

LEGISLATIVE COUNCIL

Thursday, 5 March 2020

The **PRESIDENT (Hon. T.J. Stephens)** took the chair at 14:15 and read prayers.

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

Petitions

NUCLEAR WASTE

The Hon. M.C. PARNELL: Presented a petition signed by 909 residents of South Australia requesting the council to urge the government to respect and retain the Nuclear Waste Storage Facility (Prohibition) Act 2000 by neither repealing nor amending the act in any way which would weaken the original intention of the act.

Parliamentary Procedure

PAPERS

The following papers were laid on the table:

By the Treasurer (Hon. R.I. Lucas)—

Aboriginal Lands Trust—Report, 2018-19.

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

Response to the Parliamentary Public Works Committee Final Report titled 'An Inquiry into the North-South Corridor Darlington Upgrade Final Report.'

Personal Explanation

STATE FINAL DEMAND

The Hon. K.J. MAHER (Leader of the Opposition) (14:18): I seek leave to make a personal explanation.

Leave granted.

The Hon. K.J. MAHER: During yesterday's question time the Treasurer stated that I was the first person in the chamber to refer to state final demand being down by 0.1 per cent in the most recent quarter. The Treasurer at 3.14pm stated:

The *Hansard* record will show that the first reference to 0.1 was made by Leader of the Opposition.

Upon checking *Hansard*, it very clearly shows the first reference to 0.1 per cent was made by the Minister for Trade and Investment in answer to a question at 2.21pm. The first question of the day preceded that answer and did not mention any figure at all. All other references by the opposition to the 0.1 per cent figure were quoting the answer given by the Minister for Trade and Investment. The correct figure is 0.2 per cent, double that being claimed.

The Treasurer claimed that I was the one who first made the mistake and not the Minister for Trade and Investment. In doing so, the Treasurer is inferring that I am ignorant of important economic data affecting this state, and that even though I am shadow attorney-general I am not across economic issues. I would ask that the Treasurer apologises for claiming that I was the one who first made that mistake.

The PRESIDENT: We are not debating the issue, thank you. I now call on questions without notice. The honourable Leader of the Opposition.

*Question Time***STATE FINAL DEMAND**

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

Leave granted.

The Hon. K.J. MAHER: The minister yesterday advised the council that state final demand had dropped by 0.1 per cent, being the second consecutive quarter of negative growth. Yesterday, he told us he was advised it was 0.1 per cent, then he told us, and I quote:

We know that state final demand fell by 0.1 of 1 per cent. We know that for a fact.

Based on ABS figures, the minister's response was out by 100 per cent. The minister has a whole department, an office in parliament, advisers and a fellow economic minister sitting next to him in this council. It is difficult to imagine the minister was not advised during or shortly after question time of this. This raises serious questions about the record being corrected as soon as possible. My questions to the minister are:

1. Is he aware of any standing order or code of conduct that requires a minister to 'ensure they do not deliberately mislead the public or the Parliament on any matter of significance or arising from their functions' or correct the record when a minister inadvertently misleads?

2. Exactly what was the advice the minister was relying on when he made these statements?

3. Does the minister stand by his claim that he made some four or five times that state final demand decreased by 0.1 per cent?

The Hon. D.W. RIDGWAY (Minister for Trade and Investment) (14:21): I thank the honourable member for his question.

Members interjecting:

The Hon. D.W. RIDGWAY: I listened to the question in silence and I expect those members opposite would listen to it in silence.

Members interjecting:

The PRESIDENT: Order! The Hon. Mr Wortley, let the minister answer the question.

The Hon. D.W. RIDGWAY: Mr President, thank you. The figure I was referring to yesterday—and I am sure members opposite would have been able to see in the same statistic—was the trend figure. The South Australian state final demand, I read from the official advice, 'fell by 0.1 per cent and was unchanged from a year earlier.' Members opposite were referring to a quarter; I was referring to the real trend, which is the much more accurate figure. Clearly, members opposite are a whingeing, whining, dysfunctional lot trying to choose individual statistics instead of looking at the trend.

Members interjecting:

The PRESIDENT: Order! Minister, finish your answer, please.

The Hon. D.W. RIDGWAY: The figure I was referring to yesterday was the trend figure.

SOUTH BY SOUTHWEST FESTIVAL

The Hon. K.J. MAHER (Leader of the Opposition) (14:23): My next question to the Minister for Trade and Investment is: is the minister attending the South by Southwest festival in the United States next week along with the Premier and other staff and officials, and what exactly is the minister contributing to the trip that the Premier, staff or officials can't contribute?

The Hon. D.W. RIDGWAY (Minister for Trade and Investment) (14:23): I thank the honourable member for his question and his interest in the Premier's travel. No, I am not attending the South by Southwest event. I have a range of other appointments and business meetings. The

Premier is very capable of representing our state at South by Southwest. We do not need two elected members at that event.

MERCHANDISE EXPORTS

The Hon. K.J. MAHER (Leader of the Opposition) (14:24): My next question to the Minister for Trade and Investment is: can the minister inform the chamber what South Australia's national share of merchandise exports are, what was South Australia's national share of merchandise exports during the 2019 calendar year, and can the minister clarify if this data includes services for South Australia?

The Hon. D.W. RIDGWAY (Minister for Trade and Investment) (14:24): It is disappointing. I thank the honourable member for his question.

The Hon. E.S. Bourke: Rob, this is when you are meant to stand up. This is when the Treasurer should stand up.

The PRESIDENT: The Hon. Emily Bourke!

The Hon. D.W. RIDGWAY: Today, of course, the export figures were released and, unfortunately, South Australia's merchandise exports fell by 8.9 per cent, which is disappointing. I think that is the point that the members opposite missed yesterday and in fact they have missed most of their political lives: we have had two particularly rough seasons. Our big exports are, of course, some of the agricultural produce. We have had two droughts, not quite statewide but certainly significant droughts. We have seen the Thomas Foods big fire before the last election, so that had an impact. Droughts have an impact on the production of meat.

Members interjecting:

The Hon. D.W. RIDGWAY: The members opposite don't want to listen; they keep interjecting.

The PRESIDENT: The interjections are out of order. Continue.

The Hon. D.W. RIDGWAY: Also, the processing of that meat. We have had Nyrstar and some shutdowns there. It is interesting to look at. Some of our export markets are up. Canada is up 97 per cent, China is up 6.3 per cent, Taiwan is up 77 per cent, Vietnam is up 27 per cent and Malaysia is up 5.4 per cent. I think that reinforces why it's important for us to keep focusing on the opening of our trade offices and making sure that we have people on the ground, especially at times like this when, especially to places like Japan and China, travel is almost impossible.

We actually have people on the ground working hard to make sure that our exporters will continue to be connected with their clients and, of course, in reverse, anybody wanting to invest in Australia, there is somebody to meet with to actually make those opportunities happen. It is important that we focus on how we actually deal with some of the current headwinds we are facing.

It is interesting some of the goods that have been up: copper is up some 27 per cent; iron ore is up 25 per cent; fruit and vegetables are up 13 per cent; and wine is up another \$74 million, by another 4 per cent. Interestingly, notwithstanding the problems facing the rock lobster industry, fish and crustaceans are up \$13 million or 4.9 per cent.

While we have some commodities—petroleum products have dropped off by some 57 per cent, and I am uncertain as to why that would be. Wheat, clearly, is down significantly, lead because of Nyrstar, and some other commodities have dropped. But the Marshall government is working hard to make sure we can capitalise on our opportunities.

MERCHANDISE EXPORTS

The Hon. K.J. MAHER (Leader of the Opposition) (14:27): Supplementary arising from the answer: the minister used a figure of 8.9 per cent. Can the minister inform the chamber: is that a figure based on a yearly measure and, if so, is it year to date or is it a comparison for a snapshot from some point a year ago?

The Hon. D.W. RIDGWAY (Minister for Trade and Investment) (14:27): From my understanding of the information I have, it's a decrease of 8.9 per cent compared to the year to the end of January 2019, so it's January 2020 compared to January 2019. That's my advice.

MERCHANDISE EXPORTS

The Hon. K.J. MAHER (Leader of the Opposition) (14:27): A further supplementary arising from the answer given: is the minister able to inform the chamber what movement there has been over a similar time in South Australia's share of national exports?

The Hon. D.W. RIDGWAY (Minister for Trade and Investment) (14:27): I don't believe I have those figures in front of me so I will take that on notice and bring back a reply.

MERCHANDISE EXPORTS

The Hon. K.J. MAHER (Leader of the Opposition) (14:28): Further supplementary: does the minister know whether the share of national export figures was up or down, at the very least?

The Hon. D.W. RIDGWAY (Minister for Trade and Investment) (14:28): I think the national export figures total about \$390 billion and that is up about 11 per cent on the previous year.

MERCHANDISE EXPORTS

The Hon. K.J. MAHER (Leader of the Opposition) (14:28): I think the minister misunderstood the question. Does the minister have any information as to whether South Australia's share of the national export figures are up or down, based on this time last year?

The Hon. D.W. RIDGWAY (Minister for Trade and Investment) (14:28): I think that I do have a little bit of extra information. South Australia's merchandise exports share was down 2.9 per cent—

The Hon. K.J. Maher: Down or down to 2.9 per cent?

The Hon. D.W. RIDGWAY: South Australia's national share of merchandise exports was 2.9 per cent, down from 3.5 per cent earlier. Of course, we have some other states: Tasmania down 2.6 per cent and New South Wales down 2.9 per cent.

DOMESTIC AND FAMILY VIOLENCE

The Hon. J.S. LEE (14:29): My question is to the Minister for Human Services.

Members interjecting:

The PRESIDENT: Order! I need to be able to hear the Hon. Ms Lee. The Hon. Ms Lee.

The Hon. J.S. LEE: My question is to the Minister for Human Services about supporting victims of domestic and family violence. Can the minister please provide an update to the council about how the Marshall Liberal government is delivering better services for victims of domestic and family violence?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:29): I thank the honourable member for her question. We have a range of initiatives which were driven from the state election and which are now being implemented to improve services for people who are experiencing domestic and family violence. I have talked previously about the round tables that we held which have enabled us to test, with regional communities particularly, what our election commitments were and to establish some changes to those policies, and also to establish some new services.

Some of the things which I think are worth highlighting in terms of some of those commitments and the way they are progressing includes the Domestic Violence Disclosure Scheme, which enables an individual who is concerned about their partner or former partner or prospective partner or a family member or friend of that person to make an application to check the history of someone to see whether they have a history of violence. In terms of the people who use that scheme, we anticipate that they will be people who have not previously been in contact so, in effect, we are reaching out to people in the community who otherwise might not be receiving any services.

The summary of applications between October 2018 and December 2019 number 316, and 212 were taken for further consideration. We have held 17 meetings with those who SAPOL determined were at imminent risk of harm with urgent disclosure meetings, and there have been 99 disclosure meetings held.

We have also had some great numbers through the first safety hub, The Haven, at the Murray Bridge Community Centre. That opened last year and the six-month data shows that we have had some 697 contacts through that particular safety hub. Again, these are people who may not know much about domestic violence; they may not be able to identify that what they are experiencing is potentially domestic violence as well.

In addition, we have a personal protection app which is determined by women's safety services as to the level of risk. It is applied to those people who are at high risk and enables those people who have access to that app to contact police very quickly. So far—this data is at 30 September last year—75 women were granted access to that app, which give them some peace of mind that if some emergency event is to occur then they can access police very quickly.

CORONAVIRUS

The Hon. F. PANGALLO (14:32): I seek leave to make a brief explanation before asking the Minister for Health and Wellbeing a question about more recent cases of COVID-19 or coronavirus.

Leave granted.

The Hon. F. PANGALLO: Yesterday, around lunchtime, the government revealed that there had been another two suspected cases of COVID-19 in South Australia: a mother and her child are now under hospital care after self-reporting. They arrived in Adelaide last Sunday on a Malaysia Airlines flight they had connected with following a visit to Iran. As we have known for weeks, Iran is one of the growing hotspots, outside of China, for COVID-19; another is Italy, a very popular destination for Australians. My questions to the minister are:

1. Was the minister aware of this latest case or cases when he introduced his bill in the chamber on Tuesday, and how was it detected or reported?
2. Are there any new cases since yesterday's announcement?
3. When was border security at Adelaide International Airport specifically put on stand-by to screen any passengers that may have come from these problem countries?
4. How many passengers from that flight have been contacted?
5. Will travel restrictions or bans now be placed on persons coming from Italy, Iran, South Korea and other COVID-19 trouble spots, apart from China?
6. Can the minister give us an update on any measures recommended to aged-care facilities in trying to avoid COVID-19?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:34): With your leave, Mr President, I will now take up the rest of question time! It was quite an array of questions, so I will try to do my best to answer as many as I can as succinctly as I can. In relation to the first question, 'Have there been any updates in terms of suspected cases?', yes there have been. Since the advice yesterday, we have been advised that the baby of the Iranian mother has also tested positive for COVID-19.

Since the house last met, or since the last question time, there is also the case of the 24-year-old female who had travelled around Europe, including Italy. She has tested positive for COVID-19. Today, we have been advised of a 58-year-old male who had recently travelled from Taiwan. The Taiwan to Brisbane flight number was BR 315 (that's EVA Air), and then there was Virgin Australia 1394, arriving in Adelaide on Tuesday 3 March.

In regard to the Hon. Frank Pangallo's question about whether I knew about the Iranian mother when I introduced the legislation, the answer is no. In relation to how long border security has been in place, I think it would be three or four weeks. To be clear, it's not actually my direct area

of responsibility; it's delivered by the federal agency Border Force. It has engaged both SA Ambulance extended care paramedics and also nurses from our hospitals. SA Health is playing its part to backup commonwealth agencies but is not the direct provider of the service.

In terms of the honourable member's questions in relation to travellers coming from high-risk countries, I thank him for asking me the question because it's something I would like to impress on all members of the chamber and all members of the South Australian community. Because of the rapidly escalating nature of the situation, it changes daily—literally daily. I think it was about 1 o'clock our time when the Prime Minister announced that there would be travel restrictions in relation to Italy. I do not want to go into the details because I want to make sure that people get this information completely correct.

There are, if you like, quite detailed questions you need to ask yourself. The best site for this, in terms of general advice, is the Smartraveller website, run by the commonwealth government. I would commend to all members the commonwealth Department of Health's website in relation to the coronavirus. Not only does it have the latest updates in terms of the current situation in terms of cases and so forth in Australia, it also has detailed advice in terms of travel advisories and, to be frank, very useful fact sheets for industries and a whole range of areas. It's very important for all businesses—government, private, non-government and community organisations—to consider how the coronavirus might impact on their operations and what steps they can take now to prepare for what might come.

Those are my best efforts to answer the honourable member's questions. I am happy to deal with anything I missed in supplementaries.

CORONAVIRUS

The Hon. F. PANGALLO (14:38): Supplementary: well, in fact it is a question that the minister didn't get to. The last one was: in light of a death in an aged-care facility interstate, can the minister give us an update on any measures that SA Health is recommending to aged-care facilities in South Australia?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:38): Again, in relation to the general government's residential aged-care facilities, this is an area that is more directly overseen by the commonwealth government. At the COAG Health Council last Friday, residential aged care was a particular area of focus because it's seen as a particular area of risk. That risk was very sadly brought home to us in the last couple of days with confirmed cases and deaths in a residential aged-care facility in New South Wales.

It has certainly also been discussed since the very earliest teleconferences of COAG Health Council ministers and, following one of those discussions, the Chief Medical Officer wrote to residential aged-care facilities on 26 February in a bulletin called 'Residential aged care infection control and emergency planning'. Likewise, this week, in a communication dated 2 March 2020, Janet Anderson, the Aged Care Quality and Safety Commissioner, also wrote to aged-care facilities about responding to the coronavirus.

Certainly, SA Health has already been active in supporting residential aged-care facilities in responding to and preparing for coronavirus. In that regard, I would particularly like to play tribute to the work done by the South Australian Ambulance Service. Yesterday was Ambulance Appreciation Day and I had the privilege of recognising the service of John Noble, an ambulance officer who was the inaugural SAAS legend. That was awarded last Saturday night.

John Noble is an extended care paramedic. Extended care paramedics are exactly the cohort of our Ambulance Service that delivers the support to Border Force at the airports and extended care paramedics are also exactly the cohort of our ambulance workforce that provides support to residential facilities. Normally, it is in relation to outbreaks of gastroenteritis, but I would expect that they will have a role in terms of supporting residential aged-care facilities.

GLOBELINK

The Hon. C.M. SCRIVEN (14:41): I seek leave to make a brief explanation before asking a question of the Minister for Trade and Investment regarding GlobeLink.

Leave granted.

The Hon. C.M. SCRIVEN: Yesterday in question time, the minister stated, in relation to a question about GlobeLink:

The policy was to commission a business case. We said we would invest up to \$20 million to do an extensive business case.

The minister also referred several times to the 'fine print'. However, in the Liberal Party document 'A strong plan for real change: GlobeLink' we find the following statements:

The dangerous conditions on the Princes Highway and the noisy and disruptive freight railway will be replaced with a corridor which sweeps behind the Adelaide Hills from Murray Bridge...

The various elements of this project will be financed with a combination of state, federal and private equity funds.

And:

A [Marshall] Liberal government will partner with the federal government to deliver the funding required to make this project a reality.

My questions—

Members interjecting:

The PRESIDENT: Order! I need to be able to hear the question, please.

The Hon. C.M. SCRIVEN: My questions to the minister are: will the minister acknowledge he has misled the council and immediately correct the record? If not, how can he reconcile the statements in the document 'A strong plan for real change: GlobeLink' with his claims that the commitment was only ever for a \$20 million business case?

The Hon. D.W. RIDGWAY (Minister for Trade and Investment) (14:43): I thank the honourable members for their ongoing interest in—

Members interjecting:

The PRESIDENT: Order!

The Hon. D.W. RIDGWAY: —a policy that was released prior to the election. I will reiterate that the Marshall government's commitment, which was handled by the Minister for Planning, Transport and Infrastructure—

Members interjecting:

The PRESIDENT: Order!

The Hon. D.W. RIDGWAY: I don't know where the members opposite live—

Members interjecting:

The PRESIDENT: Order!

The Hon. D.W. RIDGWAY: —because clearly they don't live in this state of South Australia. It was only a matter of a few months ago—

Members interjecting:

The PRESIDENT: Order!

The Hon. D.W. RIDGWAY: —that a study, a business case, as I explained yesterday—although the Hon. Mr Wortley was calling it 'Global Link' yesterday, clearly a different policy; he can't even read—

Members interjecting:

The PRESIDENT: Order!

The Hon. D.W. RIDGWAY: I made it very clear and it was very clear at the election that we would be investing—

Members interjecting:

The PRESIDENT: Finished? Have you finished your answer?

The Hon. D.W. RIDGWAY: It was a commitment for a business case which we fulfilled, a spend up to \$20 million. The business case was made public recently. I have nothing more to say.

GLOBELINK

The Hon. C.M. SCRIVEN (14:45): A supplementary: did the minister or his staff direct that the 'A strong plan for real change: GlobeLink' document be removed from the website after questions were raised in question time yesterday?

The Hon. D.W. RIDGWAY (Minister for Trade and Investment) (14:45): No.

GLOBELINK

The Hon. C.M. SCRIVEN (14:45): A further supplementary.

Members interjecting:

The PRESIDENT: Order! I want to hear the supplementary question.

Members interjecting:

The PRESIDENT: Order! The government benches aren't helping. Deputy leader, let me hear your supplementary question.

The Hon. C.M. SCRIVEN: Can the minister explain why the Liberal Party website no longer mentions the member for Heysen, Josh Teague, being a strong supporter of the GlobeLink plan—a change since yesterday at this time?

The Hon. D.W. RIDGWAY (Minister for Trade and Investment) (14:45): I thank the honourable member again for her supplementary question. That's a question I suggest she directs to the State Director of the Liberal Party, Sascha Meldrum. I do not control the state Liberal Party's website.

GLOBELINK

The Hon. C.M. SCRIVEN (14:46): Supplementary: did the minister or the minister's staff have any contact with the State Director of the Liberal Party or staff of the Liberal Party in regard to this matter since question time yesterday?

The Hon. D.W. RIDGWAY (Minister for Trade and Investment) (14:46): Certainly, I can speak for myself. I have had no contact and I would be very surprised if any of my staff have had any contact as well.

TRADE OFFICES

The Hon. D.G.E. HOOD (14:46): My question is to the Minister for Trade and Investment. Can the minister please provide an update to the council about the success of the South Australian trade offices?

The Hon. D.W. RIDGWAY (Minister for Trade and Investment) (14:46): I know the members opposite are very excited today, but it is particularly important that we participate in the global economy and that participation cannot be overstated. We cannot grow our economy and create jobs for South Australians unless we look outwardly, and our trade offices will allow us to connect with key industry investors and exporters in-market and on the ground. Furthermore, during the midst of this ongoing coronavirus, our trade offices are crucial to maintaining business as usual. Having people on the ground provides vital in-market intelligence and support for South Australian businesses, as we see more travel bans being implemented.

Since opening in November 2019, the China office has introduced many new trade partners and business opportunities to South Australian exporters. One such outcome has been the \$140 million investment into the Lucky Bay project on Eyre Peninsula. The China office was proactive in facilitating and assisting the Australia China Investment Fund with its investment in an alternative grain storage and export facility. Having commenced in late 2019, the Lucky Bay project will save

grain growers approximately \$15 to \$20 per tonne on freight expenses. It will create approximately 100 jobs for the local community and introduce a new shallow port and tranship model for many grain production areas in Australia.

Similarly, since opening a year ago, our North Asia office has grown from strength to strength. The team has opened doors for six South Australian companies to export their products into the Japanese market for the first time, including Hither and Yon winery and Kangaroo Island Spirits. Furthermore, we have seen Japanese companies invest into South Australia, including six into our renewable energy sector—a key sector for South Australia's growth.

Next to open will be the United States trade office, which offers a huge opportunity for South Australia. In 2019, South Australia exported some \$912 million of merchandise goods to the US, making it our third largest export market. Additionally, the US is our number one source of foreign direct investment. Between November 2009 and October 2019, a total of 53 FDI projects from the US to South Australia were recorded, representing a total capital investment of some \$2.88 billion, and a total of 5,095 jobs were created.

The United States represents a significant opportunity for South Australia to grow. Houston was selected as the best strategic choice for South Australia, due to the many synergies our two states share and the sectors that will be key to our state's future growth. I am pleased to announce that we have appointed a new regional director for the Americas, Ms Regina Johnson, who comes with significant experience. She is already on the ground, as we speak, meeting with influential members of the Houston business community. I look forward to bringing another update to the council soon regarding the opening of the US trade office.

GENETICALLY MODIFIED CROPS

The Hon. M.C. PARNELL (14:49): I seek leave to make a brief explanation before asking the Minister for Trade and Investment a question concerning the position of South Australian food businesses in relation to genetically modified crops.

Leave granted.

The Hon. M.C. PARNELL: When the *Government Gazette* came out just over an hour ago it again contained regulations to lift the moratorium on the growing of genetically modified crops on mainland South Australia. This is less than 24 hours after the Legislative Council disallowed the same regulations and the third time identical regulations have been introduced in the last four months.

Also yesterday, a group of South Australia's most prominent and iconic food producers called on the government not to go down the path of allowing genetically modified crops to be grown in South Australia. These companies included Tuckers Natural, Maggie Beer, Paris Creek Farms, San Remo and Jonny's Popcorn. A quick look at the labels and websites of these South Australian food producers shows that they market their products as GMO free. My questions are:

1. Does the minister agree that reintroducing disallowed regulations within 24 hours is treating the Legislative Council with contempt?
2. Why didn't the government have the guts to table these regulations today in parliament, or is the government that scared of another disallowance motion?
3. Has the minister met with representatives of South Australian food producers Tuckers Natural, Maggie Beer, Paris Creek Farms, San Remo or Jonny's Popcorn to discuss their legitimate concerns over GM crops and the impact of lifting the moratorium on their domestic and export markets?
4. Why on earth would the Minister for Trade and Investment want to throw these South Australian food producers under a bus and risk their marketing and business advantage by opening up South Australia to GM crops and the inevitable contamination this would bring?

The Hon. D.W. RIDGWAY (Minister for Trade and Investment) (14:51): I thank the honourable member for his question and his ongoing interest in the GM debate. As members would

be well aware, we had extensive consultation last year. I am not entirely familiar with the number of people who were consulted, but I am certain that the food sector would have been consulted.

I don't believe we have held the Legislative Council in contempt. I made it very clear during all the debates, and the minister has publicly, that if the regulations were disallowed we would be reintroducing them to give farmers certainty. So I don't believe that is holding them in contempt.

I have met with a number of those food producers a number of times. I know that San Remo had expressed some concern some time ago. I think I am actually meeting with some of the San Remo people over the next few days, so I will raise that with them. I'm sure they will raise it with me if it's a concern of theirs at the moment.

I know Jonny from Jonny's Popcorn particularly well. He was at FOODEX in Japan last year. I'm not sure—I will have to check with my colleague the Hon. Tim Whetstone—how much actual maize or corn that we use for popcorn is grown in South Australia. From my recollection I don't think very much, if any, of the corn that Jonny pops in Jonny's Popcorn is actually grown in South Australia.

MEMBER FOR WAITE

The Hon. E.S. BOURKE (14:53): My question is to the President. Can you please advise this chamber if the process in referring the conduct of the member for Waite, Mr Sam Duluk, to the equal opportunity commissioner is consistent with the motion passed in this chamber on Wednesday 19 February?

The PRESIDENT (14:53): I thank the honourable member for her question. To the best of my knowledge I have absolutely followed the instruction that was given, with the assistance of the Clerk. The instruction has been executed and I'm sure we are waiting on a reply.

MEMBER FOR WAITE

The Hon. E.S. BOURKE (14:54): A supplementary question to your answer: what response has been provided by the equal opportunity commissioner?

The PRESIDENT (14:54): At this point I don't have a response.

MEMBER FOR WAITE

The Hon. E.S. BOURKE (14:54): A further supplementary: on what date did you refer the matter to the equal opportunity commissioner?

The PRESIDENT (14:54): The following day the letter was drafted, signed and sent.

MEMBER FOR WAITE

The Hon. E.S. BOURKE (14:54): A further supplementary: what advice or direction have you received from the Premier or the Speaker of the House of Assembly in relation to this matter?

The PRESIDENT (14:54): I have had none.

MEMBER FOR WAITE

The Hon. E.S. BOURKE (14:54): Further supplementary: the Treasurer spoke at length against this motion. What direction or advice have you received from the Treasurer in relation to this matter?

The PRESIDENT (14:54): I have actually had no advice from the Treasurer in relation to this matter. I have fulfilled my duties as has been requested by the council and I am awaiting a reply. As soon as we have a reply, it will be made public to this council.

MICRO-X

The Hon. J.S.L. DAWKINS (14:55): My question is directed to the Minister for Health and Wellbeing. Will the minister update the council on innovation in health in South Australia?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:55): I thank the honourable member for his question. South Australia has a proud history of innovation in health, whether it's in research and development or in better ways of operating. Often, this innovation is within the public

health system, but often the private sector drives innovation, too, and as a Liberal government we celebrate success wherever we find it. Last month, I had the privilege to see this innovation in practice at Tonsley Park where I visited a South Australian X-ray system manufacturer called Micro-X.

Micro-X employs a significant number of former Holden workers who bring their advanced manufacturing skills to this venture. Micro-X manufactures and exports mobile X-ray carts. With the outbreak of the coronavirus, I learnt that there had been a surge in demand for their product in Asian markets, as they produce a mobile X-ray cart specifically designed for chest X-rays—exactly what is needed in the case of a respiratory infection such as coronavirus. They have been able to scale up production to try to meet this demand and, in doing so, are supporting other South Australians. Two-thirds of the cart is sourced from South Australian business.

The Marshall Liberal government supports health and medical research and technology, and I know my colleague the Minister for Trade and Investment has been working with the industry to encourage the sector as part of the government's Growth State agenda. We support this research and technology because it in turn can support the provision of better health services both here and overseas. As Micro-X demonstrates, this sector is bringing more jobs into South Australia as we export to the world. I congratulate Micro-X and all our South Australian small and medium businesses who are building South Australia's economy while delivering better health care.

SINGLE-USE PLASTICS

The Hon. J.A. DARLEY (14:57): I seek leave to make a brief explanation before asking the Minister for Health and Wellbeing a question about school immunisation program notices.

Leave granted.

The Hon. J.A. DARLEY: I understand that SA Health have recently supplied schools with notices for parents about the year 10 school immunisation program for the meningococcal B and ACWY vaccine. This information contains one double-sided letter to parents about meningococcal disease and it also contains a consent card for the immunisation program. Each notice for parents has been individually wrapped in plastic. My question to the minister is:

1. Given the government's consultation on banning some single-use plastics, can the minister advise why it is necessary for such information to be wrapped in plastic?
2. Are there any other notices that SA Health issue that are similarly wrapped in plastic?
3. Will the minister consult with the Minister for Environment to reduce plastic usage?
4. Can the minister advise what initiatives, if any, SA Health have implemented to reduce the use and consumption of single-use plastics across the local health networks?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:58): In relation to the meningococcal B notice, I will certainly clarify why it's considered necessary to pack it in that way. The fact of the matter is that we will, in Health, continue to use a lot of single-use plastics; that is the nature of Health. In relation to packaging of notices, I will certainly follow up to what extent that's necessary.

The member indicates that this is a year 10 program. This is a program that the government is very proud of. It is the first such program in the world and, as the honourable member said, in conjunction with the national immunisation program for other serotypes of meningococcus this program will mean that South Australian young people will be the only young Australians to have a full set of meningococcal vaccinations.

In terms of the recycling I would refer the honourable member to my answer, I think, in the last sitting period to the Hon. Mark Parnell—I think it was the Hon. Mark Parnell, or perhaps I was just thinking of him while I did it. It was an answer where I highlighted the solar panels that are going on hospitals. In that answer I detailed a whole range of things that Health is doing to have less impact as part of the government's Climate Smart strategy. In terms of the honourable member's question in relation to broader initiatives I would refer him to that answer.

CORONAVIRUS

The Hon. T.T. NGO (15:00): I seek leave to make a brief explanation before asking a question of the Minister for Trade and Investment regarding exports.

Leave granted.

The Hon. T.T. NGO: On 26 November last year the minister released a media statement that was headlined, 'Record numbers of international students boosting jobs in South Australia'. On 16 December last year the minister released a media statement that was headlined, 'International education overtakes wine as SA's No. 1 export'. Around a week after the second media release the first coronavirus cases were reported. My questions are:

1. What is the expected impact on jobs and the expected impact on our number one export industry arising from the coronavirus?
2. What is the expected impact on the state final demand figures for the March quarter due to the coronavirus?

The Hon. D.W. RIDGWAY (Minister for Trade and Investment) (15:02): I thank the honourable member for his ongoing interest in a particularly well-performing sector, the international education sector. And he is right, we have had some wonderful growth over the last two years, resulting in a tick under 45,000 students participating here in their education last year. And he is right that it overtook wine as our biggest single export. It is particularly important. There is a figure or an anecdote that every four students create one job. So it is particularly important not only in just the education services but the student accommodation, and of course, then, when family and friends visit those students they contribute a lot to our economy. So certainly I think it was 44,119 students was the final figure for last year, some \$1.92 billion.

The higher education and the vocational and training sectors in South Australia reported the highest enrolment growth of 15 per cent and 40 per cent respectively, compared to the national average of 11 and 16 per cent. As we know—I think I made some comments yesterday in relation to it—China is our largest source of enrolments, at 35 per cent, although last year they were down from 42 per cent the year before. So while they grew a little bit, a modest number of 1.5 per cent last year, we have seen significant growth in other markets.

I think just for the Chinese it is very sad for them, with the coronavirus having started there, and we wish them all the very best in getting that under control and coming back into the market. But I think it emphasises the importance of having a diverse range of markets that we source our students from. So while China is the top one, India, Vietnam, Nepal and Hong Kong with China collectively represent 69 per cent of South Australia's total international student enrolments. But we are seeing other countries, like the Philippines and Brazil and Sri Lanka and Colombia growing quite well and India, of course, increasing.

It is unfortunate, the advent of coronavirus, and we are concerned about the impact of the coronavirus. I made some comments earlier in the week, I think, and I updated the chamber yesterday that it is a little bit under 6,000 students who, as of our latest data, were due to either return to study or commence study who were still offshore. A number of them are able to participate in there or have their 14 days out of mainland China by holidaying or being in places like Thailand and the like. Actually, I met one young gentleman last week when we launched the Port Adelaide Football Club ambassador program. He had been 16 days, I think, in Thailand at great expense to his family to get him from China to have those two weeks of isolation.

We are uncertain in what sort of time frame those nearly 6,000 students will make it back to South Australia. I know all the universities are doing a lot of work. They have contacted all of their students both ways I think, both verbally and electronically, and are providing opportunities for them to make sure they can participate in online and other learning activities while they can't get back here to South Australia.

The honourable member asks about the economic impact. It is really a little bit too early to know the impact but we know it will be significant, not only in the international education sector, for our economy, the tourism sector. There are trading issues where people are unable to get a regular supply of shipping containers so we expect that will have some impact. I heard anecdotally that I

think it was the Victorian equivalent of Business SA surveyed their members and they came back with a figure of some 97 per cent of businesses in Victoria who responded to the survey thought their businesses would be impacted in some way.

While we are concerned and my colleague the Hon. Stephen Wade is doing a fabulous job with his team and the Chief Medical Officer to make sure we keep South Australians well aware of all the issues around the health impacts of coronavirus, there will be some significant impacts to our economy. It is too early to say to the honourable member the magnitude of that. The sooner we get on top of this issue the better. The impact will be short lived, I hope, but there will be some ongoing ramifications for our economy, the nation's economy and the global economy.

CORONAVIRUS

The Hon. T.T. NGO (15:06): Supplementary arising from the answer: the minister mentioned there will be a significant impact on our economy. Does the government have any contingency plans to support the industry?

The Hon. D.W. RIDGWAY (Minister for Trade and Investment) (15:07): I thank the honourable member for his supplementary. I updated the chamber yesterday and we are certainly working closely with the universities. The Premier has certainly done a video, and the Consul-General has done a video letting everybody know that we are open for business for all international students and, in particular, Chinese students, but really it is a matter to deal with all of the actual health impacts, which my colleague the Hon. Stephen Wade and his team are doing, and so we are supporting them in every way we can.

We are making sure the universities—which have said they are well in touch with all of their students. StudyAdelaide, ably led by Karyn Kent, are coordinating if we have a large number of students come back in a block and they need to have 14 days of isolation, how we manage that, and they are coordinating that because it won't be easy to provide these students with the isolation, the regular monitoring, the check-up every morning that they are okay, plus all the food and supplies they need. That is quite a logistics undertaking and StudyAdelaide have been tasked with doing that, so we are doing all we can at the moment to assist this sector but we really need to just wait and see at what stage they come back to South Australia.

I was only speaking to the Vice-Chancellor of Adelaide University this morning around the impact and he said, 'Look, it will be quite significant.' They are uncertain of the magnitude of the impact because, of course, there are students coming back in different ways, like I mentioned the young gentleman I met last week who had come back through Thailand. So there are still some coming, we are uncertain of the impact but we are certainly working closely with the sector to minimise that impact.

CHILD AND FAMILY SUPPORT SERVICES

The Hon. J.S. LEE (15:08): My question is to the Minister for Human Services about the government's commitment to improving the lives of at-risk children in South Australia. Can the minister please provide an update to the council about how the Marshall Liberal government is working toward providing better services through the new child and family support system?

The Hon. J.M.A. LENSINK (Minister for Human Services) (15:09): I thank the honourable member for her question and for her interest in this important area. The Department of Human Services has been tasked with consolidating government efforts and designing a more connected system to keep children safe from neglect or abuse. We have continued the work of the early Intervention Research Directorate in terms of having a strong evidence base to inform what the services should look like going forward.

Prior to the machinery of government changes last year, the services were provided across a range of departments through education, human services, child protection and health. Those services, apart from health, which had particular reasons for remaining within that department, have come under the Department of Human Services. All up, the total funding for the safer family programs is in the order of \$45 million, which includes our non-government partners and several hundred staff, both across government and the non-government sector.

Part of these important services includes the Child and Family Assessment and Referral Network. They have a range of networks in metropolitan South Australia in the Limestone Coast. Those services include child wellbeing staff who liaise directly with our primary hospitals, staff who liaise with education and staff who provide direct-to-family support services, which enables them to take a multidisciplinary approach and to assertively assist families where children may be at risk.

In terms of the services going forward, the total investment is some \$2.8 million for a new pilot in the north which is run by Anglicare and we have also funded a pilot in the western suburbs that is currently in the co-design process, which is substantially being provided by Kornar Winmil Yunti. I look forward to analysing some of the data to test the effectiveness of these new services and assist in ensuring that our children are kept safe.

AUSTRALIAN SUBMARINE CORPORATION JOBS

The Hon. F. PANGALLO (15:11): I seek leave to make a brief explanation before asking the Treasurer a question about submarine jobs in South Australia.

Leave granted.

The Hon. F. PANGALLO: Serious questions must be asked of South Australia's Liberal and Labor senators who colluded in the federal Senate last month to vote down a motion by SA-Best's federal colleagues, Centre Alliance, backing submarine jobs in South Australia. The South Australian senators either voted against the motion or abstained when their jobs are to represent all South Australians.

Those who abstained from voting from the motion were Liberal senators, including Minister for Family and Social Services, Anne Ruston, Alex Antic, David Fawcett and former upper house President and newly appointed senator Andrew McLachlan, and Labor senators, including Leader of the Opposition in the Senate, the influential Penny Wong, and powerbroker Don Farrell. SA-based Greens Senator Sarah Hanson-Young and Labor Senator Marielle Smith voted against the motion.

Like me, I suspect most South Australians would be asking why any South Australian politician would vote against or abstain from supporting a motion calling for submarine maintenance jobs to remain in South Australia. At risk is more than 700 jobs and \$400 million of annual economic activity. I note that the Labor state executive has this week passed a motion slamming its own federal members and seeking an explanation from federal Labor leader Anthony Albanese and Labor's influential leader of the Senate, Penny Wong. My question to the Treasurer is:

1. Do you believe the actions of your federal senators were in the best interests of all South Australians?
2. Do you think the senators have failed in their duties to represent all South Australians on such a vital issue that has such a significant impact on our future economic viability?
3. Do you agree with their decisions to vote against such an important debate?
4. Will the state government follow the decisive action of the ALP state executive and seek an explanation from its Liberal senators?

The Hon. R.I. LUCAS (Treasurer) (15:14): I thank the member for his question. I have no control, it might surprise the honourable member, over what actions federal senators adopt, whether they be, indeed, Liberal, Labor, Green or of any other variety. What I do know, more importantly, is that from the Premier down the Marshall Liberal government is absolutely committed to protecting the jobs of submarine workers in South Australia. That is something that I have some influence on; that is something I am involved with; that is something that I have direct knowledge of and I'm happy to answer questions in relation to those issues.

As I said, I can assure the Hon. Mr Pangallo that the Premier in particular has left and will leave no stone unturned in protecting submarine jobs in South Australia. I think he, together with myself, will believe that the decisions of the commonwealth government and the various ministers, etc.—

The Hon. J.E. Hanson: Your gutless leader has done nothing; absolutely nothing.

The PRESIDENT: The Hon. Mr Hanson!

The Hon. R.I. LUCAS: The decisions that will be taken by the people of influence within the federal government, which will be the Prime Minister and various other members of the appropriate cabinet committee and the cabinet itself, will not be influenced by votes or otherwise of the federal Senate, with great respect to the federal Senate and its members. I would never criticise the operations of any upper house around the nation. They are entitled to their views. I don't influence them but I know that the decisions that will be taken will be taken by the Prime Minister and, as I said, the appropriate cabinet ministers and the cabinet committees for the stated reasons that the Prime Minister and others have outlined.

I conclude my response by saying that South Australians will be very confident that in Premier Marshall they have a champion who is defending to his very last breath every single one of those jobs in South Australia but, more importantly, wanting to grow many, many thousands more submarine and defence-related jobs in South Australia. He will not rest until that final decision is taken, and he has been quite clear in terms of what his position is.

PARLIAMENTARY COMMITTEES

The Hon. J.E. HANSON (15:16): I seek leave to make brief explanation before asking the Minister for Trade and Investment a question about committees.

Leave granted.

The Hon. J.E. HANSON: We currently have 30 standing, select and joint committees functioning in this place. The minister, I believe, sits on two of those 30 committees, which is about 6 per cent. By way of comparison, the Government Whip, the member's colleague the Hon. Mr Hood, sits on 11, or 36 per cent of our committee load, and he is a regular and reliable attendee.

On 18 February, the Minister for Trade and Investment was appointed to the Select Committee on Matters Relating to the Timber Industry and the Limestone Coast and, on the same day, the minister was appointed to the Select Committee on Matters Relating to SA Pathology and SA Medical Imaging. My question to the minister is: will the minister commit to fully participating and attending and contributing to each of these committees when they meet?

The Hon. D.W. RIDGWAY (Minister for Trade and Investment) (15:17): I thank the honourable member for his question. Yes, I intend to, when I am able to. I think one of the meetings most recently called was when the cabinet was meeting and, as a cabinet minister, I put a priority on attending a cabinet meeting over a select committee of the upper house, important as they are. When I am able to and it doesn't clash with important duties that I have to undertake as a minister—like cabinet meetings—I will be available to attend and participate in those meetings.

PARLIAMENTARY COMMITTEES

The Hon. J.E. HANSON (15:18): Supplementary question arising from the answer: can the minister rule out overseas trips getting in the way of him attending important committee meetings?

The Hon. D.W. RIDGWAY (Minister for Trade and Investment) (15:18): I thank the honourable member for his interest in my diary and my activities. I have very important roles to fulfil as a cabinet minister and I put a priority on those. As I said in my previous answer, if I am available and not in cabinet or undertaking duties that I am required to do as a cabinet minister—which could include travel, not only overseas but within the state or interstate—if I am available I am more than happy and willing to participate in the select committees, and I suspect add some real rigour to the questioning as well.

PARLIAMENTARY COMMITTEES

The Hon. C.M. SCRIVEN (15:19): Supplementary: the minister has indicated that he cannot attend the timber select committee meeting on 17 March or the hearings in the South-East on 1 April and 2 April. Does he anticipate, therefore, that he will attend any of the timber select committee meetings, or does he not consider that a high enough priority?

The Hon. D.W. RIDGWAY (Minister for Trade and Investment) (15:19): There is a significant clash on 17 March because that is the day that we open the trade office in Houston and I

see that as an important role to fulfil as minister. I am not sure what the clash is for 1 and 2 April, but I will consult my diary to see what that is.

ESSENTIAL SERVICES COMMISSION

The Hon. D.G.E. HOOD (15:20): My question is to the Treasurer. Can the Treasurer outline the time frame for the Essential Services Commission to finalise its regulatory determination for the period 2020 to 2024?

The Hon. R.I. LUCAS (Treasurer) (15:20): I thank the honourable member for his question. I think it's useful to clarify some misunderstanding, perhaps in some sectors of the community, in terms of the process from yesterday's draft determination to a final decision. The independent regulator yesterday released its draft determination. I won't take the time of the council in going through the details of that.

The independent regulator has made it quite clear that they are open to taking submissions on their draft determination, and I would imagine that SA Water and indeed, in the last 24 hours, some regional communities have expressed a view contrary to some of the views expressed by the independent regulator in their draft determination about potential expenditure that SA Water may or may not be allowed to undertake. Indeed, any other stakeholder may well make submissions. I know that, at varying stages, stakeholders as diverse as SACOSS and Business SA have made submissions to the independent regulator on this important issue of the regulatory determination of the independent regulator on SA Water.

The independent regulator says that its final determination will be made in May. The independent regulator will take submissions for a period of time, consider those submissions and then, as I said, issue their final determination at some point in May. There are other issues that the government is responsible for and has to determine. The Minister for Water has to issue directions to SA Water in relation to, for example, what its community service obligations may or may not be for the coming regulatory period. The government has to issue water industry licence fees, and I as Treasurer have to issue the regulatory asset base value (RAB value) to be taken into consideration by the regulator for the next four-year period.

All that will occur during the period leading up to May, and then some time prior to the end of the financial year the government is responsible for setting the water pricing tariffs; that is, in essence, the price that will be charged over the next four years by SA Water for water and sewerage costs. That decision is ultimately a decision for the government, and it will need to be taken prior to the end of the financial year so that those prices will apply from 1 July.

Members

MCLACHLAN, HON. A.L.

Adjourned debate on motion of Hon. R.I. Lucas:

That this council notes the resignation of the Hon. A.L. McLachlan as President of this council and recognises his meritorious service to the council and to the parliament.

(Continued from 18 February 2020.)

The Hon. F. PANGALLO (15:23): It gives me great pleasure to reflect on the service and contribution that the Hon. Andrew McLachlan rendered to the South Australian parliament and to the people of South Australia during his relatively short six years as an elected member. I first met Andrew upon my election two years ago. We have a friend in common and he gave me a glowing appraisal of what to expect. He was not far off the mark.

Apart from his very public and principled stand against rather draconian bkie association laws, in which he was prepared to cross the floor against his party colleagues, earning the tag of 'maverick', I must admit I had not heard much about him while in my previous profession. The definition of 'maverick' is 'a rebel; dissident, nonconformist, unconventional or controversial', and that is something that I can relate to.

I note that in his maiden speech to the Senate last week, Senator McLachlan makes light of this feisty reputation in the party room and suggests that perhaps some were happy to see the back

end of him. Even though we are from the opposite ends of the political divide, I like to think that we do share some common ground with some of his lateral Liberal thinking: ideals that respect individual freedoms, which are the building blocks of a resilient and progressive society, and Andrew's firm belief that people should get a fair go and respect the rights of the individual.

He spoke quite passionately about this and other issues close to his Scots Gaelic heart in his eloquent maiden speech. One section that especially struck a chord with me and demonstrates his level of empathy about the rights of individuals, whether they be great or small, is this:

Too often, legislation is drafted to make life easier for the agents of the state rather than taking full account of the burden that the heavy hand of bureaucracy can have on the individual...that it is the state that should bear the burden to make its case...and that the administrative efficiency is not a god to be worshipped alone at the expense of the principles of fairness, decency and mercy.

I note that his origins are in proud working-class stock from the west coast of Alba (that is the Gaelic moniker for Scotland), and despite his now deep blue political heritage I can still detect the disciplined influence of that stoic upbringing in his early career in Port Augusta in a law firm he claims was run by communists and that paradoxically represented unionists, along with his firm beliefs on a range of social justice issues and jurisprudence.

From his hands-on experience in regional areas in times of economic decline and hardship, he is aware of the human cost when decisions affecting people are made at the opposite end of the continent. Therefore, we can be confident that Andrew will fight for the interests of South Australians. The River Murray and the survival of the Murray-Darling Basin Plan will be a core battleground that he promises to defend vigorously.

I trust he will do the same to protect 700 jobs in South Australia at ASC Osborne and advocate that full docking maintenance of our submarine fleet remains here and does not move to Western Australia. Also to be admired is Andrew's service as an Army reservist (with two tours of Afghanistan), his volunteer work with St John, and now Legacy, in assisting families of veterans who are facing enormous mental challenges.

As President of this chamber, I found him to be extremely knowledgeable of parliamentary procedure and protocols, firm in his control of proceedings and extremely fair to a fault, in that he certainly indulged me whenever I rose to give my elongated versions of brief explanations in question time. He also possesses a wicked and sharp sense of humour. Had he not been elevated to the Senate in such a decisive manner—not that I was surprised—I would have looked forward to seeing his swashbuckling, adversarial, maverick style of probing, dissection and vivisection, either of legislation or of his political opponents. We now await this style to be portrayed in his portrait, but I suspect it will have a Gaelic flavour, with perhaps a brush or two of maverick.

If I had to settle on a short and succinct characterisation of his persona, it would be that he is a class act. I am sure Senator McLachlan will be a loud, active and effective voice for South Australia in Canberra, and I wish him and his family well in his new endeavours on the national stage.

The Hon. D.G.E. HOOD (15:29): I rise to make my contribution to this motion in recognition of the service and contribution made by the Hon. Andrew McLachlan MLC CSC to this place. Of course now he is known as Senator Andrew McLachlan, which is still hard to get your mind around properly.

I have known Andrew since his election to this parliament in 2014. During his six years in this place, Andrew was able to forge friendships with all members on all sides of the political divide, and I think he has done that perhaps better than most. He had friends from all angles of this chamber. I, too, considered Andrew not only a colleague but a friend, as I still do. Like many members before him, Andrew was eager to have a positive influence in this place and really threw himself into this job. He debated and contributed to bills in a way in which he believed would better the law and improve South Australians' lives, and he did so with an earnestness and a passion that I think was a sight to behold. He was exemplary.

Prior to his election as President, Andrew would often visit my office to discuss the merits of bills being considered at that time. I reflected on those off-the-cuff types of meetings, unscheduled meetings, which we had many of. We probably had 30-plus of those meetings over several years.

Andrew would come down with a particular point that he wanted to make and he would always pursue it rigorously; he was like a dog with a bone. I got to a place of really enjoying those meetings and, in fact, looking forward to them. He was the sort of person who had a great deal of passion about this work, which I grew to admire. I enjoyed those in-depth discussions and he was very good at outlining the practical implications of specific pieces of legislation as he saw it.

Outside the chamber, Andrew has been of great assistance to many of my Liberal colleagues and me. He is an enthusiastic and effective campaigner and is always happy to assist a Liberal candidate. I remember standing on pre-poll at one of the Boothby polling sites prior to the federal election with Andrew. It was pouring with rain. It was probably all of 8° or 9°, something like that, and we were standing under an umbrella. There was almost nobody coming to that particular pre-poll and, after a period of silence, Andrew said to me, 'Sometimes you just have to do the hard yards.' It was a statement of such obviousness that we both could not help but burst into laughter because it was a pretty dreary sort of day.

He has also had a willingness to help all those right across the party, whether they be like-minded or not, and I think for that reason we saw Andrew's election to the Senate at the State Council because he is somebody who is valued right across the spectrum of the party, which is something he can be genuinely proud of. He has always been a support to me, whilst I have been in the party—something I am genuinely thankful for. I have particularly enjoyed his counsel and support with my preselection efforts. Andrew has been a real support to me in that regard and in many other ways.

Andrew's work within the party more generally has greatly contributed to a better party today, as I see it. I applaud his willingness to continue to contribute to the Liberal cause in Canberra. It is no easy task for a Legislative Councillor to decide to take the leap and the risk to venture to Canberra and start again in a sense. Of course, he was very well-established here, having been President for a couple of years, and a very vocal member of the party whilst in opposition for four years prior to that. Yet in going to the Senate, in a sense he starts over, so there is a certain amount of courage in doing that and I pay tribute to that.

The federal government itself is working hard for Australians and I am sure that Andrew will be a positive contributor to their team. He will be another advocate in Canberra of the Marshall Liberal government and, indeed, of South Australia in general. He will advance our government's goals to invest in the regions, create jobs such as those on Lot Fourteen, and continue to upgrade South Australia's infrastructure but, most importantly, he will be an advocate for South Australia.

Andrew has my best wishes for his new role as a senator for South Australia, as he is equipped with the skills and he understands the needs of South Australians as well as anybody could be expected to. Despite Andrew's theatrical departure from this place as a 'stranger on the floor', which he loves to recount in some specific detail at every opportunity, I am confident he will not be a stranger to this place or to the members of this place. I look forward to seeing his continued contribution to South Australia as a senator and I sincerely wish him well.

The Hon. T.T. NGO (15:34): I also rise to acknowledge the contribution made by the Hon. Andrew McLachlan to this parliament as well as to South Australia. Other honourable members have already spoken about his life and achievements, so I will stick to talking about my friendship with the Hon. Andrew McLachlan.

The Hon. Andrew McLachlan and I were elected in 2014. We were the two new members in this house following that election, so we immediately became good friends. Andrew often said to me, 'We are the class of 2014, we are unique, we are a rarity.' He used those two words to describe the class of 2014. I am not sure about me, but I am sure other honourable members will agree that Andrew has a unique personality and is a unique person, and I am sure he is a rarity because not many honourable members from this house become a senator.

When I take community members on a Parliament House tour I often take them into the room where we display all our photographs. I point out Andrew and I, the two from 2014, and I often use the line Andrew used that we are a rarity and unique. Members of the public doing the tour often giggle and laugh, so I enjoy using that line when I do a Parliament House tour for members of the public.

As the Hon. Dennis Hood mentioned earlier, even though he was from a different party Andrew was willing to help out other members of parliament when needed. I travelled overseas to Taiwan with Andrew; we had a great time together and I got to know him a lot better. When I needed his assistance in terms of a few functions, when I needed his help to come out with me to support the community, he was always willing to help me out with that.

In winding up my speech I would like to thank Andrew for his contribution and his friendship throughout the years. I am sure he will do a great job representing South Australia in the Senate.

The Hon. R.I. LUCAS (Treasurer) (15:37): I thank all honourable members who have made a contribution, on various days, to the debate. I am pleased to see there would appear to be unanimous support for the motion.

The PRESIDENT (15:37): Before I put the motion I would like to add a couple of remarks myself. I would like to thank the Hon. Dennis Hood, in particular, for his remarks; I wholeheartedly agree with the sentiments of the Hon. Dennis Hood. I will not repeat many of the stories he relayed, but I concur.

I would also like to thank the honourable Tung Ngo for bringing up the words we can all use for now Senator McLachlan, that he is indeed rare and unique. He is our gift to the federal Senate, and I am sure he will have a substantial impact. With those few words, I put that the motion be agreed to.

Motion carried.

Bills

FIRE AND EMERGENCY SERVICES (MISCELLANEOUS) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 18 February 2020.)

The Hon. K.J. MAHER (Leader of the Opposition) (15:39): I rise to make a contribution to the Fire and Emergency Services (Miscellaneous) Amendment Bill 2019 and indicate that the opposition supports the intent of the majority of this bill, but we will be and I think we have reintroduced amendments which were opposed by the government in the other place. This bill, I think it is fair to say, has had a long and tortuous path to this place. At the time of its introduction, it was clear that there was significant lack of consultation not only with the opposition but also with the bodies directly affected by the bill: the volunteer associations and unions that were involved.

It soon became clear that there was a lack of consultation with the minister's own party room. This culminated of course in the forming of a select committee, on the motion of a member of the minister's own backbench, over the contentious changes to section 82 of the act, or what became known in the media as the 'harvest ban'. But before we get there, I should say that the opposition supported the vast bulk of the bill in the other place and does not intend to oppose the vast bulk of the bill here. This bill makes some worthy reforms, many of which hark back to the Holloway review of 2013, so I flag from the outset again that the opposition supports most of the measures in this bill, including the ones which seek to do the following:

- clarify powers in relation to the closure of buildings, by allowing the MFS to issue and rescind orders requiring persons to leave a building and the securing of the building against further entry;
- allow an officer of the MFS to engage a contractor to carry out demolition or other work at the scene of a fire or emergency, whether or not the officer is present at the scene of the fire or other emergency;
- enable the formal establishment and recognition of industry brigades—in mining, forestry regions, etc.—to form part of a CFS group;
- allow the MFS and CFS to record, possess or use moving or still images for the purpose of their operations and activities;

- allow information about total fire bans to be disseminated by means other than just radio; and
- attempt to provide that a person who is absent from employment on official duties as a volunteer in an emergency services organisation in connection with a fire or emergency is not liable to be dismissed or prejudiced in employment by reason of that absence, although I note that the efficacy of this measure was called into question in the other place. Regardless, we will not be seeking to delay or amend that provision, except of course the new updated harvest ban provision.

As I said, the harvest ban provision caused considerable angst in our rural communities. In its original iteration, it essentially gave CFS volunteers the power to direct landowners, particularly grain growers, to cease activities that may potentially lead to a fire. The power to direct cessation of certain activities is not, in and of itself, a bad idea. The Holloway review back in 2013 recommended that we consider the amendment of section 82 to include the power to order the cessation of harvesting or any other associated activities because weather conditions may be such that that activity is likely to cause a fire. The question, which has still not adequately been answered by this bill, is: who should have that power?

Following the introduction of the original bill, rural communities rightly asked whether this would mean that any CFS volunteer—a person who may well be a neighbour, a family member, or an employee of a farmer or grain producer—would have the authority, on their own assessment, to shut down activities. As noted before, the member for Flinders moved to establish a select committee to examine this question, such was the anger on the government backbench.

The committee in its final report reached the conclusion that SAPOL, rather than the local CFS, should wield the harvest ban power envisaged by the bill. It is worth noting that, on 4 February, Assistant Commissioner Bamford appeared at the committee. Assistant Commissioner Bamford is responsible for security and emergency management within SAPOL and is SAPOL's representative on the State Emergency Management Committee and chair of the State Response Advisory Group. Assistant Commissioner Bamford was asked by the Chairperson of the committee, in relation to the cessation of activities on harvesting land, 'Do you see CFS coming in...at a point before the police need to be involved?' The reply from the assistant commissioner was:

Yes, we do. Just as the Metropolitan Fire Service have a range of authorities that they use themselves. I see that it is absolutely sensible that the same thing applies to the CFS. There are authorities that the police have, and some of them are openly used by all and sundry; others are limited to people of higher ranks. A lot of this I see as a matter for the CFS to determine at what level these powers are used. We certainly don't see it as a police role to be the first people to turn up and tell someone to stop using a header.

He goes on to say:

We don't see it's appropriate for a police officer to be driving around the countryside trying to measure local indicators and then giving instructions...

I think it comes back to asking a police officer to make a decision based on some measurements and a number of indicators at a time and place, which is really not police core business. We are not really in the business of determining what the fire danger is and whether it is appropriate.

Given this contribution, and following consultation with PASA, it is the opposition's view—and the expressed belief of the South Australia Police themselves—that SAPOL are not best equipped to assess the fire risk. The opposition amendments accept the overarching premise of the government's amendment to the bill, which is to give police the power to enforce the law, which they do anyway.

They should indeed be empowered, if necessary, to go onto a farmer's land and ask them to cease activity but only on the advice of an authorised officer, and that authorised officer should be the chief officer of an emergency services organisation—which in reality will very likely in most cases be the CFS—or his or her delegate. We think this strikes the right balance.

Of course, the police will act if they think life or property is at imminent risk, as they always do, but the opposition believes that the powers this bill seeks to confer on the police should be tempered by the advice of an agency which has the skills and knowledge to assess fire risk.

Debate adjourned on motion of Hon. D.G.E. Hood.

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

Adjourned debate on second reading.

(Continued from 20 February 2020.)

The Hon. K.J. MAHER (Leader of the Opposition) (15:46): I rise on behalf of the opposition to support this bill, which finally implements no jab no play reforms in South Australia. It has been 2½ long years since the Labor government first introduced no jab no play reforms into parliament. I note that in the other place this week for the third time the opposition introduced legislation after the government spent 18 months knocking back the opposition's second attempt.

There is a simple and obvious premise behind introducing no jab no play: the belief that kids should be vaccinated unless there is a medical reason why they cannot. Why? Because it helps increase herd immunity and lower the spread of preventable diseases. This keeps our kids and the broader community safe and healthy. This bill, very much like the opposition's private members' bill in another place, requires children in this state to retain appropriate immunisation levels in order to attend child care, kindergarten and other early childhood education.

The bill proposes new laws to improve immunisation rates among children, meaning that children must be appropriately immunised in order to attend early childhood care services. The mandatory immunisations would align with those immunisations listed on the National Immunisation Program childhood schedule. They include hepatitis B, whooping cough, polio, measles, mumps, rubella and those strains of meningococcal that are currently on the schedule. The bill aims to improve South Australia's overall immunisation coverage while concurrently reducing pockets of underimmunisation.

The bill proposes that in order to attend early childhood services a child must be age appropriately immunised, be on an immunisation catch-up program or meet the exemption requirements. There would be a maximum penalty of \$30,000 for any person who provides an early childhood service and enrolls a child without the appropriate exemption or immunisation history required, and there is a good faith defence to protect providers who are necessarily relying on the statements provided to them by parents and guardians.

Back in 2017, South Australia was leading the nation on this important public health policy. New South Wales, Queensland, Victoria and Western Australia have overtaken us and implemented their own no jab no play laws. Under the Steven Marshall Liberal government South Australia has been lagging behind, and to this date we have not heard any valid excuse for that delay.

Labor's bill on this topic was a result of community consultation, including a full YourSAy consultation process. Already, Labor had done the groundwork asking for feedback on a no jab no play policy of consulting stakeholders and clinicians. The hard work had already been done and all this government had to do was reintroduce the bill. This government has had zero shame in rebranding many great Labor initiatives of their own and taking credit, but for some reason that shamelessness did not extend to the no jab no play legislation. However, the government did not budge, not even when the shadow health minister specifically wrote and suggested they might want to pick this one up.

Frustrated by the government's inaction, the shadow health minister reintroduced the bill in July 2018 in the hope that it would receive bipartisan support, but sadly the government proceeded to stifle debate on this important reform on 27 separate occasions over the following 18 months. The government will say that they had been working to implement no jab no play but what they have really done is delay implementing a comprehensive bill, fully informed by community consultation, with no justification.

Instead of moving to immediately implement Labor's bill, the government waited an entire year. They then introduced an alternative bill they claimed was the first step in implementing no jab no play, but to label it as such was misleading. The legislation last year merely requires early childhood care providers to ask for the immunisation records of children and in the event of an

outbreak can require the centre to provide the immunisation records they have to the Chief Public Health Officer. What the opposition has learned in briefings on the bill is that this was substantially already happening in practice.

Prior to the introduction of the bill, some 98 per cent of childcare centres were already proactively collecting immunisation records, and in many cases the Chief Public Health Officer could already require unvaccinated children to stay home in the event of a preventable diseases outbreak. When the legislation was enacted earlier this year, the government put out a misleading media release claiming 'No jab no play begins at SA childcare services'. At the time phase 1 legislation was being debated in March last year, the minister was defensive of the phased approach and critical of Labor's attempts to have a proper no jab no play regime in place. I quote from the government at the time:

We need to make sure that we act in the best interests of children, primarily through maximising the immunisation coverage, but do so without a blunt instrument and instead use the best possible instrument to provide positive outcomes for children.

It turns out that after 2½ years the government decided what was the best possible instrument was the very same legislation that they voted down 27 times in the other place. Regrettably, an actual no jab no play regime in the form of this legislation is only just now being debated in this council. Unvaccinated kids are still attending our childcare centres and parents are still falling prey to the lies and fearmongering coming from the anti-vaxer movement.

All this could have been radically changed years ago but the government has stalled with delay after delay. After all this time, the legislation the government has put before us today looks almost identical to what the opposition reintroduced in another place for the third time 2½ years since its initial introduction. We now know for certain that the government has really been wasting everyone's time. They could have been taking real action to better protect our children. On this side of the house we believe in the value of immunising our children and keeping them safe and doing so as soon as possible.

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

SUMMARY OFFENCES (TRESPASS ON PRIMARY PRODUCTION PREMISES) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 18 February 2020.)

The Hon. M.C. PARNELL (15:54): I rise to put the Greens' position on the record in relation to this bill. Our position is quite simple: unless this bill is substantially amended, we will be opposing it at the third reading. The bill, in short, increases penalties for farm trespass. The bill creates a new aggravated offence of farm trespass and it provides that almost every uninvited visit to a farm will, in fact, be an aggravated offence by virtue of every uninvited visit to a farm posing a potential biosecurity risk.

The Greens believe that this bill is overkill and it is misguided. We think it is misguided in a number of ways. Firstly, this bill does not seem to be based on any South Australian experience. The bill, in our view, is a purely political reaction to events that have occurred interstate. No evidence has been provided on the extent of the problem of farm trespass in South Australia and, therefore, no justification has been provided for the increased penalties, which are being proposed on the basis of additional deterrence being required. If there is no history of offending, then there is no justification for additional penalties.

Also, there is no evidence of any unduly lenient penalties ever being handed out by South Australian magistrates. In fact, there is no evidence provided at all in relation to the number of farm trespass offences in South Australia, the number of successful or unsuccessful prosecutions, or any penalties handed out. It is a complete fact-free zone. There is no evidence provided in the minister's second reading explanation or anywhere else that this is a problem that needs to be addressed in South Australia.

There is no evidence that existing laws and existing penalties in relation to trespassing are not an adequate deterrent to unlawful behaviour. When this bill was introduced last year, I made a quite lengthy contribution and, rather than repeat that contribution today, I would seek leave to have the remainder of my contribution incorporated into *Hansard* without my reading it.

Leave granted.

The PRESIDENT: The Hon. Mr Parnell, it is unusual, and I believe that you have form with this, I have just been informed, but leave has been granted.

The Hon. R.I. LUCAS: Mr President, what are the standing orders in relation to members, other than ministers, incorporating speeches into *Hansard* without them reading it?

The PRESIDENT: Treasurer, there is no standing order. It is by leave of the council and leave has been granted, although it is unusual.

The Hon. M.C. PARNELL: The remainder of my contribution reads:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Debate adjourned on motion of Hon. D.G.E. Hood.

LOBBYISTS (RESTRICTIONS ON LOBBYING) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 18 February 2020.)

The Hon. F. PANGALLO (15:57): I rise to speak on the second reading of the Lobbyists (Restrictions on Lobbying) Amendment Bill 2019. The bill seeks to ban an office bearer of the state governing body of a registered political party or an associated entity, such as a union, from becoming a registered lobbyist in South Australia. I have a set of amendments that relate to further restrictions on lobbying and amendments on the issue of the publication of ministerial diaries, an area of particular interest to me.

This government has often repeated its mantra that it is a government operating with the ultimate levels of accountability and transparency, yet there have been many examples where they have been far from open and accountable. The Gayle's Law and GM crops regulations, hidden fee hikes and land tax aggregation are just a few examples. In November 2018, I asked the following question of the Treasurer:

In May 2014, former Liberal New South Wales premier Mike Baird made a commitment to publishing ministerial diaries to 'restore the public's trust in our political process'. The policy was implemented four years ago. Similar policies have been implemented in the Australian Capital Territory and in Queensland, where ministerial diaries are published retrospectively every month and provide details like dates and purposes of meetings, organisations or individuals, including registered lobbyists, and attendance at meetings with external parties seeking to influence policy or decisions.

My question to the Treasurer is: given the Marshall government is similarly focused about bringing greater transparency to government, what is the Treasurer's and the Premier's view of having an open book and will the Treasurer and the Premier endorse that the Marshall government implement a policy of publishing South Australian ministerial diaries?

The response tabled by the Treasurer a month later was pretty pathetic. Let me quote:

There are currently no plans to proactively disclose the diaries of ministers. Under the Lobbyists Act 2015, lobbyists are required to publish details of the meetings they hold with ministers on an annual basis. The government is currently considering ways on how to improve this legislation to further increase transparency.

The problem is that the Lobbyists Act only requires to publish details of the meetings they hold with ministers once a year—simply not good enough. I am really interested to hear from the Treasurer about exactly what ways the government was considering how to improve the Lobbyists Act to further increase transparency, because I do not see it in this bill, which is why I have prepared my set of amendments.

My amendment No. 3 [Pangallo-1] provides a requirement of the government for the publication of ministerial diaries. New South Wales does it and Queensland does it. It is what all good governments should do. The amendment provides that ministers must publish on a website details of all scheduled meetings relating to their ministerial portfolio during a calendar month within six weeks after the end of the relevant month.

Social functions, personal meetings or meetings with other ministers, for example, are excluded. However, South Australians have a right to know who government ministers are meeting with and who is possibly exerting influence over them in relation to their portfolios. My amendments Nos 1 and 2 [Pangallo-1] provide for an extension of the period of time preventing a former minister from engaging in lobbying to three years, and goes further by providing that should the government for which they acted as a minister still be in power then that former minister is still precluded from lobbying until their former government is no longer in power.

Whilst I have no objections to former ministers, or MPs for that matter, working in this area per se, there does need to be some healthy distance between their term of service and taking up the new job. I am talking years not months. Speaking to former MPs who were not the beneficiaries of a generous parliamentary retirement scheme, they have told me of the difficulty faced trying to get employment in the private sector because of their previous political ties. Companies can be reluctant to be linked to be a person on the opposite side of the political fence to one in government or vice versa.

Former MPs, like anyone else in the community, should not be discriminated against. However, there does need to be a time line drawn in the sand when it comes to the appropriate time to return and engage in the political sphere on behalf of paying clients with an agenda or a particular interest. While these lobbyists do possess a sound knowledge of the mechanics of government, there could also be an adverse perception of attempting to seek favourable outcomes from members or ministers they had working relationships or ongoing friendships and associations with.

It can also be an area fraught with peril for serving parliamentarians and ministers. The last thing they would want is the slightest stench of corruption claims hanging over their heads. It is all a little too cosy for my liking and does not pass the pub test that a former politician profits on the basis of that cosiness. In recent times, there has been scrutiny over former defence minister and Liberal Party prime mover Christopher Pyne's new gigs advising companies linked to defence industries,

and his lobbying on behalf of property owners opposed to land tax. As you would expect, because of his connections as a powerbroker, the Liberals would naturally open the door wide to him.

I will admit to seeing him on the land tax issue; however, that discussion was short lived—it was a matter of a minute—when I made my position clear to him. But I did not want his clients to think that they had wasted a lot of their money on the exercise. As I do enjoy his company, the least I could do was run down the clock on his hourly charge, so we talked about other mundane matters, like his ambition to be chairman of the Crows and the unique flavour of my Coles Almond Spekulatius biscuits, which he choofed down with his short black coffee. Nonetheless, I feel there needs to be some distance between gigs, particularly when there are potential conflicts of interest.

In the midst of this, transparency campaigners, such as Transparency International Australia, have renewed calls for a five-year prohibition on post-ministerial lobbying. I have extended the current prohibition from two to three years. Why should anyone have to engage a Christopher Pyne, a Julie Bishop, a Malcolm Turnbull, a Tony Abbott, a Kevin Rudd, a Joe Hockey, a Kevin Foley or an Alexander Downer to get access and to advocate their issues? This is not how democracy is supposed to work in this state and in this country. It only serves to put the spotlight on undue influence and raises questions as to whether policy decisions are being made that are in the public interest. It is an illustration that powerful industry groups, such as property developers and political donors, see the value in hiring well-connected former politicians to do their lobbying—and it stinks.

Former ministers have access to privileged information and connections to other ministers in government that few others would have. Lobbying expert George Rennie of the University of Melbourne has said:

Not only are current ministers more likely to grant access to former ministers, but research shows that there is a greater chance that they will accede to the lobbying. This sort of bias in decision-making is inevitable but should be minimised where possible.

Lobbying by former ministers has the effect of giving them significant and undue sway over decisions and is part of the reason why some countries appropriately prevent ministers from lobbying for up to five years. I have settled on three years in my amendments, hoping that this will find favour in the chamber.

South Australians and voters across the country are tired of how powerful and influential lobbyists have become in shaping Australia's political and policy landscape. We often get calls in our offices from constituents who cannot get a meeting with government members, the door seemingly being closed to them because they are not influential enough.

In conclusion, I put on the record that we will be supporting the Hon. Mark Parnell's amendment to exclude former commonwealth ministers, along with former state ministers, from lobbying for a certain period. On the face of it, I am also inclined to support the Hon. John Darley's amendment to prevent registered lobbyists from undertaking fundraising events. I look forward to hearing his comments on that amendment before making a decision. I am also keen to hear from Labor about their amendment, which, as I understand it, seeks to clarify certain elements of the legislation before making a decision. With those words, I commend the second reading of the bill to the chamber.

Debate adjourned on motion of Hon. D.G.E. Hood.

At 16:09 the council adjourned until Tuesday 24 March 2020 at 14:15.