

LEGISLATIVE COUNCIL

Thursday, 20 February 2020

The **PRESIDENT (Hon. T.J. Stephens)** took the chair at 14:16 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.

Parliamentary Procedure

PAPERS

The following papers were laid on the table:

By the Minister Human Services (Hon. J.M.A. Lensink)—

Reports, 2018-19—

Adelaide and Mount Lofty Ranges Natural Resources Management Board
Alinytjara Wilurara Natural Resources Management Board
Eyre Peninsula Natural Resources Management Board
Kangaroo Island Natural Resources Management Board
Northern and Yorke Natural Resources Management Board
SA Murray-Darling Basin Natural Resources Management Board
South Australian Arid Lands Natural Resources Management Board
South East Natural Resources Management Board

South Australian Water Corporation Charter—October 2019

Water Industry Act 2012—Infrastructure Standard published by the Technical Regulator—
6 February 2020

Question Time

WOMEN'S AND CHILDREN'S HOSPITAL

The Hon. K.J. MAHER (Leader of the Opposition) (14:18): I seek leave to make a brief explanation before asking a question of the Minister for Health regarding public health.

Leave granted.

The Hon. K.J. MAHER: In October last year, a letter was sent from doctors to health administrators warning of burnout and serious safety risks at the Women's and Children's Hospital. The Salaried Medical Officers Association has now warned of a potential collapse in services. The letter included warnings that:

The reductions across nursing and allied health services...are negatively impacting on the overall quality of patient care.

And that:

...medical advice...is being consistently ignored without explanation or justification.

This letter has now been endorsed by 215 doctors and counting. My questions to the minister are:

1. How soon after the letter was cc'd to him in October last year did the minister actually read the letter?
2. What immediate action did the minister take when he read the doctors' concerns that services are on the brink of collapse?
3. Does the minister accept the concerns of 215 doctors that staff reductions are negatively impacting on patient care?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:20): I thank the honourable member for his question. The medical staff society wrote to the CEO of the Women's and Children's Health Network (WCHN) on 21 October 2019. My understanding was that the letter was brought to my attention the following day and an update was sought immediately.

WOMEN'S AND CHILDREN'S HOSPITAL

The Hon. K.J. MAHER (Leader of the Opposition) (14:20): Further supplementary based on the original answer: does the minister accept the concerns of 215 doctors that staff reductions are negatively impacting on patient care?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:20): I certainly believe that the concerns of the medical officers who signed the letter deserved thorough consideration and to be addressed. I have had ongoing discussions with clinicians, SASMOA, the board and management, and I am assured that those concerns are being addressed.

WOMEN'S AND CHILDREN'S HOSPITAL

The Hon. K.J. MAHER (Leader of the Opposition) (14:21): Further supplementary: can the minister outline the nature of the concerns?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:21): Basically, the letter is a four-page letter. It has concerns in terms of the medical influence, as the honourable member has said, on decision-making and multidisciplinary care; it talks about development, medical engagement with WCHN; there is a whole range of issues raised in that letter.

The PRESIDENT: Further supplementary question.

WOMEN'S AND CHILDREN'S HOSPITAL

The Hon. K.J. MAHER (Leader of the Opposition) (14:21): Does the minister accept the particular concern of 215 doctors that medical advice is being consistently ignored without explanation or justification?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:22): As I said, I am very keen that the concerns of medical staff and, for that matter, all staff across the health system are addressed. That is why we have boards and management to work with clinicians to deliver the highest quality safe care in a sustainable way.

WOMEN'S AND CHILDREN'S HOSPITAL

The Hon. K.J. MAHER (Leader of the Opposition) (14:22): Final supplementary: does the minister agree with the concerns of 215 doctors that services are on the brink of collapse?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:22): Let's be clear: first of all, that didn't come out of my original answer. Secondly, could the member please quote the part of the letter that says that services are on the brink of collapse? It is not in the letter.

WOMEN'S AND CHILDREN'S HOSPITAL

The Hon. K.J. MAHER (Leader of the Opposition) (14:23): I didn't say it was in the letter, but be that as it may. My question is to the Minister for Health. Who, specifically, has the minister spoken to amongst the doctors from the medical staff society and SASMOA at the Women's and Children's Hospital regarding their serious concerns? Will the minister immediately put on hold more front-line clinician cuts at the Women's and Children's Hospital, following serious concerns raised by 215 doctors?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:23): In terms of the detail of the people who I have met with, I would need to take that on notice. I don't think Ms Mulholland would mind if I name her in parliament and suggest that she was one of the people. In particular, on 28 January, I met with a range of clinicians, who included members of the staff society and, I presume, members of SASMOA. We discussed not only the new Women's and Children's Hospital, but also some of the existing service challenges and opportunities.

WOMEN'S AND CHILDREN'S HOSPITAL

The Hon. K.J. MAHER (Leader of the Opposition) (14:24): Supplementary question arising from the answer: did the minister meet with concerned doctors on 28 January and, if so, why did it take until the end of January when the letter was from October?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:24): I am impressed with the daisy chain of supplementaries and adding supplementaries on supplementaries, considering I only mentioned the 28 January meeting in a supplementary. It is interesting that the honourable member sees it as a supplementary. In terms of—

Members interjecting:

The Hon. S.G. WADE: I am actually trying to answer the question.

The PRESIDENT: Order! Just wait, minister. We will listen to the minister's answer in silence, please.

The Hon. S.G. WADE: The honourable member's question suggests that the discussions on 28 January were the first discussions my office and I had with SASMOA or clinicians. That is not the case.

WOMEN'S AND CHILDREN'S HOSPITAL

The Hon. K.J. MAHER (Leader of the Opposition) (14:25): Supplementary arising from the original answer: can the minister outline the dates that he had meetings with the medical staff society and/or SASMOA after the October letter?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:25): I am happy to take that on notice—

The Hon. K.J. Maher interjecting:

The PRESIDENT: Order! Just wait, minister, please. You have asked the question and the minister will answer the question. Let him answer.

The Hon. S.G. WADE: My advice to the council is that I had ongoing contact, not that I had endless meetings.

WOMEN'S AND CHILDREN'S HOSPITAL

The Hon. K.J. MAHER (Leader of the Opposition) (14:26): My questions are to the Minister for Health:

1. Can the Minister for Health outline the savings task required at the Women's and Children's Hospital this year?
2. How many staff will be reduced at the hospital through separation packages?
3. How much are consultants from KPMG due to cost taxpayers in relation to the Women's and Children's Hospital?
4. How many staff have applied for voluntary separation packages so far and how many have been accepted at the Women's and Children's Hospital?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:26): In relation to voluntary separation packages, I do want to stress that they are voluntary. It is a voluntary separation process in the sense that it is voluntary. Each application will be initiated by staff, not by management. It is also non-binding and staff can withdraw at any time. The Women's and Children's Hospital has already had one round of VSPs and they are about to start a second expression of interest call.

I am advised that 12.1 FTEs were separated as a result of the first round and that that was in response to 134 expressions of interest. Those made did not include any front-line staff on the basis of the advice that is given to me. In relation to KPMG, I will take that on notice. In relation to targets, let me reiterate again: there are no set targets in the voluntary separation processes. The management considers each application in terms of the relevance to the development of the service going forward.

WOMEN'S AND CHILDREN'S HOSPITAL

The Hon. K.J. MAHER (Leader of the Opposition) (14:28): Supplementary arising from the minister's statement that there are no set targets: do the budget papers say anywhere that the Women's and Children's Hospital is forecasting a reduction in the net cost of \$6 million a year and that there is a reduction target of FTEs at the hospital of 14 staff?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:28): Considering the Hon. Mark Parnell's eagerness for recycling in the parliament, he would be delighted with your question because it is yet another recycled question from Labor. Yet again, I am forced to tell the parliament that the budget FTE is an estimate of the FTE reduction if all budget savings were to be made through FTE reductions.

As I have explained to honourable members time and time again, there are many budget strategies that do not involve FTE reductions. One that is particularly relevant to the honourable member's question is the work that is being done to reduce the use of agency staff, because reducing the use of agency staff actually increases your public sector FTE. So I would have thought that a Labor Party that provided hundreds of millions of dollars of waste over 16 years in government would actually be applauding a Liberal government that is delivering public sector jobs.

WOMEN'S AND CHILDREN'S HOSPITAL

The Hon. K.J. MAHER (Leader of the Opposition) (14:29): Supplementary arising from the original answer where the minister referred to—

Members interjecting:

The PRESIDENT: Just hang on, the honourable Leader of the Opposition. I would like to be able to hear your supplementary so that I can rule as to whether it is appropriate, and I can't with your backbench shouting over the top. Please ask your supplementary question.

The Hon. K.J. MAHER: Thank you, Mr President. A supplementary question relating to the original answer where the minister outlined the 12.1 FTEs who accepted voluntary separation packages: can the minister outline, of the 12.1, how many were doctors and how many were nurses?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:30): The advice I have been given is that it did not include any front-line staff and I assume, therefore, that it meant there were no doctors and nurses. I am happy to check to make sure that I have properly understood the information I have been given.

VOLUNTEERS

The Hon. J.S. LEE (14:30): My question is to the Minister for Human Services about her volunteer portfolio, which is a very important portfolio. Can the minister please provide an update to the council about the 2020 Premier's Certificate of Recognition for Outstanding Volunteer Service, the SA Volunteer Awards and the upcoming Volunteers Day Thank You event and awards ceremony?

The PRESIDENT: I call the minister, but before the minister starts, is it correct that there is a birthday today that we should be acknowledging? Happy birthday!

Honourable members: Hear, hear!

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:31): Thank you, Mr President. I thank the members of the opposition for all the questions they have asked me this week. I wish it was my turn again today. I thank the honourable member for her question and I would like to acknowledge the fantastic work that she does, particularly with so many of our multicultural communities, and also to acknowledge the amazing efforts that so many of our multicultural communities undertook in terms of raising funds for the victims and volunteers who have been assisting people throughout the bushfire recovery phase.

I also acknowledge all of the volunteers who have had roles in South Australia during what has been a difficult summer, whether it be the CFS, SES, Red Cross, St Vincent de Paul—a whole range of organisations—and Foodbank, who have been assisting in their own individual ways to make things better for their fellow South Australians.

The Premier's Certificate of Recognition for Outstanding Volunteer Service has now opened for nominations, and I trust that all honourable members will have received some information inviting them to nominate people. The volunteer recognition is a valuable acknowledgement of the accomplishments and efforts of our volunteers. It is an important way to keep volunteers involved, committed and active and to promote volunteering in the South Australian community. The Certificate of Recognition from the Premier for Outstanding Volunteer Service program has been developed to provide volunteer-involving organisations and community groups with an opportunity to recognise volunteers for their excellence and significant achievements.

Organisations and community groups submit a short written online nomination which is available on the website of the Department of Human Services. The department then convenes a panel to assess each nomination against prescribed selection criteria, and organisations can submit a nomination for one or more of their volunteers. The criteria include: someone who has made significant contribution to the community and/or organisation, provided ongoing commitment and dedication to volunteering, demonstrated leadership in their volunteer role, or promoted volunteerism within the community.

We have also opened the nominations for the Volunteer Awards which are awarded every year on the Queen's Birthday long weekend when we have a significant Volunteer Thank You event. The awards include:

- the Joy Noble Medal, which is South Australia's highest distinction for recognising the outstanding efforts of an individual volunteer within the state;
- the Premier's Business Award for Corporate Social Responsibility, which recognises the business sector for contributing through its support for volunteering, and in 2020 this award has been extended to include recognition of employers who release their employees to volunteer in the community, and, clearly, we have had a significant amount of them for the bushfire season;
- the Andamooka Community Project Award, which recognises innovative community projects; and
- this year, in recognition of the dedication and commitment of volunteer managers across South Australia, DHS, in partnership with Volunteering SA and NT, will introduce a new award category, which is the Excellence in Volunteer Management Award to recognise and celebrate the tireless efforts of volunteer managers who support and facilitate the engagement of volunteers across the state.

I look forward to the large number of nominations that are received, particularly to the special event that we hold, which is always very well subscribed. I am sure there will be members of this house and the other who will attend to help us celebrate the fantastic efforts of volunteers in South Australia.

VOLUNTEERS

The Hon. I.K. HUNTER (14:35): A supplementary question, and many happy returns, minister. As the minister was able to write to MPs, as she has said, with a letter and attachments with details about how to nominate people to be awarded for the volunteers awards, why was she not able to write a letter to the member for Mawson with attachments and details for how residents of Kangaroo Island could apply for bushfire grants? Where is the difference in the minister's priorities?

The PRESIDENT: Sorry, the Hon. Mr Hunter, that is not a supplementary arising from the original answer.

The Hon. I.K. Hunter: I think it was, Mr President.

The PRESIDENT: Well, actually I don't. I call the Hon. Mr Darley.

The Hon. I.K. Hunter interjecting:

The PRESIDENT: The Hon. Mr Hunter, please! The Hon. Mr Darley.

COMPULSORY LAND ACQUISITION

The Hon. J.A. DARLEY (14:36): I seek leave to make a brief explanation before asking the Minister for Trade—

Members interjecting:

The PRESIDENT: The Hon. Mr Darley, please sit down. I would like to hear the Hon. Mr Darley's question, and I would like the opposition in particular to sit in silence. The Hon. Mr Darley.

The Hon. J.A. DARLEY: I seek leave to make a brief explanation before asking the Minister for Trade and Investment representing the Minister for Transport, Infrastructure and Local Government a question regarding compensation in compulsory acquisition matters.

Leave granted.

The Hon. J.A. DARLEY: I have recently been contacted by a constituent who has experienced significant delays in receiving payment for fees in relation to the acquisition of their property. I have been informed by this constituent that the bill for their valuation fees was agreed to months ago; however, they are still waiting for payment of these fees. My questions to the minister are:

1. Can the minister advise why individuals and businesses are experiencing delays in receiving compensation in circumstances where claims are undisputed?
2. What are the average and maximum times for valuation and legal fees to be agreed to?
3. What are the average minimum and maximum times for valuation and legal fees to be paid once they have been agreed by the government?

The Hon. D.W. RIDGWAY (Minister for Trade and Investment) (14:37): I thank the honourable member for his question and his ongoing interest in compulsory acquisition. I know he and I—and you, sir—at the time may have been on a select committee that looked at a whole range of compulsory acquisition issues on the South Road corridor. I will take his questions on notice and refer them to my colleague and good friend the Hon. Stephan Knoll, Minister for Transport, Infrastructure and Local Government in the other place.

WOMEN'S AND CHILDREN'S HOSPITAL

The Hon. E.S. BOURKE (14:37): My questions are to the Minister for Health:

1. Why is the minister still refusing to publicly release all reports produced by the Women's and Children's Hospital task force, reports that were completed almost a year ago?
2. Did the task force identify the capital costs on the project, the number of inpatient beds required and the statewide models of care required to support the hospital's day-to-day operations in accordance with the government's election commitments?
3. If so, can the minister outline what they found?
4. Did the minister receive a briefing, including costings for the Women's and Children's Hospital in April 2019, more than 10 months ago, and what did the briefing say?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:38): I thank the honourable member for her question. Perhaps if I can thank the President, too, for reminding honourable members that my title is not Minister for Health; it is Minister for Health and Wellbeing. This government is very proud of the fact that we take a holistic view of health. Going to the question—

Members interjecting:

The PRESIDENT: Sit down, minister. A point of order.

The Hon. K.J. MAHER: As had been upheld by the previous President when members answered questions with things that had nothing whatsoever to do with the question asked, I put it to you, Mr President, that that has nothing whatsoever to do with the actual question.

The PRESIDENT: The minister, I am sure, was heading towards the answer to the question. Minister, please continue, and please listen in silence so he can get about his information he's providing. Minister.

The Hon. S.G. WADE: The hospital model design functionality cited in the investigations for engineering and construction is still being developed. All of the work up to date has been done without the benefit of a fully developed business case. We are not intending to do a version control, drip feed information. We are doing due diligence on this project, unlike Labor's botched job in the Royal Adelaide Hospital, where we had a \$660 million cost blowout, a 17-month delay, and many design flaws.

The Hon. I.K. Hunter: What are you trying to hide, Stephen? Why won't you answer the direct question?

The PRESIDENT: The Hon. Mr Hunter, I am trying to listen to the answer.

The Hon. I.K. Hunter: He's avoiding the answer.

The PRESIDENT: The Hon. Mr Hunter, please listen in silence. Minister, please continue.

The Hon. S.G. WADE: As I said, the government will continue to do due diligence on this process, unlike the former Labor government.

The Hon. I.K. Hunter: Were you briefed in April?

The PRESIDENT: The Hon. Mr Hunter, it's your question time. Minister, please continue, or have you finished your answer?

The Hon. S.G. WADE: I've finished.

The PRESIDENT: He has finished his answer.

The Hon. I.K. Hunter: He's got nothing to say—nothing.

The PRESIDENT: Order!

WOMEN'S AND CHILDREN'S HOSPITAL

The Hon. E.S. BOURKE (14:40): I have a supplementary arising from the answer: are there any circumstances in which the Women's and Children's Hospital will not go ahead?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:41): This government is committed to delivering on its promises. I can think of no circumstance in which this government would break its promise to deliver a new Women's and Children's Hospital at the Royal Adelaide Hospital precinct. Let's think about the audacity of the Labor opposition to come in here and question the integrity of our commitments when they were the government that—and I think it was October 2013; quite a long time ago—promised to deliver a new Women's and Children's Hospital, and then they went on and broke that promise. Let's think about what they were going to do. They wanted a children's hospital to be marooned on the North Adelaide precinct for an indefinite period, while the women's hospital only was going to be built on the North Terrace site. What an abomination! An institution that at 140 years—

Members interjecting:

The PRESIDENT: Order! Continue.

The Hon. S.G. WADE: Thanks, Mr President. This is a party that broke a promise, was promising to the people of South Australia at the last election: vote for a Labor government and we will strand the children of South Australia on the North Adelaide site for an indefinite period and we will separate—let's be clear about this: women who are involved in acute episodes in relation to childbirth were going to be separated from their children. This government is very proud that the people of South Australia put their trust in the Marshall Liberal government so we could deliver the care that they need.

Members interjecting:

The PRESIDENT: Just before you ask your further supplementary question, we will listen to it in silence, please. The Hon. Ms Bourke, do you have a supplementary?

WOMEN'S AND CHILDREN'S HOSPITAL

The Hon. E.S. BOURKE (14:42): Can the minister confirm what consideration is being given to the new Women's and Children's Hospital being a public-private partnership?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:43): With all due respect, if that—

The PRESIDENT: Minister, I'm not sure that that was arising from the original answer, but I will give you the opportunity to respond if you care to.

The Hon. S.G. WADE: Well, to be frank, I don't because the supplementary question is a question that would have been addressed as a primary question to the Treasurer. The Treasurer is the person who finances projects.

Members interjecting:

The PRESIDENT: Order! The Hon. Ms Bourke, do you have a further supplementary arising from the original answer?

WOMEN'S AND CHILDREN'S HOSPITAL

The Hon. E.S. BOURKE (14:43): A very simple one for the minister: can the minister reconfirm the cost of the new Women's and Children's Hospital?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:43): What I can assure the people of South Australia is this government has already put down \$550 million in the forward estimates—\$550 million. I know that the Minister for Human Services likes to deal with billions, so let me explain: that is half a billion dollars which has already been committed to this major project. I am so proud of this project because what it will mean is that young children—infants, young children and adolescents—will be able to get medical retrieval wherever they are in South Australia.

The Labor Party wanted to strand children, adolescent and infant services at the North Adelaide site for an indefinite period. That would have fundamentally undermined the care for our babies, infants, children and young people. This demonstrates, in my view, yet again—

Members interjecting:

The PRESIDENT: Order!

The Hon. S.G. WADE: —the commitment of this government to a statewide service. Let me remind honourable members that the Women's and Children's Hospital is a statewide service.

Members interjecting:

The PRESIDENT: Order!

The Hon. S.G. WADE: People are not going to be dropped into the Women's and Children's Hospital. Some people come from the farthest parts of the state to get their care at the Women's and Children's Hospital. That takes MedSTAR, that takes aerial medical retrieval—for that, you need a helipad—and there was never going to be a helipad at North Adelaide. So you and your party were condemning the children of South Australia—the babies, infants, children and adolescents—to a substandard service for decades to come.

The Hon. E.S. BOURKE: A supplementary?

The PRESIDENT: No, we are going to move on, the Hon. Ms Bourke. The Hon. Mr Hood.

The Hon. D.G.E. HOOD: Thank you, Mr President.

Members interjecting:

The PRESIDENT: The Hon. Mr Hood, sit down. I am keen to get to the crossbench. We are going to listen in silence.

The Hon. K.J. Maher interjecting:

The PRESIDENT: I know who will be getting skipped, the honourable Leader of the Opposition. The Hon. Mr Hood, please ask your question.

INTERNATIONAL EDUCATION

The Hon. D.G.E. HOOD (14:45): My question is to the Minister for Trade and Investment. Can the minister share news on the latest international education statistics and how the government is working with industry to respond to challenges due to the coronavirus?

The Hon. D.W. RIDGWAY (Minister for Trade and Investment) (14:45): I thank the honourable member for his question. The Marshall Liberal government recognises the significant contribution that international education gives to South Australia, and the latest ABS figures justify the increased investment we have made in the sector. That investment includes increasing the annual funding to StudyAdelaide to \$2.5 million, bringing the industry together to develop an International Education 2030 plan as well as working closely with the Morrison Liberal government to introduce favourable post-study work rights visas.

In the newly released data for the year ending 2019, South Australia's international student enrolments had reached a record high of 44,119. This is 6,088 more enrolments than in 2018, a growth rate of some 16 per cent, which is well above the national average of 10 per cent. This is a fantastic result and I acknowledge all the hard work of StudyAdelaide, our universities, schools and colleges.

South Australia's source markets for international students have also been diversifying. While China remains our largest cohort of international students, making up nearly 35 per cent of our enrolments—down, incidentally, from 42 per cent the year before—the next nine source markets include India, Vietnam, Nepal, Hong Kong, Malaysia, South Korea, the Philippines, Brazil and Kenya, accounting for 46 per cent.

The 2019 figures are incredibly positive and validate the findings of the strategy of the International Education 2030 plan. Looking forward, we are all very concerned about the impact coronavirus will have on our present, future and potential international students from mainland China. The government is working closely with our federal colleagues, with StudyAdelaide, Chinese student groups, accommodation providers and education partners in ensuring the most up-to-date information, advice and support is given to the students, parents, schools and education institutions.

We want to make sure that our Chinese international students are supported and my message to them is that they are a cherished part of our community and we will stand together with them during this difficult time. Aside from all the economic benefits and jobs they bring, international students made a valuable contribution to our society, globalising our communities, diversifying our workforce and enriching our culture.

While we embrace the positive growth of this sector, the Marshall Liberal government will not be complacent in this success and will continue to work hard to support our international students, our overseas agent network and education institutions for the benefit of a stronger South Australia.

INTERNATIONAL EDUCATION

The Hon. E.S. BOURKE (14:48): A supplementary arising from the answer: can the minister confirm the last time he met with the Chinese international student community to provide support?

The Hon. D.W. RIDGWAY (Minister for Trade and Investment) (14:48): I meet with the Chinese international student community regularly and, in fact, my next regular meeting is first thing tomorrow morning with the student ambassadors and education providers.

The Hon. E.S. Bourke interjecting:

The PRESIDENT: The Hon. Ms Bourke, you have asked a supplementary question. The minister is attempting to answer. I would like to be able to hear the answer.

The Hon. D.W. RIDGWAY: I met with the Chinese consul, Madame He Lanjing, and a range of providers prior to a Chinese New Year celebration, only about two weeks ago. I am in regular

contact with all the education providers, the student bodies and, in fact, wherever I can, I support the Chinese student community and the Chinese community here, Mr President. In fact, your good self and my good friend the Hon. Rob Lucas enjoyed lunch in Chinatown only a couple of weeks ago to continue to support the Chinese community.

WOMEN'S AND CHILDREN'S HOSPITAL

The Hon. F. PANGALLO (14:49): I seek leave to make a brief explanation before asking a question of the Minister for Health and Wellbeing about the Women's and Children's Hospital.

Leave granted.

The Hon. F. PANGALLO: An exasperated and distressed constituent—a young mother; and I will declare that that constituent was my niece—called me recently to complain about the treatment she received upon presenting her 6-year-old very ill child at emergency at the Women's and Children's Hospital, with a very high and fluctuating temperature.

Even though there were few people in the waiting area, she was told it was an emergency reception area only and they advised her to see a GP. She left and then had to locate and make an appointment with her GP. When the GP eventually viewed the child, he immediately ordered an X-ray, which revealed the child had pneumonia, and he instructed that she immediately go to the hospital.

The child was hospitalised for several days, and when released, was given antibiotics. The mother was told to return immediately if the child had an allergic reaction, and to pick up another prescription. Well, this happened, but on her return no such prescription was available and they had to wait hours to be seen by another doctor. My questions to the minister are:

1. Is the hospital now deemed an emergency only hospital?
2. What is the new policy on children who present at emergency to see a doctor, particularly when they are unable to see their own GP?
3. Do SA Health and the government accept any responsibility if a child is turned away, is misdiagnosed and then becomes more seriously ill or perhaps—and let's hope we don't ever see this happen—dies as a result of being turned away?
4. Will he now launch a review of the policy in turning children away without first being seen by a doctor?

The PRESIDENT: The Hon. Mr Pangallo, I would just like to remind you that it is time for you to ask a question, not multiple questions. You are sort of gilding the lily a little bit there with that.

The Hon. F. PANGALLO: I apologise for that, Mr President, but it tends to be very hard for crossbenchers to even get questions in today.

The PRESIDENT: I respect that. The honourable Minister for Health and Wellbeing.

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:52): I thank the honourable member for his question and indicate that the facts as he presents them are concerning. If his niece would like me to look into those matters, I am happy to do so. In terms of the questions, I am certainly not aware of any change in the presentation criteria to the Women's and Children's Hospital emergency department.

The fact of the matter is that our emergency departments are, if you like, open access. People make their own decision, if they are self-presenting, as to whether the emergency department is the appropriate place. That's not always the case. In the last year, SA Health had a particular campaign encouraging young people to think about whether the ED was the best place to get the care they need.

In terms of a clinician suggesting that a person may want to go to a GP, my understanding is that it is not uncommon for that suggestion to be made. It is, if you like, a matter of disclosure as to what the options are. I certainly would be concerned if it was in the context of being turned away, as the honourable member puts it, but that goes back to the facts of the particular case. I appreciate the honourable member is asking me general questions, not case-specific ones.

If I remember rightly, the question was: will I give an assurance that no patient would leave the emergency department without having seen a doctor. I imagine there would be many patients that would, because our EDs are staffed not only by doctors but by highly trained nurses—emergency care nurses, nurse practitioners and the like. Depending on their need, that critical care response may not be provided by a doctor.

MEMBER FOR WAITE

The Hon. I. PNEVMATIKOS (14:54): I seek leave to make a brief explanation before asking a question of the Leader of the Government regarding misconduct.

Leave granted.

The Hon. I. PNEVMATIKOS: In debating a motion yesterday, the Leader of the Government detailed what can cause a member to lose their seat in parliament. Based on the offences for which he has been reported to police, the leader stressed that a conviction would not cause the member for Waite to lose his seat. Last week, the Premier stated publicly that he had been provided with new allegations about the member for Waite beyond basic assault that caused him to dramatically escalate his response. My questions to the Leader of the Government are as follows:

1. Will the Leader of the Government fully cooperate with the South Australian police investigation into the member for Waite?
2. Has the Leader of the Government contacted SAPOL to let them know that he has information that is pertinent to the criminal investigation of the member for Waite?
3. What obligations does a minister of the Crown have to disclose information to police about a criminal investigation?

The Hon. R.I. LUCAS (Treasurer) (14:55): The honourable member has made a series of assumptions and assertions in her question which are factually wrong, and she would do well to check her facts. Consistent with what the Premier has said, and indeed anybody else who has been asked, if asked to assist the police in their inquiries, of course I would do so.

I have already been asked the question, I think, in this chamber by a colleague of the member's as to whether I had been requested by the police to assist in the inquiry, whether I had been interviewed or some such question, and my answer was no.

PREVENTATIVE HEALTH

The Hon. J.S.L. DAWKINS (14:56): My question is directed to the Minister for Health and Wellbeing. Will the minister update the council on preventative health programs in South Australia?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:56): I thank the honourable member for his question. The Marshall Liberal government has a strong commitment to preventative health. Our parliamentary opponents ignored preventative health. Their McCann review gutted preventative health, ripping \$11 million annually out of programs that were assisting people in staying out of hospitals. Labor's disastrous Transforming Health experiment—

Members interjecting:

The PRESIDENT: Order!

The Hon. S.G. WADE: —then further concentrated care in hospitals. We are working to undo this damage. One of the many ways we are addressing this deficit is through the Healthy Towns Challenge.

Members interjecting:

The Hon. J.S.L. DAWKINS: Point of order: I don't know about you, but I can't hear the minister and I would like to hear the answer.

The PRESIDENT: Your point of order is well made. I am also struggling to hear the answer. The opposition will listen in silence.

The Hon. S.G. WADE: I appreciate the honourable—

The Hon. I.K. Hunter: Why don't you answer the question instead of slagging off what happened in the past?

The PRESIDENT: The Hon. Mr Hunter!

The Hon. I.K. Hunter: You have had two years in office, Steve; what have you done?

The PRESIDENT: The Hon. Mr Hunter!

Members interjecting:

The PRESIDENT: The honourable Leader of the Opposition, you don't need to join in.

The Hon. I.K. Hunter: Nothing is. Everything is at arm's length with this minister: 'Oh, it's the board's fault, not mine.'

The PRESIDENT: The Hon. Mr Hunter, enough! Minister.

The Hon. S.G. WADE: The Marshall Liberal government, in an election commitment, made a commitment to establish the Healthy Towns Challenge, which is an investment in community programs to encourage and support health and wellbeing, and it was delivered in our first budget. This is a government that delivers on its promises. Whether it is the new Women's and Children's Hospital or whether it's the preventative health programs—

Members interjecting:

The PRESIDENT: Order!

The Hon. S.G. WADE: —this government is delivering. The first round of projects finished in November last year.

Members interjecting:

The PRESIDENT: Order! Minister, I can't hear your answer.

Members interjecting:

The PRESIDENT: The opposition will come to order so I can hear the answer.

Members interjecting:

The PRESIDENT: Order!

The Hon. I.K. Hunter: He is a laughing stock.

The PRESIDENT: The Hon. Mr Hunter, enough! Minister.

The Hon. S.G. WADE: Yet again, the people of South Australia listening online can see the inverse relationship between the embarrassment of the Labor opposition and the extent to which they laugh. They laugh because they are embarrassed.

The PRESIDENT: Minister, there is a point of order. The honourable Leader of the Opposition.

The Hon. K.J. MAHER: Point of order: again, the minister is speaking to matters that have absolutely nothing to do whatsoever with the question asked.

The PRESIDENT: I am sure the minister is getting to the nub of the question. Minister, please get to the nub of the question so we can move to the crossbench.

The Hon. S.G. WADE: I thank the honourable President for his guidance. As I was saying, the Healthy Towns Challenge is an investment in community programs to encourage and support health and wellbeing. It was delivered in our first budget. We are now at the stage where we are actually seeing the fruit of that first round of grants.

The first round of projects finished in November last year, and just last week I was delighted to go to Port Pirie to present the Healthy Towns Challenge Award to the FoodHub Health and Wellbeing Project. As part of that program, volunteers are receiving training in support for customers of FoodHub, including healthier food choices within budget constraints. FoodHub also engaged with

universities and delivered cooking classes and demonstrations. Nearly 600 new customers joined FoodHub during this time, and the ongoing benefits will be seen through the work of the volunteers at the FoodHub and the resources developed through the program.

Concurrent with the announcement of Port Pirie as the winner of the inaugural Healthy Towns Challenge Award, the government has launched round 3 of the Healthy Towns Challenge. I encourage all South Australian communities to take advantage of this opportunity. Each community, we appreciate, has different needs. The programs which ran during round 1 and which are now running through round 2 demonstrate the different responses to different communities. For example, a cycling and bicycle maintenance program for Aboriginal youth was funded as part of round 1. I congratulate everyone involved in Port Pirie's winning program.

This morning I was also delighted to be part of another important preventive health initiative being rolled out in South Australia. The Whole Nine Months program, which is a coalition of South Australian-based clinicians and researchers, is working to launch a multifaceted campaign to help prevent preterm birth. We all know that preventing preterm birth will reduce the level of fatalities. Complications arising from preterm birth are actually the leading cause of death in Australian children under five years of age.

What is most concerning is there has actually been an increase in the number of preterm births in recent years. This is an important national initiative, an important preventive health initiative, which will reduce the number of deaths that could be related to the complications of a preterm birth.

It is very important for the full development of the child. Children who are born preterm are more likely to have developmental issues, educational issues and health issues. This is yet another example of this government working with clinicians and with partners right across the nation to deliver better health outcomes for South Australian women, children and families. Preventive health is vital to the future of South Australia.

PRETERM BIRTHS

The Hon. I.K. HUNTER (15:03): Supplementary: the minister said there has been a recent increase in preterm births. He didn't say over what period. Can the minister outline what demographic indicators there are in this increase? Is it across all demographics in the state, or is it isolated to certain regions or certain other demographic indicators?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:03): I don't have the state data. What I do know is that through the Whole Nine Months initiative Western Australia has actually been able to turn their preterm births numbers around. We already have South Australian clinicians who are working in this space. For example, there is a team at SAHMRI that has identified that fish oil is a positive contributing factor to reduce the risk of a preterm birth.

In terms of the work that has been done in Western Australia, it actually raises the issue of scanning at the midpoint. I am going to quickly come to the end of my gynaecological knowledge, but I was advised by clinicians involved in the program that one of the key factors in Western Australia was to do mid-pregnancy scans and that some of the indicators can highlight an increased risk of preterm births and that that can facilitate an early response.

These are all the sorts of issues that Dr Monica Skubisz from the South Australian Health and Medical Research Institute will be working on as she develops new guidelines for perinatal practice. This is a very broad-based program. It provides an awareness campaign for parents-to-be, clinical education and also, as I said, the new guidelines for perinatal practice.

The PRESIDENT: The Hon. Mr Hunter has a further supplementary arising from the original answer.

The Hon. I.K. HUNTER: Well, in fact it doesn't.

The PRESIDENT: Sorry?

The Hon. I.K. HUNTER: I wonder if the minister would take my question on notice.

The PRESIDENT: Minister.

The Hon. S.G. WADE: Happy to do so.

The PRESIDENT: Your spirit of cooperation is wonderful. The Hon. Ms Franks.

MEMBER FOR WAITE

The Hon. T.A. FRANKS (15:05): My question is to the Leader of the Government in this council. Given the government's opposition to the motion that passed this place last night referring matters of the Equal Opportunity Act and workplace harassment to the equal opportunity commissioner, will he now, on behalf of the Marshall government, commit to providing a timely, formal and public government response should the equal opportunity commissioner make any recommendations with regard to that motion?

The Hon. R.I. LUCAS (Treasurer) (15:05): I will refer the honourable member's question to the Premier and the appropriate minister and bring back a reply.

The PRESIDENT: Supplementary question arising from the answer.

MEMBER FOR WAITE

The Hon. T.A. FRANKS (15:05): Yes, arising from the answer. Given it is a motion of the council, does the Leader of the Government in the council take any responsibility for providing information to this council?

The Hon. R.I. LUCAS (Treasurer) (15:06): Yes, Mr President, as I just outlined.

The PRESIDENT: The Hon. Mr Ngo.

Members interjecting:

The PRESIDENT: Silence! Your colleagues are not assisting you. The Hon. Mr Ngo.

AGED-CARE CCTV TRIAL

The Hon. T.T. NGO (15:06): My question is to the Minister for Health and Wellbeing. When will the CCTV trial in aged-care centres, which the minister promised would start last year, start? Will the cameras be used in the aged-care trial as the minister has promised? As the minister promised last year, will footage be stored off site in a secure and protected web-based setting and monitored 24/7 by an independent team of highly experienced and qualified clinical experts?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:07): I am a simple man, but I just cannot fathom why the Labor opposition would continually raise questions that give me an opportunity to highlight their failures. We had the Hon. Emily Bourke reminding us of their appalling decision to break a promise to have a new Women's and Children's Hospital.

The PRESIDENT: Minister, sit down. There is a point of order.

The Hon. K.J. MAHER: Point of order: if supplementaries have to relate to the answer, then surely the answer has to relate to the question that was asked.

The PRESIDENT: The honourable Leader of the Opposition, the minister will obviously get towards the answer. The minister is attempting to answer the question. Give him the opportunity to answer the question. The Minister for Health and Wellbeing.

The Hon. S.G. WADE: Thank you, Mr President. The Hon. Tung Ngo wants to remind not only this council but the whole state of South Australia that under the stewardship, or the lack of stewardship, of the former Labor government we had the shameful saga of Oakden—we had the shameful saga of Oakden. Some of our most vulnerable citizens were let down by the former Labor government.

Members interjecting:

The PRESIDENT: Order!

The Hon. I.K. Hunter: Where's your promise?

The PRESIDENT: Order!

The Hon. S.G. WADE: What this government is doing is committing to a CCTV trial in nursing homes. We are delighted that we are partnering with the commonwealth government, and there will be an Australian-first trial of surveillance and monitoring systems in aged care. The process for the identification of the preferred provider is underway, and I won't be commenting on that process during the procurement process, to respect its integrity.

The PRESIDENT: The Hon. Mr Ngo has a supplementary question.

AGED-CARE CCTV TRIAL

The Hon. T.T. NGO (15:09): The minister mentioned that the trial will be in conjunction with the commonwealth.

The PRESIDENT: The Hon. Mr Ngo, just ask the question, please.

The Hon. T.T. NGO: Will the proposed trial fall within the original requirements stipulated by the commonwealth \$500,000 grant?

The Hon. S.G. Wade: Sorry, what was the question?

The Hon. T.T. NGO: Will the proposed trial fall within the original requirements stipulated by the commonwealth grant of \$500,000?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:09): I assure you that in our partnership with the commonwealth, we will be fully complying with the agreements we have with the commonwealth.

AGED-CARE CCTV TRIAL

The Hon. F. PANGALLO (15:09): Supplementary: has the government settled on the type of cameras that will be used in the trial and what will the cost of those cameras be?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:10): I will just reiterate my previous response, which is that I am not going to do anything to prejudice the procurement process.

TREASURER'S CONTINGENCY FUND

The Hon. D.G.E. HOOD (15:10): My question is to the Treasurer. What information is available about payments made out of the Treasurer's contingency budget line over the last three years?

The Hon. R.I. LUCAS (Treasurer) (15:10): I thank the honourable member for his question. The issue of I guess what is being colloquially referred to as sports rorts and grants rorts at the commonwealth and state levels has been raised through the media and through the community and I guess some concern has been expressed about the general issue.

The answer to the honourable member's question in particular is that if one refers to what is known as the Treasurer's slush fund or Treasurer's contingency account, in the last year of the former Labor government, former treasurer Koutsantonis spent \$2.678 million out of the Treasurer's slush fund or the Treasurer's contingency. Of that \$2.7 million, \$1.5 million went in response to requests from members of parliament or candidates, and the surprising summary of that indicates that all \$1.5 million of those grants went to either Labor members of parliament, members of the Labor government cabinet or Labor candidates in terms of requests.

The Hon. S.G. Wade: 100 per cent?

The Hon. R.I. LUCAS: 100 per cent. Not a single dollar went to a request from a Liberal candidate, a Liberal member of parliament or, indeed, a crossbench candidate or member. Just a selection of those requests out of the Treasurer's slush fund:

- \$263,000 went to Ms Nat Cook for the City of Onkaparinga to build the Southern Tigers Basketball Association replacement roof and repair court damage at Morphett Vale basketball stadium;
- \$160,000 went to the Hon. Tom Kenyon, member for Newland, for the Banksia Park Primary School council for fencing and CCTV;

- \$100,000 went to the Hon. Tom Kenyon, member for Newland, for the Fairview Park Primary School for installation of a road crossing on a particular road; and
- \$200,000 went to the Hon. Tom Kenyon, member for Newland, for the City of Tea Tree Gully as a donation towards the installation of some traffic lights at the Ridgehaven Primary School.

Even Labor candidates joined in the largesse:

- Mr Michael Brown, the Labor candidate for Playford—he wasn't even a member—made an application and got \$57,860 for the Parafield Gardens Soccer and Sports Club Incorporated as financial support to upgrade lighting to a sufficient standard to support night games;
- Mr Michael Brown, Labor candidate for Playford, also got \$47,190 for the North Pine Sports and Social Club Incorporated for financial support towards the upgrading of the club's community cricket nets; and
- Labor candidate for Colton, Ms Angela Vaughan, got \$36,790 for the Fulham Gardens Primary School to install some new carpeting in there.

There were a range of other grants: Mr Bignell, the member for Mawson, got \$110,000 for the redevelopment of a skate park in his particular area and there were a range of other grants, as I said, that went to either Labor MPs, members of the Labor cabinet or, indeed, Labor candidates. Just to bring it home to a little bit of home turf, even our very favourite the Hon. Tung Ngo MLC managed to get a grant from the Treasurer's slush fund for \$50,000 for the Khmer Buddhist Association. Most of these grants were given in the months just prior to the election in March 2018. As I said, \$1.5 million of the \$2.7 million went to Labor members and candidates and—

The Hon. T.A. FRANKS: Point of order: the Treasurer appears to be reading directly from a document. Can I request that he table that document, please.

The Hon. R.I. LUCAS: I'm very happy to table the document. It is already public so I am happy to table it after I have taken the opportunity to read the home truths to all members.

The PRESIDENT: Minister, don't be diverted.

The Hon. R.I. LUCAS: I thought it was a supplementary question. As a comparison, in 2018-19, in the first year of the Liberal government, the Treasurer's slush fund, instead of \$2.7 million spent, I think it was about \$350,000. It went to the Voice of Industrial Death and the Asbestos Victims Association. It went, I think, to Business SA for a business export program; the program was in terms of supporting business exports. It went also to a payroll tax awareness campaign which was jointly funded between Treasury and the Department of the Premier and Cabinet, I think it was.

I think there was a fifth grant which went to another organisation as well. But the difference, and the answer to the honourable member's question, is that in the last year of the former Labor government, \$2.7 million was directly assisting or attempting to assist the re-election of some Labor MPs and the election of Labor candidates. Not a single dollar went to a Liberal MP or a Liberal candidate, but in the first year of the Liberal government the \$2.7 million slush fund was slashed down to an expenditure of between \$350,000 and \$400,000.

TREASURER'S CONTINGENCY FUND

The Hon. C. BONAROS (15:16): I have a supplementary question: can the Treasurer confirm whether out of that amount that he quoted that the Liberal government paid, a payment was made to a Greek orthodox church in the Norwood area?

The Hon. R.I. LUCAS (Treasurer) (15:17): A commitment had been made by the former treasurer, not only to that particular church but also to a number of Greek churches throughout metropolitan Adelaide, and I am happy to put that on the public record as well, and part of that commitment was paid in the 2018-19 year after the election. Consistent with that, I think the former treasurer also made a commitment to another organisation, a three-year funding commitment, which required me, out of that particular fund, to make a continuing payment to that particular organisation. I think that was at a lower level of funding.

TREASURER'S CONTINGENCY FUND

The Hon. C. BONAROS (15:17): Further supplementary: can the Treasurer also confirm whether the current Premier made a similar commitment, prior to the election, to the same Greek orthodox church for a different amount of money?

The Hon. R.I. LUCAS (Treasurer) (15:18): The Premier, as one of the election commitments prior to the election, made a commitment that if elected an elected Marshall Liberal government would make a commitment, and I have been advised that promise was kept and funding was provided to that particular church.

I think that particular church or community—I can't remember whether it was the church and/or community—received a commitment from the former Labor government and treasurer, part of which I think was paid through the Treasurer's slush fund. I am not sure whether other parts were paid through any other grant line, and the then Liberal opposition made an election promise and that has been paid subsequent to the election to the same church or community.

*Parliamentary Procedure***VISITORS**

The PRESIDENT: Before I call on the business of the day, I would like to acknowledge in the gallery the former member for Schubert, Ivan Venning.

*Motions***ANSWERS TO QUESTIONS**

The Hon. R.I. LUCAS (Treasurer) (15:19): I move:

That, during the present session, once a notice of question has been given and placed on the *Notice Paper* pursuant to standing order 98b, an answer to the question shall be delivered to the Clerk, pursuant to standing order 98c, not more than 30 days after the date on which it had been first printed on the *Notice Paper*.

This is a standard motion, similar to other standard motions we move at the start of the session. This is just a discipline upon the government to endeavour to provide answers to all questions on notice not more than 30 days after the date on which it had first been printed. It is an eminently good practice. It does provide a discipline on the government, and certainly the responses from the government, and ensures that, albeit we do fail occasionally, we do not end up, as the former government did, with thousands of questions that were unanswered.

The Hon. K.J. MAHER (Leader of the Opposition) (15:20): I rise to indicate that the opposition will be supporting this motion and note that some ministers seem better than others at abiding by the motion that was passed last time.

The Hon. T.A. FRANKS (15:20): I welcome this motion. I would also ask the government to confirm, in proceeding with this motion, what exposure will be given should it not be complied with. Will there be something on the *Notice Paper* that observes those questions which have not been answered more than 30 days after they were asked?

The Hon. R.I. LUCAS (Treasurer) (15:21): In concluding the debate, the same procedures will apply as occurred in the past. My understanding is that the date of when the question is asked is publicly available on the website or the *Notice Paper*. If more than 30 days have expired, that is apparent to anybody who wants to read the website. On occasions, members of parliament highlight it to members of the media to say it is beyond the 30 days, or whatever it is, or a question is asked in the house to say the guideline has not been complied with. It will be publicly available.

Motion carried.

*Bills***LABOUR HIRE LICENSING (MISCELLANEOUS) AMENDMENT BILL***Introduction and First Reading*

The Hon. R.I. LUCAS (Treasurer) (15:22): Obtained leave and introduced a bill for an act to amend the Labour Hire Licensing Act 2017. Read a first time.

Second Reading

The Hon. R.I. LUCAS (Treasurer) (15:23): I move:

That this bill be now read a second time.

The Labour Hire Licensing (Miscellaneous) Amendment Bill 2020 amends the Labour Hire Licensing Act 2017 (the act) introduced by the former government. An amendment bill was introduced in the Legislative Council last year, proposing amendments to ensure that the law applies only to labour hire providers operating within high-risk industries where workers are vulnerable to exploitation.

Unfortunately, the amendment bill did not complete its passage through parliament last year. Following consultation with various stakeholders and members of parliament, the bill I introduce here today proposes the same amendments to narrow the scope of the scheme, and includes amendments filed by the Hon. Connie Bonaros last year to enable additional high-risk industries to be prescribed by regulation if and when required.

The act currently requires anyone who provides labour hire in South Australia (SA) to be licensed. However, since the commencement of the licensing scheme, the government has received numerous complaints about the scheme's broad scope and application.

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

Following a review of the submissions, it became apparent that the licensing scheme applies to a range of businesses that were not intended to be captured, as opposed to focusing on the exploitation of vulnerable workers in high-risk industries. These laws create an unnecessary layer of red tape for a number of industries well and truly beyond what is reasonably required. Some examples of businesses that are currently captured but would not be under the revised bill include:

- IT consultants being outsourced to various businesses;
- dental labour hire businesses providing hygienists, dentists and receptionists;
- legal firms engaging in labour hire by providing legal practitioners to work within other businesses as in-house counsel or barristers being sent to work for various clients;
- universities sending academic staff to other education institutions, as well as medical professions being sent to act as lecturers at universities; and
- church ministers being sent to other parishes where the resident minister is unavailable.

The government sought to repeal these laws, however, it appears that this is not feasible in this parliament. Accordingly, we are now seeking amendments to narrow the scope of the scheme to ensure that these laws apply specifically to labour hire providers operating within high-risk industries where workers are more vulnerable to exploitation, rather than capturing industries where there is no suggestion of worker exploitation occurring.

The Migrant Workers' Taskforce was established at the federal level to identify ways to improve law enforcement and investigation in cases of migrant worker exploitation. On 7 March 2019, the Migrant Workers' Taskforce final report was released and identified a number of industries, including the horticulture, meat processing and cleaning (including trolley collection) industries, as high risk in terms of potential for worker exploitation.

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

In all of these inquiries, the evidence has consistently identified the same high-risk industries, where the work performed is labour-intensive, low skilled and is primarily undertaken by migrant

workers who are particularly vulnerable to exploitation. For example, fruit picking is commonly cited as one of the main types of work performed by non-English-speaking migrants.

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

Consistent with work identified as high risk, the bill proposes that the following be prescribed work for the purposes of the licensing scheme: horticultural processing work, meaning a variety of activities relating to the production and processing of fruit, vegetables, flowers and nuts, and this includes berries, grapes and vines; meat processing work; seafood processing work; cleaning work; and trolley work. Other proposed amendments include:

- prescribing specific work activities focusing on low-skilled work within the prescribed high-risk industries;
- excluding in-house employees where individuals are engaged on a regular and systematic basis to avoid capturing genuine employee arrangements rather than labour hire work arrangements;
- removing all imprisonment penalties;
- requiring labour hire providers to disclose certain information to their workers;
- refining prescribed information that is required annually to focus on information relative to compliance;
- differentiating between licensees and responsible persons when considering whether a person is fit and proper (in relation to insolvency);
- an evidentiary provision in relation to proceedings for an offence against the act, where an individual supplied by a provider is deemed to be a labour hire worker in the absence of proof to the contrary; and
- better aligning annual reporting periods of payment of periodic fees with existing legislation administered by Consumer and Business Services.

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

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

3—Amendment provisions

These clauses are formal.

Part 2—Amendment of Labour Hire Licensing Act 2017

4—Amendment of section 3—Objects of Act

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

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

5—Amendment of section 6—Interpretation

This clause amends section 6 of the Act as follows:

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

6—Substitution of sections 7, 8 and 9

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

7—Meaning of labour hire services

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

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

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

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

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

8—Meaning of labour hire worker

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

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

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

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

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

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

9—Meaning of *supply*

This clause includes a new provision that qualifies the concept of supply of an individual to undertake work for the purposes of the Act. Proposed section 9 provides that an individual is not supplied by

a person (the first person) to undertake work for another person (the second person) where the 2 persons have entered into a contract for the performance of the work by the first person and the individual undertakes the work for and on behalf of the first person as an employee, agent or independent contractor of the first person.

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

7—Amendment of section 10—Fit and proper person

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

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

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

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

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

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

A further amendment makes it clear that the offence of entering into an arrangement for the provision of labour hire services where the person providing the services is not authorised by a licence to do so applies, without limitation, to a person irrespective of whether the person is—

- the person to whom the labour hire services are to be provided under the arrangement; or
- entering into the arrangement as an agent or intermediary of the person providing the labour hire services under the arrangement; or
- the person providing the labour hire services under the arrangement.

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

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

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

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

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

12—Insertion of section 14A

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

13—Amendment of section 18—Conditions of licence

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

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

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

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

Under section 20(2) as amended by this clause, the holder of a licence will be required to pay a prescribed fee, and to lodge a report with the Commissioner, at intervals prescribed by regulation. A new definition of *reporting period* is also inserted by this clause.

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

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

17—Amendment of section 34—Authorised officers

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

18—Amendment of section 41—Evidentiary provisions

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

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

SOUTH AUSTRALIAN PUBLIC HEALTH (EARLY CHILDHOOD SERVICES AND IMMUNISATION) AMENDMENT BILL

Introduction and First Reading

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:29): Obtained leave and introduced a bill for an act to amend the South Australian Public Health Act 2011. Read a first time.

Second Reading

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:30): I move:

That this bill be now read a second time.

Immunisation is one of the most cost-effective health interventions and is supported by the World Health Organization and all levels of government in Australia. South Australia has free vaccines, adequate vaccine supplies for all children and ready access to immunisation services, yet the latest available data shows that 5 to 12 per cent of children in South Australia still do not get timely or complete routine vaccinations scheduled for the early years of life.

Outbreaks of vaccine-preventable disease continue to occur. A large outbreak of measles in New Zealand recently spread to the Pacific Islands, including Samoa, where around 6,000 people have been infected and 83 people, mostly children, have died. In 2019, the first phase of changes to the South Australian Public Health Act were made to strengthen the ability of public health officials to respond to outbreaks of vaccine-preventable disease in early childhood services.

From the beginning of this year, parents have been required to provide immunisation records to staff at early childhood services when they enrol a child, and ongoing at specified times, and the early childhood services are required to keep these and provide them to the Chief Public Health Officer on request. The Chief Public Health Officer can exclude susceptible children during an outbreak of a vaccine preventable disease.

The amendment bill, the second phase of measures to strengthen immunisation requirements, was developed after extensive public consultation. This bill prohibits enrolment of children who are not up-to-date with vaccinations, or provision of those services if a child does not remain up-to-date, unless they meet certain specified exemption criteria. The Marshall government respects the contribution that early childhood services make to the development of children. However, that contribution should not be at the risk of morbidity or mortality of the child or other children from a vaccine-preventable disease. I commend the bill to the council and seek leave to have the explanation of clauses inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

3—Amendment provisions

These clauses are formal.

Part 2—Amendment of South Australian Public Health Act 2011

4—Amendment of section 96A—Interpretation

Subclause (1) proposes to amend the definition of *early childhood service* to include 'occasional care' as an example of an early childhood service.

Subclause (2) defines the circumstances in which a child meets the immunisation requirements for the purposes of proposed clauses 96BA and 96BB (to be inserted by clause 5). It is proposed that a child *meets the immunisation requirements* if the child meets the immunisation requirements within the meaning of the *A New Tax System (Family Assistance) Act 1999* of the Commonwealth (subject to any prescribed modifications).

5—Insertion of sections 96BA and 96BB

This clause inserts new sections 96BA and 96BB.

Proposed new section 96BA prohibits the enrolment of a child for the provision of an early childhood service unless immunisation records relating to the child have been provided to the person providing the service in accordance with section 96B(1) and those records indicate that the child meets the immunisation requirements. The section provides a defence where a defendant relied in good faith on immunisation records (or purported immunisation records) provided in accordance with section 96B(1) indicating that the immunisation status of the child was up to date.

Proposed new section 96BB prohibits the provision of an early childhood service for a child unless immunisation records relating to the child have been provided to the person providing the service in accordance with section 96B(1) and those records indicate that the child meets the immunisation requirements. The section provides a defence where a defendant relied in good faith on immunisation records (or purported immunisation records) provided in accordance with section 96B(1) indicating that the immunisation status of the child was up to date.

6—Amendment of section 96E—Exemptions

This clause proposes to increase the maximum penalty for an offence against section 96E(4) being a contravention or failure to comply with a condition of an exemption imposed under section 96E. The current maximum penalty is a fine of \$2,500 and the proposed maximum penalty is a fine of \$30,000.

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

Address in Reply

ADDRESS IN REPLY

Adjourned debate on motion for adoption.

(Continued from 18 February 2020.)

The Hon. J.E. HANSON (15:33): I rise to address the Address in Reply and in that regard I want to thank the Governor, His Excellency Hieu Van Le, for his address on the opening of the Second Session of the Fifty-Fourth Parliament. With respect to His Excellency, it was not that long ago—two years, roughly—since he opened the first session for the first time for the Marshall Liberal government. Having listened to His Excellency this time and last time, not much has changed in the government's written speech or their agenda since his return, and that is unfortunate. One thing that has changed that is not unfortunate at all is your ascension, Mr President, and I wish to congratulate you on that as well.

I can say that the main importance of His Excellency's address in bringing us together on that day was to hear about the impacts of the bushfire crisis and to pay tribute to our state's resilience and public generosity. His Excellency issued well-deserved and meaningful praise to all our magnificent volunteer and paid firefighters, and also other emergency services workers, who continue to serve selflessly and tirelessly to minimise loss of life and property. To quote His Excellency:

No praise is too high for them. We remain in their debt for the lives saved and property losses avoided.

The speech for His Excellency was issued to criticise, in some regards, members of this place for not passing certain bills. Notably, these were: extended shop trading hours, the capping of local council rates and lifting the prohibition on growing genetically modified crops. Those particular bills were not passed in this place, in some cases, for good reason. These are contentious issues that cause angst in the community.

We have a premium reputation around our food and wine. We have more independent retailers in this state than in most others, and from talking to workers and small business owners, I know that extending shop trading hours is likely to hurt them and their families. We encourage South Australians to buy and shop local. I know that both sides of this aisle do; however, only this side seems to acknowledge that deregulation is also likely to impact the availability of South Australian made products.

I think the capping of council rates has been dealt with fairly extensively by this chamber. There does not seem to be a good level of support for it. Indeed, we have recently seen a Productivity Commission report issued on this basis. The report did not find that the capping of council rates is in any way the most effective mechanism of achieving the aims the Marshall government has stated.

The bin tax, which was imposed by the Marshall government, seems to level a certain amount of hypocrisy. The level of cost-shifting in this government has increased, not decreased, for councils. Councils cannot be expected to keep costs down if they continue to have costs shifted upon them by the state government.

Since coming into office, the Marshall Liberal government claims there is a continuing focus on providing better government services. When they first came into government, they claimed they had a plan for real change to create more jobs. Unfortunately, from what I see and hear out in the community—and I do say 'unfortunately' very sincerely—it is the exact opposite. There seems to be a lot of shifting behaviour out in the community.

There is a push to privatise our train and tram network. There is the privatisation of the Adelaide Remand Centre. There are pending closures of Service SA centres, perhaps in Modbury, Mitcham and Prospect. Recently, there seems to be a downsizing following the relocation of the Adelaide Service SA centre, where 15 service counters are going down to six, if you do not count self-service.

There is the privatisation of Modbury Hospital patient transfers. There is the downsizing and closure of TAFE campuses. There is the possible privatisation of SA Pathology and South Australia Medical Imaging. There is the axing of bus routes and the potential closure of the Grange train line. There is the cancellation of the Tea Tree Plaza park-and-ride expansion. There is the hike in public hospital car parking fees for patients, visitors and staff. There is the closure of the Adelaide Metro call centre. There is \$23 million in cuts to the South Australian tourism budget, and funds have even been cut from the food budget for police dogs and police horses.

These are not the actions of a government that is looking to increase services. The Marshall government, by the very fact of these matters, is diminishing government services, not enhancing them. I can tell you that the people of our state are quite upset and angry about it. They feel like this is a broken promise, and they are not wrong.

Further to this, we were promised more jobs. The fact is that it is getting harder and harder to find a job in our state. This is directly because of two years of the Marshall Liberal government. According to an economic report by ANZ released today, the ANZ Stateometer—that is right, it is the 'Stateometer'—it finds that 'the South Australian job market has softened substantially,' and that South Australia's 'momentum indicator was the poorest of all states.' The ANZ report also stated that the weak jobs market is leading to weaker consumer spending, and that:

...retail sales went backwards, particularly in discretionary categories such as electronics and clothing. This suggests that household budgets are being squeezed.

The weak job market follows the Marshall Liberal government's decision to cut 29 job-creating programs. These programs reduced the unemployment rate under the former Labor government.

In regard to that, I note that at New Castalloy the government decided to cut the upskilling and retraining programs that were provided to workers who were unfortunately becoming unemployed by that company closing its doors. It seemed a particularly mean and malicious act to cut retraining for those workers so they could go and find jobs in some other industry. It is also a bit disappointing to note that, on ABS figures, we have now seen over seven straight months of job losses in our state.

In the blink of an eye, we have seen retail stores closing or shutting down completely under the Marshall Liberal government. Over the last few months, these have included Jeanswest, Harris Scarfe, Colette, Bardot, EB Games, Roger David and Orotan. German supermarket giant, Kaufland, also decided to retreat from the South Australian market. It announced last November that it planned to open about 20 stores in Australia, focusing on Victoria and South Australia. The award-winning SA firm Hybrid Agency collapsed, losing 13 staff. That came as a direct result of the Marshall Liberal government's decision to outsource SA tourism to a Victorian firm. It is very easy to see how the decisions made by the Marshall government are adding to the unemployment crisis.

Most recently, of course, two major Asian airlines decided that they are going to pull out of South Australia, with the withdrawal of China Southern and Cathay Pacific services. This will mean a big hit to visitors from China and Hong Kong. Cutting \$23 million from the tourism budget certainly will not help to resolve that. We also hear media reports that industries, such as Santos, our largest gas producer, are preparing to relocate to Queensland. They are offering redundancies to somewhere between 150 and 200 Adelaide staff, mostly based here in Santos's Flinders Street headquarters. This headquarters, despite the share price, managed to stay open in Adelaide under 16 years of Labor.

Where is the Premier? The fact is he should be knocking on doors and fighting for these jobs. Last year, we had Ed Harry close its doors, including its national office in Adelaide, not to mention that in 2019 Radio Rentals announced the closure of 12 South Australian stores and the loss of 100 jobs. Mr President, I am sure you walk around Adelaide and regional towns and you would notice, as I have, the number of vacant shops that seem to be popping up. As of today, we are not wrong: Commercial Real Estate lists 2,556 properties for lease in South Australia.

As I have stated here before in other matters, manufacturing jobs, particularly in defence, really concern me. French submarine builder, Naval Group, is warning it will slash the percentage of local work on the Future Submarines project. This would be a devastating blow to South Australian jobs. *The Australian* newspaper reported that a French company building Australia's \$80 billion Future Submarines said that local firms may not get half the value of the subs contracts. What does that mean? We are talking about local content.

The federal Liberal government promised that at least 90 per cent of the work would be local. In 2016, the then Liberal defence minister Christopher Pyne famously said that less than 10 per cent of the work would go elsewhere, meaning that 90 per cent would remain here. From the original promise of 90 per cent of local work, that number seems to have steadily slid. First it went to 60 per cent and now Naval is clearly warning that it will be less than 50 per cent. As I have said previously in this place, estimates are falling as low as 30 per cent.

Steven Marshall to this point has been largely silent on this issue, quite unbelievably, despite being present at the good news announcement when he signed the strategic partnership agreement in Canberra on 11 February 2019. He was quite happy to be at the ribbon-cutting ceremonies but he is not quite so happy to be there when it is time to get results, as was the case yesterday when he was quite happy to be at a ribbon-cutting ceremony with the Prime Minister down at Lot Fourteen, but he could not seem to find time to ask him the basic hard questions around defence manufacturing jobs in this state.

The fact is that uncertainty surrounds the future of hundreds of Collins class submarine maintenance jobs at ASC. Those jobs are at risk of moving interstate. It beggars belief that our Premier could not simply find the time to stand before a camera with our Prime Minister and ask the simple question of, 'Why can't they stay here?' It just beggars belief.

If you are serious about defending jobs in this state, if you are serious about maintaining a defence state, if you are serious about maintaining manufacturing and high-skilled jobs here, you

have to ask these basic questions. It is not time to involve ourselves in Canberra politics. It is time to make sure that our unemployment rate, which continues to remain above 5.5 per cent and has remained on trend—as I said, seven months of job losses in this state; we need to be asking the tough questions. We need a premier who is going to be present to do that.

The building industry is another important sector that creates jobs. It trains apprentices and it drives economic growth. Not only that, it also creates communities. A record number of builders have gone bust under this government. Since December 2018, up to 12 companies have gone insolvent. HIA figures show that home builds in SA fell by 21 per cent last financial year, from 13,062 down to 10,380. Twelve companies went insolvent.

Manufacturing generates 5.7 per cent of national GDP, but it is down 10 per cent over the decade. Governments have to back industry, and they have to back them to incentivise. Whilst in government, Labor helped secure the future of Nyrstar in Port Pirie. We worked with the workers, the community and the company and we secured an agreement to support, through a taxpayer guaranteed loan, the construction of a state-of-the-art metal processing plant. In November 2019, Nyrstar made final payment on that loan, three years ahead of schedule. On this side, we understand that every job is important. By standing up for workers we saved more than 700 direct jobs at the smelter and many more across Port Pirie, with the city facing a dire future if the plant closed.

I have already mentioned that we also stepped in to save the manufacturing jobs at New Castalloy in North Plympton. Regrettably, in 2019 it closed, under the Marshall Liberal government. It is disappointing, now, to hear that General Motors has announced its plan to withdraw entirely from Australia and retire the Holden brand. Their 164 years of history can be traced back to Adelaide in 1856 when James Alexander Holden started the saddlery business here, and the firm evolved over decades into carriage construction.

I mention this because recently there have been quite a few attacks in the media. It seems it is not good to provide subsidies to companies which provide billions back in payroll receipts. It is not good to provide subsidies to companies which provide tens of thousands of jobs to families across our state and other states. It is not good to provide those subsidies, they say, because apparently you do not see a benefit. Well, I look to what we see now, and the fact is that what we see now is unemployment. We do not see those manufacturing skills remaining here. We see them bleeding interstate. We see those same companies setting up overseas, producing cars which are then imported back over here for us to drive. It just does not make sense.

Labor has a strong track record of investing in infrastructure. We deliver on jobs and we deliver on prosperity for South Australians. I say this in particular pointing to the recent completion of the Northern Connector project. It is opened, as the biggest road project currently under construction in our state. Since commencing under Labor four years ago, it created more than 600 jobs, with 50 per cent of the roles filled by local content and 90 per cent of on-site labour hours undertaken by South Australians. That project, of course, has come to an end.

We know that investing in infrastructure creates jobs and economic activity in the short term and boosts productivity and economic growth over the long term. So one wonders what the Marshall government is going to do to maintain this key driver in our state moving forward. Again, it is another hard conversation not had with our visiting Prime Minister yesterday. Where is the money that is being taken out of our state for creating key projects, key road projects?

We know that GlobeLink has been scratched. That places in serious doubt, frankly, the contention that the Women's and Children's Hospital can be completed either by 2024, 2025 or 2026. If they are willing to scrap key election promises like GlobeLink, this billion-dollar saviour for our economy, one wonders if they are actually ever going to deliver on their promises when it comes to building hospitals.

There is also very little investment in public and social housing provided by this government. It comes as no surprise that His Excellency was provided with pretty minimal information on how the government plans to assist the vulnerable in our community, including how to assist remote Aboriginal and Indigenous communities.

In health more generally, we have all heard it and we all know it: under the Marshall government we have seen a significant increase in ambulance ramping. Ramping has more than

doubled. It has caused significant delays and is putting lives at risk in our community. According to September 2019 statistics released by the office of the health minister, patients were forced to wait in ambulances outside of Adelaide's crowded public hospital emergency departments for a staggering 2,303 hours. This represents the worst ramping figures in the state's history and unfortunately, tragically, three lives were lost in 2019 while ramped outside hospitals.

There are some positive matters to look at. Labor had a strong and proud record when it came to renewable energy. Under the Rann and Weatherill governments, South Australia went from zero renewable energy to about 50 per cent, or somewhere thereabouts, between 2003 and 2017. This is a remarkable achievement. The previous government even helped deliver the world's largest lithium-ion battery, which, of course, we all know is located near Jamestown. Not only were we creating cheaper green power, but we were creating jobs and kickstarting industries in the future. As a result, we have a reputation as a global leader in renewable energy.

We also have a reputation, somewhat, as a global leader in autonomous vehicle technologies, which was also kickstarted under the previous government. The Liberal Party has already chased one car industry out of South Australia. I hope they are not going to kill another in regard to autonomous vehicles.

It is worth noting that in 2017 we hosted the first international space conference in our state. No doubt this paved the way for the establishment of the Space Agency that was opened by the Premier and the Prime Minister yesterday. I sincerely say that I hope we are going to see more jobs out of that. I think it is a great thing that it is located here, and I am glad that it was celebrated with the attendance of the Prime Minister. I note that it is a largely bipartisan effort and we did not seem to have too many Labor people there, but nonetheless it is a great announcement.

The government now has the opportunity to capitalise on attracting high-tech and advanced manufacturing businesses that will create new and emerging STEM jobs, whether it is in renewables, autonomous vehicle technology or space-related technologies. These are some of the new and flourishing areas because of the previous state Labor government's policies supporting jobs in a growing and innovative industry. I hope that the Liberal Party is able to capitalise on those green shoots that the Labor Party put in place for them.

In closing, with no longer the highest unemployment rate in the country but certainly a seven-month trend of jobs decreasing in the country, the government needs to be fighting hard for every single job that it can get hold of. The Marshall government's plan that they took to the election was a strong plan for real change, they said, for more jobs and better services. Put frankly, I am not seeing it. Over the last two years, we have seen more broken promises and minimal results. There have been fewer jobs and there are fewer services.

The Hon. T.A. FRANKS (15:53): I rise to welcome this Address in Reply. I certainly wish to start by thanking His Excellency yet again for his fine service to this state and the inspiration that he provides. Indeed, I cannot help but reflect that it is a wonderful legacy that our state has someone who came with that suitcase of dreams as a refugee to this place now occupying that Government House just across the road from this people's house.

I also wish to congratulate you again, Mr President, on your ascension to the role. I trust that you will enjoy the role and that you will keep order in this place in a way that provides fruitful and productive debate and outcomes.

I commence by reflecting on the bushfires that occurred over the summer and those that reached catastrophic level over the summer. Indeed, those bushfires were burning on the eastern coast in rainforests in winter to commence the horror season that culminated in the summer that we have just seen, not just on the east coast, and not just here in South Australia, but also elsewhere. I think it has been brought starkly home to many South Australians just how crucial it is that we respect the environment in which we live.

For those whose summer was spent breathing in smoke in the suburbs, we are ever grateful to the volunteer efforts in particular, but also the career and volunteer firefighters and emergency services workers across the board who responded, protecting property and people in our state. We know that with climate change, those sorts of situations will increasingly demand more from those

people who put their life on the line for us. We owe them not just nice words and respect and thoughts and prayers but equipment that works, the supports they need and the real respect that ensures that they are consulted about decisions that affect them and decisions that affect our very safety in this state.

With that, I renew my commitment in particular to working with our emergency services workers in this state, be they paid or volunteer, and note that we are in a climate emergency. These instances, where we have to come together in crisis as a community, are going to become more frequent unless we take quick and decisive action.

I note that today the Prime Minister has finally called for a royal commission. That royal commission will, no doubt, do some fine work, but I believe we have had some 50 or so inquiries into various natural disasters, bushfires and so on, in just the last few decades. We have the evidence and the information that we need to respond to these crises, but the real evidence and information that we need to be responding to is that in the IPCC report, which tells us that unless we turn this around within a decade we may not be able to turn it around at all, and that the language will need to change to that of adaptation rather than avoidance of this emergency.

I welcome the government's announcements that show they are trying to establish some green credentials. As a Greens member of this place, that is certainly something we hope to see become more and more mainstream. I note in particular, though, that they still have a focus on gas in their policies, and they are not alone in that. Certainly, gas is not going to be the solution that they seek it to be and, as my staff member notes, it is basically the fibre to the node of sustainability. If you want to create a less effective and far lengthier way of getting to the renewable future that we need, then you would choose gas, but the Greens urge all members of this place to see gas for the folly that it is.

We have also seen the government show their commitment to these green credentials with the recycling of many of their policies in this reset parliament, following the prorogation, simply recycling that failed legislation from the previous two years. What they have missed in the point of that is that when you recycle, it is important to turn it into something both new and useful to really have an effect. We need to transition. We need job creation. The government needs to step up. Essential services should be in public hands and we need real transformative change to effect that.

That is why the Greens, and I believe in some ways in this country Labor, but across the globe people are talking about a Green New Deal. A Green New Deal is a way of turning the rightful anxiety and anger that we have about the climate emergency and the climate crisis that we are in, into something that provides a hopeful vision; something that in the spirit of FDR and America, makes us more equal; something that is a movement for change, for social justice and environmental sustainability; and, indeed, the very future that we need for all of us.

To quote from the previous Greens leader, the still Senator Richard Di Natale's national conference speech to my party:

...the reason people are taking to the streets is because they can see that we are facing an economic, social and environmental crisis. They see through the big lie that government and big business have been peddling for decades—that we can't have a safe climate and a healthy economy at the same time.

The truth is we can have a safe climate and a healthy economy at the same time, and the reality that should be recognised in this parliament is that we must have a safe climate and a healthy economy at the same time. Indeed, those elements of the Green New Deal are that the government needs to take the lead to create new jobs and industries and that services must be universal, and that no-one is left behind.

The government outlined its agenda for reform through our most excellent Governor in the Address in Reply. I was unsurprised to see shop trading hours will continue to be one of the campaigning tools of the Marshall government, advocating for people to be able to shop whenever they wish, and not understanding, as the Hon. Justin Hanson just noted, that that will stretch particularly small businesses in this state, and in the grocery sector where we have the least penetration into the market of the big two—the Coles and the Woolies—and proudly have our Foodlands and Romeos providing South Australian produce directly to South Australians in a way that no other state enjoys, and that is partly because of our current regime.

Of course, the Treasurer has shown that there is no need for reform, with his various announcements of addressing situations as they arise, be it a cricket match bringing in international tourists or a particular morning where we know that there will be many people, actually making it viable for those particular shops to open for those few hours where necessary—but not day in, day out, 24/7 every month of the year.

The idea that we need to completely deregulate shop trading hours to ensure that people have the ability to shop actually misses a really fundamental point about the stresses and pressures that people in South Australia face in 2020. That is, they would love the ability to shop, to get the things that they had no time to get all week, at 9 o'clock on a Sunday morning. That is because we are working people to the bone and they have very little leisure time and free time to get to the shops as a result.

Where is the vision for a four-day working week to ensure that people can have a balance of leisure and shopping and work? Where is the promised land that we were all told that technology would bring? Well, it seems to be in Finland. I suggest that perhaps South Australia could look at some more innovative ways of ensuring that people find a balance of being able to buy the things they need, to put food on the table and enjoy time with their families and time to do things other than their job, but also enjoy a very meaningful and pleasurable work environment in this state, aside from a silly debate, yet again, about completely deregulating shop trading hours. That debate misses the point that we actually need to fundamentally redefine our working life in this country.

We also need to fundamentally redefine what we consider is fair. Very early this year I attended a conference that I was very pleased to attend, with Stephanie Kelton as the keynote speaker, at Adelaide University. She is, I think, an ongoing but certainly a former economic adviser to Bernie Sanders, currently a presidential candidate. She was his economic adviser in his previous candidacy.

At that conference many ideas were put forward. However, I have to say that that was a conference in the second week of January, and I was astounded that it was completely booked out. Over 400 people were in a lecture theatre in Adelaide University at a time when people are normally taking time out of their busy lives to have a summer holiday. The thirst and the hunger for new ideas—some of which are old ideas, I have to say—and for different ideas was so great that there was quite an enormous waiting list. I note that she got quite a bit of attention as she travelled around the country with these ideas.

They are ideas that the Greens have long championed as well and certainly debated and discussed. Ideas such as a job guarantee: that people have the right to work. Ideas such as a universal basic income: that people have the right to be able to afford to live. Ensuring that people are not living in poverty in a developed nation is surely not something that is beyond us. That is a Greens agenda. I am disappointed that the government's agenda is shop trading hours being deregulated rather than having a look at trial sites for a universal basic income, rather than putting people on a cashless welfare card, which is punitive and punishing.

The government, however, did have some positive ideas in terms of a Greens response following the prorogation of parliament. I do indeed acknowledge that there is much unfinished business here to do from that previous session. I, for one, am looking forward to the abortion law reform debate. I welcome that it was mentioned in the Address in Reply. While I acknowledge that it will be a private member's bill of some form, it is a debate that needs to happen. Our abortion laws are now over 50 years old. When they were developed and debated, that was when we settled the question of whether or not there should be lawful abortion in this state.

Following those debates, we have also ensured that we have access to abortion through our public health system, which I believe is outstanding in terms of the best healthcare provision. It is something that I commend the Shorten campaign for having highlighted during the previous federal election. Indeed, I was most heartened to hear Bill Shorten, then as Leader of the Opposition, talking about the need for access to abortion health care to be ensured through our public health system wherever people were, and that funding was essential to ensure that happened.

The SALRI report, I am sure, is night-time reading of all members of this place, knowing that the debate is coming forth. The SALRI report is an extraordinarily comprehensive and erudite

analysis of the situation that we currently have in South Australia and strongly recommends that we decriminalise abortion and remove it from our criminal codes.

I welcome that debate. I no longer want to live in a state where women who live in remote, regional areas of our jurisdiction are forced to drive long distances, to travel long distances, to find care for their children, to take time off work, to take a tablet because that tablet must be taken in a prescribed hospital under our 50-year-old laws. That tablet, of course, needs to be taken not once but twice over a period of some 24 to 48 hours.

So that woman typically, who already has several children, who lives in rural, remote or regional South Australia, who needs to find care for these children, who needs to take time off from her job, who needs to perhaps not inform those around her and who may well not have a supportive doctor in her local community, who needs to cover up what she is doing to take several days to take a tablet and then another tablet some 24 to 48 hours later to ensure that she has the choice that should be her human right in this state, to ensure she has the choice that 50 years ago this parliament actually decided she should lawfully have, has the choice that some decades later this parliament ensured and debated and decided she should lawfully have in a way that was supported by the public health system.

And yet, because we are too afraid to debate these matters to update our laws, we have archaic laws that literally put these women in stressful, unacceptable and, indeed, harmful situations. I look forward to that debate, and I am sure some members in this place will welcome it. I am sure it will be a difficult debate because people do hold very personal and strong views on it. I hope that it will be a respectful debate that recognises the realities that the SALRI report has so effectively put together for us to assist us in that debate.

It will come as no surprise to members that I also look forward to finally removing the criminal penalties associated with being a sex worker in South Australia in coming parliaments—I hope it will be this parliament. Under the auspices and the leadership of Fiona Patten, MLC for the Reason Party (previously the Sex Party), and at the behest of Premier Daniel Andrews, the Victorian government is currently undertaking a six-month consultation for the decriminalisation of sex work in Victoria. Fiona Patten I believe is herself a former sex worker, although I am sure she would not be offended if I was incorrect in that assumption; she is well-placed.

I welcome that work in Victoria because I point out that many sex workers in South Australia travel to Victoria, where they currently have what is called a legalisation system, where they need to put themselves on a register. That register had its privacy breached in the last two years and so those workers who have been on that register have been outed for their profession. Our South Australian workers will at least have one more jurisdiction in this country where they can work safely and legally and not have to choose between those two factors.

I note also that just a few weeks after we rejected a bill for the decriminalisation of sex work, the Labor Northern Territory government passed one, and that every single Labor member of the Northern Territory parliament voted for the decriminalisation of sex work in the territory. We have now two jurisdictions: Victoria, with a Labor Premier, and the Northern Territory, with a Labor Chief Minister—indeed, it was the leadership of the Attorney-General in that territory. They have taken that step forward to ensure workers' rights for sex workers in their jurisdictions.

I urge all members to pay heed to that and to ensure that we no longer continue to have a system in this state where we have the oldest laws in the country, laws that criminalise people simply for the exchange of commercial adult sex between consenting adults. Nobody should be telling women what to do with their body and, should those women seek to make a profit from what they do, we do not stop them from doing that in any other field.

The Greens will again be putting forward animal welfare law reform. I was disappointed that I was not able to progress some of the shelter law reform that I had put on the parliamentary agenda before the previous election. Only because there was prorogation have we not progressed that. I hope that all sides of parliament will be able to work with us to ensure that we have some contemporary laws in this state to ensure the best treatment for animals that we can possibly provide, but also to ensure supports for those organisations, such as the AWL and the RSPCA in particular, that provide that very important animal welfare work.

On the topic of gambling and reforms that were recently made around note acceptors for poker machines, the Greens note that we are currently into the consultation period for how these note acceptors will be implemented with facial recognition technology. Again, we express our concern that facial recognition technology is actually used as a tool to groom gamblers rather than for harm reduction. The Greens will be bringing forward a bill to ensure that any facial recognition technology is only used for harm reduction and not to groom gamblers, not to create more harm.

The Greens again—and I am sure that, given the moves around the country, our comrades in the Labor Party will join with us on this—will be putting on the agenda industrial manslaughter laws. Other states and territories are now proceeding further with this. It is time for us to take that essential step. I note that the Marshall government will be vehemently opposed, but it is a fight worth having and it is a fight that I think we need to have because, if the Marshall government is not going to stand up for workers who are killed, who will they stand up for in our workforce?

Finally, in terms of something that I would have liked to have seen, given the reset button was pushed and parliament was prorogued yet what we got was a recycled rehash of a few odds and sods that we have already debated, we have spent much time in this council and in the other place in these last two weeks talking about standards in parliament, standards in the parliamentary workplace and a lack of accountability where workplace safety is compromised, where harassment goes unaddressed and without remedy.

Again, I look to my Greens colleague Senator Larissa Waters who currently has a bill before the federal parliament for a standards commissioner. I note the fine work of the previous member for Indi, Cathy McGowan, in developing that particular piece of legislation. I note that the ACT government, a Greens-Labor government, has for some years now had a standards commissioner for their parliament and that the UK parliament has a standards commissioner.

These work with a standards committee and are equipped to address the particular needs of a parliamentary workplace. They provide transparency but they also provide pathways because, while some may take a journey to recovery, I am looking for a journey for victims to take to ensure their recovery. A standards commissioner would provide the remedy that parliaments need to represent and reflect the expectations the community has of us for setting the standard, not being basically the Wild West where those who make the laws are not subject to the laws that every other workplace is subject to.

I was heartened to hear the government talking about medicinal cannabis in their Address in Reply. I was disappointed to see that it was very limited in terms of a compassionate access model, addressing in their response access for children with epilepsy. Do not get me wrong, I think that is a very fine and worthy initiative. Children with epilepsy have had that remedy through the actions of the Andrews government in Victoria for many, many years. In fact, it is not new to have such a small program.

However, I will not damn it with faint praise. I urge the Marshall government to go further with compassionate access to medicinal cannabis. It should not just be restricted to children with intractable epilepsy for whom all other treatments have failed. We are failing the broader cross-section of people who need that access if we do not expand it beyond that.

The obvious area, as health economist Simon Eckermann has often observed, is palliative care. We also need to look at pain management. There are so many areas that the government could have addressed in the speech outlining their vision, where they stated they would be addressing this issue in a compassionate way. I urge them to consider broadening their intent.

I note that there is currently a Senate inquiry into access and issues around medicinal cannabis. This is because the federal model has failed. It was set up to fail. The federal model went through the Senate in one form and was changed in the lower house at the last minute. While it was called 'Dan's Law', it is now, after Dan's death, something that Dan's parents vehemently want to see changed. They are vehemently and utterly disappointed in Dan's Law because it has not enabled the access to medicinal cannabis that it should.

Indeed, according to the figures of those who are able to jump through all of the hoops, South Australia and Tasmania are the two states where medicinal cannabis is the least accessible. As I

have been vocal on this issue, constituents come to me for assistance to get through the bureaucracy in this state. As is the case in many other states, I need to refer them to a broker to help them navigate this very complex system. I am pleased to say that the time frame is getting shorter, but it is still months and not weeks. Once they do navigate that system, it is still out of the question in terms of affordability unless those people have access to wealth. That is not good enough.

In terms of setting the reset button, there is a reflection I wish to make in order to sum up my response to this government's particular vision. It was extraordinary to finally see, on the pages of *The Australian* today, an article lauding renewable energy as the saviour in the storm crisis. The article, by David Penberthy, notes that the storm of 21 January, which saw South Australia shut off from the rest of the country via the interconnector, endangered the Portland smelter. The article states that, for the past three weeks, the state has run on renewables and gas alone, and that South Australia's renewables have saved the Portland aluminium smelter.

I do not see Chris Uhlmann making any comments or weighing in on the debate. I do not see the federal Liberal leadership rushing to laud the success of renewables in this particular crisis: the storm event that could have potentially led to the loss of thousands of jobs. The fact that it is in the pages of *The Australian* and written in such a way is a sign that all things can change. In this parliament, I hope that many things will change. With those words, I welcome the Address in Reply.

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

Bills

EVIDENCE (REPORTING ON SEXUAL OFFENCES) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 18 February 2020.)

The Hon. K.J. MAHER (Leader of the Opposition) (16:25): I rise today to speak briefly on the bill. I indicate that I will be the lead speaker for the opposition and that the bill has the support of the Labor opposition. In South Australia, the laws on reporting of sexual offences is different to all other offences. As it stands, if someone were to be charged with murder, their name would be allowed to be reported in the media. Instead, if someone were charged with a sexual offence, it would be illegal for the media to identify them until certain criteria are met in court proceedings.

In the past, this difference has been an attempt to prevent, probably misguidedly, reputational damage to the accused; however, people charged with offences like drink-driving, for example, are not afforded the same anonymity as those charged with sexual offences. This law is also in place to protect the rights and the privacy of victims of some of these heinous offences. The bill before us would allow reporting on sexual offences automatically but, importantly, not until after the accused has appeared in court for the first time.

With the centralisation of media around the country, different reporting laws in different jurisdictions can cause journalists or media organisations to risk accidentally running afoul of some of our current reporting on sexual offences laws, particularly when advice is sometimes based on legal advice from interstate. There could also be circumstances where interstate or international organisations are able to report on the identity of South Australian cases but the South Australian media cannot.

As was flagged in the other place by the member for Badcoe, there could be circumstances where it is in the interests of the victim to have the identity of the accused suppressed. Concerns have been raised, including by the former commissioner for victims' rights, Michael O'Connell, that publicly releasing the name of the offender might necessarily impinge on the privacy and the rights of victims.

As a result, Labor has filed amendments to the bill to require that the victim is informed that the offender's name will be released after their first appearance in court. We understand that this already occurs in most instances as a matter of policy, but we want to ensure that it happens in all cases by providing legislative backing. I understand that the government is supportive of this amendment and has included it in the bill that has been reintroduced.

The amendment that has been incorporated has wording in particular that uses the phrase 'all reasonable efforts'. It is possible in individual circumstances where a victim is not able to be found to inform them that the offender's identity will be released. Provided that all reasonable efforts have been made to inform the victim, the process of identifying the offender can continue without the need to inform the victim halting or slowing the process.

In summary, the bill will bring the reporting on sexual offences closer in line with other offences and closer in line with what happens in other states. With the previous Labor amendment being incorporated in the bill, Labor supports the bill and looks forward to its passage.

The Hon. R.I. LUCAS (Treasurer) (16:29): I thank the leader for his support for the bill.

Bill read a second time.

Committee Stage

In committee.

Clauses 1 to 3 passed.

Clause 4.

The Hon. R.I. LUCAS: I move:

Amendment No 1 [Treasurer-1]—

Page 2, after line 16—Insert:

(2a) Section 71A—after subsection (2) insert:

(2a) A police officer or any other person acting in a public official capacity who is responsible for conducting the criminal investigation in respect of a person who has been, or is about to be, charged with a sexual offence must, before the relevant time, ensure that all reasonable efforts are made to notify the victim about the expiry of the prohibition applying in respect of publication of the accused person's identity under subsection (2).

This amendment would require police officers responsible for investigating sexual offences to make all reasonable efforts to notify alleged victims that the accused's identity may be published. The police officer would need to fulfil this requirement before the conclusion of the first court hearing in relation to proceedings. This is the relevant time in clause 4 of the bill.

Having consulted with South Australian police on this amendment, it was clear they are already performing the functions required under the amendment. Despite this already occurring, the government supports this amendment. The Victims of Crime Act 2001 sets down principles governing the treatment of victims of crime who are involved in the criminal justice system. Those principles are reinforced by the SAPOL general order entitled 'Victims'.

The current practice of investigators within the sexual crime investigation team is to inform alleged victims of potential media interest in their case and to provide support for dealing with publicity surrounding the investigation. Often the investigating officer will have this direct contact with victims; that contact can also come from victim contact officers, the victim management team or the Commissioner for Victims' Rights, depending on the circumstances.

The mandatory nature of the amendment is unnecessary considering the obligations already contained in the Victims of Crime Act 2001 and the existing SAPOL policies. However, in the interests of progressing this important reform, victims' rights and the open administration of justice, the government supports the amendment to enshrine conduct already occurring and thanks the members opposite for their careful consideration of this important reform.

Amendment carried; clause as amended passed.

Title passed.

Bill reported with amendment.

Third Reading

The Hon. R.I. LUCAS (Treasurer) (16:33): I move:

That this bill be now read a third time.

Bill read a third time and passed.

GENETICALLY MODIFIED CROPS MANAGEMENT (MISCELLANEOUS) AMENDMENT BILL

Introduction and First Reading

The Hon. F. PANGALLO (16:34): Obtained leave and introduced a bill for an act to amend the Genetically Modified Crops Management Act 2004, to repeal the Genetically Modified Crops Management Regulations (Postponement of Expiry) Act 2017 and to revoke the Genetically Modified Crops Management Regulations 2008. Read a first time.

Second Reading

The Hon. F. PANGALLO (16:36): I move:

That this bill be now read a second time.

I rise to introduce my private member's bill, the Genetically Modified Crops Management (Miscellaneous) Amendment Bill 2020. As you know, SA-Best supported the disallowance motion of the Hon. Mark Parnell, moved and passed in this place last year, and will do so again. This was because we did not support the government blatantly abusing due parliamentary process. Our vote to support the disallowance motion was not based on whether we support lifting the moratorium or whether we do not support a moratorium, or whether we support GM crops or whether we do not. Our decision on the disallowance was based entirely on ensuring the due processes of parliament were maintained.

We also rejected the government's attempt to rush through a bill in the last sitting days of the 2019 parliament. GM crops are a complex and emotionally charged subject that does not benefit from undue pressure or truncated debate. The government just giving us hours to consider a GM bill was insolent to us and to farmers. SA-Best's position is very clear on genetically modified crops. We fully support the introduction of GM crops, but it needs to be a fair playing field that recognises that some may not want to be part of the GM revolution and evolution. We support farmers and their rights to choose to grow the crops of their choosing, but there needs to be flexibility, compromise and protections for GM and non-GM producers alike.

I spoke extensively on genetically modified organisms late last year, stating the very strong case that exists for them today. While there is no need for me to go over that ground again because it is on the parliamentary record, as well as on our Facebook pages, I will speak briefly about some significant developments since then because, as we know, this science has led to valuable breakthroughs in food security, treating diseases and improving the livelihoods of farmers, particularly in Third World economies.

Let's look at salmon. For more than 25 years, the American government was pressured by self-interest advocates to block the availability of a proven safe product that not only improved health but was cheap to buy and cheap to grow. Studies by the Mayo Clinic, backed by the American Heart Association, show the enormous health and nutritional benefits of consuming salmon. This resulted in it becoming such a popular food that it was in danger of being overfished.

Cue genetically engineered salmon, which take almost half the time to grow to market weight, require 25 per cent less feed and cost about 20 per cent less than conventional salmon. They are far more efficient sources of protein, needing much less feed than, say, chickens, pigs or cattle. There is no need for oceanfront pens, thereby reducing waste pollutants and virtually eliminating parasites that could spread to wild salmon.

The GM salmon are grown on land in secure facilities where production is self-contained and any waste matter is used as a fertiliser. They are infertile and there is no risk of crossbreeding with native species. So what was the hold up? Firstly, self-interest from commercial fishers in Alaska, who saw it as a threat to their livelihoods and, quixotically, opposition from the green lobby who, oddly, were myopic to the enormous positives for the environment. Imagine blocking something that is a proven lifesaver.

Since 2000, there was the misguided movement and hostility against golden rice, which is rich in beta carotene and which the body can convert to vitamin A. In Third World countries, where

the staple is rice, a poor source of vitamins and minerals, this can save the lives and the sight of millions of children by increasing vitamin A. Again, with no evidence showing golden rice was harmful, countries were pressured into banning it. Precautionary approaches taken by governments and by the EU towards GMOs through regulatory agreements, like the Cartagena Protocol on Biosafety, have caused unnecessary delays that probably contributed to needless deaths and blindness.

In 2016, 100 Nobel laureates signed a letter urging activists like Greenpeace to stop their attacks on golden rice. People are beginning to listen and, fortunately, those bans are being lifted. Last November, Bangladesh announced it would be the first country in the world to approve it for sale and use and the Philippines have now declared it safe.

Cowpea is a cheap but important source of protein in the diet of millions of Nigerians and other West Africans, but a pest known as maruca vitrata was decimating cowpea crop yields by up to 80 per cent. After a decade of trials, Nigeria last December approved a pod borer resistant GM cowpea, which will improve lives and yields.

A research paper by Graham Brookes shows that in Colombia, since 2003, GM cotton and maize technology has helped farmers grow more food and feed using fewer resources and reducing pressure on scarce land. In reducing the cost of pest and weed control, it has resulted in an increase in income of US\$301.7 million. Additional farm income growing GM crops has boosted farm household incomes, and the biotechnology has seen a sharp decline in insecticide and herbicide use and cuts in fuel use, resulting in a reduction in greenhouse gas emissions. I would think that my state Greens colleagues and their federal counterparts would cheer benefits like these, rather than the jeers we have been getting about GMOs, fuelled by their Greenpeace mates.

In this digital world of instant communication, on so many social media platforms, fake news and disinformation spread by bots, idiots, miscreants and malcontents can get a lot of traction, like the anti-vaxers, for instance, COVID-19 coronavirus or GMOs. A paper I read by science researcher, Cami Ryan, borrows a simple line from a Hollywood classic that aptly, if not simply, explains why the promulgation of disinformation aimed at proven technologies like genetic engineering persists in our society. I quote, 'The bad stuff is always easier to believe. You ever notice that?' So says Vivian in the 1990 romantic comedy, *Pretty Woman*. It is now 2020 and I can safely report to Vivian that nothing has changed in 30 years. If anything, it has got worse.

An example of that arose yesterday on the ABC's excellent *Country Hour* radio show hosted by Isabella Pittaway. Isabella cheekily referred to the re-run of the GM debate we are now having as being akin to groundhog day which, incidentally, takes place each year on 2 February in a place called Punxsutawney in Western Pennsylvania where a weather forecasting groundhog named Phil is pulled from his burrow to determine when spring will arrive.

After I explained our bill to Isabella, primary industries minister Tim Whetstone chimed in, spreading fake news and disinformation, with the sole intention of turning farmers against us. Yes, the very same sector that he and other Liberals cruelly shafted in energy and mining minister Dan van Holst Pellekaan's veneered revision of Labor's mining legislation, by hosing away the protections that we, and the Greens, wanted to build in for our farmers.

Minister Whetstone claimed that ours was a mirror image of his failed bill—wrong. He claimed that we were wanting to establish a GM watchdog—and just like *The Advertiser's* scant report, wrong again. Isabella Pittaway was right about it sounding like groundhog day because the minister, or his chief of staff, could not have read the bill before you today. So let's explore it now.

This bill lifts the moratorium on GM crops on mainland South Australia, giving farmers the choice to grow GM or non-GM canola. Importantly, our bill legislates the moratorium on GM crops on Kangaroo Island so that it cannot be changed by regulation in the underhanded way that the government recently attempted to lift the moratorium on GM crops on mainland South Australia. When the parliament legislated the moratorium on mainland South Australia, I am sure it was parliament's intent that this was in place until 2025 and that this would only be changed by legislation.

This bill ensures that if parliament wants to change the moratorium on growing genetically modified crops on Kangaroo Island, then this is only done by bringing it back before the parliament, and there is no sunset clause on this. As my SA-Best colleague the Hon. Connie Bonaros noted last

year, when the government's bill was debated in this place, SA-Best is all for a fair go for everyone and laws that privilege one group whilst rendering another completely powerless is bad law. SA-Best believes that GM and non-GM crops can happily coexist with appropriate checks and protections.

To provide a more balanced approach, this bill has several safeguards built in for the protection of non-GM farmers and producers, without venturing to provide compensation schemes. It gives a farmer who has suffered loss a right to seek damages against a person with a proprietary interest in the GM plant material—that is, those who hold a patent or own the intellectual property with respect to the GM material—without the farmer having to establish negligence. This right to damages does not limit or derogate from any other civil right or remedy the person who may be entitled to damages might also have (for example, to seek damages for spray drift on their crop), but it is not intended that they be compensated twice for the same loss.

I know my good friends at the GPSA and Sam Davies, an agronomist and a former candidate of SA-Best in the seat of Narungga and whom I hold in the highest regard for his enthusiastic input on this topic, will tell me there have not been any issues of the sort in the GM states, apart from a celebrated case in Western Australia known as *Baxter v Marsh*, where the court found against the plaintiff for various reasons that I will not go into here.

However, there is a very recent case in the United States which highlights that there can be some associated and unintended risks when there is a GM crop alongside another non-GM primary producer. It is not so much by the contamination aspect but chemical spray drift, which can happen anywhere, I guess.

In this case, peach farmer Bill Bader successfully sued Bayer and BASF, the companies which produce GM cotton seeds resistant to a hard-to-control herbicide known as dicamba. It was alleged that thousands of his fruit trees sustained significant damage caused by dicamba drifting onto them from the nearby GM cotton fields. University field trials and farm research have shown that dicamba is prone to evaporating off fields where it is sprayed and drifting, posing a threat to adjacent crops and residential gardens.

Mr Bader was awarded \$US15 million in damages and \$US250 million in punitive damages. An appeal is probably in the works. Nonetheless, incidents even indirectly related to GM crops can happen and cause problems, and vice versa with non-GM growers and GM producers.

An essential adjunct to this provision is the ability for a non-GM farmer to request the relevant government authority, whether it be PIRSA or the EPA, to do a crop inspection on their property and provide a report identifying if a GMO is present in the crop at a level greater than 0.9 per cent and the likely source of the contamination in the crop. The bill adopts the national standard of 0.9 per cent that has been adopted by other states.

Farmers will not have to pay for or contract a range of private experts because PIRSA or the EPA, which already conduct all manner of inspections, can be tasked as the government agency to do these inspections and reports, on which GM and non-GM farmers will be able to reply.

Let's say Bill Bader was in South Australia and his farm sustained damage that he suspected originated from his neighbour's GM fields. He would be able to engage all the relevant government agencies to carry out tests, ascertain the type and source of the contamination, and then he could exercise his legal options. The legal rights of farmers are enshrined here. Show me a farmer who could possibly complain about that.

As I mentioned earlier, SA-Best was a victim of disinformation in yesterday's *The Advertiser* and through minister Whetstone's unresearched remarks. I cannot be clearer: our bill does not call for the establishment of a GM watchdog, or should I say a GM groundhog. Whether it is PIRSA or the EPA, they do not have a role of approving or vetoing the growing of GM or non-GM crops or for determining compensation.

I will acknowledge the Western Australian parliament's 'Inquiry into mechanisms for compensation for economic loss to farmers in Western Australia caused by contamination by genetically modified material', the thorough report they produced and their conclusion that existing compensation avenues were adequate for now.

A person who proposes to cultivate a genetically modified food crop will also have to give at least 60 days' notice to each owner of land adjacent to the relevant land of their intention to sow a GM crop and to harvest a GM crop. It is nothing more than a good neighbourly gesture and hardly an onerous task. It is not designed to put up obstacles. The bill also doubles the buffer zone between GM and non-GM crops from five metres to 10 metres and includes a review of the act three years after commencement and each three years thereafter—again, nothing here for anyone to die in a ditch over.

We have attempted to strike a balance, which I do hope farmers and the agri-industry will acknowledge is more flexible and less contentious. I understand there will be a government bill and other contributions from the Greens and Labor. We look forward to those, but it appears we are going to overdose on GMOs. However, I hope we can work together and accomplish the desired outcome, and that is lifting the moratorium on GMOs in South Australia, opening the door to this remarkable world of biotechnology to our primary producers, our world-leading researchers in agriculture, science and medicine. As this matter has already been widely debated in recent times in our parliament, I am proposing to put my bill to a vote as soon as 25 March. I commend the bill to the chamber.

Debate adjourned on motion of Hon. T.T. Ngo.

CRIMINAL LAW CONSOLIDATION (DOMESTIC ABUSE) AMENDMENT BILL

Introduction and First Reading

The Hon. J.A. DARLEY (16:56): Obtained leave and introduced a bill for an act to amend the Criminal Law Consolidation Act 1935. Read a first time.

LOCAL GOVERNMENT (FIXED CHARGES) AMENDMENT BILL

Introduction and First Reading

The Hon. J.A. DARLEY (16:57): Obtained leave and introduced a bill for an act to amend the Local Government Act 1999. Read a first time.

Second Reading

The Hon. J.A. DARLEY (16:58): I move:

That this bill be now read a second time.

I am introducing this bill to the chamber again, as it had lapsed due to prorogation. Its form and purpose remain identical to what was previously introduced into this place, but for the benefit of other members I remind them that the purpose of my bill is to prevent councils from charging a minimum rate per individual living unit in a retirement village.

Currently, the Local Government Act prevents councils from charging a minimum rate against individual sites in caravan parks, residential parks and marinas. My bill seeks to add retirement villages to this list. Retirement villages are similar to those properties listed in the act and, therefore, their inclusion is warranted. For instance, like the properties currently listed in the act, individual living units can exist on one title with individuals being given a licence to occupy a portion of that title.

It is also important to recognise that retirement villages receive unequal council services when compared to other properties. For example, councils do not provide roads, pathways, street lighting, rubbish removal or verge maintenance within a retirement village. These costs are the responsibility of residents or village owners, depending on the contract. It seems unreasonable to unfairly penalise retirement villages with imposed fixed charges on their council rates considering they also have to wear these extra costs.

I recognise that councils also provide a variety of other services that are beneficial to retirement villages, so councils will still be able to attribute rates to a retirement village as a whole. As members may know, I have had considerable involvement in working with pensioners living in retirement villages and I feel very passionately about supporting them in any way possible. Those living in retirement villages represent some of our most vulnerable members of society. If passed,

my bill will help them in a small way financially with their council rates. As many can appreciate, pensioners' pockets are not deep and every dollar that they can save certainly counts.

Debate adjourned on motion of Hon. T.T. Ngo.

RETURN TO WORK (POST TRAUMATIC STRESS DISORDER) AMENDMENT BILL

Introduction and First Reading

The Hon. F. PANGALLO (17:01): Obtained leave and introduced a bill for an act to amend the Return to Work Act 2014. Read a first time.

Second Reading

The Hon. F. PANGALLO (17:02): I move:

That this bill be now read a second time.

I am proud to introduce this bill today, which is first-of-its-kind legislation in South Australia, designed to reduce the stigma surrounding post-traumatic stress disorder (PTSD) suffered by so many of our first responders as they face extreme conditions on the front line protecting our community every day. I wish to thank those responders from SA Ambulance Service to the CFS, the SES, SAPOL and other emergency services for their outstanding service and dedication during the recent bushfire crisis in South Australia.

I went to Kangaroo Island twice after the bushfires there and I can only imagine the trauma that responders and locals experienced during and after the fires. This bill could not be more timely considering the devastation and trauma that confronted so many families, emergency workers, animal rescue personnel, clinicians and medical staff during the recent summer of hell. An image ingrained in my mind is of the RFS volunteer Paul Parker in Nelligen in New South Wales who attacked the Prime Minister whilst seated in his vehicle as fires raged around the town. This firefighter was quite clearly affected physically and mentally from the experience and will no doubt carry the scars with him for years to come, if not the rest of his life.

Of course, police, Army personnel and other volunteers came across distressing incidents and crisis situations. As we know, many died protecting life and property, including three American airmen who died when their aerial bomber crashed in the Blue Mountains. Three people died in South Australia while trying to fight the flames.

Soon after I introduced the bill last year, I was approached by a former policeman who had suffered PTSD after the 1983 Ash Wednesday fires. He was forced to leave SAPOL and the job he loved, and to this day remains affected by what he saw on that horrific day.

As each day passes, we hear and see incidents where our first responders are called upon to deal with situations that the rest of us would find totally distressing to deal with. I will just make a point here of the shocking tragedy that occurred in Brisbane the other day—a murder-suicide where an entire family of five died in the most horrific circumstances. I can only imagine the trauma that neighbours and the first responders had to deal with in that situation.

PTSD is a mental health condition triggered by a traumatic event or cumulative exposure to traumatic incidents, and is symptomatically manifested through flashbacks, insomnia, hypervigilance and sometimes suicide. The bill provides the rebuttable presumption of a diagnosis of post-traumatic stress disorder suffered by first responders and volunteer first responders is work related for the purposes of workers compensation legislation.

The insertion of the word 'presumption' will, for the first time in South Australia, shift the onus of proof from worker to employer—a groundbreaking advancement in workers compensation legislation in this state. Where the presumption applies, where a diagnosis of PTSD has been made, it will be assumed in the first instance that the PTSD injury is work related unless there is evidence presented by the employer to establish that the cause of injury is not work related.

The bill is aimed at, and focused on, first responders and those who fall within the ambit of the legislation, including paramedics, police officers, firefighters, nurses, doctors, and SES and CFS volunteers. In addition, there are transitional provisions, which extend the components in the bill to claims initiated before the commencement of the amendments unless the claim has been determined

and all rights of review and appeal in relation to determination have been exhausted. Finally, there is a regulation giving power to add a person or class of persons.

This bill follows similar legislation passed last year by the Hodgman Liberal government in Tasmania and hailed as nation-leading legislation. I applaud the Tasmanian Liberal government for being the first in the nation to take affirmative action to better support public sector workers who suffer with the debilitating effects of PTSD. I was extremely disappointed to read that the Treasurer has already indicated the government's opposition to something like this, particularly when you consider that his own Liberal colleagues in Tasmania thought it was a great initiative.

We have consulted widely on the bill and have met several times with Professor Alexander 'Sandy' McFarlane AO of the Centre for Traumatic Stress Studies at the University of Adelaide, the Police Association of South Australia, the Ambulance Employees Association, the South Australian branch of the Nursing and Midwifery Federation, the CFS Volunteer Association, the SA SES Volunteers' Association and the United Fire Fighters Union of South Australia. I thank all of those organisations and their representatives for their valuable input into the bill. Following these lengthy and comprehensive consultations, I have chosen to focus this bill on our first responders and volunteer responders.

I also look forward to soon hosting a forum on the bill and inviting members to a screening of *Dark Blue*, a telemovie specially commissioned by the Police Federation of Australia. It was screened in Adelaide last year and features a compelling depiction of the true cost of PTSD on our police officers and, by extension, other first responders, as well as the personal cost it can have on families, relationships and carers.

I was deeply moved by watching *Dark Blue* and look forward to sharing it with other members of this place. The movie was accompanied by the visceral anthem *Graduation Day*, written by South Australia's own John Schumann. Mr Schumann wrote the song after speaking to 25 police officers battling with PTSD about the dangers police face every day. He hopes to shine a powerful spotlight on the crippling scourge of PTSD affecting Australia's police officers in the same way his well-known anthem *I Was Only 19* changed the country's attitude to Vietnam veterans.

Graduation Day deals with the kinds of incidents that can cause psychological damage to police, from attending car crash scenes and shootings to the heartbreaking task of telling family members that a loved one has died, as well as situations such as the one we saw unfold so horrifically on the streets of Brisbane just the other day, as I mentioned. I will also be inviting John to come along and sing the song at the movie screening. I want to read an email from Mark Carroll APM, President of the Police Association of South Australia. I quote:

Dear member,

The Police Association supports SA Best MLC Frank Pangallo's introduction of the Return to Work (Post Traumatic Stress Disorder) Amendment Bill [2020] into the Legislative Council...

The bill, which applies to police officers and other first-responders, shifts the onus of proof of PTSD from the worker to the employer for the purposes of workers compensation.

This means that where a presumption applies (where a diagnosis of PTSD has been made), it will be assumed in the first instance that the PTSD is work-related, unless the employer provides evidence to the contrary.

The association has previously urged politicians to consider these changes. This is very significant legislation which, if passed, will greatly assist members recovering from PTSD.

The bill has our full backing and I will be writing to all politicians urging them to support it...

The very nature of the work our first responders do each and every day to keep us safe requires them to deny their own fears and walk towards danger. SA Police has stated that 26 per cent of its workers compensation claims in 2017-18 were due to psychological injuries.

I note a 2018 landmark study into the mental and physical health of firefighters of the South Australian Metropolitan Fire Service, in conjunction with the University of Adelaide. The MFS commissioned the study to gain an accurate picture of workforce health to help it better support and manage the risks to firefighters' health from the time they are recruited through to their retirement years. The study was funded by a National Health and Medical Research Council partnership grant. Professor Sandy

McFarlane, whom I mentioned earlier, led the groundbreaking study, the results of which will assist other Australian emergency response agencies.

It is clear our first responders are twice as likely to suffer from suicidal thoughts than civilians. We expect them to keep us safe, but we also have a responsibility to ensure their own safety and wellbeing. We must break down barriers that prevent first responders from getting the assistance they need to deal with the stress and trauma they face day in, day out and to make the claims process easier in the event of a diagnosis of PTSD.

The prejudice implicit in our workers compensation system tends to harbour and encourage stigma and prejudice around our first responders and those who struggle, often after ignoring their health concerns, coupled with a work culture of toughing it out. The bill aims to address and overcome this. With those words, I commend the bill to the chamber.

Debate adjourned on motion of Hon. R.P. Wortley.

At 17:15 the council adjourned until Tuesday 3 March 2020 at 14:15.