LEGISLATIVE COUNCIL

Tuesday, 26 November 2019

The PRESIDENT (Hon. A.L. McLachlan) took the chair at 11:00 and read prayers.

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

Bills

FLINDERS UNIVERSITY (REMUNERATION OF COUNCIL MEMBERS) AMENDMENT BILL

Assent

Her Excellency the Governor's Deputy assented to the bill.

LANDSCAPE SOUTH AUSTRALIA BILL

Assent

Her Excellency the Governor's Deputy assented to the bill.

CONTROLLED SUBSTANCES (YOUTH TREATMENT ORDERS) AMENDMENT BILL

Assent

Her Excellency the Governor's Deputy assented to the bill.

Parliamentary Procedure

ANSWERS TABLED

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

PAPERS

The following papers were laid on the table:

By the President—

Administration of the Joint Parliamentary Service, Report, 2018-19
Auditor-General, Country Health Property Maintenance, Report 10 of 2019

By the Treasurer (Hon. R.I. Lucas)—

Rules of Court—
Magistrates Court Act 1991—Civil—Amendment No. 27

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

Phylloxera and Grape Industry Board of South Australia (trading as Vinehealth Australia) Report, 2018-19
Regulations under Acts—
Motor Vehicles Act 1959—Regulations—Vehicle Inspections
Road Traffic Act 1961—Vehicle Inspections

QUOTED MATERIAL

The PRESIDENT (14:22): Before I call on questions without notice, I have a short missive on quoting from media releases. Members, as you will be aware, it has become a recent concern of mine that some members, while answering questions without notice, have a practice of giving verbatim accounts of material that has been published in a media release issued by them. The

principal object of question time is to illicit information from ministers about the public administration of the state, which would not ordinarily be published through other means.

When members asking questions, as well as ministers answering them, read verbatim from media releases they have already issued and do not introduce new matter that has not been publicly available, it is my view that it is not the best use of the chamber's time and does not support the purpose of question time. I therefore urge ministers and members to provide information to the chamber in a manner that enables members to be informed supplementary to already released statements. Failure to do so may result in a member being directed to take their seat.

Question Time

MCGOWAN, DR C.

The Hon. C.M. SCRIVEN (14:23): My questions to the Minister for Health and Wellbeing are as follows:

1. Will the minister advise whether his Chief Executive of SA Health, Dr Chris McGowan, told the truth when he stated on 29 October that he did not 'involve himself in anything in that area of the business' in relation to his former company Silver Chain?

2. Will the minister advise whether the public sector code of conduct requires government chief executives to tell the truth when appearing before parliamentary committees?

3. What are the consequences for a government chief executive who provides inaccurate information to a parliamentary committee?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:24): I thank the honourable member for her question. Members would be aware that the issues in relation to Mr McGowan have been referred to the commissioner for public employment, who has sought the assistance of an independent person. If they have any accusation to make, they should make it. If they have information that they would like to share with the commissioner for public employment, I would encourage them to do so.

The PRESIDENT: Supplementary, the Hon. Ms Scriven.

MCGOWAN, DR C.

The Hon. C.M. SCRIVEN (14:24): I refer the minister to at least two parts of the question which cannot in any way come under his response to that. Will the minister advise whether the public sector code of conduct requires government chief executives to tell the truth when appearing before parliamentary committees, and what are the consequences for a government chief executive who provides inaccurate information to a parliamentary committee?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:25): My understanding is that the referral to the commissioner for public employment is exactly on that point—about the application of public sector ethics. I think it is completely appropriate for the honourable member, if she wants to make an accusation, to make it. If she has got information, she should provide it.

The PRESIDENT: Further supplementary, the Hon. Ms Scriven.

MCGOWAN, DR C.

The Hon. C.M. SCRIVEN (14:25): Does the minister think it is appropriate for a chief executive to be able to make inaccurate statements to a parliamentary committee? Is that appropriate, or is it something that he would take action on? If so, what action?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:25): I think it is appropriate for the minister, and for that matter all members of this house, to await the report from the commissioner for public employment.

The PRESIDENT: Supplementary, the Hon. Ms Scriven.

MCGOWAN, DR C.

The Hon. C.M. SCRIVEN (14:25): On a matter of fact, did the minister's Chief Executive of SA Health, Dr Chris McGowan, have a telephone conversation with Ms Lyn Jones, Acting Chief Executive Officer of Silver Chain, regarding the Integrum program on 26 June 2018, as she says in a letter to him dated the same day?

The PRESIDENT: Minister, that is not out of your original answer, but it is up to you if you wish to answer it.

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:26): I always seek to respect standing orders.

The PRESIDENT: The Hon. Ms Scriven, a supplementary, but it needs to come out of the original answer.

MCGOWAN, DR C.

The Hon. C.M. SCRIVEN (14:26): Given that the minister keeps referring only to Mr McGowan, can he instead give the chamber an assurance that any chief executive who reports to him would have suitable consequences if they were found to have provided inaccurate information to a parliamentary committee and, if so, what would those consequences be?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:26): It is not my practice to respond to hypothetical questions.

MCGOWAN, DR C.

The Hon. E.S. BOURKE (14:26): My question is to the Minister for Health and Wellbeing. Will the minister confirm that SA Health has signed a contract with Silver Chain Group Ltd to deliver the Integrum program at a cost to taxpayers of $2.9 million?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:27): We have certainly got relationships with RDNS Silver Chain. I am proud to have them. Let's remember: this is a trusted institution in South Australia. The RDNS has served this state with distinction for decades. The fact that this Labor Party now believes that any institution or party becomes open season for smears because they have a relationship with the Liberal government I think is shameful. In terms of the details of the honourable member's question, I will take that on notice.

MCGOWAN, DR C.

The Hon. E.S. BOURKE (14:27): Is the minister concerned that the contract with Silver Chain Group Ltd to deliver the Integrum program was signed on 24 June 2019, four months after the site visit of the Integrum program by Dr McGowan at the Perth office of Silver Chain and 13 days after he made a note in his diary to ask for the Integrum evaluation results?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:28): It seems the honourable member is wanting to reflect on Dr McGowan's behaviour in terms of the public sector ethics. I would invite any honourable member, including Ms Bourke, to refer any matters that they think might be of interest in relation to public sector ethics to the commissioner for public employment.

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

MCGOWAN, DR C.

The Hon. E.S. BOURKE (14:28): Does the minister maintain his position that the Chief Executive of SA Health, Dr Chris McGowan, accurately stated on 29 October that he did not 'involve himself in anything in that area of the business' in relation to his former company, Silver Chain?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:28): I am looking forward to advice from the commissioner for public employment.

MCGOWAN, DR C.

The Hon. I.K. HUNTER (14:29): My question is to the Minister for Health and Wellbeing. Will the minister advise who the independent investigator is that has been appointed by the

Commissioner for Public Sector Employment to investigate the Silver Chain Corporate Services Pty Ltd directorship of your Chief Executive of SA Health, Dr Chris McGowan?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:29): I will seek that information from the commissioner and provide it to the honourable member.

MCGOWAN, DR C.

The Hon. I.K. HUNTER (14:29): A supplementary: whilst the minister is seeking that information, will he also seek for the chamber the terms of reference that are being given to the person appointed by the commissioner, the term of the appointment and the expected cost to taxpayers for the independent investigation—that the Commissioner for Public Sector Employment has undertaken to delegate to a person, whose name the minister will bring back to the chamber—of the Silver Chain Corporate Services Pty Ltd directorship of the chief executive, Dr Chris McGowan?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:30): I am more than happy to take the question on notice, but considering it is more detailed I will refer it to the relevant minister and ask them to provide a response to the member. I am not the minister responsible for the commissioner for public employment.

REPATRIATION GENERAL HOSPITAL

The Hon. D.G.E. HOOD (14:30): My question is to the Minister for Health and Wellbeing. Will the minister update the chamber on recent developments at the Repat site?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:30): I thank the honourable member for that question. The Marshall Liberal government is proud of the work that is going on at the Repat site, that we are the government that saved the site as a genuine health precinct as the South Australian community wanted. An important part of the work of reactivating the Repat site will be the delivery of specialised care for South Australians living with dementia.

The scandal of Oakden casts a long shadow over our state. The Marshall Liberal government is determined to provide this vulnerable group of South Australians with the care they deserve and their families expect. The government has now established a partnership with nationally respected provider HammondCare to provide a 78-bed dementia care facility co-located with an 18-bed acute ward. This is a significant part of the Oakden response statewide model of care, providing a place where those who would formerly have gone to Oakden can now live with dignity.

HammondCare will be responsible for the construction of the dementia care facility as well as for the clinical oversight within the facility. SA Health will assist through the provision of specialised medical services to support the clinical operations. The facility's 78 beds will be made up of 60 beds divided into four cottages for people with dementia who have complex care needs and two specialist dementia care units, each with nine beds, offering care to people with psychological symptoms of dementia and severe behaviours.

The first demolition work for the facility is expected to begin in the first half of next year, while the initial works for the adjacent 18-bed acute facility are expected to commence in January next year. The work at the Repat is yet another example of this government putting into the Repat site investment to reactivate it as a genuine health precinct. In partnership with the Morrison Liberal government, the Marshall Liberal government will invest around $80 million on the site. In addition to that, there will be expenditure by private sector and NGO bodies.

Unlike the former Labor government, which ignored the community, we have actively engaged the community along the journey while also working with clinicians to ensure that quality care is central to the services provided there. We are delighted to be able to establish a partnership with HammondCare. It is one more step on the road to see the Repat operating as a fully functioning part of the South Australian public health system.

LAND AGENT UNDERQUOTING

The Hon. J.A. DARLEY (14:33): I seek leave to make a brief explanation before asking the Treasurer, representing the Attorney-General, a question regarding agents underquoting.

Leave granted.

The Hon. J.A. DARLEY: Reforms were introduced in 2007 to penalise land agents advertising properties at prices lower than expected. I understand that further reforms in this area came into effect from 2014. My questions to the Attorney-General are: how many complaints have Consumer and Business Services received about underquoting since 2014, and how many of these complaints have been substantiated?

The Hon. R.I. LUCAS (Treasurer) (14:33): I will refer the honourable member's question to the Attorney-General and bring back a reply.

MCGOWAN, DR C.

The Hon. C.M. SCRIVEN (14:34): My questions are to the Minister for Health and Wellbeing:

1. Did the minister's chief executive, Dr Chris McGowan, travel to Perth and meet with his former company Silver Chain at their offices for an hour and a half on 15 February 2019?

2. Did Dr McGowan undertake a site visit for the Silver Chain Integrum program when he met Silver Chain on that day?

3. Why is Dr McGowan's visit to Perth on 15 February, including meeting his former company Silver Chain, not mentioned in his proactive disclosure of the chief executive's domestic travel for the disclosure report of January to March 2019?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:34): I am happy to take the honourable member's question on notice.

The PRESIDENT: You can't get a supplementary out of that one, the Hon. Ms Scriven. The Hon. Ms Lee.

YORKETOWN FIRE

The Hon. J.S. LEE (14:34): My question is to the Minister for Human Services about the government's response to the Yorketown fire. Can the minister please provide an update to the council about the emergency government grants available to those who have been affected by last week's devastating fire?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:35): I thank the honourable member for her question. All of South Australia stands with the communities on the Yorke Peninsula, particularly those who were affected by the devastating fires at the southern end of the Yorke Peninsula last Wednesday 20 November.

The Yorketown fire, as it has come to be known, has caused widespread damage to residences, cropping land and livestock between Yorketown and Edithburgh. Approximately 5,531 hectares of the Yorke Peninsula Council area was burnt, together with the destruction of 11 residences, with further damage to 24 buildings, sheds, vehicles and farm machinery units. I am very pleased, of course, that no lives were lost, and we thank the CFS, as has been pre-empted by the Hon. Ms Bourke's motion.

A number of agencies are involved in the recovery efforts, which commenced soon after the fire. Indeed, a recovery office was set up at Stansbury, which has been manned by housing personnel. We have been able to provide support via emergency grants to individuals who have been affected by the fires, either through having lost their homes or having their homes inaccessible, through a grant of up to $700 per family. In addition, the commonwealth government has provided its own assistance of up to $1,000 per adult and $400 per child, and those people who have lost employment through the tragedy are potentially eligible for a disaster recovery allowance.

A community meeting was held yesterday at the Yorketown RSL. The member for Narungga attended. I have also spoken to the federal member for Grey, Mr Rowan Ramsey, who has attended the site, as well as the Premier, who I think was there the day after the fires. We have also appointed a local recovery coordinator, Ms Debbie Richardson. That took place in cabinet yesterday. Ms Richardson has experience through the Pinery bushfires in terms of assisting people on the

ground, so she will be available. She has a great deal of experience in this area to assist people with a range of issues. Our support is ongoing to the local community and we stand with them through this difficult time.

ABIAD, MR H.

The Hon. F. PANGALLO (14:38): I seek leave to make a brief explanation before asking a question of the Minister for Trade, Tourism and Investment regarding comments made by an Adelaide City councillor.

Leave granted.

The Hon. F. PANGALLO: I have been made aware of a disturbing Facebook post by the former deputy lord mayor, Hassam Abiad, a prominent member of the Liberal Party and a potential candidate, and a prominent member of the federal government's Council for Australian-Arab Relations. Councillor Abiad was in Lebanon recently, where he witnessed the angry protests against the Hezbollah-dominated Lebanese government, which had just resigned. Mr Abiad was clearly moved by the protests and the poor living conditions he witnessed in Lebanon and wrote an impassioned post, which I understand has now been removed, and probably for good reason. I have a copy of what was said and, without going through it here, I seek leave to table a copy of it.

Leave granted.

The Hon. F. PANGALLO: However, there is one particular remark that is alarming. Referring to the outgoing government and its members, Mr Abiad said:

> It is time for all these politicians to meet their makers, if I was them, I would start by asking for forgiveness.

The Merriam-Webster Dictionary's definition of 'meet one's maker' is clear: to die. I would accept it might have been sloppy and figurative language from the double degree holding councillor Abiad; however, to suggest that politicians, no matter where they are, should meet their maker, or to die, is extremely provocative, not to mention embarrassing, particularly for the influential commonwealth agency he is paid to represent. We all know how volatile civil unrest can be in some Middle Eastern countries, Hong Kong and South America.

My questions to the minister are:

1. Does he support those comments from a member of the Liberal Party that MPs in Lebanon should meet their maker, or die, because of their autocratic conduct in office?

2. Is he concerned that, as trade minister, comments like this could damage our trade relations with other Arabic nations we do business with?

3. Will he speak to councillor Abiad and the Lord Mayor about those comments and seek an apology?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:40): I thank the honourable member for his question. I have obviously not seen or read the comments that he claims have been made by councillor Abiad, even though he is now tabling a transcript or a copy of that. Clearly, I don't agree with any comments of politicians 'meeting their maker' made by anybody anywhere in the world. I don't know the context but certainly I have had no commentary from anybody from the Australia Arab Chamber of Commerce, which we have a very strong working relationship with. I will seek some further information from the Lord Mayor, as the honourable member has asked me to, and also seek some further clarification about the issue from Mr Abiad.

MCGOWAN, DR C.

The Hon. C.M. SCRIVEN (14:41): My question is to the Minister for Health and Wellbeing. Was your Chief Executive of SA Health, Dr Chris McGowan, accompanied by any other staff or probity advisers when he visited his former company Silver Chain in Perth for 90 minutes on 15 February 2019? Did the minister's chief executive, Dr McGowan, meet with Wellbeing SA head, Lyn Dean, the very morning after his visit to Silver Chain on 12 June to talk about Integrum? Did Dr McGowan have any discussion with the minister or public servants in SA Health about his visit to Silver Chain on 15 February 2019 or did he write any report for the minister or any public servants on the outcome of his visit?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:42): I am happy to take that question on notice.

The PRESIDENT: There is no supplementary available out of that, unfortunately.

The Hon. C.M. SCRIVEN: Point of order: this is about reports to the minister. Is the minister saying that he has no idea what Dr McGowan has reported to him about Silver Chain?

The PRESIDENT: That is a new question and one of your members can ask that. It's quite a legitimate question to ask, but a supplementary has to come out of the original answer and the minister has taken it on notice.

STATE GOVERNMENT PARTNERSHIPS

The Hon. J.S.L. DAWKINS (14:43): My question is directed to the Minister for Health and Wellbeing. Will the minister update the council on state government partnerships?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:43): I thank the honourable member for his question. The Marshall Liberal government was elected with a commitment to working collaboratively and engaging with stakeholders to bring about the best outcomes for the community at large. This was in stark contrast to the arrogance of the former Labor government, which adopted—

Members interjecting:

The PRESIDENT: Order! I can't hear the minister. Go on, minister.

The Hon. I.K. Hunter: You don't even know what your chief executive is doing. Not responsible for the chief executive of your own agency.

The PRESIDENT: The Hon. Mr Hunter, alright.

The Hon. S.G. WADE: This was in stark contrast to the arrogance of the former Labor government, which adopted a hectoring and bullying approach, picking favourites and using the same standover tactics they learnt in their days as union bosses.

Now, honourable members, I ask you the question: has Labor learnt anything? Are we yet to see this Labor Party abandoning that hectoring and bullying approach? Time and time again in this chamber and in the public domain we see the union bullyboys of the Labor Party adopting an arrogant, hectoring bullyboy approach, picking favourites and using standover tactics they learnt in their days as union bosses.

One would have thought they would have learnt the mistakes of their ways and that, after the election of March 2018, they would have perhaps taken a dose of humility and stopped the hectoring. We see today that, no, it has not stopped and it hasn't stopped only in this chamber. It has also continued in the public domain. Unfortunately, Labor has proven time and time again that they remain the same bullyboys as they were in their previous lives as union bosses.

Just this week, when the Marshall Liberal government announced a partnership with HammondCare to deliver a response to the scandal allowed to continue at Oakden, instead of welcoming this important step to addressing Oakden's legacy of Labor, they lashed out at HammondCare with outrageous smears. Labor said that South Australians need reassurance about HammondCare in the context of the royal commission. What a lot of rubbish! There were three expert clinicians called to the royal commission from HammondCare. HammondCare is one of the most nationally respected not-for-profit providers with expertise in dementia care.

A facility HammondCare operates in New South Wales was singled out in the Oakden report as a model of this type of care, as opposed to what was being allowed to happen at Oakden. But no, this isn't enough for Labor. Their record on Oakden was shameful. They were more interested in getting their ministers' names out of an ICAC report than they were about addressing the underlying problems. Yet, in spite of that shameful legacy, the Labor Party wants to attack HammondCare. What's their sin? They partnered with the Liberal Party to deliver better care for South Australians. What a sin! It doesn't matter to Labor what their record is or what benefits South Australians. Because HammondCare is working with the Marshall Liberal government, they are now on Labor's blacklist.

This is exactly the same treatment that Labor meted out to KordaMentha. When KordaMentha worked in Whyalla and turned around the steelworks, they were heroes for South Australia. But now because the Marshall Liberal government has engaged KordaMentha to turn around our central hospitals, which KordaMentha described as the most broken organisations they had ever seen, Labor turned on KordaMentha. The bullyboys of the union—hectoring, bullying—they turned their venom on KordaMentha.

It's like children in a playground, 'If KordaMentha is friends with Steven Marshall, then they can't be friends with me.' Forget the big picture. Forget the hundreds of millions of dollars of taxpayers' money wasted by Labor, the hurt inflicted on South Australians needing care and their families. The fact of the matter is that Labor continues to play the bullying and hectoring approach.

Labor also plays this game with RDNS Silver Chain, a respected South Australian institution which has worked in partnership with successive governments, Liberal and Labor, delivering quality care across the state. But Labor conveniently forgets that history and forgets that they were happy to partner with RDNS. But today, because they are partnering with a Liberal government, RDNS is also on Labor's blacklist.

To show the hypocrisy of Labor, just remember that it was Labor who entered into the largest health privatisation in South Australian history with a $2.4 billion new Royal Adelaide Hospital. Taxpayers in South Australia are paying nearly $1 million a day every day for Labor's privatisation. Imagine the reaction from members opposite if it was a Liberal government that had signed that deal. Labor should be ashamed of their bullying behaviour, of the smears they run against non-government organisations that partner with the Liberal government. This government is proud of its capacity to collaborate with partners to deliver better services for South Australians. We will not let Labor's bullying and smears stop our efforts to clean up their mess.

MCGOWAN, DR C.

The Hon. C.M. SCRIVEN (14:49): A supplementary on the minister's discussion on RDNS, and I think it included Silver Chain. Did the minister's chief executive, Dr Chris McGowan, agree by text message in the days leading up to 5 July 2018 to meet with representatives from Silver Chain to 'discuss potential partnerships', as we just had discussion about? The quote was to 'discuss potential partnerships with Silver Chain and SA Health', as noted in an email to him on the same date.

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:50): I thank the honourable member for her question. I am actually rather surprised, considering that she could have excused herself from the bullyboy tactics and smears of the past government, that she has just decided to go in boots and all and associate with them. I will be very happy to take the honourable member's question on notice.

MCGOWAN, DR C.

The Hon. C.M. SCRIVEN (14:50): A further supplementary, which I hope the minister will see as a question rather than as bullyboy tactics. Asking a question is not a bullyboy tactic—

The PRESIDENT: We don't need any commentary. It's a supplementary originating out of the answer.

The Hon. T.J. Stephens interjecting:

The PRESIDENT: We don't require assistance from you, the Hon. Mr Stephens.

The Hon. C.M. SCRIVEN: Did the minister's Chief Executive of SA Health, Dr Chris McGowan, on 11 June 2019 make a note in his diary to ask Integrum for evaluation results, almost four months after his visit to inspect the Integrum program at Silver Chain offices in Perth? Can the minister answer this or is he going to avoid it yet again?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:51): I have no shame in honouring the standing orders of this place, and I am happy to take that on notice.

MCGOWAN, DR C.

The Hon. I.K. HUNTER (14:51): A supplementary arising from the minister's original answer: will the minister require his chief executive, Dr Chris McGowan, to provide copies of all his

text messages in relation to these issues with Silver Chain to the independent investigator, whose name he will be bringing back to the chamber for us?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:51): To clarify it for the honourable member, I intend to refer that question relating to the independent investigator to the relevant minister. The independent investigator and the commissioner for public employment will have full access to information from government. As I assured the chamber on the last occasion, my office and my department will be cooperating fully.

MCGOWAN, DR C.

The Hon. I.K. HUNTER (14:52): A further supplementary, as a point of clarification: the minister said that the inquiry will have full access to information. Does the minister expect that will also be full access to Dr McGowan's providing copies of his text messages?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:52): As I said earlier, the honourable member should provide any information they think is relevant to the commissioner for public employment and/or the independent investigator. I honestly don't know what the powers of the commissioner for public employment are but, as I said, the government will be fully cooperating.

The PRESIDENT: A further supplementary, the Hon. Mr Hunter.

MCGOWAN, DR C.

The Hon. I.K. HUNTER (14:52): A final stab at it, sir. The minister has powers to direct his chief executive. Will he be using them to direct Dr McGowan to provide the contents of his text messages to the inquiry that has been set up under the auspices of the Commissioner for Public Sector Employment, to the person whose name the minister will bring back to this chamber—

The PRESIDENT: Don't push it, the Hon. Mr Hunter.

The Hon. I.K. HUNTER: Thank you.

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:53): If the honourable member is asking me if I want to become an independent investigator, no, I don't. I intend to continue to serve as minister. I will let the independent investigator and the commissioner for public employment pursue the investigations as they see fit.

NATIONAL HORSE REGISTER

The Hon. T.A. FRANKS (14:53): I seek leave to address a question to the Minister for Health and Wellbeing, representing the Minister for Recreation, Sport and Racing, on the topic of horse traceability registers.

Leave granted.

The Hon. T.A. FRANKS: Tens of thousands of racehorses are bred in Australia every year by the thoroughbred and standardbred racing industries. Many are abandoned in paddocks or dumped at saleyards, and the ABC has now revealed that thousands eventually end up in knackeries and slaughterhouses. It is clear the racing industry has abandoned these horses once they are no longer profitable. Sickeningly, they call this 'wastage'.

This is allowed to happen because the racing industry is not required to take responsibility for the thousands of horses that leave the industry each year. That is why we need a national horse register, and that is why there has been occasion in the UK, Europe and Canada to establish horse registers. I note this is the topic of an upcoming ministers meeting of, I believe, the agricultural portfolio, and is also the subject of a current Senate inquiry.

My question to the Minister for Sport, Recreation and Racing, through the Minister for Health and Wellbeing in this place, is: will the Marshall government support the establishment of a national horse traceability register with the requisite state involvement required to facilitate that and force the racing industry to give every horse a dignified retirement, safe from abuse or slaughter?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:55): I thank the honourable member for her question. I am happy to refer it to the minister in the other place and bring back an answer for her.

WESTPAC

The Hon. J.E. HANSON (14:55): I seek leave to make a brief statement before asking a question of the Minister for Trade, Tourism and Investment.

The PRESIDENT: Regarding?

The Hon. J.E. HANSON: Regarding Westpac.

Leave granted.

The Hon. J.E. HANSON: Comments made by the home affairs minister, Peter Dutton, in federal parliament this week regarding Westpac's current problems it is having, to quote, were:

> It is clear that the Westpac bosses, through their negligence, have given a free pass to paedophiles, and there is a price to pay for that. That price will be paid, and we have been very clear about it.

What concerns does the minister now have about his announcement on 19 November 2019 that Westpac will be providing sponsorship for the Tour Down Under?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:56): I thank the honourable member for his ongoing interest in the Tour Down Under, a great Liberal event that was started back when John Olsen was premier and Joan Hall was the minister for tourism. It is indeed wonderful to have ongoing commercial sponsors. Santos is clearly our naming rights sponsor and Westpac is sponsoring this year's community ride.

I have every confidence that Westpac will be a very good sponsor, notwithstanding some of the issues that obviously the senior executive and other people in the Westpac organisation—which I obviously have no jurisdiction over. There is a range of issues they are dealing with in relation to the current matters that are being well ventilated in the mainstream media and in other parliaments, and I think the chief executive has stood down today. I have every confidence that the community ride will be as good, as exciting, as fun-filled and with as many participants as ever this year.

WESTPAC

The Hon. J.E. HANSON (14:57): Supplementary: given the very strong stance taken by his federal colleagues and, indeed, minister Peter Dutton in regard to this matter, will the minister be conducting a review in any way of Westpac's involvement in its sponsorship arrangement with the government?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:57): I thank the member for his supplementary question. I haven't read the comments made by federal minister Dutton, but I will speak to the Tourism Commission and Events SA just to reassure myself that the arrangement we have with Westpac won't impact at all on the wonderful community ride that they are sponsoring in this year's Tour Down Under.

WESTPAC

The Hon. J.E. HANSON (14:57): Further supplementary: will the minister commit to bringing the results of any reviews—or for that matter any investigations, I believe you said, which he conducts—or investigations either on notice or back to this parliament so that they can be properly ventilated?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:58): I thank the member for his question. As I replied in his previous supplementary question, I will seek some advice from Events SA and the South Australian Tourism Commission as to the impacts of the affair engulfing Westpac at a national level and, if it pleases the member, if I am able to I will bring back some information to the chamber.

INTERNATIONAL EDUCATION

The Hon. T.J. STEPHENS (14:58): My question is to the Minister for Trade, Tourism and Investment. Can the minister share news on the latest international education statistics with the council?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:58): I thank the honourable member for his question and his ongoing interest in international education. As members would know, international education is a priority sector for South Australia, contributing significantly to jobs in our state. It is only just behind wine as our biggest export earner. In the year before we formed government, South Australia welcomed 35,733 international students to our state, with an estimated export value of $1.54 billion.

Since then, the Marshall Liberal government has invested heavily in the industry. We have increased annual funding to StudyAdelaide to $2.5 million. I have established a ministerial advisory council for international education, which has brought together industry and government to work on a strategic initiative to grow the state, including of course international education, with the International Education 2030 plan.

As I have shared with the council, the plan calls for the doubling of international students to 70,000 by 2030, which, of course, will contribute an estimated $3 billion to our economy and will employ up to 23,500 South Australians. This is an ambitious but achievable plan and I am happy to report to the council that we are well on our way.

The latest data shows that year to date enrolments to September have increased by 15.5 per cent to now be at 40,979 enrolments. Compared to the same time in 2018, I think that is up some 5,400 in the last 12 months. This is significantly above the national growth rate of 10.6 per cent and makes it the first time in our state's history that we have broken through the 40,000 mark for enrolments. Importantly, we are seeing growth in new and emerging markets, with enrolments significantly higher from India, Nepal, the Philippines, Brazil and Vietnam. This growth is cross-sector, with increased enrolments in higher education, VET and in schools.

The Marshall Liberal government has made no secret of our ambitious goal to reach 3 per cent growth in gross state product. To do this, we need to grow our state's priority industries, such as food and wine, agribusiness, health, medical, tourism, technology, defence, space and the creative industries. Importantly, by growing our international student numbers, we will have better access to a pipeline of talent to fill the current and future skills shortages.

Of course, international students make a significant contribution to South Australia through school fees, tourism, retail expenditure and growing our economy and creating jobs. These students also internationalise the education that our own sons and daughters receive while they gain their own valued Australian cultural experience. Today's news reinforces the Marshall Liberal government's commitment to this important sector, which strengthens the economy, culture and workforce for South Australia.

STANDING ORDERS COMMITTEE

The Hon. C. BONAROS (15:01): Mr President, I seek leave to make a brief explanation before asking a question of you regarding the Legislative Council Standing Orders Committee.

Leave granted

The Hon. C. BONAROS: As I understand it, this chamber's Standing Orders Committee has not met during this session of parliament; indeed, it has not met for many years and the Legislative Council standing orders have not changed since last century, in 1999. Conversely, the House of Assembly Standing Orders Committee has met at least five times in this session of parliament and tabled a report during this time.

The Legislative Council Standing Orders Committee has not met during this session, despite several requests to do so from myself and, as I understand it, from others. For example, I wrote to the secretary of the Legislative Council Standing Orders Committee in August of this year requesting the committee meet to review standing order 445 regarding breastfeeding and bottle feeding of infants in the chamber. Recently, I wrote to you, Mr President, seeking a meeting of the same

committee to consider the issue of co-sponsored motions and bills, which are provided for in the standing orders of other Australian parliaments, but not ours.

On 8 May 2018, the Treasurer stated in the chamber, and I quote:

> The other point I should put on the public record is that, in the discussions I have had with the Leader of the Opposition and other crossbench members, I have indicated two things. One is I hope, Mr President, with your concurrence, that the Standing Orders Committee will undertake a body of work in terms of the standing orders of the Legislative Council.
>
> We have made one significant amendment…in appointing for the very first time a prominent member of the crossbench to the Standing Orders Committee to provide his input into the issue of sensible amendment of standing orders. I have had informal discussions with members as to how that process might work. Again, Mr President, it will be an issue for discussion with yourself as a member of that particular committee.

In August 2018, the Treasurer stated:

> I have had a brief conversation a week or so ago with the Leader of the Opposition that I would hope during the break we might be able to convene a meeting of the standing orders committee…I am sure there are potentially a small number of issues upon which everyone could agree that we might be able to proceed with by way of amending the standing orders. Perhaps we could do the more substantive and difficult issues over a period of time.

On 28 November 2018, the Minister for Human Services stated during a meeting of the Joint Committee on the 125th Anniversary of Women's Suffrage that, and I quote:

> We will also seek that the Standing Orders Committee, in collaboration with the clerks, undertakes a review of standing orders for gender neutrality and to ensure that orders do not impede women from entering political life.

They are just a few examples. My questions to you, Mr President, are:

1. How many outstanding requests exist for the Legislative Council Standing Orders Committee to meet?

2. Why has the Legislative Council Standing Orders Committee not met, despite requests to do so?

3. When will the Legislative Council Standing Orders Committee meet?

The PRESIDENT (15:04): The Hon. Ms Bonaros, I will take that question on notice and endeavour to provide a response to the council tomorrow.

LAND TAX

The Hon. T.T. NGO (15:04): My question is to the Treasurer: will he advise whether he has now reached the final version of the Marshall Liberal government's land tax policy?

The PRESIDENT: The Hon. Mr Ngo, I will not answer for the Treasurer—he may wish to answer it—but you are asking about a debate that is about to occur, I expect this afternoon, and the standing orders are not amenable to that. Treasurer, do you wish to provide a response?

The Hon. R.I. LUCAS (Treasurer) (15:05): Not if it is contrary to standing orders, Mr President.

The PRESIDENT: It still doesn't mean that there is no need to respond. I take it that the Treasurer has decided to decline. You can ask that question in the committee phase, the Hon. Mr Ngo, which is why the standing orders exists.

SILICOSIS

The Hon. T.J. STEPHENS (15:05): My question is to the Treasurer: can he update the chamber on the government's response to addressing issues relating to silicosis?

The Hon. R.I. LUCAS (Treasurer) (15:05): I thank the honourable member for his question. I think I indicated when last this question was addressed by some members that I would update the house as new information became available. I will not repeat what I previously shared with the chamber in relation to the work of the Mining and Quarrying Occupational Health and Safety Committee, ReturnToWorkSA and SafeWork SA, but in terms of recent developments I convened a meeting recently of those three bodies, together with SA Health, to receive a presentation in relation to the issue of a dust diseases register.

Members will be aware that earlier this year the federal government announced $5 million to establish a national dust diseases task force, referred to as the national task force. There have been discussions between health ministers in relation to this issue. There is an ongoing debate or discussion ensuing in relation to the appropriate nature of a potential register and issues in relation to whether or not it is a national one or a state one, whilst we wait for a national one to be developed or not.

Then it is an issue in relation to the nature of the information that might be encapsulated on a particular register in simple terms—and the academics and technicians will use different language, but in simple terms for a simple minister like my good self—in essence, persons who might be diagnosed with silicosis, for example, or a dust disease, or in relation to a more comprehensive register that might monitor the ongoing measurements in terms of exposure to potential dust diseases. Clearly, one is much more complex in terms of what information might be recorded, issues in relation to whether possibly affected workers might want information kept confidential or shared, so there are much more complicated issues in relation to the latter type of register.

At that most recent meeting with those four bodies or agencies we had some broad discussions. I have undertaken to collaborate with my colleague the Minister for Health in terms of his views and his agency's views in relation to this. From the government's viewpoint we do see this as an important initiative in terms of progressing it, and whether that be as a state-based register in the first instance, leading towards a national register, or whether we wait for the national register, is an ongoing discussion.

Finally, SafeWork SA has advised me that I think at some stage later this week a report on their recent audit, which was conducted last financial year, in terms of potential silicosis exposure in the engineered stone industry and other industry sectors, will be made publicly available on their website. That information will be available to those who are interested in this important issue in relation to the work that has been undertaken and the commitment that I have given on behalf of the government in terms of coordinating this loose group of agencies that are working together in terms of a coordinated response to what everyone is acknowledging is a most important issue. It is certainly being acknowledged by all states and territories, whether they be Labor or Liberal; they are all responding in differing ways.

Interestingly, I conclude by saying some jurisdictions seem to have significantly larger numbers of workers identified with silicosis. Whether that is because there is a greater prevalence of silicosis in those states, such as Queensland, or whether it is other factors—that is, that they have identified the number of impacted workers earlier or more effectively—are issues of shared interest amongst all jurisdictions.

I assure both the honourable member and other members in this chamber, who I know are very interested in this issue, that the government is treating this as an important issue and one in which there needs to be a coordinated response. I believe there is now much closer to a coordinated response from government—that all the agencies that do have an ongoing potential role in this are collaborating and working together as effectively as possible.

KANGAROO ISLAND LANDING FEES

The Hon. M.C. PARNELL (15:11): My question is for the Minister for Trade, Tourism and Investment and it relates to tourism on Kangaroo Island. Minister, is it correct that a landing fee is payable to the Kangaroo Island Council in relation to each visitor arriving by ferry or by plane and, if so, why is there no similar landing fee for passengers from cruise ships who come ashore on Kangaroo Island?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (15:11): I thank the minister for his ongoing interest in Kangaroo Island. While I believe there may be fees being paid, I am advised that—and I will also check this—with landing fees that are paid on Kangaroo Island by planes, every passenger pays a landing fee at every airport, so I am not surprised that that would be the case. When it comes to ferries, I am not certain that a fee is paid by everybody that comes on the ferry, whether it is KI Connect or the SeaLink ferry, I am not sure.

There would be some fees and charges at the wharf, I suspect, for KI Connect, but regarding SeaLink, of course, there is an arrangement with the state government, which is a matter for the Minister for Transport and Infrastructure in relation to that relationship. Of course, that service is going through a tender process at the moment.

I know the honourable member did ask a question last sitting week in relation to some things that the council had done. I can update him a little bit on some of those. The SATC funds all the required infrastructure and information services servicing the arrivals of cruise ships and their passengers and crew to Kangaroo Island. There was an impact assessment that he had asked me if I had read. It has just appeared. It is on my desk as we speak. It has come through the system. I actually haven't read it yet, but the brief notes, as I am advised here, state that cruise ships at Kangaroo Island contributed some $22.3 million to the regional economy and $10 million direct expenditure.

The Kangaroo Island Council announced on 15 November that it would introduce a levy of $2.50 per cruise ship passenger from 1 July 2020. The council did not consult either the SATC or the Department of Planning, Transport and Infrastructure, who own and administer the landing structure. So discussions are now ongoing. However, the SATC has received indications from many from the industry that the introduction of a levy would potentially impact on the attractiveness of Kangaroo Island as a destination for cruise ships.

COMMUNITY ENGAGEMENT REPORT

The Hon. R.P. WORTLEY (15:14): I seek leave to make a brief explanation before asking a question of the Assistant Minister to the Premier.

The PRESIDENT: Regarding what?

The Hon. R.P. WORTLEY: Regarding a brochure, the 2018-19 community engagement report.

Leave granted.

The Hon. R.P. WORTLEY: The assistant minister recently circulated a brochure called *2018-19 Community Engagement Report: Advance Together*. I'm not sure whether the name 'Advance Together' was plagiarised from the joint propaganda campaign between China and North Korea. She might be able to answer that question. It is not clear what the purpose of the brochure is other than blatant—

The Hon. S.G. Wade: This is not an explanation. That's a comment: it's not an explanation.

The PRESIDENT: If you want a point of order, the Hon. Mr Wade, then get on your feet. Sessional order commentary seated is not appropriate, but do restrain it because I was about to jump in myself.

The Hon. R.P. WORTLEY: Thank you, Mr President, for your protection. It is not clear what the purpose of the brochure is other than blatant self-promotion, with five—

The PRESIDENT: The Hon. Mr Wortley, don't debate the question. Be factual, then get on with the question.

The Hon. R.P. WORTLEY: This leads to the question, Mr President.

The PRESIDENT: I know it's leading to a question, but I would like it to be within standing orders.

The Hon. R.P. WORTLEY: Okay—with five pages dedicated to the Liberal Party promises document and a staggering 200 photos of the assistant minister over 25 pages. My questions to the assistant minister are: can the assistant minister explain what the source of funding for the document was, and what was the approximate cost?

The Hon. J.S. LEE (15:15): I thank the honourable member for his questions as well as his great interest in my affairs and my work with the community. I think it is wonderful. I am just wondering where he got a copy from because it is widely circulated only to community members I work with. I am very proud to be able to produce a report in the interest of working with communities. To directly

answer the questions that he has raised, it is a global compliance report. It is not funded by the government: it is funded through my parliamentary work as a member of the Legislative Council. Also, if he really wants to know how much it cost, it cost $1.67 per copy to produce.

KANGAROO ISLAND

The Hon. J.S. LEE (15:17): My question is to the Minister for Trade, Tourism and Investment about a regional visit.

Members interjecting:

The Hon. J.S. LEE: It is about the regional visit. Can the minister please update the council about his most recent visit to Kangaroo Island?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (15:17): I thank the honourable member for her ongoing interest in not only this great multicultural state of ours but also Kangaroo Island. There is no question that Kangaroo Island is a jewel in South Australia's crown, boasting premium produce, world-class food and wine and a spectacular tourism offering, yet the residents of Kangaroo Island have their own unique set of issues in regard to their remote location, growing their population and developing their industries to create jobs on the island for the next generation.

I travelled to Kangaroo Island on 15 November to take part in a workshop to establish a Kangaroo Island growth agenda. Not quite 100 industry and business representatives attended throughout the day to discuss the strategic objectives of Kangaroo Island to contribute to our government's goal of 3 per cent gross state product growth. Interestingly, the local member, Leon Bignell, was at the meeting on the particular day as well.

The Hon. J.E. Hanson: Did you say hi?

The Hon. D.W. RIDGWAY: Certainly. I am always happy to engage with everybody at these events. It was interesting. I felt it was an extremely worthwhile day, particularly having some industry break-out sessions to explore some detailed opportunities. One of the themes that came out is that Kangaroo Island needs some direction, and I think the message was very clear that the direction really is in the hands of the Kangaroo Island residents.

We looked at the opportunities and challenges for business, tourism and food and wine. At the end of the day, there was a real buzz of optimism in the air, particularly when we look at South Australian companies such as Bickford's that are investing on the island. It is a real credit to the Bickford's team that they are following through with their plans to establish a craft distillery and microbrewery at the Kingscote wharf precinct.

Interestingly, I think it has taken nearly five years from when it was first announced to the project actually going ahead. It has only been about 650 days of this government, so it was nearly 3½ years of indecision on behalf of the former government. I visited the site with Mr Angelo Kotses and his brother George and the other Bickford executives, and I can see they will do something special with the old police station and the cells, activating the area and creating yet another unique tourist attraction for the area.

I took the opportunity, having gone to the island, to then visit Millie Mae's cafe and produce store in Penneshaw on their opening day, another great local business that will add value to the local economy. The Oceanview Eco Villas are owned by Tasmin Wendt. She and her husband have a spectacular new offering, only open 13 weeks, and I would encourage all members to get along and have a look at that. The False Cape Wines new cellar door opens later in December, and I would like to congratulate the owners, Jamie and Julie Helyar, for their recent achievement on being awarded the best Kangaroo Island wine for their False Cape riesling.

I see the investment these people make in their own businesses, the faith they have in their own products and the faith they have in their own community that they will be able to create more jobs, rather than just being a broadacre farm. They have planted some good vines and have some great wines and are now showcasing them with a beautiful cellar door.

I also had the opportunity to attend the 60th annual Parndana Show. Country shows are well supported around the nation and the 60th annual Parndana Show was no different, with all the competitions that we see and that come to a very high level at the Adelaide Show: all the cooking, the flowers, the photography, the horses in action. It was a particular thrill to be there and to see life members of the Parndana Show Society. There were about 10 of them, in particular, opening the Parndana Show. The Marshall Liberal government is serious about generating growth, and areas in our region like Kangaroo Island will be an important part of our growth strategy going forward.

AGED-CARE CCTV

The Hon. F. PANGALLO (15:21): I seek leave to make a brief explanation before asking a question of the Minister for Health and Wellbeing about CCTV cameras.

Leave granted.

The Hon. F. PANGALLO: In response to one of my conga line of questions recently regarding the CCTV camera trial in residential care facilities, I pointed out that SA Health has many Hikvision cameras, which the pilot steering committee says aren't good enough for its trial. Instead, they prefer cameras costing $1,000 each. Hikvision cameras are high definition, suited for the surveillance required.

The minister then told us that they weren't used by defence and certain commonwealth departments for security reasons and therefore were not good enough for our government. The reason for that is obvious, particularly when greater analytical capacity is required, that is, facial recognition, numberplates, which is quite understandable in defence and security matters.

However, there are countless Hikvision cameras in use around Australia. They are everywhere: government, local government, homes, businesses. They are endless, without any security concerns. The vision is so acceptable that they are actually used in our courts. My questions to the minister are:

1. When challenged, he said that the government was going to phase out its Hikvision cameras. Just how many Hikvision cameras are used in every government department, including his own?

2. How long would this phase-out period take?

3. What type of cameras will replace them and at what cost for each camera?

4. How much will this phase-out cost taxpayers?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:23): I thank the honourable member for his question. In relation to other agencies of government, I will certainly need to seek further advice. My recollection—and I will also seek to confirm this for the honourable member—is that SA Health currently has 10 remaining Hikvision cameras and that they will all be removed. We do believe that we have a responsibility to make sure that we can provide assurance to both the residents and the staff of facilities where we are using CCTV technology that the security of those services is beyond question.

The PRESIDENT: The Hon. Mr Pangallo, the time for questions without notice has expired, so—

The Hon. F. PANGALLO: Yes, Mr President. I was just wondering whether I could submit those questions on notice for the minister because he hasn't answered them.

The PRESIDENT: You can do that in the next question time or you can put them on the *Notice Paper*. Can I just add by way of friendly advice that they were excellently crafted questions, but they did not require a short explanation with rhetorical flourishes.

Bills

ARCHITECTURAL PRACTICE (CONTINUING PROFESSIONAL DEVELOPMENT) AMENDMENT BILL

Second Reading

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (15:25): I move:

That this bill be now read a second time.

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

Leave granted.

This bill makes amendment to the *Architectural Practice Act 2009,* mandating continuing professional development as a condition of ongoing registration as a practising architect in South Australia.

All state and territory boards agreed to a national framework for continuing professional development in 2006. This set the framework for continuing professional development.

The provisions of the amendment will apply to all practising architects. The Architectural Practice Board of South Australia will develop the rules for continuing professional development in South Australia once the bill has passed.

This amendment is supported by the Architectural Practice Board of South Australia, the Australian Institute of Architects—South Australia Chapter and the Association of Consulting Architects (South Australia), and will bring South Australia in line with other states in Australia where continuing professional development is mandated (Queensland, NSW, Tasmania, WA, Victoria forthcoming).

The mandating of continuing professional development will ensure architects maintain their knowledge and skills relevant to their architectural practice and their provision of architectural services to consumers.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

3—Amendment provisions

These clauses are formal.

Part 2—Amendment of Architectural Practice Act 2009

4—Amendment of section 3—Interpretation

This clause inserts a new definition of *professional development rules*, consequential on the amendment in clause 7 of the measure.

5—Amendment of section 13—Functions of Board

This clause makes a number of amendments to allow the Architectural Practice Board to make rules (the professional development rules) prescribing requirements for continuing professional development for registered architects.

6—Amendment of section 15—Delegations

This amendment inserts a reference to the professional development rules to be enacted by the amendments in clause 5.

7—Insertion of section 31A

This clause inserts a new section as follows:

31A—Requirement for further education and training

The proposed section provides that a registered architect must, in each year of registration, undertake or obtain further education, training and experience required or determined under the professional development rules. A registered architect who fails to do so is not entitled to be registered in accordance with the Act. The section provides for the circumstances in which the Architectural Practice Board may exempt an architect from the requirement to undertake further education and training.

8—Amendment of section 32—Fees and returns

The clause inserts a provision requiring a registered architect to provide to the Board, along with their registration and annual fee, a form approved by the Board that contains information that, under the professional development rules, the registered architect is required to provide to the Board as to compliance with the professional development rules (or with the terms or conditions of an exemption from the rules).

The Hon. C.M. SCRIVEN (15:26): I rise today to offer Labor support for this bill and to make a short contribution to the debate. The support is based on Labor's recognition of the importance of continuing professional development in the architecture profession, an industry that of course has a significant influence on our state's built form and environment.

I note that under this bill the professional development framework will be developed by the Architectural Practice Board of South Australia, in accordance with similar bodies already established in other states. Where it makes sense to align regulatory frameworks across Australia's federation, then that is something we should try to do.

There are two further points of interest that connect to other matters also before the parliament. This bill introduces an ongoing professional development framework for registered practising architects in order to guarantee their confidence. This is a good thing. The public should have confidence in professionals providing services, particularly when their work directly impacts upon the public realm.

In keeping with this principle, I look forward to the government's support for the Planning, Development and Infrastructure (Transparency) Amendment Bill 2019, a bill I introduced into this chamber in October. The transparency bill, similar to this bill, contains provisions that require the professional accreditation of State Commission Assessment Panel members in order to bolster public confidence in the panel's deliberations and decision-making. The principle applied in both bills is the same: professional development and accreditation bolsters public confidence in professional standards. With this in mind, I am sure I can look forward to the government's support for the transparency bill.

The second point I wish to emphasise also concerns public confidence in the building industry. I note that in the minister's second reading explanation in the other place he made reference to the national Shergold Weir Report into building confidence and the role this bill has in bolstering public confidence in registered architects. I am sure that we are all aware that public confidence in the building industry has taken a hit in recent times, with revelations that many privately certified buildings contain flammable cladding and other features that do not comply with the Building Code of Australia.

In this light, requiring ongoing professional development of registered practising architects is certainly a worthy initiative, but I also urge the government to reconsider the extension of private assessment in the planning system, which has been included in the development assessment regulations tabled in this chamber in July this year. Labor has already moved a disallowance motion against those regulations, and I note that public confidence in the building industry will require independent planning authorities to make decisions without pecuniary interests in the outcome. While noting these points, I commend the bill to the council.

The Hon. M.C. PARNELL (15:29): I rise briefly to add our support for the second reading of this bill. The concept of continuing professional development is not new in the professions. Most of us who engage, for example, with medical professionals are very grateful for the fact that they are obliged to keep their skills up to date. They are obliged every year to undertake further training to learn about the latest techniques, to learn about new science, to learn about the effect or the impacts of certain drugs. It is just a no-brainer when it comes to medical and allied professions.

When it comes to the practice of architecture, I think there are also pressing reasons why continuing professional development makes sense. I note first that the agreement, apparently nationwide, for this to occur was 13 years ago, so it has taken South Australia some time to get with the program, as it were, to legislate for continuing professional development. One of the reasons I think it is important in the practice of architecture is in relation to the recent changes in the understanding of sustainability in the built form.

I, for one, think that it is entirely appropriate that architects should be exposed to the latest thinking in relation to water-sensitive urban design or energy efficiency and things like that. There may well be architects whose qualifications are so old that issues of environmental sustainability never formed part of their formal studies. So I think it is important that all architects, old and new, be brought up to speed.

The Hon. David Ridgway, during question time, talked about Kangaroo Island and he reminded me that a nephew of mine has just recently graduated in architecture. He cut his teeth making gin at Kangaroo Island Spirits. He is a very talented young man. He makes excellent gin and I think he will make an even better architect. But I think in terms of the ongoing future development of the profession, this is a sensible move. It is long overdue. It is years after other states have implemented this move. The Greens are very pleased that it is now before us and we look forward to the speedy passage of this bill.

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

SUMMARY OFFENCES (TRESPASS ON PRIMARY PRODUCTION PREMISES) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 14 November 2019.)

The Hon. M.C. PARNELL (15:33): I rise to put the Greens' position on the record in relation to this bill. Our position is quite simple: unless this bill is substantially amended, we will be opposing it at the third reading. The bill, in short, increases penalties for farm trespass. The bill creates a new aggravated offence of farm trespass and it provides that almost every uninvited visit to a farm will in fact be an aggravated offence by virtue of every uninvited visit to a farm posing a potential biosecurity risk.

In short, this bill is overkill and it is misguided. We think it is misguided in a number of ways. Firstly, this bill does not seem to be based on any South Australian experience. The bill, in our view, is a purely political reaction to events that have occurred interstate. It is not a bill that is based on any South Australian experience.

No evidence has been provided on the extent of the problem of farm trespass in South Australia and, therefore, no justification has been provided for the increased penalties, which presumably are on the basis of additional deterrence being required. If there is no history of offending then there is no justification for additional penalties. There is no evidence of any unduly lenient penalties ever being handed out by South Australian magistrates.

In fact, there is no evidence provided at all in relation to the number of farm trespass offences in South Australia, the number of successful or unsuccessful prosecutions, or any penalties handed out. It is a complete fact-free zone. There is no evidence provided in the minister's second reading explanation, or anywhere else, that this is a problem that needs to be addressed in South Australia. There is no evidence that existing laws and existing penalties in relation to trespassing are not an adequate deterrent to unlawful behaviour.

The second reason this bill is misguided is that it does not address many of the reasons why animal welfare groups take it upon themselves to trespass on farms. One of the reasons—in fact I would suggest one of the main reasons, in my experience—is that they suspect or have evidence of breaches of animal cruelty laws and they do not have confidence in law enforcement authorities to investigate those matters in a timely or thorough manner.

This is particularly a problem when our animal welfare law enforcement authorities are understaffed and do not have the power to randomly inspect farming premises. As members know, in South Australia the RSPCA is responsible for enforcing animal cruelty laws. It is a unique situation where public laws are enforced by a private, non-profit charity, with the government paying only around a third of the cost of law enforcement. The majority of law enforcement is funded by private donations and fundraising by the RSPCA.

It is an absolute bargain for the government but, in my view, it is an appalling abrogation of state responsibility to enforce state laws. The public would be outraged if the homicide squad had to run a cake stall to fund a murder investigation but, for decades, the enforcement of animal cruelty laws has been undertaken by the RSPCA and underfunded by the state. That has been a direct cause of much animal activism in South Australia in the past.

I do not bring to this a purely academic approach. In fact, I was very much involved in some of these cases nearly 20 years ago. The one case I drew to the government's attention through the YourSAy website, when they invited submissions on the original draft bill, was the case of Takhar v Animal Liberation. That was a case heard in the Supreme Court of South Australia in the year 2000. I am familiar with that case because I acted as counsel for the respondent.

That case involved a matter directly relevant to the bill before us. Depending on who you talked to, it was either a terrible criminal trespass or, more generously, a late-night, uninvited farm visit. What happened on that occasion was that members of the Animal Liberation organisation stepped over a low fence, entered a battery hen facility through an open door and took video footage of the appalling conditions they found inside. As a result of that visit, and as a result of the video footage that was taken, the chicken farmer was ultimately criminally prosecuted and found guilty of animal cruelty laws. It was entirely as a result of that late-night, uninvited farm visit.

The case I was involved in was a fascinating case where the chicken farmer sought an injunction against Animal Liberation to prevent them from publicly distributing the video footage they had taken. In summary, the chicken farmer's argument was, 'If people saw the conditions of the inside of our battery hen facilities no-one would buy our products anymore,' to which the response was, 'That's sort of the point of the exercise.'

The chicken farmer was prosecuted and found guilty of breaching animal cruelty laws. Interestingly, the video footage ultimately was broadcast on television and elsewhere, and the chicken farmer was obliged to pay legal costs to the Animal Liberation organisation. It is also quite a famous case in the study of the use of the legal system to bring about social change.

I recall that the statement of defence was delivered to the solicitors for the chicken farmer by a person wearing a chicken suit. I think it was probably the first chicken suit that had appeared at the reception counter of this particular Adelaide law firm, but it was a serious matter that was behind it. At the end of the day, a lot more people knew about the condition of battery hen facilities and how eggs were produced than they did before. I think the chicken farmer regretted taking that legal action.

However, I think people now recognise that the reason the egg industry has changed over the years and the reason an increasing number of people in the supermarket go straight to the free-range eggs shelf and bypass the cheaper caged eggs is that they are now aware of the conditions in which chickens are held in battery hen facilities. I ask members to reflect on this: do we know about the condition of these facilities because the farmers voluntarily told us about it? Did they voluntarily hand over video footage saying, 'Dear egg consumers, I thought you might like to know how your food is produced'? No, they did not.

The only way we know what is inside these facilities is because brave people have taken it upon themselves to gather that evidence. It is not just eggs. We have also seen it in relation to hidden cameras that have been placed in abattoirs. My colleague the Hon. Tammy Franks earlier referred to the footage that was obtained in relation to racehorses and how they are treated at the end of their economic and productive lives. We saw hidden cameras used to film abattoirs in Indonesia. In fact, the list goes on.

People have to remember that these things are not brought to public attention by the farmers themselves. They are almost universally brought to public attention because someone somewhere has broken some law: they have trespassed or, in an unauthorised way, they have inserted hidden cameras in a facility. That is the only reason we know what has gone on in these facilities. What this bill seeks to do is to further criminalise the activity of trespass on farms. What people need to think about with these laws is not just whether there is a real problem in South Australia that requires a law reform measure but whether this really is just another way of trying to keep consumers in the dark about how their food is produced.

In my submission to the government—which they, of course, ignored in its entirety, so I am bringing it here by way of amendment—is a provision which says that it is a defence to a charge, under this new bill, if the conduct constituting the offence was for the purpose of identifying, mitigating or preventing ill treatment of an animal. So, in other words, a public interest defence. Another way of looking at it is a defence of necessity.

People often think about this in relation to examples of, say, small children left in cars. We had a shocking case of this in Queensland recently. If you come across a child in a car, clearly suffering from the heat, the car is locked, there is no adult anywhere to be seen, you can see the distress—not just distress, but there is risk to life—and you get a rock and smash that window, you are not going to be charged with causing criminal damage to a motor vehicle. You are more likely to get a medal for heroism.

Similarly, the person who breaks down the door of the burning house to rescue someone who might be inside is not going to be charged with criminal damage to that house, they are probably going to get a medal. The question then is: a person who trespasses on a farm in order to relieve the suffering of a farm animal, an animal that is distressed for want of water or food or whatever reason, is that person a criminal or are they fulfilling a higher public duty if they in fact trespass? You need to think about this not just in relation to risks to human life, but also in relation to risks to animals.

The question of vigilantism, as it is often described in terms of farming, often goes like this: people say, 'Well, these animal activists shouldn't be going anywhere near farms because that's the proper job of law enforcement bodies, such as the RSPCA.' In the case I mentioned before in relation to the chicken farm in the north of Adelaide, mistreatment of the chickens and overcrowding were reported to the RSPCA. They said, 'Look, we actually don't have the power to respond to anonymous tip-offs. We actually need evidence before we can go onto the property.' That was the entire reason why the Animal Liberation activists attended the facility with their video cameras: to provide evidence so the RSPCA could act. When the RSPCA did eventually act, a prosecution was founded.

That was the year 2000. We fast-forward 20 years and what has changed? The RSPCA has written to me, and perhaps to others, in relation to this bill and they point out that not a lot has changed. They do not have the power to undertake unannounced random visits of farms, especially farms where animals are kept. I might just read a couple of sentences from the RSPCA's letter to me under the hand of chief executive officer Paul Stevenson, dated 20 November. What Mr Stevenson says is:

> In some cases, there is a genuine public interest motivation underpinning unlawful trespass in terms of exposing otherwise concealed breaches of the Animal Welfare Act. While this does not justify the unlawful trespass, in adding significant additional deterrents to such lawful activity, alternative lawful measures should be considered to satisfy community expectations for proper monitoring of animal welfare. RSPCA proposes in this respect, providing power to Animal Welfare Act inspectors to enter and inspect primary production premises without notice. This would effectively obviate the perceived need for unlawful activities, by providing a lawful and regulated avenue for ensuring animal welfare compliance.

That is pretty clear. The RSPCA is saying if you do not want the animal activists to be going onto these farms in order to gather evidence and to prevent animal suffering, you have to give the proper authorities the power. That means the ability to turn up unannounced.

The law in this area is not as clear as it should be. Again, to quote from a few paragraphs of what the RSPCA has sent to me, under the heading, 'Routine inspections with notice,' the RSPCA says:

> At present the RSPCA is empowered to conduct routine inspections on primary production premises under the Animal Welfare Act 1985, however these inspections can only be carried out where reasonable notice has been given to the primary production business. In practice, a primary production business is on notice of the inspection for several days prior to it being conducted. The RSPCA submits that the need to provide notice in this manner undermines the legitimacy of the findings made during these inspections.

I would make the point—something I have referred to many times in this chamber over the last 13 years—that we saw the consequences of inspectors having to give notice in the terribly sad case of young Nikki Robinson, a little four-year-old girl who died as a result of food poisoning in that incident that was known as the Garibaldi food poisoning, involving a smallgoods manufacturer.

The Coroner in that case said, and I am paraphrasing, that it is remarkable that an inspector would give notice to a food premises of their intention to inspect several days beforehand and then be surprised when the factory operator or food producer cleaned the place up. It was as clean as a whistle whenever the inspectors attended. That is a consequence of having to give several days' notice before attending premises.

I will go back to what the RSPCA said. Under the heading, 'Inspections without notice,' they say:

> The RSPCA is empowered to enter and inspect premises without notice when an inspector holds a reasonable suspicion that an offence has or will be committed under the Animal Welfare Act…or a reasonable belief that urgent action is necessary to prevent or mitigate serious harm to an animal. Both mechanisms require the RSPCA to be in possession of information capable of justifying the necessary suspicion or belief. The difficulty that arises in the primary production context is the widespread practice of conducting business activities out of the public eye thereby limiting opportunities for public scrutiny. Indeed, the RSPCA relies almost solely upon complaints made by members of the public in order to be on notice of suspected acts of animal ill treatment.

So there is the rub: the RSPCA cannot inspect a premises without notice, unless they have a reasonable suspicion. They cannot get a reasonable suspicion unless they are notified by the public, but most of the activities occur behind closed doors or a long way from public roads and involve trespass in order to get that information.

Finally, in the RSPCA's conclusion in relation to both those previous areas, that is, routine inspection with notice and inspections without notice, the RSPCA says:

> The RSPCA submits that, in order to gain public confidence in the primary production industry and prevent unlawful activity on these premises, meaningful supervisory and enforcement powers must be conferred to the relevant investigatory bodies. This could be achieved by providing Animal Welfare Act inspectors with powers to enter and inspect primary production premises without notice. This would ensure legitimate findings in relation to compliance with applicable animal welfare legislation and regulations and would generate substantial public assurance. The conferral of such powers would be analogous to those afforded to authorised officers under s122 of the Liquor Licensing Act 1997.

Let us put those two things in context. We give our liquor licensing inspectors the power to attend, at any reasonable time (which means whenever they are open), a licensed premises in order to ensure the law is being complied with. In other words, they can attend at any time to see whether people underage are being offered beers, but the RSPCA inspectors do not have that same power. They want that power and they make the clear link between their role and that of public vigilantism, namely, that if the RSPCA had the power to undertake unannounced random inspections of facilities, the reasons animal activists use for their needing to enter these premises to obtain information is negated. So it is a logical consequence.

That brings me to the final amendment in my set that has since been tabled, and that is to say that:

> Despite section 30(2)(b) of the Animal Welfare Act 1985, an inspector appointed under that Act may, at any time, exercise powers under section 30(1)(a) of the Animal Welfare Act 1985 in respect of primary production premises for the purpose of investigating, mitigating or preventing ill treatment of an animal.

So it is pretty clear: give the RSPCA the powers that it has asked for for 20 years, and then there is less excuse for people to take matters into their own hands by trespassing on farming properties. It is a really clear and logical link. If you do not want activists going onto properties with their cameras rolling and uploading the videos to YouTube, then you have to give the RSPCA the powers to do their job properly.

With those comments, the Greens will support the second reading of the bill in order for us to test the will of the council for these amendments, but when we get to the committee stage I would strongly urge members of the committee to consider what the RSPCA has said and to authorise the appropriate officers to do their jobs properly, if people are serious about the threat, real or imagined, of people taking the law into their own hands and entering farming premises without permission.

The Hon. D.G.E. HOOD (15:54): I rise to indicate strong support for this bill and in so doing make the obvious point that this bill deals with people illegally trespassing on private land. Whether or not they regard it as justified, the law of the land dictates that it is not and therefore legislation is required to ensure this behaviour is curtailed.

I strongly support this bill, which seeks to protect our primary producers from the surge in antifarm activism that has been particularly prevalent in other states in Australia in recent years. Although South Australian farmers have, thankfully, not experienced the same level of disruption, on the whole, to their operations due to the actions of protesters trespassing on their properties, it is imperative that our laws are effective in deterring any future activism that has the potential to interrupt our valuable primary production.

The health of our state's primary industries and agribusiness is undeniably critical to South Australia's economic viability, given that they support over 150,000 jobs and contribute almost $20 billion per annum to our state's economy. The Marshall Liberal government is determined to ensure that those involved in South Australia's livestock, seafood, dairy, wine, grains, horticulture and associated sectors are sufficiently protected from serious biosecurity risks and other disturbances to their own private property.

This bill is the result of the swift response of this government to the commonwealth Attorney-General's request for our own Attorney-General to consider taking action to strengthen penalties and enforcement of criminal trespass offences and to consider the adequacy of current trespass and unlawful entry offences.

With regard to the specifics of the bill, the proposed amendments to the Summary Offences Act 1953 create a new standalone aggravated farm trespass offence to penalise a person who has unlawfully entered or is unlawfully present on a primary production site and interferes with or attempts to interfere with primary production activities, or is accompanied by two or more persons, or gives rise to the risk of spreading disease, pest or contamination, or any other risk as determined by regulation, or causes damage to the operations on the site.

This offence carries a maximum penalty of $10,000 or 12 months' imprisonment or two years' imprisonment if the trespass is for the commission of an offence punishable by a maximum of two years' imprisonment or greater. Where a person is convicted of the offence, the court is compelled to award the primary producer compensation against the defendant, except where exceptional circumstances exist.

The bill also increases the penalties for the summary offences of general trespass from $2,500 or six months' imprisonment to $5,000 or six months' imprisonment and doubles the maximum penalty for summary offences of interference at farm gates from $750 to $1,500. The scope of this specific offence is broadened to incorporate damages to fences, enclosures and cattle grids to cover all means of tampering that enables animals to leave the confined area. I fully support these measures.

For the purpose of these amendments, the term 'primary production site' is defined as premises that are being used for the purpose of primary production activities, namely, those that consist of agricultural, pastoral, horticultural, viticultural, forestry or apicultural activities; poultry farming, dairy farming or any other business that consists of the cultivation of soils, the gathering of crops or the rearing or processing of livestock; commercial fishing, aquaculture or the propagation of fish or other aquatic organisms for the purposes of aquaculture; or any other activity as prescribed by regulation. It is quite extensive.

It has certainly been concerning to see footage of the militant protesters who have stampeded such properties interstate in the last year, at times in very intimidating numbers—dozens, if not hundreds of them who have compromised or completely shut down important and legitimate farming enterprises, ironically with some of the animals they are supposedly attempting to liberate actually being put in danger, harmed and, I am informed, in some cases actually killed.

I am aware their antics have included pulling down fences, invading feedlots, cutting water supplies to livestock and even sabotaging the brakes of vehicles that are used to transport the animals around and outside the jurisdiction. This is incredibly reckless and disturbing, in my view, particularly since the properties they are forcefully and illegally entering are more often than not where the houses of farmers and their families are actually located.

Can you imagine how intimidating it would be to see dozens, if not several dozen, of people that are, completely unbeknownst to you and unexpectedly, illegally entering your farm and

approaching your place of residence? It is appalling that the activist group Aussie Farms created an interactive map on its website detailing where farms, abattoirs and dairies are situated. This is not only threatening primary producers' livelihoods by encouraging activists to bully them into submitting to their demands but also hinders their ability to feel safe and secure in their very own homes.

I am an advocate for freedom of expression and peaceful protest—I will always support that—but this type of malicious endeavour simply goes way too far. In a period where our farmers are already facing so much adversity due to drought and natural disasters beyond human control, they absolutely deserve our intervention where possible to help ensure they continue to thrive in the conditions on their own farms and in the absence of any harassment or intimidation.

I was pleased to learn in the last week that Aussie Farms had their charity status revoked by the regulator, the Australian Charities and Not-for-profits Commission, because it was found to be encouraging illegal behaviour. I understand that was due to an investigation prompted by the federal Morrison Liberal government.

The state government has duly undertaken extensive consultation on the bill via the YourSAy web page, round tables and targeted communication. The various stakeholders that provided input on the suggested measures included PIRSA; Primary Producers SA; the National Farmers' Federation; Livestock SA; the Australian Meat Industry Council; the South Australian Dairyfarmers' Association; the RSPCA, notably; the Commissioner of Police; and the Law Society of South Australia, all of which were consulted, as I said.

As indicated by the Attorney-General in the other place during the bill's debate, the purpose of this legislation is pre-emptive and follows the advice of the police commissioner regarding an anticipated increase in organised protest activity from the militant end of the liberation movement. Our state government is therefore seeking to complement the commonwealth government's legislative efforts at a federal level to deter any destructive misconduct through proactive initiatives.

We are extremely fortunate in South Australia to have quality, world-class produce that is suitable for local consumption and, of course, produces significant export earnings as well. The Marshall Liberal government is proud to protect our renowned primary production industries to maintain and expand their presence in domestic and international markets. I strongly support the bill.

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

CRIMINAL LAW CONSOLIDATION (FALSE OR MISLEADING INFORMATION) AMENDMENT BILL

Second Reading

The Hon. R.I. LUCAS (Treasurer) (16:01): I move:

That this bill be now read a second time.

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

Leave granted.

Mr President, I rise to introduce the Criminal Law Consolidation (False or Misleading Information) Amendment Bill 2019.

The Bill seeks to protect the integrity of important information provided to the Courts through electronic channels.

In recent years, the Courts Administration Authority has developed an Electronic Court Management System or ECMS.

In November 2018 the ECMS for Probate matters became fully operational, and the ECMS for civil matters across all courts is expected in early 2020, and for criminal matters in 2021. For probate matters, the introduction of this system has seen a vast increase in the speed of processing probate matters and is set to increase efficiencies across civil matters in the coming months.

Once fully operational, the ECMS will allow court users to lodge their court documents and interact with the Court online. Eventually, the majority of court processes will take place electronically rather than using paper forms and files.

The shift to an electronic format necessitates some changes to traditional court processes. One example of this is the use of affidavits—a common occurrence in all court proceedings. An affidavit is a formal written witness statement, sworn or affirmed before a Justice of the Peace and signed on each page. Many court applications are currently required to be accompanied by an affidavit providing supporting evidence. The requirements for physical signatures and the presence of a Justice of the Peace mean that affidavits are not well-suited to the digital format. In the ECMS, some court applications will no longer be able to be supported by a formal affidavit at first instance. Instead, the formerly sworn information will be collected through digital tick-boxes, typed information or uploaded documents.

This Bill recognises the significant reliance on truth and ensuring that the users of the system, and those providing the information, maintain the highest standards. Court processes should not be taken any less seriously purely because they take place online and without the formal trappings of an affidavit.

We must ensure the initial supporting information provided to a court is correct in the first instance, because should this information be false, it will cause difficulties and delays. Witnesses may further need to be called to contest the information, or formal affidavits required.

Accordingly, to deter ECMS users from supporting their applications with false, unsworn information, the Bill creates two new offences.

First, the Bill creates an offence of entering false or misleading prescribed information into an ECMS, whilst knowing that the information is false or misleading.

Second, the Bill contains an offence of providing false or misleading prescribed information to a person knowing that the information is false and misleading and that it may be provided to a court.

This offence is designed to cover persons who provide false instructions to a lawyer or other person assisting with the application, rather than directly entering the information into the ECMS. This offence ensures equal treatment of represented and unrepresented parties. Without an offence in relation to providing instructions, unrepresented parties who use ECMS directly will be more at risk than represented parties who act through a lawyer.

The offences proposed in this Bill, Mr President, are confined to prescribed information to limit them to the important supporting information that cannot be sworn at the time of the initial application, but that may be relied on by the court to determine the course of proceedings in the early stages of a matter. Everyday application materials, such as pleadings, are not intended to be prescribed. Categories of important supporting information will be prescribed by regulation and tailored to the needs of the ECMS as it is developed.

Mr President, the Bill is not designed to restore the prescribed information to the status of formal evidence. In any court proceedings, the prescribed information will still need to be subject to formal affidavits or testimony if contested. If the party makes the same false statement under oath or affirmation, they will be subject to the more serious offence of perjury. The offences do not include a potential penalty of imprisonment in order to create a clear distinction from perjury.

The Bill is an important step in creating an appropriate regulatory framework to support the ECMS. It supports increased efficiency in the processing of applications across our Probate Court and civil and criminal courts in the future, and represents that part of my Justice Agenda published earlier this year, that prioritises the need for policies and legislation to reflect contemporary needs.

I am pleased to say this Bill does so, and I commend the Bill to Members.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

3—Amendment provisions

These clauses are formal.

Part 2—Amendment of Criminal Law Consolidation Act 1935

4—Insertion of Part 7 Division 2A

This clause inserts a new Division into Part 7 of the principal Act, containing new section 241A.

Division 2A—Offences relating to providing false or misleading information to a court

241A—False or misleading information entered into electronic court management system

This section creates an offence for a person to enter false or misleading prescribed information into an electronic court management system. It also creates an offence for a person to provide false or misleading prescribed information to another person knowing that the information will be, or is likely to be, provided to a court.

The Hon. I.K. HUNTER (16:02): I rise today to speak very briefly on the Criminal Law Consolidation (False or Misleading Information) Amendment Bill, and I indicate that Labor will be supporting this bill. The South Australian courts are gradually rolling out an electronic court management system, known as ECMS, I am advised. The system allows users to lodge court documents and interact with the court electronically. I think it is the thin end of the wedge myself, but others have persuaded me to go along with it.

I am advised that the ECMS has already been rolled out for probate matters and that the government expects that the implementation of the ECMS across all courts will occur for civil matters in early 2020 and for criminal matters in 2021. As a result, probate matters will be the first jurisdiction to be covered by this legislation, and we understand that civil and criminal matters will be included under this legislation at a later date.

I am advised that this bill creates two new offences: an offence for a person to enter false or misleading prescribed information into an electronic court management system and an offence for a person to provide false or misleading prescribed information to another person, knowing that the information will be or is likely to be provided to a court. Both offences attract a maximum penalty of $10,000.

What constitutes prescribed information will be specified in regulations, we hope. We are advised that the court and the Chief Justice will be consulted on the development of those regulations. This is an area that we will be watching very closely. With those very brief words, I indicate again that Labor intends to support the bill and will have an interest in watching the development of those regulations.

The Hon. R.I. LUCAS (Treasurer) (16:04): I thank the honourable member for his indication of support for the bill.

Bill read a second time.

Committee Stage

In committee.

Clause 1.

The Hon. I.K. HUNTER: How was the need for this legislative change identified? Was it an initiative of the courts? Was it an initiative of the Crown or some other institution?

The Hon. R.I. LUCAS: I am advised it was a letter from the Chief Justice, who identified the issue.

The Hon. I.K. HUNTER: Just to follow up then, as is normal practice, a group of stakeholders would be consulted on the development of the bill. I am very happy for the Treasurer to take this on notice. Could the government advise who was consulted as part of that stakeholder consultation and whether any submissions are available to be provided to the council?

The Hon. R.I. LUCAS: I can provide a list of people who were consulted: the Chief Justice, the Chief Judge of the District Court, the Chief Magistrate, the Judge of the Youth Court, the South Australian Bar Association, the Law Society of South Australia, the State Courts Administrator, the CAA ECMS project director, the Crown Solicitor, the Acting Director of Public Prosecutions and the Commissioner of Police.

I am advised, as with normal practice, that we do not publicly provide copies of the submissions that are made. If a particular agency wishes to, such as the Law Society, which on a number of other bills and things, I know, occasionally publishes its submissions, we leave that decision to them but, from the government's viewpoint, we are not publishing or making them available.

Clause passed.

Clause 2.

The Hon. I.K. HUNTER: As I said in my second reading contribution, we understood, on advice from the government, that civil and criminal jurisdictions will be included under this legislation

at a later date, and we were given indicative times. The question for us is: how will that happen? Is it an automatic rollout under this legislation, or will additional legislative or regulatory change be required to do these additional jurisdictional rollouts?

The Hon. R.I. LUCAS: I am advised that it would require regulatory change, which is, of course, subject to potential disallowance by either house of parliament.

Clause passed.

Clause 3 passed.

Clause 4.

The Hon. I.K. HUNTER: I refer the Treasurer to the amendment of section 5—Interpretation questions. The opposition understands that the definition of 'prescribed information' will be developed in consultation with the court and the Chief Justice. What regulations are currently under development in anticipation of this legislation? Is there a definition of 'prescribed information' that is currently in use in South Australian statute, or even interstate, that will be used for the development of this regulation?

The Hon. R.I. LUCAS: I am advised that there is no draft regulation yet. Officers will commence work on that, should the bill pass the parliament. In relation to prescribed information, there is no definition, other than the normal parliamentary or legal usage of the term 'prescribed information', that is, it will vary depending on what is prescribed under various pieces of legislation. I cannot assist the honourable member any further than that.

The Hon. I.K. HUNTER: I have a further question on the same subject. The opposition has been advised—and please correct me if we are wrong—that no other jurisdiction in the country has an offence for entering false or misleading information into an electronic management system. If that is the case, why do we in South Australia need these provisions and other states do not or, indeed, are other states considering going down the same track?

The Hon. R.I. LUCAS: I am advised that it is correct that we are the only state, but the reason we have moved in this direction is based on the advice of the Chief Justice. In his view, there was a deficiency in the law in relation to this particular area and the government ought to address it. The government has listened to that advice, taken its own advice, agreed with that advice and proceeded with the amendment.

My advice is that we are the only jurisdiction at this stage. We are not in a position to advise whether any other jurisdiction is considering the move. Clearly, as the honourable member will know as a former minister, once one jurisdiction moves in a direction, other jurisdictions will at least consider it and decide whether or not they think it is relevant to their jurisdiction, but at this stage I cannot advise as to whether anyone else is considering it or not.

The Hon. I.K. HUNTER: I find it is always nice when the government takes its own advice and agrees with it. Could you answer how we arrived at the penalty provisions that are in the bill? Are they commensurate with other penalty provisions in other legislation or are they new for this legislation?

The Hon. R.I. LUCAS: My advice is that it was judged that the penalty should be set at a level just below or below the level of the penalty for perjury. Perjury can involve terms of imprisonment and the view was that this offence should be pitched at a level beneath the level of the penalty for the offence of perjury.

The Hon. C. BONAROS: Can I confirm if that penalty is the same as what applied without the electronic court management system? Is the penalty the same as what would apply if it were a paper document?

The Hon. R.I. LUCAS: This is getting quite complicated. I will let you lawyers talk amongst yourselves. It is different but there are other offences, such as forgery, in terms of paper documentation, but the view was that that particular offence would not apply to an electronic case management system. So the answer to your question specifically is, no, it is not exactly the same,

but there are other offences which apply to falsification of hard copy or paper records, such as forgery.

The Hon. C. BONAROS: To confirm then, if I were to submit an affidavit in hard copy—

The Hon. R.I. LUCAS: If you were to what?

The Hon. C. BONAROS: If I were to submit an affidavit in hard copy, as opposed to an electronic copy, the penalty would not be the same or it would be?

The Hon. R.I. LUCAS: If you had falsified it?

The Hon. C. BONAROS: Yes, a falsified document.

The Hon. R.I. LUCAS: I am advised that an affidavit would be a sworn testimony, a sworn document, which might be seen to be evidence before a court and, therefore, the offence of perjury might apply because it is sworn testimony. We understood the honourable member's question to be that these offences are in terms of an electronic case management system, then the member's question was in relation to the falsification of paper records, but then the member narrowed it down to something which was sworn testimony which was an affidavit. So in relation to an affidavit, my advice is as I have just given it. In relation to other documents, which are not sworn testimony but which are paper documents which have been falsified, my advice is that the offence of forgery or something like that might be applicable to that range of offences, but they are different to this one.

Clause passed.

Title passed.

Bill reported without amendment.

Third Reading

The Hon. R.I. LUCAS (Treasurer) (16:18): I move:

That this bill be now read a third time.

Bill read a third time and passed.

STATUTES AMENDMENT AND REPEAL (CLASSIFICATION OF PUBLICATIONS, FILMS AND COMPUTER GAMES)

Second Reading

The Hon. R.I. LUCAS (Treasurer) (16:19): I move:

That this bill be now read a second time.

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

Leave granted.

Mr President, the Bill I introduce today amends the Classification (Publications, Films and Computer Games) Act 1995 to abolish the South Australian Classification council and repeals the Classification of Theatrical Performances Act 1978.

This Bill is one of the many measures that the Marshall Liberal government is implementing to ensure that our laws stay current and relevant to contemporary South Australian needs.

As some members may know, the classification of publications, films and computer games is dealt with under a national scheme, which is implemented by the commonwealth Classification (Publications, Films and Computer Games) Act 1995 ('the commonwealth Act').

The commonwealth Act establishes the Classification Board, an independent statutory body, which makes classification decisions for films, computer games and certain publications in accordance with the criteria set out in the National Classification Code and Classification Guidelines. The commonwealth Act also establishes the Classification Review Board, which can review certain decisions of the Classification Board and make a new classification decision where appropriate.

Each State and Territory has enforcement legislation that complements the commonwealth Act and which sets out how material may be sold, hired, exhibited, advertised and demonstrated. In South Australia, the classification

of publications, films and computer games is governed by the *Classification (Publications, Films and Computer Games) Act 1995* ('the SA Classification Act').

Part 2 of the SA Classification Act establishes the South Australian classification council ('the council'). The council is a separate statutory body that may examine and classify a publication, film or computer game and determine relevant consumer advice. This may be done on the initiative of the council or the direction of the minister.

Mr President, South Australia and the Northern Territory are currently the only jurisdictions to maintain a separate body for classification. All other jurisdictions rely upon the commonwealth classification board for the handling of complaints and classification decisions. The classification board offers the same complaint resolution service as the council.

Since it was first established in 1995, the council has classified only 29 items (24 publications and five films) under the SA Classification Act. A further film was refused classification by the former Attorney-General, the Hon. John Rau MP, in 2011. The council has not made any classification decisions in relation to a publication, film or computer since 2011 and the council has not met since 2014.

In view of this information, the Attorney-General undertook broad consultation with relevant government, industry and advocacy bodies to seek their views on whether the council should be abolished.

Mr President, I am pleased to advise that there was overwhelming support for the Bill and the repeal of the council. All submissions received on the Bill either indicated their support for the reforms or provided a no comment response.

In particular, stakeholders noted the Bill will help to reduce regulatory confusion amongst industry and consumers and bring greater consistency and uniformity to the content classification regime in Australia. The commonwealth minister for Communications, Cyber Safety and the Arts, the Hon. Paul Fletcher MP, has also expressed his support for the Bill and has not identified any issues of concern with the proposed amendments at a Federal level.

In light of the relative inactivity of the council in recent years, and the extensive overlap of functions between the work of the council and the Classification Board under the national scheme, it is therefore the government's view that it is appropriate that the council should be abolished.

As a result of these amendments, it is intended that all complaints and matters relating to the classification of publications, films and computer games will be determined in accordance with the national scheme under the commonwealth Act. This will ensure that all material classified for South Australia is assessed by the commonwealth Classification Board in the same way that material in other States and Territories is currently classified and that any consumer advice issued will be consistent across participating jurisdictions.

Mr President, in addition to abolishing the council, the bill also repeals the Classification of Theatrical Performances Act 1978 ('the Theatrical Performances Act').

Under the Theatrical Performances Act, the council has powers to review and classify theatrical performances and to impose conditions restricting the publication of advertisements in certain circumstances.

Since the Theatrical Performances Act was first enacted in 1978, the council has only ever classified two theatrical performances and, notably, has not reviewed any theatrical performances since 1997. No other Australian jurisdiction currently regulates the classification of theatrical performances.

While the Theatrical Performances Act may have once provided a legitimate benefit to South Australians, it is clear that the Act has now long outlived its original purpose and is out of step with contemporary South Australian attitudes. Accordingly, it is the government's view that it is appropriate that the Theatrical Performances Act be repealed.

Mr President, it is the government's view that these reforms will create a simpler and more efficient classification process for both consumers and industry alike by avoiding unnecessary duplication, delay, and expense.

I commend the Bill to Members.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

3—Amendment provisions

These clauses are formal.

Part 2—Amendment of Classification (Publications, Films and Computer Games) Act 1995

4—Amendment of long title

This clause amends the long title to reflect the content of the *Classification (Publications, Films and Computer Games) Act 1995* as amended by this measure.

5—Substitution of section 3

This clause repeals the provision setting out the objects of the Act and substitutes new objects.

3—Objects

Proposed section 3 provides that the objects of the Act are—

(a) to give effect to the scheme for the classification of publications, films and computer games set out in the *Classification (Publications, Films and Computer Games) Act 1995* of the Commonwealth by—

(i) making provision for the enforcement of classification decisions applying in South Australia; and

(ii) prohibiting the publication of certain publications, films and computer games; and

(b) to provide protection against prosecution under laws relating to obscenity, indecency, offensive materials or blasphemy when classified publications, films or computer games are published in accordance with the Act.

6—Amendment of section 4—Interpretation

This clause amends a number of definitions. The changes are consequential on the repeal of Parts 2 and 3 of the Act.

7—Repeal of Parts 2 and 3

This clause repeals Parts 2 and 3 of the Act which established the South Australian Classification Council and set up a State publications, films and computer games classification scheme administered by the Council and the Minister.

8—Amendment of section 28—Exhibition of film in public place

The amendment made by this clause is consequential on the repeal of Parts 2 and 3 of the Act.

9—Amendment of section 37—Sale of films

The amendment made by this clause is consequential on the repeal of Parts 2 and 3 of the Act.

10—Amendment of section 40—Films to bear determined markings and consumer advice

The amendments made by this clause are consequential on the repeal of Parts 2 and 3 of the Act.

11—Amendment of section 47—Category 1 restricted publications

The amendments made by this clause are consequential on the repeal of Parts 2 and 3 of the Act.

12—Amendment of section 48—Category 2 restricted publications

The amendments made by this clause are consequential on the repeal of Parts 2 and 3 of the Act.

13—Amendment of section 48A—Sale or delivery of publications contrary to conditions

The amendment made by this clause is consequential on the repeal of Parts 2 and 3 of the Act.

14—Amendment of section 50—Misleading or deceptive markings

The amendments made by this clause are consequential on the repeal of Parts 2 and 3 of the Act.

15—Amendment of section 60—Computer games to bear determined markings and consumer advice

The amendments made by this clause are consequential on the repeal of Parts 2 and 3 of the Act.

16—Amendment of section 66—Certain advertisements not to be published

The amendment made by this clause is consequential on the repeal of Parts 2 and 3 of the Act.

17—Amendment of section 72—Advertisement to contain determined markings and consumer advice

The amendments made by this clause are consequential on the repeal of Parts 2 and 3 of the Act.

18—Amendment of section 73—Misleading or deceptive advertisements

The amendments made by this clause are consequential on the repeal of Parts 2 and 3 of the Act.

19—Amendment of section 83—Evidence

The amendment made by this clause is consequential on the repeal of Parts 2 and 3 of the Act.

20—Repeal of section 90

The repeal of section 90 is consequential on the repeal of Parts 2 and 3 of the Act.

Part 3—Amendment of Summary Offences Act 1953

21—Amendment of section 33—Indecent or offensive material

The amendment to section 33 is consequential on the repeal of Parts 2 and 3 of the *Classification (Publications, Films and Computer Games) Act 1995*.

Part 4—Repeal of Classification of Theatrical Performances Act 1978

22—Repeal of Act

This clause repeals the Classification of Theatrical Performances Act 1978.

Part 5—Transitional provisions

23—Transitional provisions

This clause ensures that members of the South Australian Classification Council will cease to hold office when the repeal of Part 2 of the *Classification (Publications, Films and Computer Games) Act 1995* comes into operation. It also ensures that part-heard processes and proceedings before the Council or the Minister before that repeal takes effect can continue to be dealt with and completed by the Minister after the repeal of Part 2 takes effect.

The Hon. I.K. HUNTER (16:19): I rise today to speak briefly on the Statutes Amendment and Repeal (Classification of Publications, Films and Computer Games) Bill 2019. I am considering moving an amendment to the title of the bill to call it the 'Michael Atkinson Memorial Repeal Bill', but I will take that on advice. I indicate that I am the opposition's lead speaker for this bill, and indicate Labor's support.

The bill seeks to do two things. Firstly, it seeks to dismantle the state-based classification system in favour of the commonwealth system, which includes the disbanding of the South Australian Classification Council and removing the decision-making powers of the Attorney-General in relation to classification. This bill also repeals the legislation governing the classification of theatre performances.

Since coming into law the Classification of Theatrical Performances Act 1978 has led, I am advised, to only two theatre productions being classified in the mid-1990s. For 41 years it has been clearly shown that we do not need a classification system for theatrical performances, and we are currently the only jurisdiction in Australia to have one.

This bill marks the end of the process of moving away from state-based classification of films, publications and video games in South Australia. The process of transitioning responsibility for classification to the commonwealth has been undertaken, I am advised, by both Labor and Liberal governments in increments.

For decades, the South Australian Classification Council or the Attorney-General had the power to classify films, publications and computer games to the exclusion of the commonwealth system. This meant that the classification of films, publications and computer games could be classified by the commonwealth and then classified differently in South Australia. From the commencement of the act in 1995 until 2011 there had been only 29 items classified by the council, one by the Attorney-General, and none since 2011. In fact, the council has not even met since 2014.

In transitioning to the commonwealth classification system the former Labor government worked tirelessly to ensure that overtly violent, sexual or graphic content was not going to end up on our TV or cinema screens. Currently, we are the only state or territory, apart from the Northern Territory, to have any state-based classification in relation to films, publications and, in particular, video games.

The time it has taken to move fully from a state-based classification to a commonwealth-based classification scheme is a reflection of South Australia's willingness to embrace and participate in good national policies, whilst maintaining backup insurance to ensure that nothing could slip through the gaps. However, as we have seen, it seems that is no longer needed.

With this bill we recognise decades of trust built by the commonwealth system to the point where we can now remove the insurance of a state-based system and rely entirely on the commonwealth classification. I hope we never feel sorry for it. As I said, the opposition will support the legislation.

The Hon. T.A. FRANKS (16:22): I rise also to support this bill on behalf of the Greens, and to reflect upon our unique history with regard to the classification of films, games and other art forms. The previous member reflected that perhaps he might consider an amendment to the title of the bill: the Greens are also considering an amendment to the title of the bill, however we might call it the 'Gamers 4 Croydon Memorial Act'.

Certainly a peculiarly South Australian phenomenon, the resistance to an R18+ rating for games in this country led South Australia to be known by gamers, not just in South Australia and not just in Australia but indeed on the international scene, as a somewhat strange place where we would prefer children and minors to be exposed to violence and other more adult content of games due to the refusal of the then attorney-general at the federal level to accept an R18+ classification rating for those games.

I am pleased to say it was not something that all attorneys-general supported. Gamers 4 Croydon did not exist when this particular ban first existed under our peculiar state heritage. However, when a local constituent wrote via email to the then attorney-general, he challenged that constituent, who was anonymous in that email, to not only provide a street address to prove the reality of his existence but also to start a political party to test the will of the people of Croydon in terms of a classification rating for R18+ games. I disclose that this 'concerned citizen' is known to me and is indeed a real and living person who is still in South Australia today.

I am quite pleased to say that that concerned citizen and many other concerned citizens did indeed do that. They started their own political party. It had some 400 to 500 members very quickly. Within a few months it had a national profile and an international profile. It ran a candidate, Kat Nicholson, in Croydon. Previously, the former member for Croydon had enjoyed quite a comfortable position in the very safe seat of Croydon. Indeed, in the 2006 election he was elected with 76 per cent of the two-party preferred vote, with a 6.9 per cent swing towards him.

However, in the 2010 election where Gamers 4 Croydon ran and there was a very high-profile campaign—and they did not just run in Croydon, they ran in the upper house as well, and I reflect that I was the beneficiary of the preferences of Gamers 4 Croydon to put me in this place—there was a 12 per cent two-party swing against him. Strangely enough, it was not reflective of the general swing against the then Labor Party of only 8.4 per cent, so something was in the water in Croydon that Saturday in March.

I note that much of the reflection on the bill in the other place has focused on the previous attorney-general and has focused on our peculiar heritage as a state to stand alone with regard to the classification and the censorship principles that were not in accordance with the then other attorneys-general, international standards or the voters of the Croydon preferences. Indeed, Kat Nicholson did reasonably well with, I think, a 3.7 per cent polling that day, which is not a bad effort for somebody on the single issue of having an R18+ gaming classification rating in this state.

The current Attorney-General in the other place reflected on a range of issues where this particular act has been applied. They are very few and far between and they seem to have been an unnecessary burden, I believe, on our public purse and, indeed, an unnecessary adornment when we have a quite workable federal scheme. It is to our shame that we stood in stark contrast to the other states and territories of this country for so long. It is to our shame that gaming and gamers themselves were portrayed as more dangerous than bikies by the former attorney-general, Mr Atkinson, the then member for Croydon.

How extraordinary to classify gamers, who are in effect geeks, as being more dangerous than bikies. I think that reflects far more on the former member for Croydon than it does on the gamers. But all credit to the gamers: they did set up that political party and we did see a change in the classification of games, not just in this state but in this country, as a result of that then attorney-general no longer holding out at those federal meetings. I look forward to the swift passage of this bill abolishing some of the last vestiges of that censorship.

I also note for the record that in the other place there was much conversation that one of the Gamers 4 Croydon was the one called out by the then member for Croydon, Mr Atkinson, as not being a real person. It was actually an entirely different issue where Mick Atkinson, the then member for Croydon, called somebody out as not being real. That person then appeared in the paper the next day with his driver's licence to prove exactly who he was and he, indeed, did also live in Croydon. I suspect he may well have voted for them, but he was not actually one of the activists of the Gamers 4 Croydon. With those few words, I look forward to the swift passage of this legislation.

The Hon. R.I. LUCAS (Treasurer) (16:30): I did quip that the Hon. Mr Hunter did start something with that introductory remark. I am hoping we are not going to finish it. Let's just see the sensible passage of the bill without any further amendment, as amusing as it might be. With that, I thank the honourable members for their indication of support for the second reading.

Bill read a second time.

Committee Stage

Bill taken through committee without amendment.

Third Reading

The Hon. R.I. LUCAS (Treasurer) (16:32): I move:

That this bill now be read a third time.

Bill read a third time and passed.

GAMBLING ADMINISTRATION BILL

Second Reading

Adjourned debate on second reading.

(Continued from 14 November 2019.)

The Hon. C.M. SCRIVEN (16:35): I rise to speak on behalf of the opposition on the Gambling Administration Bill 2019, noting however that there is also the Statutes Amendment (Gambling Regulation) Bill as part of the government's gambling reform package. Much of my contribution today will refer also to that bill.

These reforms are largely based on several findings of the review conducted into gambling by Tim Anderson QC in 2017. The government has already progressed some gambling reforms, notably the abolition of the Independent Gambling Authority, with its regulatory powers transferred to the Commissioner for Consumer Affairs, Liquor and Gambling. I wish to indicate that the opposition will be supporting this bill.

A range of amendments were made to both the bills that are related to each other in the other house, and the opposition was pleased to see that the government accepted a number of suggestions that would help to reduce the incidence of problem gambling. Indeed, South Australia will be a leader in Australia in terms of mandatory facial recognition, which may well have a significant impact on problem gambling. There is also a maximum billing limit being introduced.

One thing the opposition was particularly pleased with was the commitment from the government to have an investigation next year into online gambling. Online gambling has grown exponentially in the last few years, and when these acts were first around online gambling was not even in existence and possibly could not have been contemplated. The extreme difficulties with online gambling and addictions in that space means it is absolutely imperative that we have an investigation into it, because that is where so much of the problem now lies.

The Gambling Administration Bill seeks to repeal the Gambling Administration Act of 1995 and replace it with a new act that consolidates the administrative and regulatory functions of the commissioner. It also introduces consistent powers of inspection, investigation and enforcement across different licensed gambling activities. It also seeks, I am advised, to make changes to the regime of barring orders, including making it easier for a person to be barred and also to shift the focus away from responsible gambling to instead address the harms of misuse and abuse of gambling activities.

As I mentioned, the various amendments that were introduced in the other place have improved this bill to a large degree, and the opposition will therefore be supporting this bill.

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

STATUTES AMENDMENT (GAMBLING REGULATION) BILL

Second Reading

Adjourned debate on second reading.

(Continued from 14 November 2019.)

The Hon. C.M. SCRIVEN (16:38): As mentioned in my contribution to the Gambling Administration Bill, this is part of a package of reforms. Most of the comments I have just made in relation to the other bill also apply to this bill, and the opposition will be supporting it. The gambling regulation bill seeks to amend three acts: the Authorised Betting Operations Act 2000, the Casino Act 1997 and the Gaming Machines Act 1992.

As mentioned, the investigation into online gambling is a particularly important aspect of these reforms, and a focus on gambling abuse and addictions is something that is absolutely important in terms of changes to the gambling situations in this state. There is no need to reiterate what I have said in regard to the previous bill; therefore, I commend the bill to the council.

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

At 16:41 the council adjourned until Wednesday 27 November 2019 at 11:00.

Answers to Questions

APY LANDS SCHOOLS

153 The Hon. K.J. MAHER (Leader of the Opposition) (12 November 2019). Can the minister for Education and Child Development advise?

1. What is the status of the fibre optic rollout announced by the government on Wednesday, 3 July 2018, specifically connections to Indulkana Anangu School, Mimili Anangu School, Fregon Anangu School, Umuwa Trade Training Centre, Ernabella Anangu School, Amata Anangu School, Murputja Anangu School, Pipalyatjara Anangu School and the Ernabella Education Office?

2. By name, which Anangu Pitjantjatjara Yankunytjatjara (APY) lands schools have been connected and what were the dates of connection?

3. By name, which Anangu Pitjantjatjara Yankunytjatjara (APY) lands schools are yet to be connected and what are the expected dates for connection?

The Hon. R.I. LUCAS (Treasurer): The Minister for Education and Child Development has provided the following advice:

1. The fibre optic rollout announced by the government on 3 July 2018 for the Anangu Pitjantjatjara Yankunytjatjara (APY) lands sites were completed in October 2018.

2. Connection dates for the sites in question are:

School Name	Connection Date
Indulkana Anangu School	27 June 2018
Mimili Anangu School	29 June 2018
Fregon Anangu School	27 June 2018
Umuwa Trade Training Centre	27 June 2018
Ernabella Anangu School	25 June 2018
Amata Anangu School	27 June 2018
Murputja Anangu School	26 June 2018
Pipalyatjara Anangu School	26 June 2018
Ernabella Education Office	8 October 2018

3. The only school in the APY lands which is not currently provisioned with a fibre-based internet service is Kenmore Park Anangu School. The Department for Education is working through options for high speed internet connectivity at this school with its service providers as part of the SWiFT fibre internet rollout. At this point a firm completion date is unable to be provided however the department is working towards completion by June 2020.

APY LANDS, BLACKSPOT FUNDING

154 The Hon. K.J. MAHER (Leader of the Opposition) (12 November 2019). Can the Premier advise?

1. Has the Premier lobbied the federal government for mobile blackspot funding or requested other funding or support to provide mobile coverage to the Anangu Pitjantjatjara Yankunytjatjara (APY) lands community of Kalka?

2. Does the state government support local requests for mobile phone coverage in the Kalka community, despite the failure of a signal booster at Railway Bore?

3. Has the state government lobbied the federal government or the major carriers (Telstra, Optus, Vodafone) for mobile coverage in the Kalka community?

The Hon. R.I. LUCAS (Treasurer): The Premier has provided the following advice:

1. I am advised the Premier has not previously lobbied the federal government on this matter because it was being managed by the APY lands administration. In particular, APY has been in discussion with Telstra about a solution to the needs of the Kalka community based on the installation of a signal booster system similar to one that has been trialled at Railway Bore.

2. Because the trial at Railway Bore has not so far produced the results anticipated, the government is pursuing other options for Kalka.

3. Kalka will be considered for inclusion in negotiations with mobile telecommunications service providers relating to round 6 of the federal government's mobile blackspot program.

PSYCHIATRIC IMPAIRMENT ASSESSMENT GUIDELINES

In reply to **the Hon. T.A. FRANKS** (31 October 2019).

The Hon. R.I. LUCAS (Treasurer): I have been provided the following advice:

Psychiatric impairment in the Return to Work scheme is assessed using the Guide to the Evaluation of Psychiatric Impairment for Clinicians (GEPIC) as published in the Impairment Assessment Guidelines.

The GEPIC assessment methodology involves the evaluation of six mental functions: thinking, perception, judgement, mood, behaviour and intelligence.

Intelligence relates to an individual's capacity for understanding and other forms of adaptive behaviour. Impairments of intelligence can be a consequence of brain injury or disease. However, in the majority of work injury assessments there is no impairment of intelligence.

In answer to your second question, there have been no assessments in the registered scheme with an assessment rating of between 3 and 5 for the mental function of intelligence.