of our very important tourism regions. It's home to a large number of wineries. In fact, it has 90 cellar doors and boasts some of the best wines and wine regions in the world. The annual visitor summary from December 2017 to December 2018 saw that there were over 792,000 overnight visits, 2.6 million domestic daytrips and 94 international daytrips.

Some of the notable places I went to and one I was very interested to see was Naiko Retreat near Deep Creek. I was hosted by the owners, Tony and Christine Johnson. It was really quite a wonderful demonstration of a unique tourism opportunity destination, built on a 2,000-acre operating sheep property. It also showcases some giant grass trees, some xanthorrhoea, that are some 1,500 years old.

A range of other places I went to was the Ridgetop Retreat, with the owners, Jane Formato and Barry Duykers. I was hosted at Leonards Mill, a 161-year-old flour mill, which I think is a real testament to the current owners who are really trying to have a—

The Hon. K.J. Maher: Who are the owners?

The Hon. D.W. RIDGWAY: The current owners are—

The PRESIDENT: Leader of the Opposition—

The Hon. D.W. RIDGWAY: —Hayley Pember-Calvert and Iain Calvert—

The PRESIDENT: The Hon. Mr Ridgway—

The Hon. D.W. RIDGWAY: I know that I shouldn't respond to interjections—

The PRESIDENT: The Hon. Mr Ridgway, I'm speaking; that means you stop. The Hon. Mr Maher, they are all very good supplementaries, but they don't get given seated. How long have you been in this chamber? I don't want to hear them. I want them asked if you wish to ask them. Continue on, the Hon. Mr Ridgway.

The Hon. D.W. RIDGWAY: I went to the New Terry Hotel and Golf Resort. Members may not know that was the old Worrina resort. It was good to see and meet Mr Andie Xu, the new general manager, and Jodie Vanderlogt, the general manager, and the plans they have for the redevelopment and resurgence of the Worrina, or, as we know it now, the New Terry Hotel and Golf Resort. I also had a great opportunity to catch up with the Yankalilla council and talk to them about the plans for regional tourism in the area.

Finally, in what is a wonderful reuse of the old shearing shed just out of Carrickalinga that has now been turned into a craft brewery, although they are not brewing there at the moment, Forktree Brewing. It was actually wonderful to see that an old shearing shed that I expect had no

useful life had now been turned into a venue that is frequented by holiday-makers and locals when they are there. A particular guest is the Hon. Alexander Downer when he is down there visiting during his summer retreat.

The most important thing is, when I went to visit all of these people, these are the business owners and the hardworking mums and dads and people who borrowed money to create these businesses that are benefiting from the winter campaign that we have just had, and they will continue to benefit from the very successful and current 'old mate' campaign.

FLEURIEU PENINSULA

The Hon. K.J. MAHER (Leader of the Opposition) (14:42): A supplementary in relation to the answer given: apart from the outlined pub tour and winery crawl that the minister went on on the Fleurieu Peninsula, can he outline what the biggest export products are from the Fleurieu, in order?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:43): Clearly, tourism is one of the biggest exports. Of course, the wine sector now is worth \$2.1 billion—nearly \$2.18 billion, from recollection—and nearly \$2 billion in exports for our nation. Wine is clearly one of the big exports from the McLaren Vale.

There are all of the other agricultural produce: milk, meat, cheese, all the things that you might like. It's an exciting part of the state, one that was neglected often by the former government and one that deserves more attention.

FLEURIEU PENINSULA

The Hon. K.J. MAHER (Leader of the Opposition) (14:44): Does the minister afford credit to the former tourism minister and local member for the area, the member for Mawson, Leon Bignell, for all the work that he has done in the area?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:44): I'm not sure. I am only focused on the work that I can do and support the South Australian Tourism Commission and the great work they are doing. We can see the great success of the winter campaign and, of course, the current 'old mate' campaign that is driving Australian visitors, local and domestic travellers, to South Australia.

TRADE, TOURISM AND INVESTMENT MINISTER

The Hon. K.J. MAHER (Leader of the Opposition) (14:44): Final supplementary: given the minister's original answer outlined the sum total of his work in his portfolio as being pub crawls and winery tours, can he understand why the Premier refused to say that he supported him as a minister when the minister recently met with him?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:45): Mr President, I think that is a ridiculous question and I don't intend to answer it.

The Hon. C.M. SCRIVEN: Supplementary.

The PRESIDENT: No; no more supplementaries. We have to move on. We have expended almost half an hour and we need to get on. I am very keen to hear the Hon. Ms Franks' question. The Hon. Ms Franks, your question?

APY EXECUTIVE BOARD

The Hon. T.A. FRANKS (14:45): As am I, Mr President.

Members interjecting:

The PRESIDENT: Order! The Hon. Ms Franks is on her feet.

The Hon. T.A. FRANKS: Thank you, Mr President. I seek leave to make a brief explanation before addressing a question to the Treasurer, representing the Premier, on the topic of APY legal costs.

Leave granted.

The Hon. T.A. FRANKS: On 13 September, the Supreme Court upheld a decision by the Ombudsman that the APY Executive Board is not exempt from freedom of information applications. In what *The Advertiser* dubbed 'a damning judgment'—and I would have to agree—Justice Martin Hinton quashed an application by APY initiated by the general manager, Richard King, that it was an exempt agency.

The action, of course, was launched to try to prevent the release of financial information and expenditure relating to APY contained in response to seven FOI applications lodged by the former member for Morphett, Dr Duncan McFetridge, back in October 2016. The APY refused to comply with the freedom of information requests, contending that they were an exempt agency. Dr McFetridge appealed that to the Ombudsman. The Ombudsman, Mr Lines, reviewed the refusal and ruled that the APY was not an exempt agency under its act.

In response, however, in October 2017, the APY sought a Supreme Court review, arguing that it was an exempt agency. Justice Hinton has since ruled that the actions of the Ombudsman were not legally unreasonable and found that the APY had acted unreasonably in its external review.

The APY is currently no stranger to such legal action. That 13 September ruling followed a Supreme Court ruling in July by Justice Trish Kelly, in which she dismissed an application by Mr King, the general manager, to quash another probe by the Ombudsman, Mr Lines. She also upheld the adverse findings of a previous inquiry. The costs in that case were awarded against Mr King, which I believe the APY is liable for, but Mr King has since appealed. I have to agree with Justice Hinton's statement in the ruling that 'there is a large element of futility about this'. My questions to the Premier with regard to this are:

1. After three years of refusals, legal action and appeals for the provision of what was just a few simple documents, what is the quantum of the legal costs that have been racked up so far by the APY, under the leadership of general manager Richard King?
2. What amount of state moneys have been expended on this legal folly?
3. If little or no state moneys have been expended, what state moneys have had to be diverted to essential services as a result of these legal costs?
4. How much of these legal costs is Richard King personally liable for?
5. What would the cost of simply providing those seven documents in the first place have entailed for the APY, to have provided those documents back in October 2016?

The Hon. R.I. LUCAS (Treasurer) (14:48): I am happy to take the honourable member's questions on notice and refer them to the Premier and/or the Attorney-General to provide a series of answers.

FLINDERS MEDICAL CENTRE

The Hon. J.E. HANSON (14:48): My question is to the Minister for Health and Wellbeing. Has the government identified the condition of the 80-year-old woman who left Flinders Medical Centre on Monday after being ramped for 2½ hours and, if so, what is her condition?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:49): I am aware of a case on Tuesday. I am advised that Flinders Medical Centre emergency clinicians made contact with a patient's family. Through his family, the patient was advised to come back to the emergency department. They declined the offer. The family were given contact details for the ED. It's important that South Australians are given the best care possible in a timely manner. We strive to do so.

FLINDERS MEDICAL CENTRE

The Hon. J.E. HANSON (14:50): A supplementary: understanding that 'timely' was the word used, does the minister agree that it should not take longer than two days to contact someone and check on their condition?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:50): My understanding was that the contact was made on the same or the next day, but I will certainly clarify that. But my understanding is that the Flinders Medical Centre, the SALHN staff, followed up the matter expeditiously.

FLINDERS MEDICAL CENTRE

The Hon. J.E. HANSON (14:50): A further supplementary: have there been any similar instances of patients leaving the hospital ramp against paramedics' advice due to long delays in the past six months?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:50): I indicated in a comment on this matter earlier in the week that it's not unusual for people to leave medical facilities against medical advice, whether that's a paramedic or other health professionals. As far as I know, statistics are not kept on that, but I will certainly make inquiries.

FLINDERS MEDICAL CENTRE

The Hon. J.E. HANSON (14:51): A further supplementary: based on the length of time that it takes to follow up on matters such as this, my initial question related to 'should it take longer than two days?' What I was seeking from the minister was a commitment that it should not take longer than two days to check up on matters such as this, and I am just wondering if he wants to commit to that.

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:51): I do what I did in my first response, which is to reject the implication that it did take two days. Medical issues may well take time to respond to. In this case, I have no reason to believe that FMC did anything other than respond expeditiously.

FLINDERS MEDICAL CENTRE

The Hon. J.E. HANSON (14:52): Last supplementary: in regard to matters such as this and including this matter, does the minister agree that independent investigations should be conducted to determine that this instance and similar instances that have occurred in recent months should not occur? Will the minister commit to ensuring such an investigation takes place to ensure that?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:52): As I said, every day at health facilities right across the state—and, to be frank, in private facilities as well as in public facilities—patients will make decisions to discharge themselves or leave the facilities against medical advice. If the honourable member is seriously suggesting that every time that occurs there should be an independent investigation, I reject that. That would be a gross misallocation of resources. Of course, people have the right to seek medical treatment. They also have the right to refuse medical treatment. They have the right to leave facilities. It has always been thus; it will always be thus.

HEALTH SERVICES

The Hon. J.S.L. DAWKINS (14:53): My question is directed to the Minister for Health and Wellbeing. Will the minister inform the council about how communities are being engaged in the development of better health services?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:53): I thank the honourable member for his question. The former Labor government's disastrous Transforming Health experiment failed for many reasons, but one of its central flaws was a lack of engagement with the community and with clinicians. In place of collaboration, Labor pursued centralisation. The Marshall Liberal government has deliberately reversed this approach. We are actively engaging South Australians in the development of health services. The proposed redevelopment of the Strathalbyn residential aged-care facility is an excellent illustration of this government's collaborative approach. The Marshall Liberal government and the Morrison Liberal government—

Members interjecting:

The Hon. J.S.L. DAWKINS: Point of order, Mr President: I would like to hear the answer and I can't at the moment.

The PRESIDENT: Order, from the opposition benches! Minister, continue.

The Hon. S.G. WADE: The proposed redevelopment of the Strathalbyn residential aged-care facility is an excellent illustration of this government's collaborative approach. The

Marshall Liberal government and the Morrison Liberal government have committed \$12 million to the expansion of the facility from a 56-bed facility to a 92-bed aged-care facility.

We have actively engaged the community in the design of the facility. The government has partnered with the Global Centre for Modern Ageing and the Australian Centre for Social Innovation to work with the local community in the design of the facility expansion. Together, they have developed a report that sets out the key design concepts for the facility and informs the development of concept plans.

The concept plans themselves were released earlier this month for further consultation. The consultation highlights that expectations for health care and accommodation for older South Australians are fundamentally changing. The Global Centre for Modern Ageing, through the codesign process, involved over 180 aged-care residents, community members and health professionals. The resulting facility is distinctive. It is rich in spaces for residents, their families and friends to come together and connect, with dedicated lounges, courtyards, dining areas and a spacious private garden included in the plans.

This extensive consultation ensured that a broad range of views was heard and considered, meaning that the upgraded Strathalbyn residential aged-care facility will reflect the needs of the local community as well as the expertise of the professionals who work within it. This redevelopment will not simply be a new piece of infrastructure in the Strathalbyn community, it will be an expression of that community.

POKER MACHINES

The Hon. C. BONAROS (14:56): I seek leave to make a brief explanation before asking the Treasurer a question about poker machines.

Leave granted.

The Hon. C. BONAROS: South Australians woke this morning to news of the government's plans to overhaul poker machine laws in this state, a reform proposal that has been the subject of significant criticism, for obvious reasons. When interviewed on radio this morning, the Attorney attempted to justify the government's proposal, saying it was simply to bring SA in line with other states. She stated:

We still accept it's a significant entertainment and gambling form for South Australians largely in the older age group.

This is despite the fact that figures from the Attorney's department revealed that about \$11,000 more, on average, was lost on each poker machine in 2018-19 compared with when poker machine numbers ballooned to their highest figure 17 years ago, and despite the fact that the number of problem gamblers—85 per cent of whom play poker machines—has almost doubled over the last 14 years. My questions to the Treasurer are:

1. Has any economic modelling been done to calculate the increase in poker machine revenue these changes will have?
2. Having said previously that revenue from poker machines is relatively insignificant when compared with the total state budget, but also conceding that the proposed land tax changes were forced by a projected \$2.1 billion writedown in GST revenues, what role did the Treasurer play in the government's proposed changes to poker machine laws?
3. Is the Treasurer concerned about the impacts his government's reforms will have on poker machine gambling addicts?

The Hon. R.I. LUCAS (Treasurer) (14:58): I thank the honourable member for her questions. As I'm sure she would expect, I have been intimately involved in discussions in relation to these issues; however, I don't have the carriage of the legislation. That is a matter for the Attorney-General, who has had primary responsibility in terms of the discussions on this issue.

Gambling and gambling reform has been an abiding interest of mine for many years, and obviously I support the comprehensive reform package the Attorney-General has now outlined and

which the parliament will, ultimately, get to vote for. I would hope that the honourable member will be able to support significant aspects of the legislation—

The Hon. C. Bonaros: And pigs might fly tomorrow as well.

The Hon. R.I. LUCAS: The member says, 'Pigs might fly,' and it is entirely her prerogative if she wants to say that. The Attorney-General has outlined—to our members, anyway—key protective measures for problem gamblers enabling people to be barred from gambling venues indefinitely, including both single premises and multiple venues, limiting the amount of money someone can access through EFTPOS facilities in a gaming machine venue to align with limits on ATMs, expanding the scope of uses for the Gamblers Rehabilitation Fund to cover public education and information programs, treatment and counselling programs and research, and a number of other initiatives as well.

The honourable member can indicate pigs might fly before she supports those aspects of the legislation. I am surprised and disappointed in relation to those issues. Certainly, even though I come from a different perspective in relation to these issues and highlight the fact that approximately 99 per cent of gamblers in South Australia do so on a recreational basis without becoming problem gamblers and enjoy their decisions in terms of how they spend their money, at the same time I share, as the honourable member I hope would share, the concerns about the approximately 1 per cent or so of gamblers who are problem gamblers and do need significant assistance in terms of trying to overcome the problems that they encounter.

In relation to the other aspects of the honourable member's questions, there will clearly be—I don't know about economic modelling—taxation modelling that will have been done by Treasury in relation to some potential aspects of the legislation, particularly in relation to the introduction of note acceptors, and possibly, I am not sure, in relation to the proposals in the bill in terms of increasing the number of machines that clubs might be able to have, as opposed to hotels.

I note that some years ago the former government brought proposals to this parliament in relation to increasing the numbers of machines in some venues to 60, which didn't enjoy support at that time. I think, on reflection—I will stand corrected if I am wrong—that that might have included both hotels and clubs, but certainly there was a proposal at that time. I think there are some people in what is described as the concerned sector who at that time actually supported what they described as larger numbers of machines in fewer numbers of venues, and spoke publicly in relation to supporting that particular aspect of the former government's proposals at the time.

I am sure the bills will be in this chamber, I would imagine, in the not-too-distant future and the honourable member will have the opportunity to quiz me—I suspect I will be handling the bills in this particular chamber—in relation to those particular aspects of the bill. During that particular debate, we may well be in a position to give some indication of what the estimated impact on revenue might be from the total gambling reform bill or package. I will be happy to respond at that particular time during the committee stage of the debate.

POKER MACHINES

The Hon. C. BONAROS (15:03): Supplementary: I think the Treasurer is well aware of the measures that I am alluding to in terms of the criticisms. My question is: based on the government's own findings that I referred to, does he accept that the lion's share of poker machine revenue comes from problem gamblers?

The Hon. R.I. LUCAS (Treasurer) (15:03): No, I don't.

The PRESIDENT: A further supplementary, the Hon. Ms Bonaros.

POKER MACHINES

The Hon. C. BONAROS (15:03): Does that mean that the Treasurer does not agree with the figures that have been released by his own government's department earlier this year?

The Hon. R.I. LUCAS (Treasurer) (15:03): I am happy for the member to refer me to figures released by my own department—by that I presume she means Treasury—to back the contention that she has just made. I am happy to have a look at those. But it wouldn't be the first or the last time

that, as a duly elected official, I might take a different view from the views that public officials put to me. We are not mere ciphers for the views of our public servants and departments. It might surprise the honourable member to know that we are capable of independent thought; we are capable of listening to advice; we are capable of listening to argument; and we are capable of making an independent decision, ultimately. I certainly don't recall seeing any figures along the lines that the honourable member has suggested.

POKER MACHINES

The Hon. T.A. FRANKS (15:04): Supplementary arising from the original answer but in the theme of the answer we just heard: will the government be providing a conscience vote on this issue for its members?

The Hon. R.I. LUCAS (Treasurer) (15:04): I don't believe so, Mr President.

The PRESIDENT: The Hon. Ms Pnevmatikos, you have the call.

The Hon. I. PNEVMATIKOS: Sorry, Mr President. I was hearing the ongoing debate.

The PRESIDENT: It wasn't debate. That was—

The Hon. I. PNEVMATIKOS: Discussion.

The PRESIDENT: —discussion, in breach of the standing orders.

SA HOUSING AUTHORITY

The Hon. I. PNEVMATIKOS (15:05): I seek leave to make a brief explanation before asking a question of the Minister for Human Services regarding Housing Trust forced downsizing.

Leave granted.

The Hon. I. PNEVMATIKOS: Members of parliament have been contacted by residents of SA Housing Authority properties in distress, having had telephone calls and visits from a state government authority informing them that they will be moved from their current home because they allegedly aren't fully utilising the space of the housing, the number of bedrooms. My questions to the minister are as follows:

1. Is the minister aware of Housing Authority tenants being contacted?
2. Did the minister authorise the forced downsizing and, if so, when was this policy approved?
3. What consultation did she undertake to come to this decision?

The Hon. J.M.A. LENSINK (Minister for Human Services) (15:06): I thank the honourable member for her question. I think, once again, as we saw in the previous sitting week, the Labor Party might be coming into this place with stories that are largely fabricated. If we can cast our minds back to the previous question time, the SA Housing Trust was being accused of having evicted someone and using its three strike policy to evict someone who, as it was outlined in here, was quite vulnerable. On receiving the identity of that individual and checking it with my department, the only part of the story that I think is possibly true is the fact that the deputy leader had discovered this individual, but the facts as outlined to the chamber were incorrect.

If I am to accept this Labor member's question at face value, I am not aware of any forced relocation policy within the Housing Authority or Housing SA. We certainly do have a situation in South Australia where we have stock that doesn't necessarily match tenants' needs. We also have situations where we need to redevelop some properties. My understanding of the way that the authority operates is—particularly in terms of if there is a need to move someone—that that is done in close consultation with them, not in a forced manner, as has been outlined to the chamber. But I will double-check and bring back something for the chamber if that is not true.

The Hon. K.J. Maher: You are frequently not on top of it—frequently.

The Hon. J.M.A. LENSINK: Ah, well, your deputy leader was fabricating facts last, so you be careful.

The PRESIDENT: Through me.

The Hon. J.M.A. LENSINK: You be very careful—

The PRESIDENT: Through me.

The Hon. J.M.A. LENSINK: —Labor members.

The PRESIDENT: Minister, we have finished. The Hon. Ms Pnevmatikos has a supplementary.

SA HOUSING AUTHORITY

The Hon. I. PNEVMATIKOS (15:08): Supplementary arising from the original answer: if this assists, will the minister explain why the shadow minister for human services in the other place has received reports of a 70-year-old widow being forcibly downsized, being advised that she will be forcibly downsized?

The Hon. J.M.A. LENSINK (Minister for Human Services) (15:08): One always needs to take the allegations of Labor members with a pinch of salt because when one investigates the facts they are usually quite different. Once again, may I offer that, if there is a particular situation that honourable members would like to provide to me and to my officers, we will look into that and get back to them with a response.

The PRESIDENT: A further supplementary, the Hon. Ms Pnevmatikos.

Members interjecting:

The PRESIDENT: Leader of the Opposition, I have one of your own members standing, wanting to ask a supplementary.

Members interjecting:

The PRESIDENT: Leader of the Opposition, please. I am really keen for the Hon. Ms Pnevmatikos to have an opportunity to run this line of inquiry. The Hon. Ms Pnevmatikos.

SA HOUSING AUTHORITY

The Hon. I. PNEVMATIKOS (15:09): A further supplementary: just in broad terms and on the basis of your answer, is the minister giving an undertaking that if people are relocated they will have equal or better facilities, particularly in instances where they have invested their own funds in a property?

The Hon. J.M.A. LENSINK (Minister for Human Services) (15:10): The honourable member is referring to specific details. I would like those details to be provided to my office so that we can look into the allegation of forced relocations and provide some details and respond to their constituents.

SA HOUSING AUTHORITY

The Hon. K.J. MAHER (Leader of the Opposition) (15:10): Supplementary arising from the original answer: is the minister aware of how many people in any given month are forcibly removed from Housing Trust homes, whether it be for being a disruptive tenant or for forced relocations?

The Hon. J.M.A. LENSINK (Minister for Human Services) (15:10): The honourable member has repeated the allegations in the original about forced relocations, and I reject those allegations.

SA HOUSING AUTHORITY

The Hon. K.J. MAHER (Leader of the Opposition) (15:10): Further supplementary.

The PRESIDENT: That's the last one. I want to get into another question.

The Hon. K.J. MAHER: Does the honourable member have any idea of the statistics of how many Housing Trust tenants are forcibly removed from their homes in any given year?

The Hon. J.M.A. LENSINK (Minister for Human Services) (15:11): Once again, I reject the term 'forcibly relocated'.

The PRESIDENT: The Hon. Mr Stephens.

Members interjecting:

The PRESIDENT: Just wait there, the Hon. Mr Stephens. There is obviously a conversation going on, and I don't really want to interrupt it. When it's finished, you can ask your question.

The Hon. T.J. STEPHENS: Thanks, Mr President.

The PRESIDENT: Are you all finished? The Hon. Mr Stephens.

HEALTH AND MEDICAL INDUSTRIES

The Hon. T.J. STEPHENS (15:11): My question is to the Minister for Trade, Tourism and Investment. Can the minister update the council on the release of the discussion paper for health and medical industries as part of the broader growth state initiative?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (15:11): I thank the honourable member for his ongoing interest in our growth state initiative and particularly the health and medical industries sector. Earlier this week, I outlined to the chamber how industry consultation had recently kicked off on growing the food, wine and agribusiness sector, through a discussion paper that will eventually evolve into an industry-owned sector plan. I am pleased to inform the chamber that the health and medical industries sector has also begun an extensive period of industry consultation to help shape this important multibillion dollar sector.

The health and medical industries sector is already a significant contributor to South Australia's economy and we see many more opportunities to grow this further. We already boast one of the largest health science precincts in the Southern Hemisphere and have a track record and capability and ambition to continue the development and scaling of distinctive medical technologies and services.

The sector already contributes \$4.2 billion to the state's economy, employing nearly 24,000 South Australians, but we want to take this sector to the next level, and this consultation process is about seeking industry input on what the important opportunities are for further growth and what policy initiatives will be required to support that.

We see great potential for this sector to grow and to be a large contributor to reaching our overall goal of 3 per cent GSP growth. Increasing investment into this sector and growing our exports is a key priority for the Marshall Liberal government. Feedback on this consultation period will inform the development of the final industry sector plan for health and medical industries, so I urge those working in the sector to provide their feedback.

Eight specialty areas have been identified within the health and medical industries sector for targets for growth, and they include the ageing and care industry, biotechnology, clinical trials, digital health, medical devices, medical tourism, nutraceuticals and traditional medicine, and pharmaceuticals. Similar to the way we have structured the food and—

The PRESIDENT: The Hon. Mr Ridgway, you are reading from a media release. That's not appropriate. Sit down. Don't do it again. It's in breach of the standing orders of introducing material that is already in the public arena.

AUSTRALIAN MASTERS GAMES

The Hon. M.C. PARNELL (15:14): I seek leave to make a brief explanation before asking a question of the Minister for Trade, Tourism and Investment about the Australian Masters Games.

Leave granted.

The Hon. M.C. PARNELL: In nine days' time, about 8,000 competitors will descend on Adelaide for the 17th biennial Australian Masters Games. This event has been to Adelaide five times in the last 14 years, more than any other city. Importantly, most of these competitors will come from interstate or overseas and many will bring partners and families with them. Collectively, they will pour

millions of dollars into the South Australian economy, particularly the hospitality industry. Many visitors will stay for the duration of the nine days of competition and beyond.

Australian Masters Games sports venues are spread throughout the metropolitan area and most are accessible by public transport, which is important for visitors who arrive by plane or who choose not to rent a car whilst in Adelaide, which is most of them. Visitors who hold interstate seniors cards will be eligible to apply for free off-peak public transport, but a majority of the 8,000 competitors will be aged between 30 and 65 and they won't be entitled to any concession if they use public transport.

My question of the minister is: given the arrangements in other sports, such as football and cricket, for spectators to get free public transport to venues, will the government consider a similar scheme for visiting participants in events such as the Australian Masters Games to also receive free public transport to venues, if not this year then for future events? By way of disclosure, lest people think this is a self-interested question, I acknowledge that I am registered to compete in the eight-kilometre cross-country and the 10-kilometre trail running, but I am happy to pay for my own bus tickets.

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (15:16): I thank the honourable member for his ongoing interest, particularly, in the Masters Games. The Masters Games, as the honourable member said in his question—it's the fifth time it's been here. It is a particularly wonderful event that we bid to host. The arrangements—

The Hon. K.J. Maher interjecting:

The PRESIDENT: Leader of the Opposition, you are annoying me as well. I would like to hear the minister's answer. It's an important question.

The Hon. D.W. RIDGWAY: I'd like to give the answer, Mr President. As part of the process to bid for these particular events, a whole range of offers are made for the Masters Games to come here. The bidding process was well before this last election, so I am not familiar with all of the opportunities that were offered to the Masters Games organisers—whether free public transport for their competitors was a prerequisite that was denied or something that they didn't ask for.

Clearly, as the honourable member said, we have 9,000 competitors with all of their friends and families coming in. I suspect they are really excited that they are coming to look at South Australia now that 'old mate' is explaining to everybody how wonderful this great state is, of course off the back of the winter campaign. On behalf of the member, I will ask the Tourism Commission if public transport or free public transport or concessions for public transport have ever been part of a requirement to host the Masters Games.

SAFework SA

The Hon. I.K. HUNTER (15:17): I seek leave to make a brief explanation before directing a question to the Treasurer regarding SafeWork SA.

Leave granted.

The Hon. I.K. HUNTER: The opposition has been informed today of reports of a significant workplace incident which occurred at 8.20am this morning at a major apartment development in Bowden. We were informed that a floor collapsed while concrete was being poured and a worker fell through to the level below. We were further informed that emergency services arrived promptly, but it took SafeWork SA almost two hours to arrive, and that was at 10.02am. We have also been advised that, prior to SafeWork SA arriving, there were no officials available to secure the site for investigation. My four questions to the Treasurer are:

1. Does SafeWork SA have a mandated target time to respond to very serious incidents?
2. Why did it take almost two hours for them to respond today?
3. Has the Treasurer been made aware of this incident?

4. Have budget cuts so negatively impacted on SafeWork SA such that they are no longer able to perform their duties properly?

The Hon. R.I. LUCAS (Treasurer) (15:18): I can answer the last question first. Simply, the answer is no. Certainly in relation to discussions, I think last year, possibly this year as well, in relation to budget cuts or efficiency dividends for Treasury, which includes now SafeWork SA, my explicit direction was that the investigation and inspection arms of SafeWork SA were to be spared from any savings task. That's the simple answer to a simple question. In relation to whether I have been advised, just prior to coming into question time, at some stage today, I was advised that there had been, regrettably, a workplace incident where a worker had been injured. That was, I think, the third question.

In relation to mandated times, I am not sure whether strictly the term is mandated, so there is nothing in law that requires the arrival of an inspector or investigator, on my understanding. I will take advice on that. My quick advice, which is subject to getting a formal brief, which I have not had yet, but to share that quick advice, SafeWork SA advised my office that, with incidents of this particular nature, SafeWork SA seeks to get an officer or inspector there on the particular day the incident occurs. The honourable member's question was whether something was mandated. I think my advice is that that is not the case. If my advice needs further clarification, I will bring that back to the house at the earliest opportunity.

Bills

LABOUR HIRE LICENSING (MISCELLANEOUS) AMENDMENT BILL

Introduction and First Reading

The Hon. R.I. LUCAS (Treasurer) (15:20): Obtained leave and introduced a bill for an act to amend the Labour Hire Licensing Act 2017. Read a first time.

Second Reading

The Hon. R.I. LUCAS (Treasurer) (15:22): I move:

That this bill be now read a second time.

The Labour Hire Licensing (Miscellaneous) Amendment Bill 2019 amends the Labour Hire Licensing Act 2017, the act introduced by the former government. The act currently requires anyone who provides labour hire in South Australia to be licensed. However, since the commencement of the licensing scheme, the government has received numerous complaints about the scheme's broad scope and application.

Numerous submissions have been made, including from industry representative groups and small businesses, outlining their confusion, angst and concerns in relation to the scheme. Consequently, the Attorney undertook to closely review the issues raised in consultation with Consumer and Business Services, which has also been made aware of concerns for various businesses and industry groups across South Australia.

Following a review of the submissions received, it became apparent that the licensing scheme applies to a range of businesses that were not intended to be captured, as opposed to focusing on the exploitation of vulnerable workers in high-risk industries. When the government was in opposition, we voiced concerns about the broadbrush approach the then government was taking, only to be told that honest labour hire providers had nothing to fear.

These laws create an unnecessary layer of red tape for a number of industries well and truly beyond what is reasonably required. The government sought to repeal these laws. However, it appears that this is not feasible in this parliament. Accordingly, we are now seeking amendments to narrow the scope of the scheme to ensure that these laws specifically target high-risk industries, where workers are more vulnerable to exploitation, rather than capturing industries where there is no suggestion of worker exploitation occurring.

The Migrant Workers Taskforce was established at the federal level to identify ways to improve law enforcement and investigation in cases of migrant worker exploitation. On 7 March 2019, the Migrant Workers Taskforce final report was released, which identified a number of industries,

including the horticulture, meat processing and cleaning (including trolley collection) industries, as high risk in terms of potential for worker exploitation.

Other earlier inquiries also presented similar findings. In November 2018, the Fair Work Ombudsman released a report arising out of the Harvest Trail Inquiry. This inquiry again focused on the horticulture (particularly crops and grains) and viticulture industries. In October 2016, the final report arising from the Victorian inquiry into labour hire and insecure work identified labour hire worker exploitation in the horticulture, meat processing and cleaning industries.

In all of these inquiries, the evidence has consistently identified the same high-risk industries where the work performed is labour intensive, low skilled and is primarily undertaken by migrant workers who are particularly vulnerable to exploitation. For example, fruit picking is commonly cited as one of the main types of work performed by non-English speaking migrants.

Consideration has been given to these inquiries in formulating the proposed amendments to the act. The federal government has announced its intention to introduce a national labour hire licensing scheme; however, no specific details surrounding the timing or nature of such a scheme are known at this stage.

It is therefore proposed to pursue a number of amendments to the act to reduce the unnecessary regulatory burden on low-risk businesses that should not be captured by the licensing scheme and instead narrow the scope of the scheme to apply to labour hire providers operating within high-risk industries where workers are particularly vulnerable to exploitation due to the low-skilled nature of the work that they are engaged to undertake.

Consistent with work identified as high risk, the bill proposes that the following be prescribed work for the purposes of the licensing scheme:

- horticultural processing work, meaning a variety of activities relating to the production or processing of fruit, vegetables and flowers (this includes berries, grapes and vines);
- meat processing work;
- seafood processing work;
- cleaning work; and
- trolley work.

Other proposed amendments include:

- prescribing specific work activities focusing on low-skilled work within the prescribed high-risk industries;
- removing ambiguity relating to the distinction between contracts for service and the provision of labour hire
- excluding in-house employees where individuals are engaged on a regular and systematic basis, to avoid capturing genuine employee arrangements rather than labour hire work arrangements;
- requiring that agents and intermediaries take reasonable steps to ensure that hosts are provided with particulars of the relevant licence;
- removing all imprisonment penalties;
- requiring labour hire providers to disclose certain information to their workers;
- refining prescribed information that is required annually to focus on information relevant to compliance;
- differentiating between licensees and responsible persons when considering whether a person is fit and proper (in relation to insolvency);

- an evidentiary provision in relation to proceedings for an offence against the act where an individual supplied by a provider is deemed to be a labour hire worker in the absence of proof to the contrary; and
- better aligning annual reporting periods and payment of periodic fees with existing legislation administered by Consumer and Business Services.

The SA labour hire task force that was recommended by the Economic and Finance Committee continues to meet regularly and comprises of representatives of the Australian Tax Office, SafeWork SA, ReturnToWorkSA, RevenueSA, the Small Business Commissioner, Australian Border Force and Consumer and Business Services. The task force is supportive of the proposed amendments and the industry-specific approach. The government anticipates that these amendments will align more closely with the future introduction of a national scheme and will enhance protections for our most vulnerable workers.

I commend this bill to the house and seek leave to insert the detailed explanation of clauses in *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

3—Amendment provisions

These clauses are formal.

Part 2—Amendment of Labour Hire Licensing Act 2017

4—Amendment of section 3—Objects of Act

This clause amends section 3(1)(a) of the Act to change a reference to 'workers' to 'vulnerable workers performing low skilled work' so that an object of the Act under the provision is to protect vulnerable workers performing low skilled work from exploitation by providers of labour hire services.

This clause amends section 3(1)(c) of the Act to insert reference to 'high-risk sectors' so that the object of the Act under that section is to promote the integrity of the labour hire industry within high-risk sectors.

5—Amendment of section 6—Interpretation

This clause amends section 6 of the Act as follows:

- the definitions of *labour hire services* and *labour hire worker* are defined consequential on the amendments in clause 6 which substitutes the definitions currently in sections 7 and 8 of the Act;
- a new definition of *prescribed work* is defined as cleaning work, horticultural processing work, meat processing work, seafood processing work and trolley work;
- definitions of cleaning work, horticultural processing work, meat processing work, seafood processing work and trolley work are inserted.

6—Substitution of sections 7 and 8

This clause substitutes sections 7 and 8 which provide for the definitions of *labour hire services* and *labour hire worker* respectively.

7—Meaning of labour hire services

This clause provides a broad starting point in subclause (1) for the definition of labour hire services in that a person provides *labour hire services* if—

- in the course of conducting a business the person supplies, to another person (the *host*), an individual to undertake work; and
- the individual is a labour hire worker for the person (the definition of labour hire worker is in proposed section 8).

However, the definition in subclause (1) is then narrowed by the exclusions in subclause (2). Subclause (2) provides that a person does not provide labour hire services in the following circumstances:

- (a) where an individual is supplied to a host to undertake work that is not undertaken as part of a business or commercial undertaking of the host;
- (b) where an individual is supplied to undertake work that is not prescribed work;
- (c) any other circumstances prescribed by the regulations.

Subclause (3) provides clarification on circumstances that might otherwise give rise to ambiguity.

8—Meaning of labour hire worker

This clause provides the definition of *labour hire worker* in subclause (1). An individual is a *labour hire worker* for another person if the individual enters into an arrangement with the other person under which—

- (a) the other person may from time to time supply, to a third person, the individual to undertake work; and
- (b) the other person is obliged to pay the individual, in whole or part, for the work (whether directly or indirectly through 1 or more intermediaries).

Subclause (2) then excludes the following from the definition—

- (a) an individual who is an *in-house employee* of the other person and is only supplied to a third person to do work on a temporary basis; and
- (b) an individual or a class of person prescribed by the regulations.

Under subclause (3), an individual is an *in-house employee* of another person if—

- (a) the individual is engaged as an employee by the other person on a regular and systematic basis; and
- (b) in the circumstances of the case, it is reasonable to expect that the employment will continue; and
- (c) the individual primarily performs work for the other person other than as a worker supplied to a third person to do work for the third person.

7—Substitution of section 9

This clause substitutes section 9 of the Act to include a new provision that qualifies the concept of supply of an individual to undertake work for the purposes of the Act. Proposed section 9 provides that an individual is not supplied by a person (the first person) to undertake work for another person (the second person) where the 2 persons have entered into a contract for the performance of the work by the first person and the individual undertakes the work for and on behalf of the first person as an employee, agent or independent contractor of the first person.

This proposed new section also retains the current provision providing that the supply of a labour hire worker to do work for a person commences when the labour hire worker first starts to do work for the person in relation to the supply.

8—Amendment of section 10—Fit and proper person

Currently, section 10 of the Act provides that a person is a fit and proper person to be a responsible person if they are a fit and proper person to be the holder of a licence. This clause amends section 10 to separate the question of whether a person is a fit and proper person to be a responsible person. Specifically, this clause provides that a person is not a fit and proper person to be a responsible person if the person—

- (a) has been found guilty or convicted of an offence, or an offence of a class, prescribed by the regulations; or
- (b) is a member of, or a participant in, a prescribed organisation; or
- (c) is a close associate of a person who is a member of a prescribed organisation or is subject to a control order under the *Serious and Organised Crime (Control) Act 2008*.

9—Amendment of section 11—Licence required to provide labour hire services

This clause amends section 11 of the Act to remove the maximum penalty of imprisonment for 3 years that currently applies for the offence.

10—Amendment of section 12—Person must not enter into arrangements with unlicensed providers

This clause amends section 12 of the Act to remove the maximum penalty of imprisonment for 3 years that currently applies for the offence.

11—Amendment of section 13—Person must not enter into avoidance arrangements

This clause amends section 13 of the Act to remove the maximum penalty of imprisonment for 3 years that currently applies for the offence.

This clause also inserts the words 'an individual to undertake work' consequential on the removal of the definition of *worker* by clause 6.

12—Amendment of section 14—Persons must report avoidance arrangements

This clause amends section 14 of the Act to insert the words 'an individual to undertake work' consequential on the removal of the definition of *worker* by clause 6.

13—Insertion of section 14A

This clause inserts a new section 14A which provides that the holder of a licence who supplies a labour hire worker to a host to undertake work, and any agent or intermediary who acts in respect of that supply, must, before the labour hire worker is supplied, take all reasonable steps to ensure that the host is provided with specified licence particulars (being particulars current at the time of their provision). Those particulars are the name and contact details of the holder of the licence, the name and contact details of each responsible person for the licence and the licence number.

14—Amendment of section 18—Conditions of licence

This clause amends section 18 of the Act to provide a mandatory condition for each licence, being a condition that the holder of the licence must comply with the requirements prescribed by the regulations for the provision of information to labour hire workers by persons who provide labour hire services. A penalty of a maximum fine of \$4,000 for non-compliance with the new mandatory condition is proposed and an offence is expiable with an expiation fee of \$300.

15—Amendment of section 19—Prohibition on licence transfer, sale etc

This clause amends section 19 of the Act to remove the maximum penalty of imprisonment for 1 year that currently applies for the offence.

16—Amendment of section 20—Duration of licence, periodic fee and report

This clause amends section 20 of the Act in respect of the periodic fee and reporting under that section. The clause provides that the holder of a licence must, each year not later than the date fixed by regulation, pay to the Commissioner the fee fixed by regulation and lodge with the Commissioner a report in a form required by the Commissioner containing the prescribed information relating to the relevant reporting period.

17—Amendment of section 21—Notification of certain changes in circumstances

This clause amends section 21 of the Act consequential on the new definition of *labour hire worker* inserted by clause 6.

18—Amendment of section 34—Authorised officers

This clause amends section 34 of the Act to provide that an authorised officer under the *Fair Trading Act 1987* is taken to be an authorised officer appointed under the section.

19—Amendment of section 41—Evidentiary provisions

This clause inserts an additional evidentiary provision so that, in proceedings for an offence against this Act, where it is proven that a person, in the course of conducting a business, supplied an individual to another person to undertake work, it will be presumed, in the absence of proof to the contrary, that the individual is a labour hire worker for the person making the supply.

Debate adjourned on motion of Hon. I. Pnevmatikos.

LIQUOR LICENSING (MISCELLANEOUS) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 12 September 2019.)

The Hon. K.J. MAHER (Leader of the Opposition) (15:29): I rise today to speak briefly on the Liquor Licensing (Miscellaneous) Amendment Bill 2019. I indicate that I am the lead speaker for this bill and that Labor broadly supports this legislation, but we reserve our final position on this bill subject to answers we receive during the committee stage. I would like to thank the staff at the Attorney-General's Department for the briefing provided on this bill.

As we are wont to do, I will be putting on record some of the problems we have with this bill and asking for confirmation of advice we have received. The bill before us amends the Liquor

Licensing Act 1997, making mostly technical changes and also a few more substantive changes. For the most part, it is just tinkering, which is the wont of the Attorney-General: very little substance and major tinkering. It is a grave pity that this state does not have a solid Attorney-General, and there are some in the parliament who would make a great Attorney-General.

We know that this Liberal government is no friend of a vibrant Adelaide, of small bars, of hotels and of a vibrant cultural scheme. Premier Steven Marshall, Attorney-General Vickie Chapman and Treasurer Rob Lucas have presided over the introduction of a huge, massive hike in liquor licensing fees, particularly to small venues. This massive hike has been described by some in the industry as a sixfold increase and a de facto lockout law to shut down fun in Adelaide. The bill does absolutely nothing to resolve many of these concerns.

As I flagged earlier, we are broadly supportive of this bill, but we do require some answers to questions raised with the Attorney-General's Department and the Attorney-General in the other place. In particular, we still have concerns about clause 12, which provides that annual fees can be charged for short-term licences. My colleague the member for Kurna in the other place asked the Attorney-General what that fee would be, whether there had been any consultation and whether community events could end up paying more for their licence. The Attorney-General was unable to answer these questions, relying on the fact that the fees would be set by regulation.

I think that members of the Legislative Council deserve to know what the fee structure will be before we pass these laws and make a decision on whether to support the bill. I am sure that crossbenchers would appreciate knowing what the fee structure will be before this bill is supported. Unlike other bills, where the Treasurer claims he is not a lawyer and is not sure about how legislation works, this question should be easy for him to answer as it involves yet another new tax and massive increase in fees on this state.

Concerns have also been raised about clause 23, which relates to the display of liquor licences on licensed premises, including allowing a display on an electronic screen or device. In particular, questions that need answering are: how would a digital form of licence be displayed? Does it have to be static, or could the licence roll through and be one of many different images? The Attorney-General said she would provide some advice on this matter but as yet we have not seen this advice.

We have also received conflicting advice about clause 4, which introduces a power for the commissioner to vary or revoke licence conditions. In the briefing we had with the Attorney-General's Department, we were advised that power does not currently exist; however, the Attorney-General in the other place advised that the absence of that power was not entirely clear. It would be appreciated if the Treasurer, representing the Attorney-General, could clarify that particular matter. With those few words, I once again indicate Labor's general support, but reserve our position subject to adequate answers to the questions put forward.

The Hon. T.A. FRANKS (15:33): I rise on behalf of the Greens to speak to the Liquor Licensing (Miscellaneous) Amendment Bill 2019. I know that this bill gives the commissioner and the court the power to vary or revoke an exemption that has been granted previously, but not statutory exemptions conferred by the Liquor Licensing Act itself. It provides for fines and expiation fees for breaches of codes of conduct. It allows for a streamlined process for interstate licensed liquor retailers to obtain a licence in this state, modelled on existing provisions in the Northern Territory's act.

It also includes recommendations from the review that had been previously omitted. It clarifies the ability to impose annual fees for short-term licences and gives the Liquor and Gambling Commissioner the power to refuse a name change for licensed premises, for example, if the name is either misleading or offensive.

It requires a licensee to inform the commissioner of any changes to their contact details and it gives the commissioner and the Licensing Court the ability to exempt a licensee from a mandatory condition or rule that applies to a licence, except for conditions imposed under section 42. It also introduces fines and expiation fees for breaches of a direct sales licensee's obligations to indicate their licence number in any advertising and their obligation to require the prospective purchaser to notify the licensee of their date of birth.

It clarifies provisions regarding the display of the copies of liquor licences on licensed premises, particularly in this modern world, and enables records of liquor transactions to be kept out of the state, for example, on servers located interstate—again, reflective of this modern world.

I thank the government for the briefing that we received on 4 September this year. We understand that, while we have not received submissions directly on this bill, although I have received some correspondence from the AHA which I will shortly come to, the government has consulted and received feedback from the AHA, SAPOL, SA Wine Industry Association, Restaurant and Catering Association, and Retail Drinks Australia. At the time of the briefing, there was no Law Society advice, although we will certainly check that, but we ask the government if that is yet to come forward. We are also interested if Clubs SA, Independent Retailers Association or Food SA have any contribution to make.

I echo some of the sentiment of the previous speaker in terms of the opposition's concerns, particularly about the new fees that will impact some quite small licensees for the believed risk that is associated with, not how they operate, not how many people are endangered on their premises, but simply for the time frame in which they are open. I will come to that further, but for the moment today I would like to draw the attention of the council in this debate to the behaviour of SAPOL in regard to licensing enforcement of liquor licensing in this state.

In particular, there have been court proceedings with regard to the Kincaig Hotel. I note that these are public documents, although they have been raised with me by the AHA, and I thank them for providing me with the document which I will now draw detail from. In relation to this court case, in 2013 the Kincaig Hotel was the subject of action initiated through the Licensing Enforcement Branch's covert operation within the hotel.

That culminated with the camera recorder that was positioned on a table in the northern part of area 5, facing south in that particular bar, seeing male A returning to the undercover police officer's table and talking to another police officer. In that, a young male wearing a Santa hat, so it was just before Christmas, buys male A one can of Bundaberg rum. He was served by the on duty responsible person working behind the bar. The responsible person could clearly see the younger male pass the can on to male A. Male A is clearly intoxicated. The responsible person in this particular situation was then prosecuted for serving somebody who was intoxicated.

What is more interesting about this case is that, if one goes further forward in the evidence, the behaviour of the police—as I said, undercover, with a covert surveillance device, sitting in a bar, observing the pre-Christmas celebrations of some males—involves the police officers complaining that they could not see the cricket on the TV due to the antics of these blokes, and I quote from the affidavit.

'Get out of the way mate, can't see the TV,' says the police officer. Male B says, 'He's a legend, he's gone till dark, you're a legend, buddy' (referring to Male A) 'its 9 o'clock you've gone till its dark, haven't put you in a taxi yet, haven't put you in a taxi,' to which the police officer interrupts, '[Guys] I can't see the TV.'

Male A, the intoxicated person, approaches the police officer. The police officer says, 'Hey mate, having a good night mate, what time did you get here mate?' The intoxicated Male A says, '12 o'clock.' The police officer says, 'Oh no.' The intoxicated Male A says, 'Today drinking alcohol,' to which the police officer says, 'You've been here all day?' Male A replies, 'Yeh.'

Police officer states, 'What did you have, a Christmas show?' Male A says, 'Yes, where you from?' Police officer answers, 'Adelaide.' Male A says, 'Adelaide.' Police officer says, 'Yeh, just here for a weekend, have a look around.' Male A says, 'Very good.' Police officer says, 'Yeh, are you a local?' Intoxicated Male A says, 'Yes, yes, I drink a lot.' Police officer says, 'Have a good night. Don't spill any.' Intoxicated Male A says, 'Have a great time.' Police officer concludes with, 'You too...' Clearly, a very dangerous intoxicated person.

The camera is then positioned, the affidavit goes on, to further observe the behaviour of this group of drunk revellers enjoying Christmas festivities. In no way do I condone intoxication to this level in a pub, but one would have to be very unobservant to think that this is not typical Christmas behaviour. I question why a police officer has been stationed with his colleagues for several hours observing a few drunk blokes in a pub, in Santa hats, getting increasingly drunk.

However, here is where I really question the behaviour of the police. The camera recorder is then positioned on the table in the northern part of area 5, facing south. Male A, still sitting at the police officer's table, is not speaking, only using hand gestures, wiggling fingers. The police officer tries to communicate with Male A, although he is not speaking. Male C walks up to Male A. The police officer says, 'Get this bloke another drink?' His mate, Male C, says, 'Nah, [expletive] him, you buy him one.'

The police officer says, 'I'll give you money, you buy him one?' to which Male C says, 'Alright, rum or scotch?', asking intoxicated Male A, 'Rum?' The police officer hands Male C a \$10 note. Male C walks to the bar and is served one butcher glass of liquor. Male C returns to the police officer's table and gives intoxicated Male A the glass of liquor. Male A, intoxicated, stands up for a brief moment and urinates in his own pants, then sits down, having had a sip of the liquor.

I ask you, what on earth is LEB doing handing out \$10 notes to the friends of intoxicated pub patrons to entrap bar staff? I will have many more questions to raise on this topic in the next sitting week of parliament, but for the moment I ask the government to provide the number of covert operations LEB has undertaken in the last five years broken down to indicate which of those relate to liquor licensing.

I also ask the government to provide information on the times that LEB has used surveillance devices, and how many times these have been reported under the appropriate acts. I also ask the government to provide information—obviously via SAPOL—on how many times LEB has handed patrons \$10 notes, \$20 notes, \$50 notes, to buy alcohol for intoxicated patrons in order to then prosecute bar staff in this state. With those particular comments, I seek leave to conclude my comments.

Leave granted; debate adjourned.

LOBBYISTS (RESTRICTIONS ON LOBBYING) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 1 August 2019.)

The Hon. K.J. MAHER (Leader of the Opposition) (15:45): I rise today to indicate forthwith that I am the lead speaker on this bill, but Labor reserves its position on this bill. I also want to speak briefly about the process of this bill coming to the parliament and how it has been advised. This is a bill that is a little bit different from some others because there has been a lot of public commentary on this and it appears the Attorney-General has outsmarted herself, which is almost simultaneously a very difficult thing to do but not very difficult. The Liberal Party took a commitment to the last election to:

...amend the Lobbyists Act to prevent any office bearer of the state governing body of a registered political party or an associated entity such as a union from becoming a registered lobbyist in SA.

I will just repeat that last part, directly from a Liberal Party election commitment:

...to prevent...an associated entity such as a union from becoming a registered political lobbyist in SA.

In May last year, it was reported that the legislation now before us was only weeks away. That was reported in InDaily on 31 May 2018—just weeks away from the legislation. Around 12 months later, the legislation finally arrived in this parliament. I think that gives members a sense of just how quickly the Liberal Party is moving on governing, that something that is weeks away takes 12 months to come to fruition. A year later, from what was only weeks away, on 16 May 2019, the news publication InDaily published an article entitled 'Crackdown backdown: Unions escape net in lobbyist reforms'.

I think it is useful for members who are interested to refer to the article, which contains some very carefully crafted quotes from the Attorney-General and member for Bragg, who I think is trying to be very evasive and tricky in the way language is used. I would like to refer to key passages from the article in InDaily on 16 May this year. It states:

However, she conceded today the Bill would take a different form after extensive legal advice and consultation.

'We had to look at questions of constitutional rights of communication,' she told InDaily.

The InDaily article quotes the Attorney-General as having had a look at things like constitutional rights of communication and the Attorney-General conceding the bill would take a different form after taking such legal advice. The article goes on to state:

She said the legislation would carry the same definition of associated entities as under the Electoral Act, which—while it identifies organisations that are 'financial members of a registered political party' or having voting rights within them—does not stipulate trade unions.

'We've had to look really clearly at constitutional questions [and] we've come back within the parameters of that advice... we have to ensure we're producing legislation that is enforceable,' Chapman said.

Towards the end of the article, there are the following paragraphs:

But Chapman insists the Bill still represents a 'strengthening of SA lobbying laws', saying: 'Our prohibition will make it clear that a person can be an official of a political party or a lobbyist, but not both.'

'Our election commitment was to prevent any office bearer of a political party, and of associated entities...to lobby government officials—and that's exactly what these amendments do.'

I would like to draw the chamber's attention to clause 7 in part 2 of the bill, which inserts a new subsection (4) that appears to ban associated entities from lobbying unless they are registered. I would not have thought that would capture many unions. So the question is: what is happening here? Is the Attorney-General intentionally misleading In Daily? Has she allowed In Daily to make a mistake and not correct it? I am not sure which, but the Attorney-General should know better than to allow something like that to stand and certainly should know better than to intentionally mislead a news outlet.

It seems that it was always the Attorney-General's intention to capture unions, despite her false change of heart. In the Attorney-General's own second reading explanation, when introducing the bill in another place, the first paragraph states:

Today, I introduce a bill that relates to the government's election commitment to ban any office bearer of the state governing body of a registered political party, or an associated entity such as a union, from becoming a registered [political] lobbyist.

I will highlight that again: 'or an associated entity such as a union'. I presume some poor staffer forgot to update the Attorney-General's speech, or the Attorney-General just did not take the time to read it properly, and evidently the staffer forgot to update the Treasurer's second reading explanation because the same mistake is repeated here.

So we go from a position where there is an extreme commitment to target unions, which is in the Liberal's DNA, to being quoted in In Daily as saying that due to taking legal advice and after consultation they will not be targeting unions to going to the second reading explanation in both chambers now saying, 'We will be targeting unions.' I guess it is a 360 position flip. They have gone from 180 and another 180 back to where we started. It is entirely inconsistent with good government.

We have a bill 12 months late, more if you include the two months it has just been sitting around on this *Notice Paper*, with an exceptionally sloppily worded and delivered second reading explanation, and the Attorney-General has allowed a journalist to publish an incorrect article. This, even before we start debating in the council, has been an absolute mess.

We are keen to get answers to questions we have asked about the bill that for months and months have been left completely and utterly unanswered. There may be good reason why they are not answered. Maybe the Attorney-General does not have answers or maybe the answers to the questions we have raised will be that embarrassing that the Attorney-General thinks it better not to answer them. I can assure the chamber that we have no intention of passing the bill until the questions we have asked of the Attorney-General's Department in relation to the nature and the effect in practice of the bill are properly answered to our satisfaction.

Again, 12 months late, it has been sitting on the *Notice Paper* for two months, inconsistent second reading explanations and public statements: this is just an indictment of the way this government conducts its business. I want to be clear: we support a comprehensive lobbying licensing regime, but we cannot form a position on the bill when the Liberal Party themselves have had three

positions on what the bill is trying to do, and when we have asked questions about what the nature and effect of it are we can get no answers.

I look forward to having the questions we have raised a number of times answered, because we will be in no position at all to progress the bill any further until, firstly, we are confident that the government understands what the bill does and, secondly, until the government can clearly tell us what the bill does.

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

Parliamentary Committees

STATUTORY AUTHORITIES REVIEW COMMITTEE: INQUIRY INTO STATE PROCUREMENT BOARD

The Hon. T.J. STEPHENS (15:54): I move:

That the report of the committee, on its inquiry into the State Procurement Board, be noted.

I move this report on behalf of the committee, and I do so with, I would have to say, some enthusiasm. The State Procurement Board should form an important function for South Australia. Their management can achieve positive results for the government, taxpayers and local business. However, this is the second inquiry of the Statutory Authorities Review Committee into the State Procurement Board in the past four years. Both inquiries have stemmed from stakeholder concerns that public authorities may not be in full compliance with all State Procurement Board policies and guidelines. The result? Local businesses are denied a fair opportunity to tender and win government supply contracts in South Australia.

In my opinion, the opportunity cost of failing to award supply contracts to competitive local tenderers in South Australia is severely underestimated and misunderstood by procurement staff in this state. The engagement of businesses that source, employ and invest locally provides significant economic benefits back to our state through the multiplier effect. When local businesses win government supply contracts, they engage with other South Australian businesses to fulfil their commitments, in turn generating more local jobs. To explain it simply, local businesses that win government supply contracts plough the money directly back into the South Australian economy. Ultimately, taxpayer money supports the taxpayers and grows our economy.

On paper, the current procurement policies and requirements appear to support this goal. We have specific policy and procedural guidelines known as the Industry Participation Policy, commonly referred to as the IPP. The policy seeks to promote the inclusion of local industry participation by requiring that a minimum of 15 per cent weighting be given to businesses tendering for government contracts who participate in South Australia's local industry through supply inputs, employment or investment.

The relevant participation weighting is determined using an economic contribution test. It follows that the more local participation in terms of supply inputs, employment and investment the higher the weighting should be. However, the IPP is silent as to at which stage the 15 per cent weighting should be applied during a tender evaluation process. There is also minimal reporting on the application of the IPP.

The objects of the State Procurement Act 2004 include obtaining value in the expenditure of public money; providing for ethical and fair treatment of participants; and ensuring probity, accountability and transparency of procurement operations—all goals that the procurement board must have regard to in the administration of its functions.

Stemming from concerns that the IPP is not being applied correctly, the Industry Advocate has made continuous efforts to ensure the process of applying economic contribution tests is made simpler for procurement and agency staff. One measure has included a checklist to assist agencies in determining the appropriate weighting to give in terms of economic contribution. The checklist poses a number of simple questions, such as, 'Is the head office located in South Australia?' and, 'Is the product picked and packed in South Australia?' Next to each question there is a 'yes or no' box which can be checked. For each 'yes' answer, a 4 per cent economic contribution weighting is prescribed.

However, the evidence received by the committee throughout this inquiry has demonstrated that despite these measures agency staff appear to see procurement as a compliance exercise, as opposed to recognising the economic benefits to the whole of South Australia. Procurement staff are either not able to follow the complex myriad of procurement policies and guidelines that make up our procurement framework or they are simply choosing to solely rely on cost factors or rebates. This is enabling supply contracts to be won by large interstate companies, and our local South Australian businesses are not being given a fair go.

There are numerous examples of the IPP not being correctly applied. I will cite the Department for Education stationery procurement contract. One of the most concerning examples relates to the secondary procurement process undertaken by the Department for Education to secure a sole supplier of stationery from an across-government panel. This procurement was closely scrutinised by the committee with some interest, as the initial evidence indicated that there may have been inappropriate inducement practices used during the tender. The Department for Education explained that there was an arrangement which existed between the previous supplier where rebates were provided to the Dame Roma Mitchell Trust Fund, which is an unrelated third party, as a 'value-add' based on purchases made by the department.

The arrangement continued under the new contract, as the department thought it a 'natural progression' to keep it going. The committee heard that, at the initial stages of the secondary procurement, across-government supply panellists were sent an invitation to tender, which requested that panellists, and I quote:

...propose any enhancements, products or services that you are prepared to offer...on the basis of being the sole supplier for all Department of Child Protection and Department for Education and Child Development corporate worksites. Of particular interest to the department is the provision of assistance to the Dame Roma Mitchell Fund.

Representatives from the department reiterated to the committee that, following complaints and a subsequent recommendation from the Industry Advocate, a further letter was sent to panellists which revised the invitation to tender. Despite the revised invitation, procurement staff appeared to be entirely ignorant of the fact that the initial request for panellists to provide enhancements to an unrelated third party may have been inappropriate. In fact, the position was actively defended by procurement staff, with no concession that such an arrangement might have been inapt.

In addition to the debacle with value-adds, there were other concerning aspects of this procurement. The committee was provided with evidence showing that one local business was eliminated from the tender process for submitting a 'noncompliant tender', dubbed as such due to a mere six quoted items out of a list of 100 being deemed incomparable, that is, in terms of price, by the evaluation team.

One of the items deemed incomparable was a quote for a box of 100 tissues. Instead of quoting for a single box of tissues, the local supplier specified that their quoted price was for the supply of a carton containing 48 boxes of 100 tissues, a relatively minor discrepancy, one might think, in the context of an over \$6 million supply contract. This is especially so given the price of a single box of tissues could be easily extrapolated from the information provided.

When put to procurement staff, questions were batted away by arms-length positions such as, 'It is considered a normal process that tenderers make sure that their offers are compliant,' and, 'There was ample opportunity for our tenderers to make inquiries, if required.' Keeping in mind the overwhelming evidence of this inquiry and previous inquiries, which suggest issues with procurement arise largely due to the complexity of tender processes, these attitudes simply provide further support for the notion that agency staff see procurement as merely a compliance exercise instead of an opportunity to secure value for our state.

Despite the six minor incomparable items, the Department for Education was still quite easily able to estimate the overall 12-month usage cost of the items listed by the local supplier in question. Interestingly, the overall 12-month cost came in at approximately \$24,000 more than the eventual winner of the contract, both projected to cost in the \$200,000 figures. Accounting for the necessary IPP weighting of at least 15 per cent, which would have been applied to the local supplier in lieu of industry participation, that local supplier should have been in with a real chance of securing the sole supply contract. Instead, it was eliminated from the process altogether for six out of 100 quoted items being deemed noncompliant.

Considering the legislative objects of the State Procurement Act, the specific aim of the IPP, and the incredible economic benefits to be reaped from engaging local suppliers, it is extremely difficult to imagine how a business with extensive local industry participation who has quoted within approximately 6 per cent of the cost of the winning tender could have possibly been eliminated for misquoting six items out of 100 items. The committee was also advised that those 100 items made up only 40 per cent of total spending, leaving the remaining 60 per cent of purchases open to price gouging, safeguarded only by the fact that such purchases are subject to the across-government contract pricing, which is not monitored for compliance.

It may be worth pointing out at this point that the eventual winner of the contract in question was, in fact, a large interstate company which, coincidentally, offered the requested value-add in the form of rebates to the Dame Roma Mitchell Trust. The committee also heard that the winning company was perceived by panellists of the across-government contract to be the preferred supplier for agencies prior to the commencement of the secondary procurement.

I move on to another example of SA Health uniforms. Another concerning example of the way the agencies apply IPP weightings relates to a tender for the supply of uniforms to SA Health. The committee received evidence from a Ms Ann Thomas, the previous local supplier to SA Health for 70 to 80 per cent of their uniform requirements. She explained a tender process that did not take the IPP into account until phase 3 of the evaluation. Ms Thomas claims that this resulted in a swift elimination at phase 1 of the evaluation process, despite being the successful supplier of uniforms to SA Health for over 15 years.

The committee received evidence that suggested that the tender process was flawed, and heard claims that it seemed biased towards interstate and national companies. Ms Thomas explained that she was told by a senior SA Health procurement employee two years prior to the tender going to market that the future tender would go to a large interstate company. The tender also included an unusual and unrealistic request for 650 free sample uniforms, which would not be returned.

Ms Thomas told the committee she was informed by SA Health that her company, Image Wear, had been eliminated from the tender prior to formal short-listing occurring and prior to the 15 per cent IPP weighting. As a result of losing the contract to supply uniforms to SA Health, Ms Thomas sold the remaining business as it was no longer viable—another blow to South Australian jobs and to local industry. Ms Thomas made a formal complaint to both SA Health and the State Procurement Board, resulting in two different investigations into the tender process.

SA Health was able to provide the committee with an extensive response to questions. It explained its reasoning for the process and structure of a procurement acquisition plan, which was also approved by the State Procurement Board. However, this revealed that only a qualitative desktop evaluation was undertaken at phase 1 of the tender, where the overall capacity and capability of the bidders for the supply of uniforms was assessed, before requesting sample uniforms from the short-listed suppliers.

The IPP weighting was not applied until after the uniform trials at phase 2 of the procurement evaluation, as it was thought that applying the IPP weighting at phase 1 would have distorted the actual capacity and capability assessment. In Image Wear's case, it seems extremely unusual and rather confusing that they were eliminated from the tender during the capability to supply uniforms phase, considering that they had successfully been supplying SA Health's uniforms for the previous 15 years.

It was reiterated by SA Health that, if Image Wear had proceeded in the evaluation process, their pricing for the total contract value over the seven-year contract period would have been substantially higher than that obtained from the successful vendor. However, this appears to be yet another example of procurement staff focusing too heavily on short-term price considerations as opposed to long-term value for money for South Australia. Whilst Image Wear's total contract value over seven years may have been more expensive, the flow-on effects and benefits to the South Australian economy would have undoubtedly exceeded this.

After receiving a formal complaint from Ms Thomas, SA Health engaged KPMG to provide an independent assessment. KPMG found that the process undertaken was equitable and consistent with SA Health's and the board's procurement requirements. A complaint was then escalated by

Ms Thomas to the board for consideration. The board appointed an independent person to investigate the complaint on its behalf, which ultimately resulted in the outcome remaining unchanged.

This leads back to the heart of the issue we are facing here. Whilst both investigations apparently lead to a finding that policies and processes had been followed, it is not acceptable that the policies and procedures are leading to these kinds of outcomes. A supplier to SA Health of 15 years eliminated at the capability phase of a tender is truly astonishing and unacceptable.

Now, what of the State Procurement Board's role in all of this? As mentioned earlier, the State Procurement Board is responsible for overseeing procurement with specific regard to: obtaining value in the expenditure of public money; providing for ethical and fair treatment of participants; and ensuring probity, accountability and transparency in procurement operations. However, it seems that at every step of the process the board is failing to provide any useful contribution to the oversight or improvement of the procurement process.

Through the examples I have just outlined, we can see that agencies are being tasked with the responsibility of overseeing their own procurement processes. The board's view was that agencies should be afforded flexibility to undertake procurements because the agencies understand their specific business needs. Whilst I do understand this to be true to some extent, it still raises the question: what then is the board's role here if procurement is left entirely to agencies?

If we consider the complaint which was escalated to the board by Ms Thomas in relation to the SA Health procurement, an independent person was appointed to investigate this complaint on the board's behalf. What then is the board's role here if it is not even capable of investigating its own complaints?

As a result of the findings and recommendations of the committee's previous inquiry in 2015, the board was scheduled to reappear before the committee one year after the tabling of that report. The meeting occurred on 3 April 2017. Shockingly, not one member of the State Procurement Board was present before the committee on that date. Instead, a number of departmental employees were sent to appear on the board's behalf. Those representatives advised the committee that the chairperson, Ms Nicolle Rantanen, was unavailable at the time.

At one point during the present inquiry, the same chairperson of the State Procurement Board explained to the committee herself that she does not have the capacity to dedicate the required time to the board's work during office hours. This is because she is also the current Acting Public Trustee. So some two years on from the previous inquiry little appears to have changed. I admire Ms Rantanen's efforts, after hours, to put work into the State Procurement Board, but surely it requires somebody who can perform those duties during working hours.

It is also worth noting that the committee's previous inquiry resulted in the establishment of a position for an across-government chief procurement officer, which was intended to play a significant role in determining how procurement is undertaken and to improve consistency across the Public Service. The role was delegated extensive responsibility and power to perform integral functions. However, this position has remained vacant since approximately November 2018, pending the outcome of an inquiry being commissioned by the Productivity Commission, thus leaving those functions to be supported by roles within government services in the meantime.

With regard to the current inquiry terms of reference and findings, the present inquiry's terms of reference required the committee to look at the State Procurement Board with a focus on:

- the scope of the State Procurement Act 2004 (SA);
- current state procurement processes and practices;
- small and medium-sized business participation in government procurement; and
- any other relevant matters.

Having considered the State Procurement Board against these terms of reference, and the evidence which I have outlined today, the committee finds that the board is not in a position to adequately achieve its functions to enable the necessary balance required for local business participation in

government tenders and provide value for money for the state. The committee is of the view that merely recommending an update to their policies, as was attempted after our last inquiry four years ago, will not go far enough in ensuring the board is performing the statutory functions for which it was established.

As such, the committee is recommending, among other things:

- that the State Procurement Board be abolished, along with all associated guidelines, policies and legislation;
- that instead, an office of the chief procurement officer be established, where the chief procurement officer reports directly to the Treasurer to advise and support South Australian procurement;
- that procurement evaluation panels include a representative from the area of services to be provided (for example, a marketing representative for the Communication Services Panel);
- that the new state procurement framework/strategy provides a clear definition of 'value for money'; and
- that the Treasurer amend the Industry Participation Policy and its procedural guidelines to include that all agencies report on their IPP obligations in their annual reports to the Treasurer and to the Office of the Industry Advocate, including their obligation to invite a local business to quote when an open tender process has not been conducted.

The new proposed framework is similar to that in existence in Queensland, which also operates without an independent statutory board. Under the Queensland structure, the Chief Advisor-Procurement is positioned between the relevant minister and the Government Procurement Committee, together with an industry advisory group, which sit alongside each other. A diagram of the Queensland structure can be found on page 29 of the committee's final report.

The committee considers a new model would provide an opportunity for the state government procurement strategy to align directly with the government's growth agenda. It would allow for a focused full-time office of the chief procurement officer, who is able to work closely with the Office of the Industry Advocate and is dedicated to ensuring a cohesive and effective procurement strategy.

In conclusion, I would like to thank all of the witnesses and the members of the Statutory Authorities Review Committee: the Hon. Justin Hanson MLC, the Hon. Dennis Hood MLC, the Hon. Frank Pangallo MLC and the Hon. Irene Pnevmatikos MLC, together with committee secretary Mr Peter Dimopoulos and the committee's research officer, Mrs Lisa Baxter, for their efforts and contribution to this inquiry.

This inquiry has been a long time coming. It is meant to deliver meaningful outcomes for those long-suffering South Australian businesses that ultimately feel the sense of frustration of being excluded from business opportunities with the state government that they should rightfully have. I hope this report receives the consideration and respect it is due.

I hope that in future, when a business unfairly misses out on providing goods and services to the state government, there is somebody they can go to who actually has some teeth and can drill down and find out why those, who I believe to be, mid-level public servants do not take into consideration the harm they are doing to South Australian jobs, to South Australian employment and to South Australian businesses by not paying due respect to South Australian business opportunities.

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

Motions

HINDU ORGANISATIONS, TEMPLES AND ASSOCIATIONS FORUM

Adjourned debate on motion of Hon. J.S. Lee:

That this council—

1. Congratulates the Vishva Hindu Parishad of Australia for hosting the Hindu Organisations, Temples and Associations Forum of South Australia (HOTA SA) and Raksha Bandhan festival in 2019.
2. Acknowledges the outstanding contributions of individuals and pays tribute to award recipients in five different categories:
 - (a) HOTA Volunteer Award;
 - (b) Youth Award;
 - (c) Entrepreneur Award;
 - (d) Woman of Substance Award;
 - (e) Senior Citizen Award.
3. Commends the Hindu Organisations, Temples and Associations Forum for establishing the Hindu Helpline for Australia.
4. Recognises the achievements and contributions of the Hindu communities in South Australia—socially, culturally and economically.

(Continued from 11 September 2019.)

The Hon. T.T. NGO (16:16): I rise to speak on this motion and acknowledge the Vishva Hindu Parishad of Australia for hosting the Hindu Organisation, Temples and Association Forum (HOTA). I also acknowledge their work in organising the Hindu festival of Raksha Bandhan on 3 August 2019.

I congratulate the collaborative HOTA Forum, designed by Vishva Hindu Parishad. This forum brings together Hindu community organisations, temples, institutions and associations. This platform not only strengthens the Hindu community from within, but also provides resources to collectively shape the Hindu identity and strengthen pride. I congratulate those involved on the contribution this platform is making to this community.

Groups within the Hindu society are actively working for the resurgence of Hinduism; however, their work has been hindered by a lack of coordination between leading organisations. This platform now brings the Hindu community together in different galvanising ways. It pools together resources, shares information about activities of other Hindu organisations, and strengthens collaborations. All of this contributes to the broader community.

I acknowledge this year marks the second time the HOTA Forum has been held alongside the celebration of Raksha Bandhan in South Australia. Last August, over 40 organisations and groups came together to celebrate this Hindu festival. The HOTA Forum promoted the meaning and these key themes of the Festival: to pledge support to each other, respecting women in our community, and promoting universal fellowship. All are worthy and honourable causes with a place in our broader South Australian society. This festival also enables community members to make connections and celebrates the achievements of community work and volunteers.

I would like to acknowledge the work that volunteers do in organising such events and festivals. It is tiring work but so valuable in recognising traditions and maintaining practices which help others from different communities to feel at home in South Australia. These events and festivals also make our state a more vibrant and engaging place to live. Considering the mission of the HOTA Forum is to bring together all Hindu organisations and their philosophy of strength, this platform must be commended. I acknowledge and commend their inspiring work and reaffirm the significant contribution of the HOTA Forum to the multicultural landscape of South Australia.

The Hon. J.S. LEE (16:20): I am very proud to witness the Hindu community going from strength to strength and I think it is wonderful that the Hon. Tung Ngo has also recognised that the HOTA Forum presents an empowering platform for outstanding volunteers in the Hindu community of South Australia. I want to thank the Hon. Tung Ngo for his contribution today and for his ongoing support for our multicultural communities.

It was noted earlier in my previous contribution that there were some 40 diverse organisations that came together this year and last year to show support for each other, for fellowship and harmonious development. Since moving the motion, I have been informed that the Hindu Council of Australia has not confirmed that they would like to be officially associated with the

VHP HOTA Forum of SA, as was previously advised to my office. Therefore, I would like to amend the record by informing this chamber that the Hindu Council of Australia should not be included on the previous additional list of Hindu organisations that I named in my earlier contribution. However, both organisations have indicated support for each other for various activities.

Overall, I am very pleased to learn about the positive feedback from participating partners of the HOTA Forum. It is indeed a great honour for me to present awards to all the deserving winners, which included respectable seniors, outstanding volunteers, amazing women of substance, distinguished business entrepreneurs and energetic young people.

Once again, my special thanks and congratulations to VHP and HOTA partners for their collective wisdom, their friendship and contributions to serve our community. I look forward to continuing to work closely with everyone to strengthen the social cohesion and achieving more positive outcomes for our community. Thank you to all honourable members in the Legislative Council for your support for this important motion. I commend the motion to the chamber.

Motion carried.

WHITE BALLOON DAY

Adjourned debate on motion of Hon. T.A. Franks:

That this council—

1. Recognises that White Balloon Day is on 7 September and is a day that raises awareness about protecting children from sexual assault;
2. Acknowledges that White Balloon Day is Australia's largest and longest running child protection campaign dedicated to the prevention of child sexual assault;
3. Congratulates Bravehearts and White Balloon Day on their work that has helped to educate over 800,000 children across Australia about personal safety; and
4. Recognises that this is the 22nd year that White Balloon Day has been running and uniting communities to break the silence on child sexual assault.

(Continued from 19 September 2018.)

The Hon. E.S. BOURKE (16:23): I rise briefly to indicate the opposition's support for the Hon. Tammy Franks' motion to recognise White Balloon Day and the work of Bravehearts. The white balloon has become a symbol of hope for survivors of child sexual assault and encourages survivors to break the silence by speaking out. Bravehearts chose the symbol after 300,000 people gathered with white balloons in Belgium in 1996 to stand in solidarity with the parents of children who were the victims of a previously convicted and released paedophile.

The first White Balloon Day was held the following year in 1997 and the day is now held annually in National Child Protection Week. Over the last 23 years, White Balloon Day has rightfully highlighted the need for the community to protect our children from sexual assault. Bravehearts is a leading child protection organisation and the only charity in Australia dedicated to preventing child sexual assault. The organisation educates children and adults about safety to make Australia a safer environment for children.

More than 60,000 children are sexually assaulted each year in Australia, a staggering statistic and a statistic no child deserves to be part of. More can and does need to be done to keep all children safe in our community. Child protection is everyone's job; everyone in our community has a role to play when it comes to keeping children safe from harm.

Bravehearts not only educates children in the community, it also undertakes research so that it can lobby the federal and state governments on legislative reform to promote the safety and protection of children. Bravehearts actually participates in legislative review and reform and is involved in public debate on issues surrounding the sexual assault of children.

While we should not have to fight for what should be the right of every child, a community free of sexual assault, I thank Bravehearts for fighting to change the legislation and to be a voice for those who do experience sexual assault. One child experiencing sexual assault is one child too many.

The Hon. C. BONAROS (16:25): I rise to speak on behalf of SA-Best in support of the Hon Tammy Franks' motion acknowledging White Balloon Day. White Balloon Day, as we know, raises awareness about protecting children from sexual assault and, like the Hon. Tammy Franks, I would like to join in congratulating Bravehearts and White Balloon Day on their work, which has helped to educate over 800,000 children across Australia about personal safety.

I, too, recognise that this is the 22nd year that White Balloon Day has been running, uniting communities to break the silence on child sexual assault. The average sexual abuse victim takes 24 years to reveal their secret and disclosure is often the key to recovery, so I applaud Bravehearts for assisting survivors to speak their truth.

As you would know, Mr President, I have spoken on the issue of child protection more broadly in this place on a number of occasions now, with a number of bills introduced that address what I think are a number of gaps in the law, whether in relation to mandatory reporting of clergy or the setting aside of deed agreements between victims of abuse and institutions where it is just and reasonable to do so.

I was particularly pleased that, just earlier this week, the Criminal Law Consolidation (Child-Like Sex Dolls Prohibition) Amendment Bill was passed in the House of Assembly during government time after having been passed in this place in the last week of sitting. I take this opportunity to again thank the Attorney for working collaboratively with me on seeing the passage of that bill through the other place in such a speedy manner.

I am really pleased that these dolls are going to be banned in South Australia, and I think that goes some way towards highlighting or addressing the importance of child sexual assault. The passage of the bill marks an important day in the ongoing issue of child protection, and I am delighted that those laws were unanimously supported by all sides of politics. Again, I take this opportunity to thank everyone involved for its rapid progression through parliament.

I appreciate that this motion is about Bravehearts, the Hon. Ms Franks, but by way of an update I would like to let the chamber know that following the passage of the bill we have taken the liberty of writing to the Japanese Minister of Justice seeking a meeting and asking the Japanese government to take decisive action against manufacturers and suppliers of these dolls in Japan, regarded as the home of manufacturing what I refer to as 'sick objects', because I think we now have a firm and clear message that they have no place at all in our society. I have also written to state attorneys-general seeking that they introduce similar laws as South Australia, and look forward to their replies.

I also want to touch on the National Redress Scheme, which was, of course, created from recommendations arising from the Royal Commission into Institutional Responses into Child Sexual Abuse. The scheme is far from perfect, and in many ways has strayed from what was recommended by the royal commission. For that the Morrison Liberal government is to be held accountable.

I have spoken in this place on myriad issues facing the Redress Scheme. We know that as at 30 August this year, the scheme had received over 4,800 applications and only 512 redress payments had been made, or just over 10 per cent. That is something that I consider completely unacceptable. We know that the average redress payment amount is currently over \$79,700. The royal commission recommended a maximum cap of \$150,000 in payments, but the Redress Scheme instead has a cap of \$100,000. The government has not ever explained why the difference in cap amounts exists.

The scheme is moving too slowly and is bogged down in unnecessary bureaucracy, only serving to add to the trauma of abuse survivors, something that most of us have to agree is appalling. Australians can be proud of what the Royal Commission into Institutional Responses to Child Sexual Abuse accomplished, but I do not think there is much to be proud of in terms of the performance of the National Redress Scheme to date.

I will use this opportunity to call on the Morrison Liberal government to work with the state governments around the country to fix that scheme because we know that we must and we will do everything we need to do—whatever is needed—to protect children from all forms of child exploitation and correct wrongs for abuse victims. In doing that, we rely on groups like Bravehearts and we rely on raising awareness through events like White Balloon Day.

We certainly stand resolute in our commitment to prevent the exploitation of children and, of course, support the invaluable efforts of Bravehearts and White Balloon Day in their efforts to break the silence on child sexual assault. With those words, I would like to thank the mover of the motion, the Hon. Tammy Franks, and commend her for bringing this most important motion to this place.

The Hon. T.J. STEPHENS (16:31): I rise to congratulate the Hon. Tammy Franks on the motion before this council. I would like to reiterate the enormous importance of protecting all children from sexual assault. Beyond our support, we must acknowledge and bring awareness to the shocking pain and suffering endured by those who have been subjected to sexual assault in their lives. White Balloon Day is a campaign raising awareness of the crime of child sexual assault, encouraging our community to take an active role in protecting children. Most importantly, White Balloon Day encourages survivors of child sexual assault to speak out and break their silence.

The first official White Balloon Day was held in 1997. It is astonishing that just two years later, senior police revealed a staggering 514 per cent increase in disclosures of child sexual assault to Queensland police headquarters, labelling the White Balloon Day campaign a phenomenon. With such enormous figures, it is important that we recognise that historical child sexual assault crimes are no less heinous than those which are current. We must strive to support those who have been living and battling daily with the lasting psychological and physical effects of such soulless crimes.

Sadly, as a result of the stigma surrounding child sexual assault, many who have been subjected to these awful acts do not come forward. They fear not being heard, not being believed, or being perceived as damaged by the experiences they have endured. Child sexual assault, whether it be current or past, is an atrocious and unforgivable crime. Adequate penalties must be applied to perpetrators of these offences. We all need to do everything we can to raise awareness to support and protect our children. I commend the mover and the motion.

The Hon. J.M.A. LENSINK (Minister for Human Services) (16:33): I move to amend the motion as follows:

Paragraph 1—

Leave out '7 September' and insert '6 September'

Paragraph 4—

Leave out '22nd' and insert '23rd'

I rise to support this motion and thank the Hon. Ms Franks for bringing it to the parliament. I also move some amendments to the dates, which are standing in my name. I would also like to echo the comments of previous speakers in relation to the horrendous crimes that are committed against children who are incredibly trusting, vulnerable individuals who deserve to be nurtured and protected, not abused.

In commending this motion, I would like to particularly commend White Balloon Day and Bravehearts, an organisation which was founded by Ms Hetty Johnson after discovering the horrendous crimes against her own child back in 1997. Probably our understanding of how to protect children was less advanced than it is in this day and age. Historically, crimes against children have been hidden, in large part, because children have not necessarily had the tools and had been convinced that somehow it was their fault and that revealing the circumstances would lead to repercussions.

Bravehearts offers a number of services, which are very useful. We also have our own curriculum in South Australia, which is consistent with this in terms of teaching children about how to be safe. I commend the motion to the house.

The Hon. T.A. FRANKS (16:36): I really thank the honourable members for their contributions today. The Hon. Emily Bourke reflected particularly on the history of this quite significant event. White Balloon Day started back in 1997 and has been going now for 23 years. I think those balloons were a symbol of hope at a time when voices were far too often silenced.

In 1997, Hetty Johnson was an incredibly brave woman, who decided to call out child abuse and paedophilia when she saw it. She has been pilloried, she has been ignored, but from my perspective she should be admired. I think her work has been incredibly important in the Australian

context for promoting action against paedophilia. She was known to me: I knew her more than she knew me when she worked for the Democrats back in the 1990s. I have watched her, her courage and fortitude and her commitment to children who are either survivors or, indeed, who do not survive child abuse in this country.

I thank the Hon. Connie Bonaros, and I do not think that you have to apologise for talking about pieces of legislation that we have just seen moved that will protect children in this country. And I was a bit teary before I even started, Michelle, so it wasn't just you. I thank the Hon. Terry Stephens, who I know is incredibly staunch in his commitment to outing paedophilia and standing by those abuse survivors who have taken action and finally found justice through our courts, in particular the masked brothers, who have stood not just for themselves but for generations who have gone and, unfortunately, for generations who are to come.

Hetty is described as not one to hope that things will change in course, and the reality is things will not change in course. Just a few short years before Bravehearts was formed, Sinead O'Connor ripped up a picture of the Pope on *Saturday Night Live*. It brought her condemnation from around the globe and yet her revelation of child sexual abuse today stands vindicated. It is people like Hetty Johnson and it is organisations like Bravehearts that should be noted and supported in this place. What were once lone voices are now joined in chorus. It should not be brave to call out child abuse and paedophilia.

With those few words, I thank, in particular, the minister for her ongoing commitment and support in these areas previously and no doubt into the future. I indicate that I certainly support the amendments, and commend the motion to the council.

Amendments carried; motion as amended carried.

Bills

STATUTES AMENDMENT AND REPEAL (SIMPLIFY) BILL

Final Stages

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

At 16:41 the council adjourned until Tuesday 15 October 2019 at 14:15.