

LEGISLATIVE COUNCIL**Tuesday, 16 June 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.

Parliamentary Procedure

VISITORS

The PRESIDENT: I would like to acknowledge in the gallery the presence of Senator Stirling Griff.

Bills

STATUTES AMENDMENT (BAIL AUTHORITIES) BILL

Assent

His Excellency the Governor assented to the bill.

**CRIMINAL LAW (LEGAL REPRESENTATION) (REIMBURSEMENT OF COMMISSION)
AMENDMENT BILL**

Assent

His Excellency the Governor assented to the bill.

**RAIL SAFETY NATIONAL LAW (SOUTH AUSTRALIA) (RAIL SAFETY WORK) AMENDMENT
BILL**

Assent

His Excellency the Governor assented to the bill.

Parliamentary Procedure

PAPERS

The following papers were laid on the table:

By the President—

Flinders University Annual Report 2019
University of South Australia Annual Review 2019

By the Treasurer (Hon. R.I. Lucas)—

Fee Notices under Acts—

Aboriginal Heritage Act 1988
Administration and Probate Act 1919
Associations Incorporation Act 1985
Authorised Betting Operations Act 2000
Births, Deaths and Marriages Registration Act 1996
Building Work Contractors Act 1995
Burial and Cremation Act 2013
Conveyancers Act 1994
Co-operatives National Law (South Australia) Act 2013
Coroners Act 2003
Criminal Law (Clamping, Impounding and Forfeiture of Vehicles) Act 2007
Dangerous Substances Act 1979

Dangerous Substances Act 1979—Dangerous Goods Transport
 District Court Act 1991
 Employment Agents Registration Act 1993
 Environment, Resources and Development Court Act 1993
 Evidence Act 1929
 Explosives Act 1936
 Fair Work Act 1994
 Fines Enforcement and Debt Recovery Act 2017
 Freedom of Information Act 1991
 Gaming Machines Act 1992
 Guardianship and Administration Act 1993
 Labour Hire Licensing Act 2017
 Land Agents Act 1994
 Land Tax Act 1936
 Legislation Revision and Publication Act 2002—
 Liquor Licensing Act 1997
 Lottery and Gaming Act 1936
 Magistrates Court Act 1991
 Partnership Act 1891
 Petroleum Products Regulation Act 1995
 Plumbers, Gas Fitters and Electricians Act 1995
 Public Trustee Act 1995
 Relationships Register Act 2016
 SACE Board of South Australia Act 1983
 Second-hand Vehicle Dealers Act 1995
 Security and Investigation Industry Act 1995
 Sheriff's Act 1978
 South Australian Civil and Administrative Tribunal Act 2013
 State Records Act 1997
 Summary Offences Act 1953
 Supreme Court Act 1935
 Work Health and Safety Act 2012
 Youth Court Act 1993
 Regulations under Acts—
 Aboriginal Heritage Act 1988—Fee Notices
 Administration and Probate Act 1919—Fee Notices
 Associations Incorporation Act 1985—Fee Notices
 Authorised Betting Operations Act 2000—
 Fee Notices
 Fees
 Births, Deaths and Marriages Registration Act 1996—Fee Notices
 Building Work Contractors Act 1995—Fee Notices
 Burial and Cremation Act 2013—Fee Notices
 Conveyancers Act 1994—Fee Notices
 Co-operatives National Law (South Australia) Act 2013—Fee Notices
 Coroners Act 2003—Fee Notices
 Criminal Law (Clamping, Impounding and Forfeiture of Vehicles) Act 2007—Fees
 Criminal Law Consolidation Act 1935—General—False or Misleading Information
 Dangerous Substances Act 1979—
 Dangerous Goods Transport—Fees
 Fees
 District Court Act 1991—Fee Notices
 Employment Agents Registration Act 1993—Fee Notices
 Environment, Resources and Development Court Act 1993—
 Fee Notices
 Fees
 Evidence Act 1929—Fee Notices

Expiation of Offences Act 1996—Fees
Explosives Act 1936—
 Fee Notices
 Fees
 Fireworks—Fee Notices
 Security Sensitive Substances—Fee Notices
Fair Work Act 1994—Representation—Fee Notices
Fines Enforcement and Debt Recovery Act 2017—
 Fee Notices
 Prescribed Amounts
Freedom of Information Act 1991—Fees and Charges—Fee Notices
Gaming Machines Act 1992—Fees and Charges—Fee Notices
Guardianship and Administration Act 1993—Fee Notices
Labour Hire Licensing Act 2017— Fee Notices
Land Agents Act 1994—Fee Notices
Land and Business (Sale and Conveyancing) Act 1994—Fee Notices
Land Tax Act 1936—Fee Notices
Legislation Revision and publication Act 2002—Prescribed Class of Injury
Liquor Licensing Act 1997—
 Fees
 General—Fee Notices
Lottery and Gaming Act 1936—Fees
Magistrates Court Act 1991—Fees—Fee Notices
Partnership Act 1891—Fee Notices
Petroleum Products Regulation Act 1995—Fee Notices
Plumbers, Gas Fitters and Electricians Act 1995—Fee Notices
Public Trustee Act 1995—Fee Notices
Relationships Register Act 2016—Fees
Return to Work Act 2014—Prescribed Class of Injury
SACE Board of South Australia Act 1983—Fee Notices
Second-hand Vehicle Dealers Act 1995—Fee Notices
Security and Investigation Industry Act 1995—Fee Notices
Sentencing Act 2017—Fee Notices
Sheriff's Act 1978—Fee Notices
South Australian Civil and Administrative Tribunal Act 2013—
 Fee Notices
 Fees
State Records Act 1997—Fees
Summary Offences Act 1953—Fee Notices
Supreme Court Act 1935—Fee Notices
Work Health and Safety Act 2012—Fee Notices
Youth Court Act 1993—
 Fees
 General
Abrasive Blasting SafeWork SA Code of Practice dated June 2020
Confined Spaces SafeWork SA Code of Practice dated June 2020
Demolition Work SafeWork SA Code of Practice dated June 2020
Excavation Work SafeWork SA Code of Practice dated June 2020
First Aid in the Workplace SafeWork SA Code of Practice dated June 2020
Hazardous Manual Tasks SafeWork SA Code of Practice dated June 2020
How to Manage and Control Asbestos in the Workplace SafeWork SA Code of
 Practice dated June 2020
How to Manage Work Health and Safety Risks SafeWork SA Code of Practice
 dated June 2020
How to Safely Remove Asbestos SafeWork SA Code of Practice dated June 2020
Labelling Hazardous Chemicals SafeWork SA Code of Practice dated June 2020

Managing Electrical Risks in the Workplace SafeWork SA Code of Practice dated June 2020
 Managing Noise and Preventing Hearing Loss at Work SafeWork SA Code of Practice dated June 2020
 Managing Risks of Hazardous Chemicals in the Workplace SafeWork SA Code of Practice dated June 2020
 Managing the Risk of Falls at Workplaces SafeWork SA Code of Practice dated June 2020
 Managing the Risks of Plant in the Workplace SafeWork SA Code of Practice dated June 2020
 Managing the Work Environment and Facilities SafeWork SA Code of Practice dated June 2020
 Preparation of Safety Data Sheets for Hazardous Chemicals SafeWork SA Code of Practice dated June 2020
 Spray Painting and Powder Coating SafeWork SA Code of Practice dated June 2020
 Welding Processes SafeWork SA Code of Practice dated June 2020
 Work Health and Safety Consultation, Cooperation and Coordination SafeWork SA Code of Practice dated June 2020

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

Fee Notices under Acts—

Controlled Substances Act 1984
 Fisheries Management Act 2007
 Heavy Vehicle National Law (South Australia) Act 2013
 Industrial Hemp Act 2017
 Livestock Act 1997
 Motor Vehicles Act 1959—Accident Towing Roster Scheme
 Motor Vehicles Act 1959— Proof of Age Card
 Opal Mining Act 1995
 Pastoral Land Management and Conservation Act 1989
 Petroleum and Geothermal Energy Act 2000
 Plant Health Act 2009
 Primary Produce (Food Safety Schemes) Act 2004—
 Eggs
 Meat
 Plant Products
 Seafood

Regulations under Acts—

Aquaculture Act 2001—Fee Notices
 Bills of Sale Act 1886—Fee Notices
 Community Titles Act 1996—Fee Notices
 Fisheries Management Act 2007—
 Fees
 General—Fee Notices
 Heavy Vehicle National Law (South Australia) Act 2013—
 Expiation Fees—No 2
 Fees
 Industrial Hemp Act 2017—
 Fee Notices
 Fees
 Livestock Act 1997—Fee Notices
 Local Government Act 1999—General—Fees
 Mines and Works Inspection Act 1920—Fees
 Mining Act 1971—
 Fees
 Warden's Court—Miscellaneous

Motor Vehicles Act 1959—
 Accident Towing Roster Scheme—Fee Notices
 Expiation Fees
 National Heavy Vehicles Registration Fees
Opal Mining Act 1995—
 Fee Notices
 Fees
Passenger Transport Act 1994—Fee Notices
Pastoral Land Management and Conservation Act 1989—Fees
Petroleum and Geothermal Energy Act 2000—Fee Notices
Plant Health Act 2009—Fee Notices
Primary Produce (Food Safety Schemes) Act 2004—
 Egg—Fee Notices
 Meat—Fee Notices
 Plant Products—Fee Notices
 Seafood—Fee Notices
Private Parking Areas Act 1986—Expiation Fees
Rail Safety National Law (South Australia) Act 2012—Fees and Other Measures
Real Property Act 1886—Fees
Registration of Deeds Act 1935—Fees
Roads (Opening and Closing) Act 1991—
 Fee Notices
 Fees
Road Traffic Act 1961—
 Fees
 Miscellaneous—Expiation Fees
Strata Titles Act 1988—Fees
Valuation of Land Act 1971—Fee Notices
Worker's Liens Act 1893—Fee Notices

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

Fee Notices under Acts—
 Adoption Act 1988
 Animal Welfare Act 1985
 Botanic Gardens and State Herbarium Act 1987
 Child Safety (Prohibited Persons) Act 2016
 Crown Land Management Act 2009
 Disability Services Act 1993
 Heritage Places Act 1993
 Historic Shipwrecks Act 1981
 Housing Improvement Act 2016
 Marine Parks Act 2007
 Native Vegetation Act 1991
 Radiation Protection and Control Act 1982
 Supported Residential Facilities Act 1992
 Water Industry Act 2012
Regulations under Acts—
 Adoption Act 1988—
 Fee Notices
 Fees
 Animal Welfare Act 1985—Fee Notices
 Botanic Gardens and State Herbarium Act 1978—Fee Notices
 Child Safety (Prohibited Persons) Act 2016—Fees
 Crown Land Management Act 2009—Fee Notices
 Disability Services Act 1993—Assessment of Relevant History—Fee Notices
 Environment Protection Act 1993—Fees

Heritage Places Act 1993—Fee Notices
 Historic Shipwrecks Act 1981—Fee Notices
 Housing Improvement Act 2016—
 Fee Notices
 Fees
 Marine Parks Act 2007—Fee Notices
 Native Vegetation Act 1991—Fee Notices
 Radiation Protection and Control Act 1982—Fees
 Supported Residential Facilities Act 1992—Fee Notices
 Water Industry Act 2012—Fee Notices

By the Minister for Health and Wellbeing (Hon. S.G. Wade)—

Fee Notices under Acts—
 Controlled Substances Act 1984
 Fire and Emergency Services Act 2005
 Firearms Act 2015
 Food Act 2001
 Hydroponics Industry Control Act 2009
 Police Act 1998
 Retirement Villages Act 2016
 South Australian Public Health Act 2011
 Tobacco and E Cigarette Products Act 1997
 Regulations under Acts—
 Controlled Substances Act 1984—
 Pesticides
 Poppy Cultivation
 Fire and Emergency Services Act 2005—Fees
 Firearms Act 2015—
 Fee Notices
 Fees
 Food Act 2001—Fee Notices
 Hydroponics Industry Control Act 2009—Fee Notices
 Police Act 1998—Fee Notices
 Retirement Villages Act 2016—
 Fee Notices
 Fees
 South Australian Public Health Act 2011—
 Fee Notices
 Fees
 Legionella—Fee Notices
 Wastewater—Fee Notices
 Tobacco and E-Cigarette Products Act 1997—Fees

Ministerial Statement

SAFEGUARDING TASKFORCE INTERIM REPORT

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:29): I seek leave to make a ministerial statement.

Leave granted.

The Hon. J.M.A. LENSINK: The death of Ann Marie Smith on 6 April 2020 has shocked and saddened us all. The circumstances of her death, as reported by SAPOL, indicated serious gaps in the safeguarding system that is currently in place for people with disabilities and their families. These safeguards are meant to protect our most vulnerable but failed in this instance. Identifying these safeguarding gaps has been a top priority for this government over the last four weeks. Yesterday, I was provided with an interim report from the Safeguarding Taskforce outlining urgent

high-level safeguarding issues that both the state and federal governments need to consider and address.

Over the next seven weeks, the task force will be consulting more widely with people with disability and key stakeholders to finalise their report and the recommendations therein. Releasing the interim report now allows us to move quickly and identify the critical conversations we need to be having prior to the final report on 31 July. Before I provide more details about the interim recommendations, I would like to again emphasise the importance of people living with disability being central to this process. We are grateful to the members of the task force who have a disability, or are a parent of a child with a disability, for sharing their experience and knowledge to close these gaps.

The interim report has outlined 12 key safeguarding gaps and five associated recommendations. I am pleased to say that the government is providing in-principle support for all five recommendations. Together, these recommendations will provide additional layers of safeguarding for people with disability in South Australia. While all recommendations will require further detail, preliminary work to address them has already begun.

Given the majority of gaps fall within the federal government's responsibility, I have already communicated with minister Stuart Robert, the Minister for the National Disability Insurance Scheme, the commissioner of the NDIS Quality and Safeguards Commission, Graeme Head, and the Chief Executive of the NDIA, Martin Hoffman, to push for urgent change in these areas.

In summary, these gaps include:

- that there is no requirement for providers of personal support to have at least two support workers for an individual (not necessarily at the same time);
- that there is no specific requirement for workers in a participant's home to have regular supervision;
- support coordination can be provided by the same agency that provides other core services for the individual, creating a conflict of interest;
- relevant information on an individual worker that might affect their suitability to work with people with disabilities not being shared with the screening unit in DHS quickly and fully;
- vulnerable participants not being routinely identified and assigned ongoing support coordination in their NDIS plan;
- NDIS plans not being inclusive of strategies to minimise participant risk, such as coordination of health care;
- lack of clarity regarding the NDIS Quality and Safeguards Commission's handling of reports of matters of concern;
- participants not being linked to community so they can participate in community activity;
- no priority for vulnerable participants identified by the NDIA when carrying out the community connection role; and
- risk factors associated with the use of unregistered providers of personal support, particularly for vulnerable participants.

I will also be discussing these gaps and their associated recommendations with other state ministers to harness their support in driving reform in these areas. As many states and territories are yet to fully transition to the NDIS, I am sure they will be interested in ensuring these safeguards are in place for their citizens.

I would also like to outline the changes that are within South Australia's powers to address. These include taking measures to expand the role of the Adult Safeguarding Unit so that its scope includes vulnerable adults of any age, and addressing the need for vulnerable NDIS participants to have regular health checks.

I am pleased to see that the task force has given some consideration to the opposition's Community Visitor Scheme bill, emphasising the need to apply a considered rather than rushed approach given that 'significant parts of the private member's bill would likely be inoperable'. We all agree that the CVS is a valued scheme, which is why the Marshall Liberal government continued to fund and expand it after Labor cashed it out to the NDIS; however, any revised scheme needs to be well designed and carefully consider legal responsibilities between the state and the commonwealth.

I look forward to seeing how the task force can further explore how the Community Visitor Scheme can be applied going forward to ensure the rights of people with disability are enabled and not unintentionally inhibited. I would like to thank the task force members for their haste in bringing the interim report together and providing a pathway forward.

I would also like to thank members of the public who have written to the government and provided submissions to the task force since learning of Ann Marie's death to express their sadness and provide recommendations on how to improve the system.

Closing safeguarding gaps for people with disability will take a collective effort. As the interim report highlights, the best safeguard for any vulnerable individual is to have many people in their lives, preferably people who love and look out for them, who make sure the person is not left to their own devices when things go wrong. I can assure all South Australians that the Marshall government is committed to pushing for reform at all levels until systemic weaknesses and failures are addressed and we have the highest level of quality assurance and safeguards possible for people with a disability. I now seek leave to table the Safeguarding Taskforce Interim Report.

Leave granted.

Parliamentary Procedure

ANSWERS TABLED

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

Question Time

SAFEGUARDING TASKFORCE

The Hon. K.J. MAHER (Leader of the Opposition) (14:39): My question is to the Minister for Human Services regarding disability services. Minister, did the task force that was formed in response to the terrible and tragic death of Ann Marie Smith have access to any kind of information about the circumstances of her death, and was the task force at liberty to request information about her or in any way discuss and report on aspects of the death of Ann Marie Smith?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:40): I thank the honourable member for his question. I have said many, many times that the role of the task force is to examine matters relating to safeguarding, to which they have clearly applied themselves assiduously and have provided the state government with an interim report which, as I said in my ministerial statement, all recommendations of which we have accepted in principle, and some of the matters that are contained within it we had identified ourselves and therefore had already been working on.

The purpose of the task force was not to examine the circumstances of Ann Marie Smith's death: there is information in the public domain, which anybody has been able to access. My understanding is that they would not have sought particular private details and, as I have also said on numerous occasions, these matters are under police investigation and are subject to the federal regulator having its own investigation by the independent appointee, Alan Robertson SC, a retired federal judge. The files that relate to Ann Marie Smith that would be held by my department are now with the police, and that is the appropriate location for them.

SAFEGUARDING TASKFORCE

The Hon. K.J. MAHER (Leader of the Opposition) (14:42): Supplementary arising from the answer: minister, was this task force set up in response to gaps in the system that were apparent after the death of Ann Marie Smith?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:42): I am not quite sure that I understand the gist of what the honourable member is driving at. We have been shocked and horrified, as have all South Australians, in relation to these matters. I think it has been disappointing that the work of the task force has been undermined by the opposition. They have cast slurs on the independence of those members. I can assure all honourable members that the—

The Hon. K.J. Maher: That's a reflection on you, Michelle—

The PRESIDENT: Order!

The Hon. J.M.A. LENSINK: They've said it themselves—

The Hon. K.J. Maher: It's a reflection on you, not them. It's a reflection on you as minister, and you've put people in that position. Your choices have done that.

The PRESIDENT: Order, Leader of the Opposition! Minister, continue please.

The Hon. J.M.A. LENSINK: It is disappointing—

The Hon. K.J. Maher: It's a poor reflection on you.

The PRESIDENT: Order!

The Hon. J.M.A. LENSINK: It is disappointing that members of the task force have had to work under some duress—

The Hon. I.K. Hunter: Just answer the question.

The PRESIDENT: The Hon. Mr Hunter, you don't need to join in.

The Hon. I.K. Hunter interjecting:

The PRESIDENT: The Hon. Mr Hunter!

The Hon. I.K. Hunter: She's not answering the question, sir.

The PRESIDENT: The Hon. Mr Hunter!

The Hon. I.K. Hunter: Did you set up a task force after the death of Ann Marie Smith—yes or no?

The PRESIDENT: The Hon. Mr Hunter, interjections are out of order; now cut it out. Minister.

The Hon. J.M.A. LENSINK: It is disappointing that the work of the task force has been—

The Hon. I.K. Hunter: Did you set up the inquiry after—

The PRESIDENT: Minister, sit down.

The Hon. I.K. Hunter: —the death of Ann Marie Smith—yes or no?

The PRESIDENT: You finished?

The Hon. I.K. Hunter: Not yet.

The PRESIDENT: Well, we're not going anywhere until you listen in silence. Minister.

The Hon. J.S.L. Dawkins: He wants to get chucked out.

The PRESIDENT: I'm not going to give him that satisfaction.

The Hon. J.M.A. LENSINK: Thank you, Mr President, for your protection. It is disappointing that the work of the task force has been undermined.

The Hon. I.K. Hunter: Why are you avoiding an answer, Michelle?

The Hon. J.M.A. LENSINK: There are a number of people with lived experience, both parents and people who have disabilities themselves—

The Hon. I.K. Hunter: A very simple question.

The PRESIDENT: The Hon. Mr Hunter, enough!

The Hon. D.W. Ridgway interjecting:

The PRESIDENT: Minister Ridgway, you can stay out of it.

The Hon. J.M.A. LENSINK: They have worked assiduously on these matters since we asked them to take on this task.

The Hon. I.K. Hunter: Why won't you answer the question?

The PRESIDENT: The Hon. Mr Hunter! Listen to the answer.

The Hon. I.K. Hunter: We're not getting one.

The PRESIDENT: Minister, sit down. Minister, continue. Listen in silence, please. Interjections are out of order.

The Hon. J.M.A. LENSINK: We had the farce about whether there were terms of reference, which clearly had been circulating. We have had the very disappointing approach, particularly of members of the opposition, who have sought to undermine the important work of this task force. They, nevertheless, have got on with the job of providing an interim task force. We also had at one stage the Leader of the Opposition saying that they didn't have enough time to produce a report, and then yesterday we had the shadow minister saying that we need to have the report today, the day it is received by the government.

The Hon. K.J. Maher: That was members of your task force said that—members of your task force.

The PRESIDENT: Order!

The Hon. J.M.A. LENSINK: They have produced an interim report. We are incredibly grateful for their work at what is a challenging time for all members of the disability sector.

Members interjecting:

The PRESIDENT: Order! The Hon. Mr Hunter and the Hon. Mr Ridgway! Minister, please.

The Hon. J.M.A. LENSINK: This has been a distressing time for a number of people within the disability community.

The Hon. I.K. Hunter: It's not a trap. It's a simple question.

The PRESIDENT: Order!

The Hon. J.M.A. LENSINK: They have applied themselves. They will continue to consult with a range of people and continue to receive submissions, and we look forward to seeing not only implementation of their recommendations but the final report.

SAFEGUARDING TASKFORCE

The Hon. K.J. MAHER (Leader of the Opposition) (14:46): Supplementary question arising from the answer: minister, why did you establish this task force?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:46): I think these are already matters of public comment on numerous occasions. We established this task force. I have done—

Members interjecting:

The PRESIDENT: Order!

The Hon. K.J. Maher interjecting:

The PRESIDENT: Order! The honourable Leader of the Opposition, this is your supplementary question. You are not going to get an answer unless you give the minister an opportunity to answer.

Members interjecting:

The PRESIDENT: Order, the Hon. Mr Hunter! Minister, please continue.

The Hon. J.M.A. LENSINK: Thank you, Mr President. I note the Labor Party whip giggling on the backbench at a time—

The PRESIDENT: Minister, I will sort that out.

Members interjecting:

The PRESIDENT: Order!

The Hon. I.K. Hunter: Hand the job over to someone else.

The PRESIDENT: Order, the Hon. Mr Hunter! Minister, please continue.

The Hon. J.M.A. LENSINK: —what has been a very challenging time for everyone concerned. I have made so many comments on this issue, and clearly we established the task force very quickly. I might point out that we didn't do what the Labor Party did when it came to Oakden. We did not follow the Labor approach of Oakden—

Members interjecting:

The PRESIDENT: Order!

The Hon. J.M.A. LENSINK: —where the health minister and the minister for mental health and disabilities—

Members interjecting:

The PRESIDENT: Order!

The Hon. J.M.A. LENSINK: —received letters from family members—

Members interjecting:

The PRESIDENT: Order! Government benches and opposition benches!

The Hon. J.M.A. LENSINK: —and they didn't do anything with them for months and months on end.

The Hon. E.S. Bourke: What did you say in here about that?

The PRESIDENT: Order, the Hon. Ms Bourke!

The Hon. J.M.A. LENSINK: This matter of Ann Marie Smith, while she was an NDIS client she was a South Australian citizen and therefore the South Australian government has acted very quickly to establish a task force to frankly and fearlessly look into all the issues of safeguarding, which they, through their lived experience, are able to identify and provide reports on, which we have submitted to the commonwealth and which we are acting on ourselves.

SAFEGUARDING TASKFORCE

The Hon. K.J. MAHER (Leader of the Opposition) (14:48): Final supplementary: minister, if, as you seem to be skirting around and saying, the task force was established in relation to the death of Ann Marie Smith—

The PRESIDENT: The honourable Leader of the Opposition, just ask your supplementary question.

Members interjecting:

The PRESIDENT: Order!

The Hon. K.J. MAHER: —why is the task force not allowed to look at any of the circumstances of the death of Ann Marie Smith?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:48): I have already answered this, but I think it does bear repeating that there is a police investigation. Those files have been provided to the police, and it is not appropriate that they be provided to others. I have said countless times that the purpose of the task force was to look not specifically at the circumstances of Ann Marie Smith's death but as a response to the outpouring of grief and concern from a number

of people with lived experience that they have concerns that there are gaps in safeguarding, and we are determined to close them.

SAFEGUARDING TASKFORCE INTERIM REPORT

The Hon. K.J. MAHER (Leader of the Opposition) (14:49): My question is to the Minister for Human Services regarding disability services. Minister, are you aware if all members of the task force saw and approved the interim report after it was finalised, and are you aware if the task force has met to discuss or review the interim report since it was finalised?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:49): These are matters for the task force themselves to determine.

Members interjecting:

The PRESIDENT: Order! The honourable Deputy Leader of the Opposition! Sit down.

The Hon. E.S. Bourke: Surely you sat down with them and you asked them about the report. Surely they provided a briefing.

The PRESIDENT: We will all listen to you, the Hon. Ms Bourke, will we? Minister.

The Hon. J.M.A. LENSINK: They have kept me up to date with things, as is appropriate.

Members interjecting:

The PRESIDENT: Order! Next question, the honourable Leader of the Opposition, and the opposition benches will be silent while he asks his question, please.

The Hon. J.M.A. Lensink: Why do you keep trying to undermine what they are doing? Have you spoken to any of them?

The PRESIDENT: Minister!

Members interjecting:

The PRESIDENT: Order!

SAFEGUARDING TASKFORCE INTERIM REPORT

The Hon. K.J. MAHER (Leader of the Opposition) (14:50): I seek leave to make a brief explanation before asking the Minister for Human Services a question regarding disability services.

Leave granted.

The Hon. K.J. MAHER: In previous question times the minister has answered questions in relation to the sharing of information about checks for people working with people living with a disability. The minister has said that it is the commonwealth's responsibility for those who are employed but is not sure what information the state gives the commonwealth; but it is a state responsibility for the screening of such workers but is not sure what information the commonwealth gives to the state.

The Safeguarding Taskforce Interim Report of June 2020 in a number of places, but particularly recommendation 8.4 and safeguarding gap 11, suggests that the minister's department, that is, the Department of Human Services, revisits the information sharing guidelines as they impact on the screening of workers. My question to the minister is: what information sharing guidelines are they referring to?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:51): I thank the honourable member for his question. I have to repeat what I have advised previously to the house because it does seem that the Labor Party doesn't actually understand how the NDIS operates on a number of levels. The responsibility for regulating organisations that provide NDIS services rests with the Quality and Safeguards Commission as the federal regulator. Under their rules, providers are required to ensure that all relevant staff have an appropriate screening, which is provided by the Department of Human Services, and that is how the system operates.

SAFEGUARDING TASKFORCE INTERIM REPORT

The Hon. K.J. MAHER (Leader of the Opposition) (14:52): Supplementary arising from the answer in relation to how the state and the commonwealth operate: minister, do you have any idea what the information sharing guidelines referred to in the report are, or not?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:52): Broadly speaking, a range of jurisdictions will have, either at a state level or between states and territories, information sharing guidelines, which are broadly to ensure that any matters which place, in this case, participants at risk are shared so that the relevant jurisdiction can take action. What we have been working on, which I reported on in the last sitting week in fact—I am not sure whether the honourable member was listening at the time or not—is to seek from the federal regulator specific details.

Clearly, in this particular case where the screening unit was not made aware of Ann Marie Smith's case and was therefore provided with a screening, as it was legally entitled to do—without having been provided with that additional information about the careworker it provided the screening. Clearly, the state government is very keen and has been working on this issue for several weeks to ensure that we get information in a timely manner, and that is encapsulated in the recommendations of the interim task force.

SAFEGUARDING TASKFORCE INTERIM REPORT

The Hon. K.J. MAHER (Leader of the Opposition) (14:53): Final supplementary arising from the original answer: minister, apart from broad principles of what sharing information is, is the minister actually aware of the information sharing guidelines referred to in the task force report?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:54): They are the matters that enable the Department of Human Services to mutually share information with the Quality and Safeguards Commission. I note that he has a copy of the 2013 state Ombudsman's information sharing guidelines, which all state agencies apply to, and they are all very similar principles.

The commonwealth government has privacy laws which can sometimes be an obstacle to them sharing information, but in these particular matters the Department of Human Services needs to be provided with timely information about people who may present a risk if they are able to continue working to provide services to vulnerable people.

CORONAVIRUS RESTRICTIONS

The Hon. J.S. LEE (14:55): My question is to the Minister for Health and Wellbeing about COVID-19. Would the minister update the council about South Australia's response to COVID-19 and community cooperation with public health advice?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:55): I would like to thank the honourable member for her question. One of the cornerstones of South Australia's success so far in combating the COVID-19 pandemic has been the adherence of the community to the public health advice that has been given. We have world-class public health clinicians, but if their advice is ignored, their skills cannot be translated into success. Fortunately, we continue to see high levels of compliance with this advice through the pandemic.

The much anticipated AFL Showdown on Saturday night demonstrated that spirit of cooperation is continuing, even as we move out of the first stage of the pandemic. On 9 June 2020, the State Coordinator, Commissioner Grant Stevens, announced that after consideration the Transition Committee was granting approval for 2,000 people to attend Adelaide Oval's public areas for the Showdown on 13 June. A further 240 people were allowed in function rooms at the stadium.

This exemption was only granted after rigorous public health evaluation of the plan put forward by the Stadium Management Authority. The plan included physical distancing across the board, from viewing the match to entering and exiting the stadium. This event was historic. It was the first AFL match in Australia in 2020 to have crowds. Not only that, it was one of the first mass gathering sports events in the world. It was a concrete example of the way in which South Australians' hard work in combating the pandemic has paid off.

South Australian health officials, led by Chief Public Health Officer Professor Nicola Spurrier, attended the match and took extensive notes about how the stadium was able to adhere to public health guidance. In particular, she was joined by Chris Lease, the Deputy Chief Public Health Officer, who has particular responsibility for broader community strategies. I would like to pay tribute to Dr Lease. Everybody knows Professor Nicola Spurrier is a star of the public health realm. Dr Chris Lease is another in a constellation of stars in our public health team.

The SA Health team did notice opportunities for improvement in terms of public health, and they also are looking forward to working with the Stadium Management Authority and other organisations to look forward to incremental increases in crowd numbers. Whilst one need not reflect on the score at the final siren, from a public health perspective the event was a roaring success. The Stadium Management Authority team, led by chief executive Andrew Daniels, is to be commended for their work—and with the two AFL clubs—on the logistics of the night.

I thank South Australians for their cooperation with public health advice so far. As the Showdown demonstrated, this brings with it real economic and social rewards. However, as the economy opens up again we, again, must remember that the virus is still out there and we need to maintain our efforts to keep it at bay.

SPRINGBANK SECONDARY COLLEGE

The Hon. C. BONAROS (14:58): I seek leave to make a brief explanation before asking the Treasurer, in his capacity as Treasurer and in his capacity as minister representing the Minister for Education, a question about the potential closure of Springbank Secondary College.

Leave granted.

The Hon. C. BONAROS: Submissions recently closed for the state government's review into the potential closure of Springbank Secondary College at Daw Park. The school, as we know, has a unique cohort of students, including 37 students in the disability unit and many more students on the autism spectrum within the broader mainstream student cohort. As we know, access to education is enshrined within the Convention on the Rights of the Child as a fundamental human right. In particular, article 23(3) of the convention states:

Recognizing the special needs of a disabled child, assistance... shall be designed to ensure that the disabled child has effective access to and receives education, training, health care services, rehabilitation services, preparation for employment and recreation opportunities in a manner conducive to the child's achieving the fullest possible social integration and individual development, including his or her cultural and spiritual development.

The Mittiga family, whose son Jo Jo is on the autism spectrum, was accepted into Unley High School last year only to be told two days before the end of term 4 by the school's deputy principal, who called them to the school, 'We can't educate your son and we are extremely embarrassed.'

The Mittiga family—and I note Jo Jo's father is here today—was then referred to Springbank Secondary College, which told them it could cater for their son's special needs, and he commenced there shortly after. Jo Jo, for the record, is now thriving in a welcoming, inclusive and specialist school which invests the time and effort in giving children with a disability and children on the spectrum fair and equal treatment to their peers. So my questions to the Treasurer are:

1. What guarantees does the Mittiga family and other families of children with disabilities and on the autism spectrum have that the government will prioritise the needs of these children, pursuant to the article that I have referred to, over the economic considerations of the state in making its final determination about the future of Springbank college?
2. Has the Treasurer's department undertaken any valuation of the financial windfall the government would receive for the campus should it decide to sell the school to a commercial developer?
3. Can the government guarantee the Mittiga family that their son will not fall through the cracks should the Springbank Secondary College close?
4. Given the education minister has steadfastly refused to meet with anyone, including SA-Best's federal colleague Centre Alliance senator Senator Griff, prior to the completion of the

review, will the Treasurer request of the Premier to extend the courtesy of meeting with the Mittiga family and other families who will be otherwise adversely impacted should the closure proceed?

The Hon. R.I. LUCAS (Treasurer) (15:01): I have every confidence in the outstanding capacity of my outstanding ministerial colleague minister Gardner to ensure that every lawful obligation he is required to abide by is lawfully abided by. So I have every confidence in my ministerial colleague and I would ask the Hon. Ms Bonaros to accept the fact that my ministerial colleague is not only assiduous, hardworking and an excellent minister, but that he would ensure that any lawful obligation is dutifully followed.

In relation to handling this particular issue, I am sure I speak on behalf of the Premier, and I certainly speak on my behalf, I have every confidence in the minister's capacity to handle the issue in its entirety. If that requires considering submissions made by either individuals or stakeholders, or indeed other interested parties, I am sure he will give it appropriate consideration on the particular submission that might be made. But that's ultimately a judgement for each and every minister to make as to how they handle the particular issues.

In relation to whether Treasury has undertaken separate evaluations, my understanding is that that's not the case. These sorts of issues are handled by the departments and, in this case, it's the education department. Those sorts of issues, ultimately, would only come into consideration if and when a decision was made to close a school. Of course, that decision has not yet been taken because there is a review being conducted at the very moment into that particular issue.

Finally, as I said, not only am I confident that the minister would abide by every lawful obligation, I am sure he would do everything that is humanly possible to him as a minister, with his capacity to have the assistance of the department, to provide as much assistance to each and every student and his or her requirements within our schooling system.

As a former minister for education I am aware that some schools have capacity in certain areas and other schools have capacity in other areas. That doesn't mean those skill sets can't be offered in other school environments, in other school offerings. As the minister, there were any number of occasions where the particular needs of students with disability were catered for by additional resourcing into particular areas, districts or schools that might have had a particular focus or need for those students and their families.

I have confidence that the Minister for Education will give appropriate consideration to all the issues the honourable member has raised.

SPRINGBANK SECONDARY COLLEGE

The Hon. C. BONAROS (15:05): A supplementary: given your level of confidence in the minister, do you stand by his decision to refuse to meet not only with Senator Griff in relation to this issue but also Mr Mittiga and his family to discuss issues pertinent to their son's education?

The Hon. R.I. LUCAS (Treasurer) (15:05): If indeed that is the case, I do have absolute confidence in my ministerial colleague. Only the minister involved in these sorts of complex decisions can make judgements about the way he or she might handle a particular issue. If the member's question is whether I have confidence in my ministerial colleague's ability to make those judgements, the simple answer is yes.

SPRINGBANK SECONDARY COLLEGE

The Hon. C. BONAROS (15:06): A further supplementary: is the Treasurer telling us that the minister is doing absolutely everything humanly possible when he is refusing to meet with families, and with senators, in relation to the closure of Springbank Secondary College?

The Hon. R.I. LUCAS (Treasurer) (15:06): I can add nothing more to the comprehensive answers I have given to the first questions. I have absolute confidence in my ministerial colleague that he is giving appropriate consideration to all submissions. He has undoubted capacity to manage the issue sensibly and responsibly not only on behalf of the government but also on behalf of the department and of stakeholders who might have views on this particular issue as well.

SPRINGBANK SECONDARY COLLEGE

The Hon. T.A. FRANKS (15:07): A supplementary: are the members of the Springbank review committee being given comprehensive and appropriate consideration by receiving all and every complete submission made to the review, or has there been a filtering process?

The Hon. R.I. LUCAS (Treasurer) (15:07): I am unaware of the processes of the review committee. I am happy to refer the details of the review committee process to the minister and bring back a reply.

SPRINGBANK SECONDARY COLLEGE

The Hon. C. BONAROS (15:07): A supplementary arising from the original answer: given the concerns outlined today specifically in relation to the Mittiga family—and I did ask this question—will the Treasurer undertake to request of the Premier that he extend an invitation to that family to discuss this matter with them?

The Hon. R.I. LUCAS (Treasurer) (15:08): I answered that question and indicated clearly that I am sure I speak on behalf of the Premier, and I speak on behalf of myself, that I have absolute confidence that the minister is the appropriate person to handle this issue, and neither the Premier nor myself would seek to intervene in relation to this particular issue.

SMITH, MS A.M.

The Hon. C.M. SCRIVEN (15:08): My question is to the Minister for Health and Wellbeing regarding the safety of vulnerable adults. When was the minister or his office first informed of the death of Ann Marie Smith and by whom? Did any or all of the Adult Safeguarding Unit, the SA Ambulance Service, the Central Adelaide Local Health Network or the Health and Community Services Complaints Commission notify the minister or his office of the sad Ann Marie Smith case? Would the minister expect that the Adult Safeguarding Unit would have notified him of the death of Ann Marie Smith, given its legislative powers to notify the minister of any suspected systemic issues?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:09): I was first made aware of the death of Ann Marie Smith on the afternoon of, I think, Friday 15 May. I was present at a press conference primarily in relation to the COVID-19 pandemic, but it was also an opportunity where the commissioner referred, I think, to an earlier press conference by a chief superintendent where the death was declared a major crime. Subsequently, I received a brief on the matter from the Ambulance Service as they were involved in the care for Ann Marie Smith, and also I received advice from the Adult Safeguarding Unit.

In terms of the Adult Safeguarding Unit, I think it's important to stress that under the legislation the Adult Safeguarding Unit is not responsible for people under the age of 65 at this stage. The Adult Safeguarding Unit was contacted by the Office of the Public Advocate in a phone meeting on 9 April 2020. The Office of the Public Advocate did mention a significant care concern for a person with a disability but the ASU was not given names or details.

The ASU does not have a legislative remit for a case under the age of 65. The ASU was comfortable that the Office of the Public Advocate was appropriately dealing with the matter. In particular, the Office of the Public Advocate indicated the situation was serious enough to warrant the APA making a report to SAPOL, which is what they did.

SMITH, MS A.M.

The Hon. C.M. SCRIVEN (15:11): Supplementary arising from the original answer where the minister talked about the subsequent briefing he had from the SA Ambulance Service: did SA Ambulance or the Central Adelaide Local Health Network record the death of Ann Marie Smith in the department's safety learning system as a sentinel event or as an SAC 1 or 2 event?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:11): My recollection was, in relation to the Ambulance Service, it was initially recorded in the SLS, but then the recognition was made that it wasn't—the care was primarily not care of SAAS so therefore the safety learning system notification was not the responsibility of SAAS.

SMITH, MS A.M.

The Hon. C.M. SCRIVEN (15:12): Further supplementary from the original answer: who did the Adult Safeguarding Unit notify about the death of Ann Marie Smith after they were notified by the Public Advocate?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:12): I'm sorry the honourable member wasn't able to listen to my answer to the earlier question. Considering they weren't given the name or the details of the person, I'm not sure who they could have told and what they could have told.

SMITH, MS A.M.

The Hon. C.M. SCRIVEN (15:12): Supplementary: who did the Central Adelaide Local Health Network notify about the death of Ann Marie Smith, and on what dates?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:12): My understanding is that the Central Adelaide Local Health Network contacted the Coroner and that was on the day of the death, which I understand was 6 April.

SMITH, MS A.M.

The Hon. C.M. SCRIVEN (15:13): Further supplementary: is that the only notification that the Central Adelaide Local Health Network made to the Coroner? Was the notification to the Coroner the only one that was made by CALHN?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:13): I'm sorry, that question was getting increasingly jumbled. What was your question?

The PRESIDENT: Yes, ask your final supplementary, please.

The Hon. C.M. SCRIVEN: In that case, it was the final supplementary, Mr President. Who did the Health and Community Services Complaints Commissioner notify about the death of Ann Marie Smith after they were notified?

The Hon. S.G. WADE: I fail to see how that's supplementary because I haven't mentioned the Health and Community Services Complaints Commissioner.

The Hon. C.M. SCRIVEN: Point of order: that was in my original question to the minister.

The PRESIDENT: No, it's not about your original question, it's about the original answer.

The Hon. C.M. SCRIVEN: So you avoided that part of the answer, did you?

The PRESIDENT: Order! The Hon. Mr Hood.

SMALL BUSINESS GRANTS

The Hon. D.G.E. HOOD (15:13): My question is to the Treasurer. Can the Treasurer update the council on the progress of the state government's distribution of the \$10,000 assistance package for small businesses and non-government organisations in order to assist them with dealing with the COVID-19 pandemic?

The Hon. R.I. LUCAS (Treasurer) (15:14): Briefly, the government received approximately 21,000 applications for these \$10,000 grants, primarily to small businesses but other non-government organisations that met the eligibility criteria were also able to apply.

I am advised that as of the close of business, I think it was, yesterday, some 16,000 (approximately) \$10,000 grants had been distributed, so \$160 million in life-saving, business-saving, organisation-saving grants had been distributed on behalf of taxpayers to 16,000 organisations. I am advised that just under 1,000, I think it is, of the 21,000 have been deemed to be ineligible for the grant so that there are still approximately 4,000 applications that still have to be assessed.

In some cases, further information is requested of the applicant to see whether or not they meet the eligibility criteria, and that sometimes delays the assessment. I pay tribute to the hardworking team of officers within that particular section of Treasury who have worked very hard to

get as much money out as quickly as possible to those businesses that needed the funding. As I said, in a certain number of cases they have had to seek further information, and we would hope to assess the eligibility of the remaining 4,000 (approximately) applications that we have received as soon as possible.

SMALL BUSINESS GRANTS

The Hon. C.M. SCRIVEN (15:16): Supplementary: has the government given any small business assistance to sole traders, self-employed people?

The Hon. R.I. LUCAS (Treasurer) (15:16): The honourable member has asked the question before in relation to the \$10,000 grant, and sole traders are not eligible for the \$10,000 grant. That was a question the honourable member asked and had an answer to some weeks ago, so I will just remind her of the question and the answer. But in relation to the more general question, we are providing a range of other levels of assistance which may apply to some sole traders in relation to payroll tax assistance, land tax assistance, the forgiveness of licence fees, for example, and otherwise the waiving of licence fees or the deferral, and in many cases that would apply.

So to the more general question of whether any assistance is provided to some sole traders, the answer would be yes, but in relation to the \$10,000 grant scheme, which was the substance of this particular question, I have already answered the honourable member's question on this particular issue some weeks ago. I refer her to the *Hansard* record.

ABORIGINAL VISITORS SCHEME

The Hon. T.A. FRANKS (15:17): I seek leave to make a brief explanation before addressing a question to the Minister for Health and Wellbeing on the topic of COVID restrictions and access to the Aboriginal Visitors Scheme through the ALRM.

Leave granted.

The Hon. T.A. FRANKS: The ALRM runs a service called the Aboriginal Visitors Scheme. Through this scheme, which is an after-hours service, the AVS can report on any issues of concern, need for medical attention, welfare or other services and bring those to the attention of police where somebody is Aboriginal and held in custody in this state. Overnight, members would probably be well aware, and I hope the minister is, that a video emerged of a 28-year-old Aboriginal man being arrested in Kilburn, pinned down, seemingly subjected to violence, and certainly held in custody in the Port Adelaide Police Station.

Further reports have been made that, due to the COVID-19 restrictions being cited by the officers at that police station, access was denied not only to members of the public to seek and check on the welfare of this man but the Aboriginal Visitors Scheme of the ALRM. Can the Minister for Health and Wellbeing tell me whether or not there are any restrictions on the Aboriginal Visitors Scheme or the services of the ALRM to Aboriginal people in custody in this state?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:18): I thank the honourable member for her question. I have viewed the video and understand the concerns that it has raised. I am advised that SA Police are undertaking a thorough investigation which will include not just the events of the night but also of the morning following. I will ensure that the particular concerns of the honourable member are referred to SA Police.

ABORIGINAL VISITORS SCHEME

The Hon. C. BONAROS (15:19): Supplementary: can the minister in doing that also confirm whether the decision not to divulge whether the young man involved, Mr Henry, had anything to do with COVID-19 or otherwise?

The Hon. S.G. Wade: Sorry, would you mind asking that again?

The Hon. C. BONAROS: Can the minister confirm, when providing an answer, whether the decision not to divulge whether he had received appropriate medical advice had anything to do with COVID-19 or otherwise?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:20): I don't have any such details. What I do know is that police are undertaking an investigation and I look forward to the outcome.

ABORIGINAL VISITORS SCHEME

The Hon. T.A. FRANKS (15:20): Supplementary: has there been any general direction under public health advice that SAPOL services are not to include those of the Aboriginal Legal Rights Movement and the Aboriginal Visitors Scheme, which it would seem to me would be an essential service?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:20): I am not aware of any direction, general or specific, to which the honourable member relates. In fact, I make the general point that the way the directions have been drafted has been to maximise the ongoing provision of health services.

ABORIGINAL VISITORS SCHEME

The Hon. C. BONAROS (15:20): Further supplementary: can the minister point to any other instance concerning COVID-19 or otherwise in which an ambulance would be called but not attend an incident such as the one that was witnessed last night?

The PRESIDENT: Minister, you can answer it, but I don't see how that came from the original answer.

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:21): If it pleases the council, I will answer. I think it's important to make the point that SAPOL and SAAS would liaise with one another constantly in responding to incidents. Sometimes it would not be unusual for SAPOL to advise that SAAS is not required, and likewise for SAAS to advise that SAPOL is not required. In terms of the circumstances of last night and this morning, as I said, I will make sure that the concerns raised by both honourable members are referred to SAPOL so that they can be considered in the context of the investigation.

The PRESIDENT: The Hon. Ms Bourke.

Members interjecting:

The PRESIDENT: Order! I can't hear, just wait.

The Hon. E.S. Bourke: I'm glad you asked, because this one's just for you, John.

The PRESIDENT: The Hon. Ms Bourke, just ask the question—ignore interjections.

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

The PRESIDENT: The Hon. Mr Dawkins!

The Hon. E.S. Bourke: That's all right, you can help answer this one, John.

The PRESIDENT: The Hon. Ms Bourke, do you want the call or not?

The Hon. E.S. Bourke: Yes, thank you.

The PRESIDENT: Right, let's do it.

OPERATION FLINDERS

The Hon. E.S. BOURKE (15:22): I seek leave to make a brief explanation before asking a question of the Minister for Health and Wellbeing about paramedics.

Leave granted.

The Hon. E.S. BOURKE: The SA Ambulance Service has supported Operation Flinders for decades by paramedics participating in providing medical cover for the program, a program which I believe the Hon. John Dawkins has highlighted a number of times in this chamber.

Members interjecting:

The Hon. E.S. BOURKE: Not just more than once, that's right. I think you are an honorary member or something like that.

Members interjecting:

The PRESIDENT: The Hon. Mr Dawkins, the Hon. Leader of the Opposition, the Hon. Ms Bourke, just stop.

The Hon. E.S. BOURKE: This year, SA Ambulance Service has informed paramedics they will no longer be subsidising paramedics supporting Operation Flinders, and that paramedics would need to do it in their own time. This puts additional pressure on those paramedics and puts the important program for at-risk youth in jeopardy. My questions to the minister are:

1. Why is the government cutting support for paramedics to participate in Operation Flinders?

2. Was the decision to cut support based purely on saving measures, or does the government no longer support the decade-long collaboration with Operation Flinders?

3. Will the budget dedicated to Operation Flinders be reallocated to support other community engagement programs?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:23): I thank the honourable member for her question. It is clearly an operational matter—

Members interjecting:

The PRESIDENT: Order!

The Hon. S.G. WADE: —and I will seek advice from the agency.

OPERATION FLINDERS

The Hon. E.S. BOURKE (15:24): A supplementary—

The PRESIDENT: The Hon. Ms Bourke, you are going to try to get a supplementary question out of that?

The Hon. E.S. BOURKE: Yes. As the minister highlighted—

Members interjecting:

The PRESIDENT: The Hon. Ms Bourke, sit down.

Members interjecting:

The PRESIDENT: Order!

Members interjecting:

The PRESIDENT: Order! The Hon. Ms Bourke, ask your supplementary, but I will be interested to see how you get a supplementary question out of that answer.

The Hon. E.S. BOURKE: As the minister has highlighted, this is an operation matter. Has the SA Ambulance Service briefed or discussed with the minister its plans for the Operation Flinders program?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:25): I refer the honourable member to my previous answer.

Members interjecting:

The PRESIDENT: Order! The Hon Leader of the Opposition, enough! The Hon. Nicola Centofanti.

Members interjecting:

The PRESIDENT: Order!

EXPORT INITIATIVES

The Hon. N.J. CENTOFANTI (15:25): My question is to the Minister for Trade and Investment. Can the minister please provide an update to the council about his latest engagements with regional exporters and businesses?

The Hon. D.W. RIDGWAY (Minister for Trade and Investment) (15:25): I thank the honourable—

Members interjecting:

The PRESIDENT: I call the Minister for Trade and Investment.

The Hon. D.W. RIDGWAY: Thank you, Mr President. I thank the honourable member for her very important question.

Members interjecting:

The PRESIDENT: The honourable Leader of the Opposition! Minister, sit down for a second.

The Hon. D.W. RIDGWAY: During last sitting week, I brought an update to the council about how I am re-engaging with businesses and exporters around our state as COVID-19 restrictions are eased. South Australia's regions are home to some of our most significant exporters, and as Minister for Trade and Investment I have made it a priority to engage with them regularly.

Members interjecting:

The Hon. D.W. RIDGWAY: Clearly, members opposite are not interested in our exporters in the regions.

Members interjecting:

The PRESIDENT: Please, I am trying to listen to the answer.

The Hon. D.W. RIDGWAY: Last Friday, I was accompanied by the member for Hammond, the hardworking member Adrian Pederick, on a visit to the Murraylands to meet a range of businesses all impacted in different ways. Our first meeting was a very early meeting, at 7.30 in the morning, at Big River Pork. It would be a time of the day when members opposite would probably be still in bed. Big River Pork, as we know, is one of Murray Bridge's, and the region's—

Members interjecting:

The PRESIDENT: Order!

The Hon. D.W. RIDGWAY: —most significant employers.

Members interjecting:

The PRESIDENT: Order!

The Hon. D.W. RIDGWAY: Members opposite would be best served to listen.

Members interjecting:

The PRESIDENT: The Hon. Mr Hunter! The minister will be heard in silence. I want to hear the answer. The Minister for Trade and Investment.

The Hon. D.W. RIDGWAY: Thank you for your protection, Mr President. Big River Pork—

Members interjecting:

The PRESIDENT: Order, the Hon. Mr Parnell!

The Hon. D.W. RIDGWAY: —has seen no dip in the demand for their product. Big River Pork, one of the biggest producers of pork meat in South Australia, has seen no dip in the demand due to the effects of COVID-19. In actual fact, they have had a great time. In fact, they have been busier than ever.

Big River Pork, during this time, has been vigilant in its obligations to its employees and its customers and suppliers, adding extra measures to the already vigorous hygiene and work health

and safety and environmental standards. It was great to discuss with the company that they are well placed to minimise the exposure and the spread of the virus and to continue to support the Murray Bridge region in a pretty uncertain economic time.

As my commitment was to visit exporters of all sizes, we then went to Brayfield Park Lavender and met with the owner, Rhona Parker-Benton, who grows about 100,000 augustifolia lavender plants on her two-acre property and produces a range of lavender beauty products. Rhona and her partner, Allan, have built Brayfield Park into a thriving business since establishment in the year 2000. In addition to the range of products, Brayfield Park provides an agritourism experience on their property overlooking the River Murray. Big River Pork has some 360 employees and Brayfield Park has only a couple of employees, but—

Members interjecting:

The PRESIDENT: Order!

The Hon. D.W. RIDGWAY: —we are demonstrating that exporters, big and small, are important to this government.

Finally, we went to Bowhill Engineering and met with the owners, Jodie and Jeremy Hawkes. Bowhill is a fantastic success story for the region and has worked on projects across a diverse range of industries, such as mining, water, defence and commercial building. The business has worked on some of Australia's most notable and complex projects, such as the Darlington interchange upgrade project, the Southern Expressway and projects for Olympic Dam. Further, Jodie and Jeremy go out of their way to—

The Hon. E.S. Bourke: What happened to GlobeLink? Weren't they going to support that area? Wasn't GlobeLink going out that way?

The PRESIDENT: The Hon. Ms Bourke!

The Hon. D.W. RIDGWAY: —support the local community, particularly through training, apprenticeships and employment of local students. As a result, Bowhill has received recognition through many training and business awards, and I commend them for their passion and the pride with which they treat their staff and their business.

Our regions are critical to the importance of our state's economy, and the Marshall Liberal government is committed to unlocking the opportunities and boosting economic growth. That is why we have brought forward the special \$15 million round of the Regional Growth Fund to help regional businesses recover from the impact of COVID-19, and we will continue to work to support our hardworking and varied regional businesses and exporters. I look forward to continuing the visits in the coming months and keeping the chamber informed of these visits so that the economy can come back stronger than before.

BIG RIVER PORK

The Hon. I.K. HUNTER (15:30): Supplementary: minister, given that meatworks and the meat industry is a hotbed for COVID-19 outbreaks in Australia and overseas, can you advise the chamber what Big River Pork told you they were implementing in terms of COVID-19 hygiene to protect their workplace and workers?

The Hon. D.W. RIDGWAY (Minister for Trade and Investment) (15:31): I thank the honourable member for his supplementary question. As I alluded to in my answer to the question, they have implemented a number of measures. They have quite strict entry procedures now: your temperature is checked when you turn up, even at half past seven in the morning, and there are security people on each of the gates.

Normally, at meatworks and abattoirs there is an opportunity to do a tour, but that was not an opportunity because clearly we are not meat employees; we were there as visiting members of the public or politicians. So there is a whole range of activities. They said it cost them about \$70,000 a month to implement all the extra measures they put in place to make sure their employees are safe and that they don't have any spread or any infection with COVID-19. So nearly a million dollars a year Big River Pork are investing to keep their employees safe and the products they produce safe.

BIG RIVER PORK

The Hon. I.K. HUNTER (15:31): Supplementary, sir. I appreciate the minister may not have his notes with him that he took on his trip, but can he undertake to come back with more details about the hygiene practices that the meatworks that he visited have put in place to protect their workers?

The Hon. D.W. RIDGWAY (Minister for Trade and Investment) (15:32): Certainly, if it pleases the honourable member, I will bring back some details of all the measures they have put in place. But, as I said, it's about \$70,000 a month, which is a significant investment. If it does please the member, I will bring back some further details for him.

AGED-CARE CCTV TRIAL

The Hon. F. PANGALLO (15:32): I seek leave to make a brief explanation before asking the Minister for Health and Wellbeing a question about the trial of CCTV cameras in residential care facilities.

Leave granted.

The Hon. F. PANGALLO: In April last year, 14 months ago, the government made the claim that South Australia would 'lead the nation in the rollout of the cutting-edge surveillance and monitoring system in aged-care facilities to better protect the safety and wellbeing of vulnerable residents'. That plan hit a hurdle when the government's preferred partner, respected UK company Care Protect, which specialises in audiovisual monitoring systems and services in aged-care facilities, quit in despair, citing conflicts of interest with senior SA Health bureaucrats overseeing a proposed pilot program, which was to be funded with a \$500,000 federal government grant.

On 12 November last year, that's seven months ago, the minister in this chamber said that the new tender documents for the pilot program had been sent out to potential providers a week earlier. On 20 February this year, the minister told this chamber, 'The process for the identification of the preferred providers is underway.' There is now growing concern in the aged-care sector that the pilot program could be abandoned because the government hasn't been able to find a company in Australia with the same level of competence and technology as Care Protect.

My question to the minister is: has the government abandoned its aged-care CCTV pilot program and, if not, has a tender been awarded? When does he expect the trial to begin? How much of the \$500,000 federal government grant has been spent already?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:34): I thank the honourable member for his question. I can assure you the CCTV trial has not been abandoned. The tender process is progressing and an announcement will be made when it is concluded.

Members interjecting:

The PRESIDENT: Order! Supplementary question.

AGED-CARE CCTV TRIAL

The Hon. F. PANGALLO (15:34): Can the minister explain why it is taking so long to find a successful tenderer?

Members interjecting:

The PRESIDENT: Order! Minister for Health and Wellbeing.

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:34): I would just like to discount the suggestion in both the original question and the supplementary question that we haven't been able to find a supplier. The tender process is proceeding constructively, and an announcement will be made at an appropriate time.

DISABILITY SERVICES

The Hon. T.T. NGO (15:35): My question is to the Minister for Human Services regarding disability services. Have all incidents relating to people in state-run disability care that have been entered into the DHS RiskMan system during 2020 been carefully reviewed following the death of Ann Marie Smith?

The Hon. J.M.A. Lensink: Sorry, entered into the what?

The Hon. T.T. NGO: Entered into the DHS RiskMan system. And, if not, could the minister outline why not?

The Hon. J.M.A. LENSINK (Minister for Human Services) (15:36): I thank the honourable member for his question. As I outlined, I think in the last sitting week, the Department of Human Services does have an incident management system which reports on particular matters which may take place within our own service system, whether that be Kurlana Tapa, the Adelaide Youth Training Centre, whether that is the state accommodation services' group homes for people with disability or indeed our funded services. So it covers a fairly broad range of areas.

The process for which the incident management operates—and I can provide a bit more detail; I think I did this last year in relation to how the quality system operates, which has a number of steps in it to ensure that any matters that need to be followed up have been followed up through the appropriate arrangements. So if I can just provide that detail once again for the honourable member; clearly he has some concerns about how this particular matter operates.

The steps are as follows, for any matters which are determined to be critical incidents, which may include unexpected death, serious injury or alleged assault of a client that occurs as a result of or during the delivery of services; allegations of serious unlawful or criminal activity or conduct involving an employee, subcontractor or volunteer that has caused or has the potential to cause serious harm to clients; an incident where a client assaults or causes serious harm to others, including employees, volunteers or contractors; or a serious fire, natural disaster, accident or other incident that will or is likely to prevent service provision or that results in closure or significant damage to premises or property or that poses a significant threat to the health and safety of clients.

The steps in the process are immediate response—safety; secondly, reporting to SAPOL; third, reporting to the Office for Public Integrity; four, internal DHS notifying, including the Incident Management Unit and the executive director; five, critical incident assessment by the director of the Incident Management Unit; six is a disclosure assessment; seven is an initial email alert; eight, ongoing critical incident management and investigation; nine, closure, downgrading, when the situation has stabilised and the appropriate supports are in place; reviews of CCI's by the Incident Management Unit.

I think in relation to the honourable member's concern, these matters are, by their nature, reviewed. They are escalated through the department. I am also on the notification list, and after the event the department ensures that any steps that need to have been taken have been appropriately reviewed.

SA PATHOLOGY

The Hon. J.S.L. DAWKINS (15:39): My question is directed to the Minister for Health and Wellbeing. Will the minister update the council on SA Pathology's work during the COVID-19 pandemic?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:39): I thank the honourable member for his question. We have seen around the world that no-one is immune to the dangers of COVID-19; however, the evidence also indicates that it presents a more significant risk for some vulnerable members of our community. People who have an immune system disorder or are immunocompromised as a result of treatments such as chemotherapy are particularly vulnerable.

To provide more dedicated care for this vulnerable cohort, SA Pathology has opened three new collection clinics at Hyde Park, Mile End and Elizabeth, all dedicated to immunocompromised patients. The clinics mean that immunocompromised and vulnerable children will be able to access services outside of hospital. Pathology services provided through these clinics include support for haematology, oncology and transplant patients. Additionally, care is extended to other at-risk groups, such as those with immunodeficiency diseases, chronic conditions like heart disease or diabetes, and pregnant women.

The collection centres are specifically designed to reduce exposure to infection, particularly COVID-19, but include any form of infection. The service provided at the clinic will be particularly valued by children and young people currently receiving chemotherapy who need blood tests the day

before their treatment. In this context, the centres can help limit their time at hospital, improving their patient journey and allowing them to spend more time at home with loved ones. The collection centres also offer finger-prick tests, which are much less invasive procedures for young patients. It's quicker, it's less painful and it's less intimidating for children.

These set of clinics continue the exceptional work of SA Pathology during the COVID-19 crisis. SA Pathology stepped up during the coronavirus pandemic and provided South Australians with a world-class COVID-19 testing service that reduced the spread of the virus and saved lives. It has now performed more than 126,000 COVID-19 tests and is typically turning around these results in less than 24 hours.

SA Pathology showed its innovative spirit by testing respiratory specimens for COVID-19 and introduced the world's second drive-through clinic. It also introduced rapid COVID-19, which provides a diagnosis in less than 60 minutes, and a new digital health service, which enables people to access negative test results through an SMS. This is yet another innovative patient care initiative from SA Pathology and I congratulate them all on their work.

Protecting the health and wellbeing of South Australians remains our top priority. As long as the coronavirus is out there, the Marshall government will continue to put measures in place to keep our community safe.

Bills

LABOUR HIRE LICENSING (MISCELLANEOUS) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 24 March 2020.)

The Hon. K.J. MAHER (Leader of the Opposition) (15:43): I rise to speak on a labour hire licensing bill introduced by the Liberal government and note that it seems a lot like groundhog day: the Liberal government introducing a bill to wind back the labour hire licensing scheme. The Liberal government first tried to completely destroy the hard-won labour hire laws in South Australia, so we know what the actual aim of the nature and effect of any amendment to the bill really is; that is, to gut the scheme.

After the 2018 bill was rebuffed by the parliament, they came back with a proposal to amputate the vast bulk of how these laws would apply in their 2019 amendment bill. After proroguing the parliament, this was one of the very first bills that the government brought back to this place on 20 February this year, with a new attempt to gut this critical legislation. It says a lot about the priorities and what this government cares about that one of the first bills they introduce is one that seeks to turn back protections for some of the most vulnerable workers in this state.

Despite the government's clear desire to dismantle the labour hire licensing system, four months have passed and we now find ourselves, since the introduction of this bill, fighting against these unwarranted attacks on vulnerable workers. Having debated this matter three years ago, I did not think there would be a lot else to add.

When the government drafted this bill they did so with the wording that labour hire laws should only apply to vulnerable workers who undertake low-skilled work in high-risk sectors. 'Vulnerable', 'low-skilled' and 'high-risk' are simply a hat-trick of terms to narrow the scope of this bill and avoid providing critical protection to workers who need and deserve it.

The fact that this bill, in its objects, seeks to change the very definition of who it applies to is an indictment on this government. In every sector there can be workers who are vulnerable, in every sector there can be workers who are preyed upon by unscrupulous operators, in every sector there are workers who deserve and need our protection, not just in the few narrowly defined sectors this bill seeks to change it to.

As I said, there are very few workers this bill now seeks to protect. That is not what we think should happen. It is one of the clearest indications of the difference in mindsets between the Liberal

Party and the Labor Party. We think all workers should be afforded protection from laws like labour hire laws: the Liberals think it should apply to only a few.

It is not just those of us on this side who think that is untenable and unscrupulous, organisations like the Wine Industry Association do not support the government's approach to narrow it down to just a few industries. Various industries think that if they are going to be targeted everyone should be targeted—and they are right.

It is not a fact that there are vulnerable workers in only the few industries the Attorney-General or Treasurer has thought up and put down on paper, there are vulnerable workers in every industry. It is not the case that there are unscrupulous operators in the labour hire industry in only the few industries the Attorney-General or the Treasurer has sought to put down on a bit of paper in this legislation. There is the potential for unscrupulous operators in every industry. To narrow this down so narrowly is an attempt, in another way, to completely restrain the effect of this scheme.

On this side of the chamber we will not stand for that, and I will outline the approach we will be taking during the committee stage of this bill. First, there is an amendment to clause 4, the very part where the government seems to think that not every area or every worker is deserving of protection, the objects of the act. We then have three amendments that seek to change the way the act operates: instead of it being a very, very narrow class of people and the ability, by regulation, to prescribe further classes of employment, we are seeking to have every class of employment included with the possibility of excluding some types if there are compelling reasons to do so.

So we take the opposite approach: instead of it applying to only a very limited sector and you can put more in, we are saying that it applies to everyone but there is the ability to take some sectors out. I indicate that if that group of amendments—amendments Nos 2, 3 and 4 [Maher-1]—fail, in the alternative we will be prosecuting amendment to clause 5 in the committee stage to increase the scope of this bill, to add extra areas, to increase activities to include further activities where there may be vulnerable workers.

It beggars belief that in the construction or data entry industries, for example, the government would be able to stand up and say, 'There are no vulnerable workers, there are no unscrupulous bosses in those industries.' That is just not the case. Every industry has the potential for that. If our amendments fail to allow it to cover all industries, with some being able to be taken out, we will then be pursuing our amendments that increase the number of industries that this applies to.

I want to make it very clear: this is a fundamental threshold issue for the opposition. We believe in the pride and dignity that work provides and the fact that everyone ought to be protected when they go about doing their work and not be subject to unscrupulous operators, and not be subject to schemes where people from other states, where there is a proper labour hire scheme in place, will seek to exploit the loopholes that this government is seeking to introduce. We will not stand for that.

The Hon. I. PNEVMATIKOS (15:50): It is with deep concern that I rise to speak on proposed changes to labour hire licensing. In a time like the present, where workers across all industries are vulnerable, the government is working to give contractors more power and standing in the way of workers' needs. This amendment bill will take away essential protections for vulnerable workers engaged in employment through labour hire firms in a range of industries. The failed attempt to repeal the previous Labor government's Labour Hire Licensing Act shows just how far the Marshall Liberal government's disregard for the act is.

Remarkably, the major failure of the repeal bill has not deterred the Liberal government from trying to erode the critical supports of labour hire licensing. The introduction of a very similar labour hire licensing amendment bill last year, and now this bill, demonstrates the Liberal government's determination to take away the rights and entitlements of workers. The simple fact is: giving employers greater powers and controls will hurt workers. The wage theft committee has uncovered the extent of wage theft in South Australia. We know that when mechanisms such as labour hire licensing are taken away workers become more vulnerable and employers take advantage of their workers.

I am compelled by the stories of those we have heard on the wage theft committee, research reports detailing the misconduct and my own personal work in labour law to confidently stand against this bill. It is time the Marshall Liberal government acknowledged their failure in protecting workers.

Here today, we are discussing amending the very legislation that is one of the major mechanisms to ensure better standards in the workplace within our jurisdiction. Other state governments have implemented labour hire licensing and seen success. Here, our government seems fixated on diminishing its effectiveness.

After the failure to repeal the act in its totality, this government amendment bill further diminishes safeguards for workers and renders the legislation unworkable and ineffective by removing fundamental components of the act. The term 'high risk' is nonsensical when used in this legislation. Essentially, this term is being used to create two classes of workers: those who receive protection from exploitative behaviour and those who do not. It is apparent that some industries are more susceptible than others, but we cannot ignore the growing evidence that rogue contracting occurs in a wide range of industries throughout the economy.

The two-tiered structure for workers will isolate those who are entitled to protections from unscrupulous employers and those who are not. How is that helpful? How is that good policy? The amendment bill presents a picture that legislation should target just those who are most vulnerable as worthy of legislative protections rather than a broader statement of universality and legislation that protects all. We would never legislate this way in other areas, so why with this area? For example, most citizens obey traffic laws and rules. Should we narrow the legislation to target only those who do not? That would be purely ridiculous, not to mention diminish the effect of deterrents.

Workers who are employed through contracting arrangements such as labour hire are at great risk of exploitation. These arrangements exist in agriculture, mining, hospitality services and retail industries. Often, these are low-skilled workers, non-industry specific, who are subjected to systematic wage theft and are underpaid to avoid tax obligations, workers compensation payments, as well as superannuation. I have heard the argument made by some in this place that the licensing scheme in its current form catches employers who do the right thing. I quote the Attorney-General from the other place when she said:

We end up with a situation where the innocent are punished just to get a few guilty.

That is just the point. Put simply, unlicensed and rogue labour hire firms often supply labour in ways inconsistent with labour hire laws, which gives them an unfair competitive advantage.

Current labour hire licensing laws ensure fully compliant labour hire firms can be the role models for those conducting illegal activities whilst also creating a sizeable deterrent for firms to go rogue. The Labour Hire Licensing Act 2017 is a simple and fair approach to ensuring firms are undertaking due diligence with respect to their workers and are operating on a level playing field.

I know the opposition is not, but is the government truly willing to allow workers to be mistreated, underpaid and put in situations of perilous employment practices simply to save companies the trouble of applying for and adhering to the conditions of the licence? Why create further complexities with what is at stake being so high?

Again, the Liberal government is providing us with a choice between the low road, involving a lack of balances, compliance and protection for honest businesses which will result in more negative media stories, further damaging the reputation of industries and potential growth into new markets; or the high road, which involves allowing the act as it stands to enable real reforms to ensure that those businesses that are doing the right thing are not disadvantaged.

In fact, the government has taken every step possible to steer us away from the high road and have actively pursued postponing the operation of the act. If the government's amendments are passed, they will narrow the scope of the scheme to those industries where workers are most vulnerable to exploitation due to the low-skilled nature of the work they are engaged to undertake, namely, horticultural processing, meat processing, seafood processing, cleaning and trolley collection.

Should the legislation pass, we anticipate some businesses that are currently captured by the scheme will no longer require a licence. Those businesses may be entitled to a partial refund of their licence fee. It also means that 50 per cent of those who are currently required to apply for a licence would no longer be required to apply for a licence. Yes, that is correct. It has been confirmed by the Attorney-General's office.

I appreciate that Consumer and Business Services has been in conversation with Victoria and Queensland about the development of legislation, gaining insight and learning from what they have done, what works and what does not, and what is effective. I commend them for taking those steps to try to ascertain and clarify the definition of 'labour hire' and who they are trying to capture. I do, however, believe that the act makes the definition perfectly clear.

This definition was highlighted by my colleague the Hon Kyam Maher when the original legislation was introduced, and I reaffirm: a typical labour hire employment arrangement is a triangular relationship between the worker, the provider and the client that the worker is supplied to, with acknowledgment that there are variations on this model that are used to disguise the labour hire arrangements.

Businesses that undertake recruitment leading to direct employment on permanent job places, genuine independent contracting arrangements and workforce consulting services are not within the scope of the bill. Most essentially, an individual is a worker if they enter into an agreement with a provider for that provider to supply them to another person to work for that person.

If there is cause for concern, the commissioner has the power to grant a specific person or a specific class of person an exemption from the bill or specified provisions of the bill, to provide further clarification on the scope of the scheme, but 50 per cent is a bit heavy handed. I appreciate the task at hand is large but let's not forget the reasons why it was introduced, what was revealed by *Four Corners* and what was uncovered by this parliament's Economic and Finance Committee.

If this is a matter of resources, let us debate that. We have a responsibility and the ability to protect our workers, our honest business owners, our industries and our state's economies. This will only be diminished through the government's amendments proposed in this bill. At the end of the day, we cannot pre-empt areas to be rectified without seeing the legislation enacted. All we will be doing by passing this bill without opposition amendments is creating the very loopholes we attempted to close when this legislation was first introduced. It is for these reasons that I will not support this bill in its current form.

The Hon. C. BONAROS (16:00): I rise to speak in support of the second reading of the Labour Hire Licensing (Miscellaneous) Amendment Bill 2020. As we have heard, the bill amends the Labour Hire Licensing Act 2017, introduced by the former Labor government, and it does seek to narrow the scope of industries and professions captured by the Licensing Act to focus on vulnerable workers in high-risk industries.

The so-called broadbrush approach of the existing legislation has created an unnecessary layer of red tape for already highly regulated industries, and that is the basis on which this bill has come before us. Last May, I spoke on the repeal bill on behalf of SA-Best, and gave our very firm reasons for opposing the repeal of the Labour Hire Licensing Scheme. I stand by all of those comments; it was a bad idea that did not remedy anything. As I said at the time, what we ought to have been doing, if there were problems with the scheme, is address the problems and fix them; but you do not just knock an entire scheme out because you have identified some issues with it.

At the time we voiced our concerns about the practical applications of the legislation as well, and I acknowledge the efforts of the Attorney-General and her willingness to work with us on legislation on the concerns we have had around this legislation in a more focused and targeted manner. I have had those discussions with both the government and the opposition and with various stakeholder groups as well. We have always been amenable to working with the government and the opposition to tighten elements of existing legislation in need of change.

But I have said all along that we will not be influenced by either party's blind ideology on this issue, or any other issue. They are not my words, they are the words of the then acting leader of the opposition, who sought to label anyone who had a view different from hers as following some form of blind ideology. It is my firm view in this instance that the blind ideology that she was referring to was simply nonsensical, and this has become apparent throughout this debate, where it almost feels like we have been caught in the middle of politicking between Liberal and Labor over an issue that they cannot seem to agree on.

On that basis, I have continuously sought advice from the Commissioner for Consumer and Business Services and have chosen, instead of being guided by blind ideology, to be guided by the

concerns of the regulator (and I have made that point all along), and I will continue to be guided by the concerns of the regulator. We will certainly not get caught in the middle of any politicking by either party.

The introduction of the current labour hire licensing laws were prompted by the 2015 airing of the *Four Corners* program, *Slaving Away*, which has been referred to and highlighted the potential for ruthless exploitation of our most vulnerable workers. It focused predominantly on migrant workers working in industries such as meat processing and fruit and vegetable picking, and it was disturbing viewing. It uncovered a culture of modern-day slavery, excessive working hours, coupled with gross underpayment of wages. One foreign worker spoke of being paid \$3.95 per hour for grape picking. Another spoke of working 18 hours a day in an Adelaide poultry factory, and another of living in a horse stable with more than 10 other people in a similar predicament. It also touched on a number of state and federal reviews into worker exploitation.

My advice is that Victoria and Queensland currently have schemes that echo this legislation. The Northern Territory and Western Australia have made announcements but are yet to act. New South Wales and Tasmania have not yet declared their hands. What is abundantly clear, as a result of that exposé and as a result of what we are debating here today, is the need for a national scheme.

I will give credit where credit is due, and I do think that when we had these discussions the Attorney was genuine in her efforts to push the then prime minister and the leader of the opposition at a federal level, just prior to an election, to implement a national scheme that would deal with this issue once and for all. I also stand by the position that that is ultimately the best outcome for all of us: a nationally consistent approach that protects vulnerable workers from being exploited by unscrupulous labour hire companies.

Again, I will give credit where credit is due. The Attorney-General kept me abreast of all the developments and I think was equally frustrated when she set a deadline for the Morrison government—a Liberal prime minister—to take some action and they failed to do so. Of course, this year we have had COVID-19, which has no doubt put a spanner in the works of the best laid plans, but nevertheless she has undertaken that role and, as I say, kept me abreast of those developments, in terms of urging them to press ahead with the implementation of a nationally consistent scheme.

I continue to implore the Morrison government to work expeditiously on federal legislation that will do just that, that will protect vulnerable workers from exploitation by dodgy labour hire companies. As I have said before, the difficulty with the current legislation is, in our view, the unnecessary capture of some industries and professions.

There are elements in this bill that have been described as overkill. As I understand it, the current licensing fee sits at around \$1,800. That is an unnecessary burden on many businesses. In fact, this is a question I put to the commissioner: if I was paying that \$1,800, what precisely would I be receiving? Other than having signed up to a labour hire scheme, what level of monitoring or regulation from your office would I be receiving? I think the answer was clear, that the bill captures industries that simply do not have labour hire arrangements and therefore it is very questionable what you would be getting for your \$1,800.

As I have said before, the Commissioner for Consumer and Business Services, Dini Soulio, has articulated his concerns to me on a number of occasions, and the legislation, I accept, is not working as it stands. Exemptions are being provided to various industries already subject to stringent regulation, and there are more than just teething problems. It is clear, in my view, that the scope does need to be narrowed.

I will give you an example of one that we have argued over. It is the security industry in South Australia. It is already a heavily regulated and licensed industry, subject to significant licensing requirements and fees under the Security and Investigation Industry Act 1995. To license them under this scheme would create an unnecessary duplication.

In addition, security firms are required to be licensed as security agents in order to perform security work, and persons who carry on businesses providing security agents must also be licensed. The directors of such firms are subject to thorough police and Consumer and Business Services

scrutiny. As I understand it, the position taken by the government in this bill with respect to the security industry is again consistent with the views of the commissioner. It is clear that members of some professions just do not fall within the labour hire scheme and therefore should not be the subject of a labour hire scheme at all.

The opposition has filed amendments that significantly broaden the scope of industries captured by labour hire licensing requirements. I do not accept, for the record, many of the justifications that have been placed on the record by the opposition. I think I have made that clear. I think that this has become a political issue and we are failing to acknowledge the advice—and I will call it impartial advice—of the commissioner, and he and his advice alone is what we have been guided by.

But I will say this for the record: I have told members of the opposition and stakeholders who have concerns about this that if there are other measures that you think need to be introduced to make this bill better then by all means introduce them and we will consider them, just as I did when I moved amendments to the last bill. I am not convinced, based on the advice that I have received, that any of the additions are problematic, high-risk industries. I have gone through each one meticulously. I have sat down with the commissioner and gone through the list of amendments and there have been none that have stood out as problematic industries that have been brought to the attention of the commissioner.

In the absence of evidence to the contrary, SA-Best will continue to look for guidance from the commissioner in relation to those industries. Of course, in the event that issues of exploitation come to the attention of the commissioner at some point in the future, my 2019 amendments mean that affected industries can be prescribed by regulation. So it is not the be all and end all of potential labour hire arrangements that will be covered by the bill. I note that the amendments have now been incorporated into this bill and that the commissioner, if he identifies that there is an activity or an industry that needs to be incorporated, will have the ability to do so.

The other thing I might mention is that there were another couple of areas that I spoke to both the Attorney and the commissioner about because they did raise some red flags for me. They were around disability and aged-care industries in particular. Again, there were no particular concerns around labour hire schemes, but I did ask the Attorney to go away and look at those two industries or activities very closely and consider whether there is any need to add them to the list of prescribed professions, industries or activities.

The Attorney has undertaken to do that but, more importantly, the commissioner has undertaken to do that. Again, no cases have been brought to bear that relate to those particular industries, but they are certainly on my radar as industries that may warrant some further consideration. I will repeat for the record this undertaking: the experience of the commissioner to date is that there has been no significant evidence to the contrary in relation to what I have just said, so we continue to press ahead with the position that I have outlined.

However, I know there are many industries and activities listed in the opposition's amendments that absolutely are subject to underpayment of wages and/or wage theft but, with respect, that is an entirely different matter. In fact, I think one of the difficulties this bill has presented is that we have conflated two issues: the need to protect workers from labour hire arrangements that seek to exploit them and the need to ensure that workers receive their rightful entitlement to wages.

The Hon. J.E. Hanson: And how they keep records doesn't matter.

The Hon. C. BONAROS: The Hon. Justin Hanson interjects—

The PRESIDENT: Interjections are out of order.

The Hon. C. BONAROS: —but the fact of the matter is that if you are not within the labour hire arrangements and you are underpaid as an employee, or whatever position you are employed as, this scheme will do nothing to protect you. The scheme does not protect workers who are simply underpaid. It is a labour hire licensing scheme.

The Hon. J.E. Hanson: With records.

The Hon. C. BONAROS: It is a labour hire licensing scheme, which covers—

The Hon. J.E. Hanson: I will see you in committee on it.

The PRESIDENT: The Hon. Mr Hanson!

The Hon. C. BONAROS: —labour hire arrangements, not ordinary employment arrangements. When I previously spoke on this bill I referred to correspondence my office had received. In fact, I am actually correcting something for the record here, Mr President. I referred to correspondence received from Brian Smedley of the South Australian Wine Industry Association Incorporated.

The statement that I made at the time was at odds with material put on the record by the Hon. Ian Hunter. The Hon. Mr Hunter was referring to correspondence he had received at the time from Henrik Wallgren, business service manager, also on behalf of the South Australian Wine Industry Association Incorporated, which I was unaware of. That email stated, 'Whilst there are positive aspects of the bill, given the inclusion of the wine industry, SAWIA is unable to support the bill.'

It was certainly never my intention to suggest that Mr Hunter was misrepresenting the views of the organisation, and I have had that discussion with him and made it abundantly clear. In fact, what we have since established is that I was referring to correspondence from the very same organisation but a different representative.

The Hon. Mr Hunter was relying on correspondence from the same organisation but a different representative to me, and the correspondence we were relying on was at odds with the other representative's correspondence. I was in no way imputing Mr Hunter was being untruthful or trying to misrepresent the facts, and I did apologise to him and I apologise again for the record, if that is how it came across. That was not my intention.

What it does highlight, very clearly, is the question of why we received seemingly conflicting correspondence from two representatives from the same organisation over the one issue. With those words, I look forward to the next stage of the debate.

The Hon. R.I. LUCAS (Treasurer) (16:16): I thank honourable members for their contribution to the second reading of the Labour Hire Licensing (Miscellaneous) Amendment Bill 2020. This bill is a product of much deliberation to ensure the government got the balance right. These amendments address many of the issues and concerns raised from industry representative groups and small businesses in relation to the broad nature of the licensing scheme in its current form.

Narrowing the scope of the scheme to ensure that these laws apply specifically to labour hire providers operating within high-risk industries where workers are more vulnerable to exploitation, rather than capturing industries where there is no suggestion of worker exploitation occurring, removes an unnecessary layer of red tape for a significant number of South Australian businesses.

Many of the industries that Labor seeks to include in the scheme are already regulated by Consumer and Business Services, leading to the absurd situation where someone may need to be licensed twice for the same business and pass the exact same probity checks for no benefit to the consumer. The scheme in its current form has proven to be problematic to administer and has caused significant confusion and angst for businesses. I am advised that Consumer and Business Services continue to receive a significant number of inquiries and complaints from various businesses and industry groups across South Australia in relation to the scheme in its current form.

The 2020 bill incorporates amendments filed by SA-Best last year, which will enable additional high-risk sectors to be prescribed by regulation if and when required, as well as unforeseen high-risk activities under the industries identified in the bill, which specifically addresses the concerns raised by the Hon. Mr Hunter during debate last year. These amendments ensure the government has the capacity to address swiftly cases of exploitation that arise in new industries.

The existing legislation was introduced by the former government and passed by parliament in the absence of a national scheme, which the government regards as optimum. However, the amendments before the council today are consistent with the guiding principles that will underpin the development of that national scheme. South Australia will be working closely with the commonwealth

in relation to this and shares the federal government's view that implementation of a national scheme will require careful consideration to avoid duplicate regulatory and administrative costs to business at both state and commonwealth levels.

The government looks forward to working with the other states and territories as part of this work. In the meantime, these amendments strike a reasonable balance between promoting the integrity of the labour hire industry within sectors that have consistently been identified as high risk and reducing unnecessary regulatory burden and cost to business. I thank all members again for their contributions.

Bill read a second time.

Committee Stage

In committee.

Clauses 1 to 3 passed.

Clause 4.

The CHAIR: We come to clause 4. The Hon. K.J. Maher is proposing to strike out the clause.

The Hon. K.J. MAHER: I indicate that it is an amendment but it is opposition to the clause in general. As we start the clause, I might ask a couple of questions of the government.

The Hon. R.I. Lucas: Did you say government or governor?

The Hon. K.J. MAHER: Government.

The CHAIR: The Hon. Mr Maher, is there something you know about the Hon. Mr Lucas that we do not or where he is heading across the road?

The Hon. K.J. MAHER: No, I know nothing about the Hon. Mr Lucas that I think is germane to this debate. The government seeks to delete 'workers' and substitute 'vulnerable workers performing low-skilled work' and also replace 'industry' with 'high-risk sectors'. Firstly, where did this originate? On whose suggestion was it that it should be changed in the objects of the act from 'workers' and 'industry' to these other terms? In terms of the specific wording it is being changed to, whose suggestion was that?

The Hon. R.I. LUCAS: As the member would be aware, the government's preferred position was unsuccessful, at the will of the parliament, whenever that was, a year or so ago, and in the alternative the Attorney-General, as the minister responsible, formed the view, after consultation with a range of stakeholders—so no individual person or industry group but a range of stakeholders—that the alternative position should be considered. The Attorney, together with legislative officers within her department and then ultimately parliamentary counsel, helped craft the appropriate framework.

The Hon. K.J. MAHER: Can the Treasurer enlighten the committee as to what it means when they refer to 'low-skilled work', which is the government's preferred choice of words to be put in here?

The Hon. R.I. LUCAS: I am advised that, if ultimately it became a matter of contention in a court, it would ultimately be up to the court to make a judgement in terms of what the commonly understood meaning of the terms 'low skill' or 'high skill' would be. I am sure the member, as a former minister, would be familiar with various categories or classifications in various industrial training and skills issues where the use of the phrases 'low-skilled work' and 'high-skilled work' are common usage in government policy and phraseology. So ultimately, if it became a matter for contention in a court or disputation in a court, it would be up to a court to determine what the commonly used term, in their view, was going to mean.

The Hon. K.J. MAHER: I have to say that, quite frankly, the feigned ignorance from the Treasurer here is offensive. These are the objects of the act. This is the reason the act is here. Section 3 outlines what the objects do. The government is choosing to replace the word 'worker' with 'low-skilled work'. The government has an obligation to inform the chamber, and quite frankly inform

the South Australian public—the voting public who may well have this as a campaign issue at the next election—what the government means by 'low-skilled worker'.

For the Treasurer to come in here and say, 'The Leader of the Opposition is a former minister, he should know what it is,' or, 'The courts might interpret it,' is outrageous and offensive. Treasurer, you are the industrial relations minister in this government. What do you and your government mean by 'low-skilled work' when you choose to use it to replace another word in the legislation?

The Hon. R.I. LUCAS: I am sorry that I have offended the Leader of the Opposition but I am really not in a position to offer any more definitive an explanation than the one I have placed on the record based on advice that I have been given.

The Hon. K.J. MAHER: Just to be clear, Treasurer, are you telling the committee that the words that your government is choosing to use in the objects of this act—that is, 'low-skilled work'—that having chosen to use those words after trying to find an answer for some minutes, which I think gives an indication that the government does not know what the words they are choosing to use mean, are you saying that you do not have an idea of what they mean and it might be up to the court one day to interpret what the government is doing in this legislation? Is that what you are representing to the chamber?

The Hon. R.I. LUCAS: No.

The Hon. K.J. MAHER: In the definition, in the object, the government is seeking to substitute one word for a group of words that the government cannot outline to the chamber that they actually understand the meaning of, and we have discussed that the government does not know what they mean when they choose to use 'low-skilled work'. Instead of asking for a definition, is low-skilled work cleaning work?

The Hon. R.I. LUCAS: I have nothing further that I can add to the explanation I have given to the honourable member, so the member can go through a whole series of individual jobs if he so wishes, but the response will be exactly the same.

The Hon. K.J. MAHER: Is clerical administration work low-skilled work?

The Hon. R.I. LUCAS: I have nothing further to add.

The Hon. K.J. MAHER: Is entertainment venue work low-skilled work, Treasurer?

The Hon. R.I. LUCAS: Mr Chairman, nothing further to add.

The Hon. K.J. MAHER: Treasurer, is meat processing work low-skilled work?

The CHAIR: Do we really need the Treasurer to say he has nothing further to add?

The Hon. K.J. MAHER: These are all things that we are seeking to apply to. If the Hon. Connie Bonaros has a question, I will come back to the list.

The Hon. C. BONAROS: I do have some concerns about this particular provision, perhaps not for the entirely same reasons, but I think it is problematic that that definition does not exist in relation to low-skilled workers, but also I do not think that we have necessarily discussed limiting the scheme to low-skilled workers and I do not see why we would limit a scheme to low-skilled workers. I do not care if you are a low-skilled worker or a high-skilled worker; if you are being exploited, you are being exploited. If you are working under a labour hire arrangement and you are the subject of exploitation, then that is what we should be looking at.

I do have concerns around this provision insofar as it relates to the amendments of mine that have been incorporated into the bill and the undertakings that have been given which would enable the commissioner to prescribe by regulation other activities or industries or professions. So there is a very valid argument that this definition could be at odds with the commissioner's wanting to add a group into the bill because they do not fall within the objects of the act as they are currently defined. I think that is problematic. If the Treasurer would like to respond if he thinks the commissioner could potentially face issues in terms of adding a group to the regulations because of this provision, then I would appreciate the feedback.

The Hon. R.I. LUCAS: Based on the advice that I have, I have nothing further that I can add to the Hon. Ms Bonaros's question or indeed the Leader of the Opposition's question in relation to this particular issue.

The Hon. C. BONAROS: Just to confirm then, for the record, because this was not something we that considered previously—I think we have all been so fixated on the list of professions and undertakings and activities that this has not been the subject of much debate—is it the government's understanding that if the commissioner were to identify disability workers, for instance, given the undertaking they have given, and they do not fall within the group of workers performing low-skilled work, could they potentially be excluded from the other provisions of the bill?

The Hon. R.I. LUCAS: Before I seek further advice on that, can the member outline when she says 'disability workers'—I think one of the important issues in relation to this is some people are talking about low-skilled workers and some are talking about what the definition is which is 'low-skilled work'. You may well be a highly skilled worker in some other area, but for a variety of reasons you might be performing low-skilled work and there has been a slipping between what is actually in the bill, which is low-skilled work, and low-skilled workers.

When the honourable member talks about disability workers, before I seek further advice, can she explain if she is talking about a worker who has a disability or is she talking about a worker who may well have considerable skills in another area but limited skills in a particular area, but working in a sector which provides services to the disabled?

The Hon. C. BONAROS: I am talking about the latter and not the former. Just to confirm for the record, the same argument that I have put would apply to any low-skilled group of vulnerable workers that we have been talking about—work or workers.

The Hon. R.I. LUCAS: I am advised that there is the power under the act as drafted to include the disability sector as a sector if the government so designed it.

The Hon. C. BONAROS: I will make that a more generic question then. Just to confirm, for the record, I do not care if it is disability workers or any other vulnerable worker who is involved in low-skilled work. My question really is: is it possible that the commissioner would want to approve an activity that is undertaken into the scheme and is unable to do so because of the objects of the bill and the narrowing of the scope to vulnerable workers performing low-skilled work?

I do not know who he might decide to include, Treasurer, but at some point he may choose to identify a particular category of workers and say, 'I really think they need to be within the scope of this bill,' and there may be challenges as to whether they ought to be included on the basis that that group of workers are not vulnerable workers who perform low-skilled work. They could be the complete opposite of that. Would he be restricted?

The Hon. R.I. LUCAS: I think the commissioner or the government ultimately has to work within the provisions of the legislation if it is passed. If it was clearly, in anybody's judgement if it went to a court, high-skilled work—that is, you required a PhD in neurophysics or something in terms of the work—and a commissioner decided to do that, then I suspect a court would not sustain that particular position. The commission and the government would have to work within the terms of the legislation as it is passed.

In terms of what the commissioner might be minded to do, I cannot read intent into either the current commissioner or any future commissioners, as I am sure the honourable member would understand. Ultimately, as the member would know with her legal background, if the act says that this is the case then it is bound by whatever a court ultimately will determine is 'low-skilled work', as opposed to 'low-skilled workers'.

The Hon. C. BONAROS: Based on my understanding of those provisions and also of the questions to which it gives rise, particularly around the amendments we have incorporated into the bill, which were the same as those that I moved last time, our position at this point in time will be to support the opposition's amendment between the houses, which I believe seeks to oppose that particular clause, but I indicate that I am more than open to further discussions around any limitations to which that particular provision could give rise.

The Hon. K.J. MAHER: I was going to go through lists of workers to see whether the Treasurer was able to classify them as vulnerable workers where they are performing low-skilled work and whether they are in high-risk sectors, which are now all conditions precedent for the objects of the act to be met, but I will not spend the time doing that. I will just say that the government may wish to reflect, and it may wish to not move this clause themselves, given that the definitions in here, such as 'low-skilled work', 'vulnerable work' and 'high-risk sectors', are definitions that the government and the minister responsible in this area, the Minister for Industrial Relations, has told the chamber they do not know what they mean.

Not even the best advice they can get can outline what they mean by those words. These are not words that they just have to use: these are words the government chose to use. These are their own words. They do not know what they mean. How can someone responsible for the administration of this scheme and the regulation of this scheme have a hope of knowing what they are supposed to be doing and whether workers are included in that if the very architects of the scheme—the government itself—does not know what the words they are choosing to use mean?

I would invite the government to maybe reflect and maybe choose not to pursue this particular amendment, but in the case that they do I will be moving the amendment that this clause not be included.

The Hon. T.A. FRANKS: For the sake of the record, to avoid divisions—unless people really want to have them—I say that the Greens will be supporting the opposition in moving that the clause do not stand.

Clause negatived.

Clause 5.

The Hon. K.J. MAHER: I move:

Amendment No 2 [Maher-1]—

Page 3, line 7 to page 5, line 9—Delete clause 5 and substitute:

5—Amendment of section 6—Interpretation

- (1) Section 6, definition of *labour hire services*—delete the definition and substitute:
host—see section 7;
labour hire services—see section 7;
labour hire worker means a labour hire worker under section 8;
- (2) Section 6, definition of *provider*—delete the definition
- (3) Section 6, definition of *worker*—delete the definition

I might just, for the benefit of the committee, outline the approach that we have taken here. It might be that the various groups within the committee might be able to express a view about what they will or will not be supporting and that will, I think, determine in which order some of these are moved, after having had discussions with the Clerk about how this might proceed.

There are two amendments almost in the alternative, if you like. Amendments Nos 2, 3 and 4 [Maher-1] are all related and they seek, in effect, to reverse what is included or excluded. Under the government's current bill, there is a very limited set of industries to which the labour hire licensing scheme will apply, and further can be included by regulation. The effect of amendments Nos 2, 3 and 4 [Maher-1] is to have all industries included, except where they are excluded. We seek to reverse that, where the government has a very small list of industries that is included and can include more.

The effect of our amendments would be to have all industries included but to allow, where necessary, by regulation, some industries to be excluded. That is the opposition's preferred position. We think that is reasonable. We think that then we are not picking favourites. This has come after extensive consultation with other groups that represent workers in these industries, with various unions, with SA Unions and others who are involved in a range of industries where they see exploitation in the labour hire sector happening in areas that go beyond the limited range that the

government has introduced. That is our preferred position and that is the effect of what I will call the first set of amendments from the opposition.

The second set of amendments from the opposition is not our preferred position, but we think makes a significant improvement to the bill; that is, it expands the range of work that is included in the bill. It increases the definition of prescribed work to include aged-care work, building work, call centre work, children's services work, cleaning work, clerical administration work, data technician work, disability care work, electrical work, entertainment venue work, facilities and maintenance work, fire protection work, gasfitting work, general labouring work, horticultural processing work, hospitality work, major event work, meat processing work, mining work, nursing work, plumbing work, seafood processing work, trolley work and any other kind of work prescribed by the regulations.

Again, this is in consultation with those who represent workers in many of these industries. We do accept that it may not be a complete and exhaustive list, and we do accept there may be industries where the use of labour hire sees exploitation that is not in here at the moment and it needs to be put in in the future. That is why we have the 'any other work of a kind prescribed by regulations'.

If our first three amendments fail, and that is to include all work except that excluded by regulation, what we next prefer, and what we think is the next best of a bad situation to have to deal with, is to include a greater range of work. They are the two competing sets of amendments. We have to do two slightly different things on this bill. If others in the committee are able to outline what their view is and if they have a preference for one or the other of those ways to proceed, that will help determine what we move and in what order.

The Hon. R.I. LUCAS: I think there is an even simpler proposition. My understanding is that both of the two complicated alternative packages that the Leader of the Opposition is proposing require the deletion of clause 5. So if the majority of the committee does not agree with the deletion of clause 5 we do not have to worry ourselves about the complicated series of amendments that the honourable Leader of the Opposition is proposing to put to the committee.

The government's position is obviously to oppose the amendments in their length and breadth—the pick-a-box amendments—that the Leader of the Opposition is putting on the table. We choose none of the boxes. What we are saying is that they defeat the purpose of the bill as it is outlined. As I understand it, the first vote of the committee will be whether we let clause 5 stand or whether it be deleted.

Those who support the government's position will support the clause standing and those who support the Hon. Mr Maher's position will oppose that. If the majority support the retention of clause 5 then we will not have to worry ourselves about the pick-a-box options that the Leader of the Opposition is tempting the committee with.

The Hon. K.J. MAHER: Again, for the benefit of the committee, I think the Treasurer has outlined it correctly. The process will be that clause 5 stand or not. I guess if members of the committee prefer the government's very, very narrow application of this bill and the government's view that there are whole sections of industry where workers just are not exploited in labour hire, and if people agree with the government's proposition on that, then it stands to reason that members of the committee will vote to have clause 5 stand.

If members think that either expanding it to the list that has been suggested in the second set of amendments by the opposition is a good idea or indeed if it is an even better idea, as we think, to include all industries except those excluded by regulation, then the vote is, as we will be voting, not to have clause 5 pass as it stands and instead have one of those two options. Depending on how the committee is minded, I will move the preferred option first.

The Hon. C. BONAROS: For the record, I think it is worth clarifying that we are not excluding anything by regulation, we are actually enabling the inclusion by regulation and not the exclusion of any industry, activity or profession by regulation. I think that is worth noting. For the reasons I have already outlined, I am not convinced of the alternative list that has been provided, but I do have some questions for the mover.

I do note that originally the issue of security personnel was covered, and that was the subject of quite some discussion as to whether or not they should be in there. It appears from the advice that has been provided that we have accepted that they are already a heavily regulated industry and subject to their own legislation and their own regulatory regime.

My question is: when it comes to nurses or nurse work, does the mover believe that they too, like security personnel, would be subject to two separate regulatory regimes under his amendment? The same can also be asked in relation to plumbing work, gasfitting work and electrical work. For those industries, do we accept that they are already heavily regulated industries, and do they not also fall within the same sort of scenario as security personnel?

The Hon. K.J. MAHER: I thank the honourable member for her question. I have not personally been involved in a lot of discussion about security work, and I disagree fundamentally with the premise. Yes, many of these industries are regulated. They are regulated for the competency of those who work in there. Gasfitters have to be somewhat capable of performing the work which they are holding themselves out as doing. If you are connecting gas fittings, there are significant dangers; of course they are regulated.

This labour hire scheme does not seek to regulate the professional competencies of the work that people do. What this seeks to do is regulate those who hire out the labour in those areas. This regime has nothing to do with the regulation of professional competencies that the honourable member is talking about. This has everything to do with the hiring out of labour and whether that is being done properly and whether workers are being exploited.

The regulatory regimes to which the honourable member refers are consumer protection mechanisms designed to protect those for whom the work is being done: someone getting gas fittings in their house, patients being attended to by nurses. Yes, it is a another regulatory regime, but it has a completely different thing to do. That is to make sure that people who are engaged in labour hire, who are providing labour in those areas, are not ripping off their workers.

The Hon. C. BONAROS: I beg to differ with many of the points that have just been made by the Leader of the Opposition in relation to the purposes of some of those regulatory regimes he has just talked about. But if that is the case, why have you not added security personnel to your list?

The Hon. K.J. MAHER: As I said when I moved this, this is not an exhaustive list. I am, in fact, quite certain there are ones that in the consultation we have done, particularly with the unions who represent workers, we may have missed. As I said, it is not an exhaustive list. That is exactly why work of any other kind prescribed by regulations can be in there. I agree: security work should be in there. If the honourable member accepts that the different regulatory regimes serve different purposes—that is, effectively, consumer protection versus protecting workers—then it is a reasonable thing to think that it should be extended beyond the very narrow list that the government is seeking to narrow it to.

The CHAIR: The Hon. Ms Franks.

The Hon. T.A. FRANKS: Thank you, Chair. I suggest that you are possibly giving me the call to respond to the pick-a-box options that have been presented to me, even though that was a little before my time. I feel some nostalgia, perhaps, that something good might come out of these choices. We will certainly support the opposition's bid. We find it a little unusual that they do not have a preference between their own two sets of amendments, but we will be supporting the scheme being administered in the way that protects vulnerable workers to the maximum force that this parliament can provide.

The Hon. K.J. MAHER: Can I just say, we absolutely do have a preference between the two different options we have presented to this chamber. We prefer amendment No. 2 [Maher-1], amendment No. 3 [Maher-1] and amendment No. 4 [Maher-1], which seek to include all industries except those that are excluded by regulations. That is our preference. I move the first, amendment No. 2 [Maher-1], as a test for the other amendments.

The Hon. C. BONAROS: Can I just clarify for the record: is that amendment No. 2 [Maher-1]?

The Hon. K.J. MAHER: No, we first have to move that it be deleted, do we not?

The CHAIR: Yes. The first question I am going to put, the Hon. Ms Bonaros—and I will not cut you off—is that clause 5 stand as printed. So if you are voting with the government, you will vote aye', and if you are voting with the Hon. Mr Maher you will vote no.

The committee divided on the clause:

Ayes 10
Noes 9
Majority 1

AYES

Bonaros, C.
Hood, D.G.E.
Lucas, R.I. (teller)
Wade, S.G.

Centofanti, N.J.
Lee, J.S.
Pangallo, F.

Dawkins, J.S.L.
Lensink, J.M.A.
Ridgway, D.W.

NOES

Bourke, E.S.
Hunter, I.K.
Parnell, M.C.

Franks, T.A.
Maher, K.J. (teller)
Pnevmatikos, I.

Hanson, J.E.
Ngo, T.T.
Scriven, C.M.

PAIRS

Darley, J.A.

Wortley, R.P.

Clause thus passed.

Clause 6.

The CHAIR: There is an amendment in the name of the Hon. K.J. Maher.

The Hon. K.J. MAHER: I will not be moving that amendment. It was contingent on the passage of [Maher-1] amendment No. 2, which we did not get an opportunity to put.

Clause passed.

Clauses 7 to 14 passed.

Clause 15.

The CHAIR: The Hon. K.J. Maher has an amendment at clause 15.

The Hon. K.J. MAHER: I indicate once again that that was contingent on the passage of an earlier amendment that the committee denied the opposition the opportunity to put.

Clause passed.

Remaining clauses (16 to 18) and title passed.

Bill reported with amendment.

Third Reading

The Hon. R.I. LUCAS (Treasurer) (17:05): I move:

That this bill be now read a third time.

The council divided on the third reading:

Ayes 10
Noes 9
Majority 1

AYES

Bonaros, C.	Centofanti, N.J.	Dawkins, J.S.L.
Hood, D.G.E.	Lee, J.S.	Lensink, J.M.A.
Lucas, R.I. (teller)	Pangallo, F.	Ridgway, D.W.
Wade, S.G.		

NOES

Bourke, E.S.	Franks, T.A.	Hanson, J.E.
Hunter, I.K.	Maher, K.J. (teller)	Ngo, T.T.
Parnell, M.C.	Pnevmatikos, I.	Scriven, C.M.

PAIRS

Darley, J.A.	Wortley, R.P.
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Third reading thus carried; bill passed.

RADIATION PROTECTION AND CONTROL BILL*Second Reading*

Adjourned debate on second reading.

(Continued from 14 May 2020.)

The Hon. M.C. PARNELL (17:10): In 1904, 116 years ago, Clarence Dally was the first person recorded to have died of radiation exposure. Clarence was an assistant to the famous inventor Thomas Edison. Radiation had been discovered only a decade earlier and, by the time Madame Marie Curie died in 1934, the dangers of radiation were becoming better known. That is why radioactive material and ionising radiation have been regulated in this country and globally for many decades. It is dangerous and it can be deadly.

In South Australia the current law was last comprehensively revised nearly 40 years ago in 1982, so it is certainly timely to bring these laws into the modern era. In that respect the current bill is welcome; however, the devil is always in the detail, and this bill falls short of the regulatory standard South Australians have a right to expect.

I will start with the elephant in the room. The Olympic Dam mine near Roxby Downs in northern South Australia is South Australia's largest mine. It is the fourth largest copper deposit in the world and the largest known uranium deposit. Copper is the main product, but around 25 per cent of its revenue comes from uranium, so it would not be unreasonable to expect that, when laws relating to the regulation and licensing of dangerous radioactive material are being revised, the safety of workers and the general community in relation to the Olympic Dam operations would be front and centre. In fact, the minister alluded to this in his second reading explanation, when he said:

South Australia is one of only two jurisdictions in Australia where uranium mining takes place and uranium is an essential contributor to the state economy. It is, therefore, essential that modern and effective legislation covers mining and all other aspects of radiation use.

However, that is not the case. The Olympic Dam mine and its operators, first Western Mining and now BHP Billiton, have negotiated with previous state governments to effectively be exempted from the vast bulk of South Australian laws. To quote from section 7 of the Roxby Downs (Indenture Ratification) Act:

The law of the state is so far modified as is necessary to give full effect to the indenture and the provisions of any law of the state shall accordingly be construed subject to the modifications that take effect under this act.

The section goes on to list a range of specific acts that do not apply to the Olympic Dam mine, and then the act goes on to remove any discretion in relation to the issue of a radiation licence. The law says that BHP Billiton must be given a licence. So aside from the objectionable fact that this project

is effectively above the law in this state, what does that mean for the workers who are potentially exposed to radiation?

The first thing to note is that worker radiation exposure limits in South Australia are governed by outdated 1991-era standards set out in national codes. With BHP Billiton set to expand the Olympic Dam copper-uranium mine soon, this bill is our best opportunity to require a safer worker radiation exposure standard, one that is fit for the 2020s.

However, under this bill limits of exposure to ionising radiation cannot be more stringent than limits fixed under certain external codes. In other words, the bill seeks to prohibit any safer or more stringent radiation exposure limit being applied to mining and mineral processing in South Australia than set out in national codes.

These national codes are unlikely to be reformed, and mirror an international regime that was set back in 1991 when the International Commission on Radiological Protection (ICRP) reduced its occupational exposure limit to 20 millisieverts (mSv) per annum. This exposure was to be averaged over five years, within which up to 50 mSv in a single year was permitted.

This outdated occupational regulatory limit still applies in South Australia. The Greens believe that worker exposure standards in South Australia must not be constrained by an international failure to reform these standards. By 2021, South Australia will be the only jurisdiction in Australia where uranium mining takes place, and that means that if we do not fix exposure standards for workers in our state, no other state will care enough to come to our aid.

This bill specifically sets out that the minister is prohibited from setting licensing conditions for worker radiation protection at Olympic Dam from being 'more stringent' than requirements of codes listed in the 1982 Roxby Downs (Indenture Ratification) Act. The 1982 indenture act grants unique legal privileges to BHP Billiton which apply through to the year 2036.

So what is wrong with the current standards and what harm will be done by South Australia being a follower rather than a leader on worker safety? For starters, there is clear evidence that the current standard of 20 mSv per annum is not sufficient to protect workers. For instance, the United States National Academy of Science back in 2006 said:

...there is a linear dose-response relationship between exposure to ionizing radiation and the development of solid cancers in humans. It is unlikely that there is a threshold below which cancers are not induced...

The fact that the current standards are low and easily achievable was not lost on BHP Billiton, which 10 years ago gave a commitment to limit workforce radiation exposure doses to less than half the limits that were set in the international, national and South Australian codes. To quote BHP:

BHP would comply with internationally accepted radiation limits for workers and the public and would set a goal of maintaining doses at less than 50% of the internationally acceptable limits for workers.

In other words, 10 years ago, BHP realised that they could exceed the standard, by double if you like, yet this bill seeks to enshrine ancient worker protection standards and entrench a situation where those standards cannot be changed by this state regardless of the best available medical or scientific evidence. That, in my view, is an appalling abrogation of the responsibility of this parliament to let that bill go through unamended.

As we know, the Olympic Dam expansion 10 years ago never went ahead. Members might recall that was going to be the biggest hole in the ground on the face of the earth. It never went ahead and South Australia did not end up taking up the key opportunity that we had back then to legislate a safer, lower radiation exposure limit for workers. A decade on, it is reasonable to expect a safer standard in the 2020s than previously put forward by BHP. It is certainly within the capacity of this parliament and this minister to set a maximum exposure level of 10 mSv per annum. After all, BHP said they could meet that standard a decade ago. But even that is not best practice.

For example, a total maximum ionising radiation permissible dose of five mSv a year for nuclear industry workers was a key recommendation of the Independent European Committee on Radiation Risk (ECRR), and that was way back in 2003. In 2010, that same committee recommended that annual exposure limits for nuclear workers should be two mSv a year. That compares with 20. So back in 2010, that committee was proposing a standard that was one-tenth the current standard in South Australia.

Whilst it is not necessary or appropriate for me to footnote this with every one of the scientific references that I refer to, I would refer members to that ECRR publication entitled, 'ECCR 2010 Recommendations of the European Committee on Radiation Risk: The Health Effects of Exposure to Low Doses of Ionizing Radiation', for protection purposes, 'Regulators' Edition: Brussels 2010.'

Similar to other forms of exposure to dangerous substances, the more studies that are done, the more we realise that health risks have been underestimated. Just a few months ago, the Medical Association for Prevention of War told a Victorian government inquiry that recent epidemiological studies have estimated greater radiation-related health risks than had been previously thought. Under the heading, 'Cancer risks for nuclear industry workers', the MAPW said:

Updated results of large long-term studies of hundreds of thousands of nuclear industry workers, coordinated by the International Agency for Research on Cancer, on risks for leukaemia and solid cancers were reported in 2015. The studies included 308,000 workers from France, the UK and the US, followed up to an average age of 58 years. The cumulative doses were well within the current most widely recommended dose limit for nuclear industry workers of an average of no more than 20 millisieverts per year. Rates of both leukaemia and solid cancers were elevated...and will continue to rise as the subjects age...

These large and powerful studies show risks even at very low dose rates, and total doses well within recommended occupational limits.

Together the above studies conclusively demonstrate the absence of a threshold for ionising radiation-related cancer risks. In other words, any exposure can do harm, and the amount of harm is increased with increased exposure.

That was back in February this year: the Medical Association for the Prevention of War to the Victorian government.

I have filed a number of amendments to this bill. The most significant of these amendments relates to the issues to which I have been referring; that is, the ability of the state to impose more protective standards of radiation exposure for workers and removal of the special exemption in this bill in relation to the Olympic Dam mine. In other words, I want this bill to do what the minister said it did: apply to uranium mining, including our biggest uranium mine. The other amendments I have filed are mostly administrative, and I will explain those in detail when we get into the committee stage of this debate.

In summary, the Greens want to ensure that South Australia's regulatory regime for the licence of radioactive materials is the best in the world. We owe this to our workers and to our environment. The current bill is an improvement on the 1982 bill, but unless it tackles the issue of updating exposure standards it will be regarded as a failure and a missed opportunity.

Debate adjourned on motion of Hon. N.J. Centofanti.

Members

CENTOFANTI, HON. N.J.

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

That this council welcomes the Hon. N.J. Centofanti, elected by an Assembly of Members of both houses on 7 April 2020 to replace the Hon. A.L. McLachlan (resigned).

(Continued from 4 June 2020.)

The Hon. K.J. MAHER (Leader of the Opposition) (17:23): I will not speak for very long on this motion, but I do wish on behalf of the opposition to warmly welcome our newest member to this chamber, the now honourable Nicola Centofanti. I know there has been some debate about Centofanti or Centofanti, and it has even been suggested that maybe we do not go with the pronunciation that the honourable member chooses, but I think it has settled with the Hon. Nicola Centofanti as the newest member of this chamber.

I know that when members come to this chamber, who have a connection with, grew up in or are indeed from regional South Australia, it has been the practice of the Leader of the Government, the Treasurer in this chamber, to acknowledge that and to note that it is an important part of this chamber that we have that diversity of views that come from people whose world outlook, world views and what they bring here, is influenced and affected by their upbringing in regional SA. I will

endeavour to make a habit of doing that myself. It is a good thing that we have representatives from outside metropolitan Adelaide.

I think our newest member has already distinguished herself in service to committees on which I serve with her, has made a good contribution from the start and has already won the praise of her colleagues with calls of 'good question' when she asks a question in question time, as she is wont to ask. From the honourable member's first speech, and from other speeches that have been made, the wideranging interests and life experience I think will make the decisions we make here more informed.

I think the pedigree in terms of public service that the honourable member's family has engaged in in the past will help her deal with her role here. I look forward to many years of serving in this chamber with the Hon. Nicola Centofanti and warmly welcome her here. I know she will fill the considerable shoes left by now Senator Andrew McLachlan.

The Hon. R.I. LUCAS (Treasurer) (17:25): In concluding the debate, I thank the honourable Leader of the Opposition, who spoke on behalf of Labor members, and others who contributed to the debate. In briefly concluding, I warmly welcome the Hon. Nicola Centofanti to the Legislative Council. It is unusual circumstances, as I briefly referred to earlier, due to the inability for significant numbers of friends and family to be here in the immediacy of the parliament to share in the first speech to parliament. It was limited, albeit a significant number of your colleagues from the House of Assembly were able, with appropriate physical distancing, to be here and to share in your first speech to the Legislative Council.

As the Leader of the Government, and as the Hon. Nicola Centofanti's leader here in terms of the Liberal Party team, I am delighted to welcome her, as the Hon. Leader of the Opposition says, as a representative of regional communities. If I go back, as I can, much further than anyone else can, the Hon. Caroline Schaefer was a fearless representative of regional communities, originally from the West Coast but then in latter years from Clare in the Mid North region. The Hon. Nicola Centofanti will know the Hon. Caroline Schaefer very well. They are extraordinarily big shoes to fill in terms of representing regional communities.

There are other views the Hon. Nicola Centofanti will also bring to the table in terms of her professional background and the many other community interests she has represented, which she referred to. She clearly has many talents in terms of being a trainer and various other functions she has served at the local football team and in other sporting pursuits as well.

We are delighted to see her coming into this chamber and representing the Liberal Party, and the Riverland community broadly but regional communities in general. We thank honourable members for their contributions, and we also thank the honourable member for her first contribution.

Motion carried.

Bills

SINGLE-USE AND OTHER PLASTIC PRODUCTS (WASTE AVOIDANCE) BILL

Introduction and First Reading

Received from the House of Assembly and read a first time.

LIQUOR LICENSING (LIQUOR PRODUCTION AND SALES LICENCE) AMENDMENT BILL

Introduction and First Reading

Received from the House of Assembly and read a first time.

Second Reading

The Hon. R.I. LUCAS (Treasurer) (17:29): I move:

That this bill be now read a second time.

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

Leave granted.

The Liquor Licensing (Liquor Production and Sales Licence) Amendment Bill 2020 makes a number of necessary amendments to the *Liquor Licensing Act 1997* (the Act).

The Bill seeks to reinforce the Government's position that alcohol should not be readily available in supermarkets.

It is proposed to amend the Liquor Production and Sales (LPS) licence category to confirm that the licensed premises must not be comprised of premises ordinarily known or advertised as a supermarket, convenience store or delicatessen and enables the Government to prescribe further premises by regulation.

Significantly, there is no restriction in the Act to prevent an applicant for the LPS licence category from seeking a licence to sell alcohol in supermarkets, whereas an application for a Packaged Liquor Sales licence may only be granted for a supermarket premises if the licensing authority is satisfied there is a proper reason to do so.

A number of applications have recently been made for a LPS licence by a supermarket operator which, if granted, would result in alcohol being made available for sale on supermarket shelves. This amendment will put beyond doubt the Government's longstanding position to not allow the sale of alcohol to occur on supermarket shelves.

The Bill also seeks to address technical issues in the LPS licence category which commenced on 18 November 2019.

The LPS licence category is a combination of the former Producer's and Wholesale Liquor Merchant's licence categories. Historically, producers who also sold liquor they did not produce by wholesale were required to hold two licences. The intention of combining the two licence categories was to allow licence holders to operate both aspects of their business under the one licence.

The Bill seeks to address a loophole under the LPS licence provisions that allow businesses to sell liquor that they have not produced, through direct sales transactions such as online sales or by mail order.

It is proposed to limit the sale of liquor by direct sales transactions to the licensee's product only, except where the sale is by wholesale or where liquor is sold in quantities of 4.5 litres or more.

An amendment is also required to ensure that the Government's policy position is better reflected that this category of licence is intended for genuine producers or wholesalers of liquor. This will prevent applicants who are not genuine producers or wholesalers attempting to sell liquor they do not produce through direct sales transactions under this licence category.

The Bill includes a transitional provision to ensure that the amendments to the LPS licence category will apply to licences already granted and to existing applications.

Finally, an amendment is required to expand the circumstances where a person can seek a review of a decision made by the Commissioner with permission of the Licensing Court.

I commend this Bill to the Legislative Council.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Amendment provisions

These clauses are formal.

Part 2—Amendment of *Liquor Licensing Act 1997*

3—Amendment of section 22—Application for review of Commissioner's decision

This clause inserts a new subparagraph (iv) to allow any other person with the permission of the Court to apply for a review of a decision of the Commissioner in relation to an application for or in relation to a licence under Part 4 of the Act.

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

Section 39(1)(d) of the Act currently provides that the holder of a liquor production and sales licence is authorised to sell liquor through direct sales transactions. This amendment provides that the holder of the licence may only sell liquor by direct sales transaction if it is—

- the licensee's product; or
- in an aggregate quantity of 4.5 litres or more; or
- sold by wholesale.

Subclause (2) inserts a new subsection (2)(e) which provides that licensed premises in respect of a liquor production and sales licence must not be comprised of—

- premises ordinarily known or advertised as a supermarket, convenience store or delicatessen; or
- premises of a prescribed kind.

Subclause (3) inserts a new subsection (4a) which provides that it be a condition of a liquor production and sales licence that at least 90% of the licensee's gross turnover from the sale of liquor (other than the licensee's product) for consumption off the licensed premises and through direct sales transactions in each financial year (excluding sales of liquor to the licensee's own employees and sales for the delivery of liquor outside Australia) must be derived from the sale of liquor by wholesale.

Subclause (4) inserts a new subsection (8a) which provides that the licensing authority may exempt a licensee from the requirement in proposed subsection (2)(e) if, in the opinion of the licensing authority, it is in the public interest to do so.

Schedule 1—Transitional provision

1—Transitional provision

This clause makes transitional arrangements consequent on the enactment of the measure.

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

STATUTES AMENDMENT (LICENCE DISQUALIFICATION) BILL

Introduction and First Reading

Received from the House of Assembly and read a first time.

At 17:31 the council adjourned until Wednesday 17 June 2020 at 14:15.

*Answers to Questions***TEMPORARY VISA HOLDERS**

In reply to **the Hon. E.S. BOURKE** (30 April 2020).

The Hon. D.W. RIDGWAY (Minister for Trade and Investment): The Minister for Innovation and Skills has advised:

1. The Hon. Alan Tudge MP, Acting Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs announced:

- Arrangements for temporary visa holders in key industries, such as health, aged and disability care, agriculture and food processing to continue employment.
- Access to \$10,000 per year of their Australian superannuation funds for most temporary visa holders with work rights, to help support themselves during this crisis.

In addition to access to superannuation, support is available for temporary visa holders in South Australia including emergency food relief and access to financial counselling. It is available from charities and NGOs across the state.

The recently announced \$13.8 million South Australian international student support package is designed to support international students currently residing in South Australia and facing financial hardship.

2. The South Australian government values the contribution of temporary skilled workers to South Australia's economy and we encourage them to seek permanent residence pathways, particularly in regional South Australia. These workers will continue to play an important role in supporting the South Australian economy where skills needs cannot be met by the local workforce.

TEMPORARY VISA HOLDERS

In reply to **the Hon. E.S. BOURKE** (30 April 2020).

The Hon. D.W. RIDGWAY (Minister for Trade and Investment): I have been advised the following:

While the Department for Trade and Investment has not undertaken detailed modelling on the trade or investment impacts relating to fewer temporary workers, we do know temporary migrants generally play a minor supporting role in our export value chains.

A number of our temporary visa workers have been employed on a seasonal basis in trade focused agriculture, fishing and forestry—particularly in horticulture where 24,000 workers are needed in South Australia this year. Considering the effects of the COVID-19 crisis, the Department of Primary Industries and Regions SA has established a new jobs campaign for seasonal work to boost regional economies in this difficult time.

The Seasonal Jobs SA website has work opportunities such as fruit picking, vegetable packing, tree planting and more. Open to both temporary workers already here and local South Australians, this program provides jobs for those who have lost employment as well as securing a workforce for our regional communities.

The website is: www.seasonaljobs.sa.gov.au/

COMPULSORY LAND ACQUISITION

In reply to **the Hon. C. BONAROS** (13 May 2020).

The Hon. R.I. LUCAS (Treasurer): The Attorney-General has provided the following advice:

1. The act has not yet been proclaimed, as the necessary regulations are currently being developed. We are working towards commencement as soon as possible.

2. Yes, it is the intention that when the act commences, all provisions will commence together.

The Minister for Transport, Infrastructure and Local Government has provided the following advice:

3. With respect to the Portrush Road and Magill Road intersection, the land acquisition for this project has already commenced and the project is well advanced and therefore the amendments are unlikely to impact those acquisitions.

STADIUM MANAGEMENT AUTHORITY

In reply to **the Hon. F. PANGALLO** (14 May 2020).

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

The Adelaide Oval SMA Ltd (SMA) wrote to the government in late March 2020 to advise of the significant negative impacts from the cancellation of AFL games and other revenue raising operations at Adelaide Oval as a consequence of COVID-19. It sought financial relief under existing arrangements between the state and SMA, SACA and SANFL that support Adelaide Oval.

Furthermore, I refer the honourable member to my letter dated 27 May 2020 which stated:

I confirm that approval was given to the SMA to make a nil contribution in 2020-21 to its own sinking fund for Adelaide Oval which will lead to a saving of \$3 million for the SMA.

I can also confirm there was a formal submission from the SMA in relation to the loan arrangements concerning the new stadium hotel seeking a reduction in the 4.5 per cent interest rate. That request was not agreed to by the government.

As part of the government's response to the COVID-19 pandemic the government has adopted a general policy of loan deferrals for borrowers with government loans experiencing financial difficulties due to the pandemic.

Consistent with this policy the government approved a loan deferral for the period to 30 September 2020 with the interest payments capitalised over the remaining life of the loan.

HOMELESSNESS SERVICES

In reply to **the Hon. C.M. SCRIVEN** (14 May 2020).

The Hon. J.M.A. LENSINK (Minister for Human Services): I have been advised:

Where multiple contracts performed by different agencies can be combined, as in the case of this new service, some efficiencies can be expected.

In the instance of the tender for the housing advice, advocacy and engagement service, in which four existing services will be improved into one contract, an efficiency was applied to the total funding for the new service.

These funds will be repurposed within the homelessness system where they can best meet customer need in alignment with the priority outcomes. There have been no budget reductions to the overall funding for the homelessness system in South Australia.