LEGISLATIVE COUNCIL

Wednesday, 31 May 2017

The PRESIDENT (Hon. R.P. Wortley) took the chair at 11:32 and read prayers.

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

Bills

PUBLIC INTEREST DISCLOSURE BILL

Conference

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (11:33): I move:

That standing orders be so far suspended as to enable the sitting of the council to be continued during the conference with the House of Assembly on the bill.

Motion carried.

Parliamentary Procedure

SITTINGS AND BUSINESS

The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (11:34): I move:

That standing orders be so far suspended as to enable petitions, the tabling of papers, question time, statements on matters of interest, notices of motion and orders of the day, private business, to be taken into consideration at 2.15pm.

Motion carried.

Bills

RETURN TO WORK CORPORATION OF SOUTH AUSTRALIA (CROWN CLAIMS MANAGEMENT) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 18 May 2017.)

The Hon. R.I. LUCAS (11:34): I rise on behalf of Liberal members to speak to the second reading of the legislation. Can I say at the outset that, when this issue was first raised, I—and I suspect all of my colleagues—had an open mind in relation to whether we should support the bill or not. However, in looking at the second reading that was originally moved to the bill in the House of Assembly, there was absolutely no evidence produced by the minister and the government to justify why this legislation should be supported, in particular in terms of what the costs to individual agencies might be and, ultimately, overall to the taxpayers of South Australia, and, more importantly, whether or not there would actually be improved outcomes for injured workers as a result of the legislation.

So, there is a significant opportunity during this particular debate. Our position will be that we will support the second reading and we will seek further information during the committee stage, but we will be opposing the third reading of the legislation, again on the basis that there has not been sufficient evidence produced to support the bill, and in fact what evidence has come out is actually justification for opposing it.

So, that will be our position. Should a Labor government be re-elected after the election, which is ultimately a decision for the electors, then if the government was to come back with this

particular proposition, we would be prepared to consider the proposition on the condition that the government can produce evidence to the parliament, and publicly, to justify the reasons for moving down this particular path; that is, that there are equal or better outcomes for injured workers as a result of the proposal and that at the very least there is no increased cost to the taxpayers and to government as a result of the proposal.

As I said, we commenced consideration of the bill with an open mind. We have decided to oppose the third reading of this particular bill because we have not been provided with the evidence, but should a Labor government be re-elected and should they want the parliament to consider it we would again approach the issue with an open mind and look at a fact-based or evidence-based response to the proposition.

The minister and the government, in looking for evidence to support this particular decision, went to a couple of their favoured researchers credentialled in this particular area and commissioned a report called the Bentley-Latham report. In terms of the Bentley-Latham report, the intention was to find the evidence to support the proposition that was going to be put to the parliament. The Bentley-Latham report was taken to cabinet in October of last year. The decision for the government to proceed was taken on 31 October—that the management of all new workers compensation claims from 1 July would be transferred from self-insured government agencies across to ReturnToWorkSA. That particular report, from Philip Bentley and Chris Latham, which was produced, was finally provided to the government and dated 21 June 2016.

Now, that particular report is a damning report. It is a damning indictment of the government's proposal. For those reasons, the government firstly took it to cabinet to try to protect it and, secondly, has steadfastly refused freedom of information requests and requests from stakeholders for release of the report. The reason they have done so is because it does not justify the government's decision, in essence, to have ReturnToWorkSA take over the management of new claims, and all claims, ultimately, for workers compensation from government departments and agencies.

A copy of that confidential report that was presented to cabinet was leaked to the opposition. We have had the opportunity to read that particular report, and I want to share some of that information and put it on the public record as to why the government, and the minister in particular, has refused to release the report.

There has been a degree of paranoia associated with the constant leaks from cabinet over the last six to nine months—I think there have been four separate leaks of cabinet reports to the opposition. This particular document has copied across every page the name of the person who originally downloaded the copy and the time of the particular download of that particular copy, which therefore made it impossible to share more widely.

Indeed, some parliamentary colleagues have asked for copies of the leaked report and, unlike some others, it has been unable to be more widely disseminated for reasons of protecting the whistleblower who wanted this information to be made public. I quote the conclusions contained in the report:

> The point remains that there is no evidence in the comparisons that suggests the South Australian Crown workers compensation—

that is the current arrangement—

> taken in its entirety, has been poorly managed in a financial sense.

Quite clearly, it is saying that there is not a problem in terms of the current management. It goes on to say:

> Our general conclusion is that the Crown, as a whole, has performed well in terms of maintaining control of claims costs. There are no obvious signs of major mismanagement.

In other sections of the report, it actually uses the colloquial expression, 'If it ain't broke don't fix it'. The overwhelming nature of the conclusions of the government's go-to experts in this particular area, Bentley-Latham, is that there is not a problem in terms of the way things are being managed at the moment. To that end, I quote from minister John Rau's own assessment of self-insurers, where he said back in June 2013:

> …it is clear…that the overall performance of the self-insureds in respect of exactly the same statutory framework…is more impressive…the single most significant difference I have been able to ascertain from my looking at the problem is the effective personal attention they give to individual claimants…

What the minister is saying on behalf of the government is that the current arrangements of self-insureds in government agencies, from the viewpoint of the injured workers, the individual claimants, is significantly better—it is much more impressive. From my looking at the problem, it is the effective personal attention they give to individual claimants.

The minister may well say, 'Well, I did believe that in 2013 and things have improved in the three or four years since then.' That may well be his argument, and good luck to him in terms of prosecuting that argument, but it is quite clear that he is on the record, and many others have been on the record. Those who have sat on the Occupational Health and Safety committee of the parliament will know that the record of the self-insured industry, right across the board, has generally been much more impressive in terms of both reducing the costs and also managing the welfare of individual injured workers much better than the WorkCover scheme and then the return-to-work scheme.

If you look at the Bentley-Latham report it also states that ReturnToWorkSA's costs of managing workers compensation claims are actually 39 per cent of claimed costs and are much higher than the existing arrangements in agencies, which are only 28 per cent of claims costs. What Bentley-Latham is saying is that ReturnToWorkSA's performance now is much more expensive in terms of what it costs to manage claims than the existing arrangements of individual agencies.

In fact, that has been the evidence of individual agencies, both privately to me but also in a more guarded fashion (with some of them) in terms of public evidence to the Budget and Finance Committee, where we have been pursuing this particular issue. I will return to some comments from the Budget and Finance Committee in a moment. It is pretty clear why minister Rau has been desperate to hide this particular report because not only does it not support his argument it actually blows out of the water the reasons for supporting this particular legislation.

It was clear that when this decision was taken there had been no comprehensive business case taken to justify the decision. It is also clear that Treasury was not in a position to know at the time, back in October when the decision was taken, what the individual costs of this decision would be on government departments and agencies and on the budget overall, because there was no way of knowing at that stage—and it is still not the case, as I understand it—what individual premiums will be charged post 1 July from ReturnToWorkSA to each individual department and agency. Tied up with all of that, of course, are the issues of the almost 200 individuals who are working within agencies at the moment and who have no idea, or very little idea, of what the future holds for them in terms of their future employment.

In the second reading speech in the Legislative Council, there was, I think as a result of the criticism of the government, a little more of an endeavour to try to justify the government's position and to seek to answer some of the questions that had been raised in briefing sessions, and others. What the second reading explanation now says is that the 2017-18 premium that will be charged to agencies will be set at approximately $26 million, in total, for the government. So, we now know that the government is saying that it will be charging agencies an additional $26 million in premiums.

When you go to the Bentley-Latham report, buried in the detail, where does this $26 million come from? I will tell you where it comes from: Bentley-Latham reported the management cost of the Crown—that is the self-insurers at the moment—and they put together a table. The estimated cost in, I think, 2015-16, was $25.3 million in terms of the cost of managing within the Crown. That included 164 full-time equivalents, at that time, at a cost of $14.35 million. The on-cost for that was another $3.4 million. There was a $5.26 million charge to ReturnToWorkSA and then various other charges and costs, including overheads of $2.8 million, which was the Bentley-Latham estimate of the current cost of managing claims within the public sector under the self-insured arrangement, which was $25.3 million.

That is where Bentley-Latham reported that the Crown, under the self-insured arrangements, was spending 28 per cent of claim costs in 2015-16 on management; whereas ReturnToWorkSA's claim management costs were actually 39 per cent, so much more inefficient and wasteful in terms

of the money going on management costs in terms of providing workers compensation in the ReturnToWorkSA scheme.

The $26 million that is now in the second reading, it is clear that what is going to happen is that there will be this additional $26 million charge to agencies for premiums, but the government has also—because there has been this opposition for up to 200 individuals who are currently working—given a commitment that the existing 200 individuals (approximately 150 to 160 full-time equivalents) will continue to be employed within government departments and agencies, at least for the very first 12 months. The cost of those, estimated by Bentley-Latham, is $14.3 million plus $3.4 million, so ballpark about $18 million. The issue we will explore in the committee stage is that the existing cost, at the very least of $18 million together with some of the other costs, will continue to be incurred, plus the agencies will be charged $24 million.

What it means, for example, and the reason why minister Malinauskas in this chamber has refused to provide any answers to the advice he has received from SAPOL and the emergency services agencies, is that, whatever their existing costs are, they will continue to have to pay, plus they will have to pay part of the $26 million premium to ReturnToWorkSA. So, the agencies will actually be paying an increased cost for this period of 2017-18 and potentially for longer depending on what the government's arrangements, if they are re-elected, would be.

The minister is saying, and the government is claiming, that there will be no increased costs as a result of this. There is nobody, other than the minister and those in the caucus, I assume, or some of them, who actually believe that. The evidence from Bentley-Latham is categorically that that is wrong. There is no basis for the claim that is being made that that would be the case. Now that we have revealed in the second reading in the Legislative Council that the extra premium that will be charged will be $26 million, that is further evidence of the claims that have been made by individual agencies.

What has been the response? There is much more in the Bentley-Latham report which we will pursue, potentially, in the committee stage and at other opportunities in the chamber, but the evidence the Budget and Finance Committee has been receiving, and also that I have been receiving from discussions with individual agencies, is quite clearly that agencies have made the same decision themselves.

The best example of that was the CEO of SA Water, Roch Cheroux, who made it quite clear when the question was put to him, 'Was your analysis that there would be a significant increase in your workers compensation costs?' He said, 'Yes. I will need to get back to you with an exact figure, but I think the analysis was that it was more than $1 million of cost difference.' He later clarified that the $1 million figure might not be just for one year and he would need to check the time period, but he also confirmed that the SA Water board had considered the issue and had opposed the proposition from the government that ReturnToWorkSA take it over because (a) it would increase their costs and (b) it would actually be of no benefit for injured workers.

We now see in the second reading, and Mr Cheroux confirmed to the Budget and Finance Committee, that they had been given an exemption. We are not sure whether this is the permanent one. The second reading seems to now indicate that it is for a time period, but they have actually said, 'Hey, this makes no sense. It's actually going to increase costs, which means increased water and sewerage costs for South Australian consumers, potentially, if we hand it over to ReturnToWorkSA.'

They are a semi-independent or independent authority, as minister Hunter points out. They have done their analysis. They do not have to tow the government line absolutely on this issue and they have given evidence and said, 'This doesn't make sense. It's going to increase costs and potentially significantly increase costs.' That is the same claim that a number of officers within government departments and agencies have made to me privately as well—that it will significantly increase costs.

The other sort of independent agency was the Courts Administration Authority and Julie-Anne Burgess also gave similar evidence to the Budget and Finance Committee. She said, 'I think there is a general sense that there may be increased costs under the new arrangements.' She went on to highlight that previously, when there was a similar issue about potential increased costs

with Shared Services, the Courts Administration Authority took a decision to not participate in the scheme. She indicated that the position of the Courts Administration Authority, or the governing council there, was that they wanted to see further evidence to justify why they should participate and they had left open the option, as they had with Shared Services, of not participating in the scheme.

It is clear that agencies that have a degree of independence, like SA Water and the Courts Administration Authority, have done the numbers and done the work and said, 'This doesn't make any sense. It's going to increase our costs and if we have a chance, we won't be participating in the scheme.' That is the same evidence that we are getting privately, but it is also the damning evidence from Bentley-Latham, which says that there is no evidence to justify that there is any financial mismanagement or increased costs under the current arrangements.

If you put all of that together, it is a pretty damning indictment of minister Rau's ideological pursuit of this particular issue and it is clear that there is little or no evidence to justify either (a) improved benefits to injured workers or (b) preventing increased costs as a result of the government's foolhardy pursuit of this particular option.

If I can conclude by quoting from an analysis done by the Self Insurers of South Australia. It is unsurprising that, clearly, they have taken the position of opposition to the legislation, but nevertheless, their experience in this particular area—given they were much lauded by minister Rau only three years or so ago—should be placed on the public record. Their position paper, which they released late last year, states:

> Compared to RTWSA/WorkCover, the public sector has consistently delivered—

that is the public sector with the self-insured status—

- Proportionally far lower claim liabilities (around 10% of total SA liabilities, despite it being about 18% scheme)
- Proportionally lower total claim costs
- Lower administrative costs
- Better return to work rates

That is the claim in the position paper from the Self Insurers of South Australia. They also raise a number of significant questions, which I think the minister should respond to during the committee stage of the debate. They do have some issues in relation to this premium. At that stage they did not know the premium was going to be $26 million, but they do raise some specific issues, and that is that if this is to be done on a experience-related basis:

- The experience-rated cost to many agencies will inevitably be much greater than current SI costs for any agency with complex time-lost claims. Furthermore, those agencies with relatively fewer time-lost claims will be cross-subsidising those that have more (assuming that the experience rating is less than 100% of their claim costs). To this extent, the higher-risk agencies will have de-sensitised premiums and arguably a lesser drive to improve health and safety performance than if they were covering 100% of their own costs.
- In most cases, for agencies with higher levels of complex time-lost claims, the experience is due to the high-risk nature of the roles they carry out. To a large extent, these agencies will be very limited in their ability to rein in these risks, which will perpetuate these significant experience premium costs and cross-subsidies, which are, after all, paid by the taxpayer.

Finally, they raise some further specific questions as follows:

> We are also pressed to wonder how well-equipped generally RTWSA is to manage the complex Crown arrangements. For example:

- Understanding the many Acts; for example Police, Health, Education, Public Service, Courts that all set conditions that influence entitlements outside the RTW Act

Again, the Minister for Police should be well aware of that, given the recent discussions in the EB as it related to SAPOL officers, and that is flowing on now to other emergency service workers as well, as I understand it. SISA goes on to say:

- Keeping track of the wide range of EBAs, most of which affect entitlements in different ways; for example, who will pay ex gratia entitlements beyond the RTW Act caps that are being added to the Police EBA, and how, and when?

I think that is a question that we need answered in the committee stage. It continues:

- Managing the many very complex claims—police, emergency services, corrections, secondary teaching and the like. We note in passing that RTWSA took back from the claims agents all of the serious and complex claims some years ago. One has to ask what that says about the capabilities of the current claims management model overseen by the Corporation.

In wrapping up, the Liberal Party acknowledges that all is not perfect in any workers compensation arrangement and all is not perfect in terms of the self-insured's management of workers compensation claims within the public sector. Nothing that we say in relation to this bill should be interpreted as saying that we support everything that is going on, or that there is no room for improvement. Clearly, the Bentley-Latham report raises some significant issues in terms of the management of psychological claims within the public sector, as opposed to the management within the broader community. It does raise a number of other issues as well which merit further consideration—

The PRESIDENT: Order! Can we have less discussion while the Hon. Mr Lucas is giving his address.

The Hon. R.I. LUCAS: —and certainly we are prepared to be engaged in those discussions. Should we be elected in 2018, we would look at various room for improvement in terms of the current management arrangements for self-insured. Nothing that we say in relation to our attitude to this bill should be interpreted as locking a future Liberal government or a future Liberal opposition considering a Labor government proposition in relation to the management of workers compensation claims in the public sector.

We started the debate with an open mind and have formed a view on this bill. We will continue to have an open mind in relation to the future, particularly if after a period of another couple of years of experience with the Return to Work Act and its impact on both the self-insured sector and the scheme, that with further evidence perhaps to justify potential future moves, we would be in a much stronger position to either support or not support a particular proposition. I conclude by saying what I said at the outset, that we will support the second reading of the bill, we will seek information at the committee stage, but we will be opposing the third reading of the legislation.

The Hon. T.A. FRANKS (12:01): I rise on behalf of the Greens to speak to the Return to Work Corporation of South Australia (Crown Claims Management) Amendment Bill 2017. The Minister for Industrial Relations introduced this bill in the House of Assembly, the other place, on 12 April. After spending just four parliamentary sitting days, the bill then passed the House of Assembly on 11 May. This bill amends the Return to Work Corporation of South Australia Act 1994 and there is no doubt that it seeks to privatise the provision of workers compensation insurance in our state, in the eyes of the Greens.

This bill seeks to transfer management of Crown injuries, that is, all return-to-work claims of public sector employees to ReturnToWorkSA and its claims agents, Employers Mutual Limited and Gallagher Bassett. This will effectively end the registration of the Crown as a self-insured employer and have the Return to Work Corporation of South Australia take over public sector claims management. My office has been advised that there are 12 injury management units across state government that provide claims administration services to injured employees within the public sector and these include: DCSI, SAFECOM, DECD, SAPOL, SA Health, Return to Work Services, Courts Administration Authority, Correctional Services, PIRSA and DTF/DPC.

I note that just yesterday I met with representatives of the South Australian/Australian Education Union who are most concerned about the impact that this particular bill will have on their industry. Some of the examples they gave me are that the costs for those in areas such as special education, where the claims are higher and where the risk is greater, would become greater in those areas. They did not see that as a progressive move; they saw that as quite detrimental especially when we are talking about access to education for all children in this state, and particularly addressing those who have special needs. To see such a move attack quite deleteriously that sector of special education would be quite a retrograde move.

So, I take on board the concerns raised by the AEU South Australia in their briefing to me and I understand that shortly there will be some correspondence to that effect. The other point that stuck in my mind from the AEU's briefing yesterday was that, as a result of this move, principals would spend more time in the tribunal than they do currently. I think that is a backward step on any way you want to measure it in terms of the support for public education we should be providing from this council. Principals belong in the schoolyard and in leadership roles not in a tribunal disputing workers compensation cases.

There have been a number of questions raised with the minister as to the motivation for introducing this bill. I understand that he has gone to great lengths to say that this is not fattening up the scheme for privatisation. Well, the Greens are yet to be convinced of that, but even on its merits, regardless of whether this is privatisation by stealth, the impact of the change of teachers being dragged into tribunals, rather than being in the school grounds or in leadership roles where they are needed, in the educational sphere rather than the workers compensation sphere, alone is enough for us to have grave reservations about this bill.

In introducing this bill in the other place, the minister has stated that the bill seeks to achieve 'greater consistency and transparency'. I understand the minister believes that public sector employees deserve the same access to effective hands-on early intervention and claims management to get them back to work as private sector employees. That was reported in *The Advertiser* on 19 April. To that, I say that this minister does not understand that this is currently the case. There is no need for the bill because the system, as it is, is not broken. There is not a clamour for this bill from those it affects.

The Crown self-insurance arrangements have outperformed the insurance scheme, and minister Rau acknowledged this during the estimates committee hearing of 27 July 2013, when questioned by the member for MacKillop. The Crown self-insurance is managed by the most skilled, experienced claims managers in this state, and this expertise will actually be lost if the claims are referred to ReturnToWorkSA. The current system within the public sector provides tailored and effective claims management. There is no need for this legislation. The minister has failed to provide evidence of a system that indicates that the public sector is underperforming.

The Greens have a number of questions to raise before we progress on this bill today. I will briefly outline some of them but I will not expect answers as we undertake the second reading vote. I will raise these at clause 1 because I take on board the words of the Hon. Rob Lucas that the Liberal opposition will be supporting the second reading of the bill, so we will move through the committee stage and explore each and every facet of the bill.

The Greens indicate that we are not convinced that we should support the bill. We will be voting no at the second reading, but we look forward to fully participating in the committee stage. We will ask: will the minister clarify whether or not the return-to-work performance of the public sector is underperforming? If so, in what way is it underperforming, and where does the bill seek to improve those return-to-work performances? We will be looking for specific examples.

What role will be undertaken by public sector workers currently undertaking claims management functions under the new arrangements? Quite specifically, how many claims managers are currently employed in the public sector? We will ask for that detail to be provided to this council. Will public sector claims managers be expected to train EML's and Gallagher Bassett's claims managers on managing public sector workers compensation claims, should this bill pass the parliament? What is the cost associated with transferring claims from the public sector to ReturnToWorkSA?

We will also seek a list of not just the external stakeholders consulted on the bill but the internal stakeholders and government agencies and entities consulted on the bill. Like, no doubt, the Hon. Rob Lucas, we will be pursuing more information about the Phillip Bentley and Chris Latham commissioned work. Certainly, we would like to see a copy of this report. We would like the government to indicate how much money was expended on the Bentley-Latham review.

We will also ask: can the minister confirm whether public sector employees have been informed of the intended changes and whether injured workers have been informed of these pending changes, with the changes supposedly only four weeks away? How has that been done? Have they

received phone calls or letters or correspondence? In what way have those stakeholders who are potentially most directly affected by this been engaged? We will also ask the government to provide information about the associated costs of transferring Crown claims to ReturnToWorkSA.

As I say, we are not convinced that there is a clamour for, and a need for, this piece of legislation. We will not be supporting this legislation but we will certainly be looking forward to the committee stage for these answers and more. We are also looking forward to being provided with a copy of the Bentley-Latham report or hearing some justification why this law is before us for debate in the first place.

The Hon. K.L. VINCENT (12:09): I speak today at the second reading, frankly unsure at this point whether the Dignity Party is able to support this bill. While I appreciate the briefing that has been provided to me by the Deputy Premier's office on this bill, some of the specific follow-up that has been done with some stakeholders has raised concerns, and we maintain significant concerns about the motives and reasons behind this bill.

While I am aware that organisations such as Minda, the Royal Society for the Blind and the Royal District Nursing Society will now be exempted Crown instrumentalities at the commencement date, a long-term solution is yet to be found to this question. On current calculations, South Australia's largest disability service provider could face a $100 million hike in their WorkCover costs each year if forced to move to this regime.

I also acknowledge that the Deputy Premier wrote to me the night before last requesting that the Legislative Council support the passing of this bill and contesting some of the concerns raised, but like other members I remain unconvinced. While I cannot be sure of the motives of this bill at this point (I have questions about that), to be frank, there is one way to make me suspicious of one's motives and that is to write to me saying that there is no secret plan. That is one way to make me think that there might be a secret plan: I was not born yesterday.

I say this because a number of law groups and also the Self Insurers of South Australia have posed a number of questions to me which at this point remain unanswered. So, at this point all I intend to do is put those questions on the record for the government to, hopefully, provide an answer, after which I am more than happy to reconsider our position. The questions are:

1. Why is the minister amending the Return to Work Corporation of South Australia Act 1984 rather than the Return to Work Act 2014?

2. What is the purpose of management of workers' injuries to ReturnToWorkSA with Crown self-insurers when claims for 19 per cent of these workers equalled only 9.6 per cent of claims in the year 2012-13?

3. What will happen to the highly skilled and experienced workers who currently work in SA government effectively managing injured workers?

4. Is the government fattening up the ReturnToWorkSA cow for sale, as was done with the Motor Accident Commission?

5. Could the minister please table the figures which demonstrate that this move is both economically sensible, sustainable and necessary?

The Hon. R.L. BROKENSHIRE (12:12): I rise briefly at this stage to advise the house of the Australian Conservatives' position on this bill. Whilst in the past, and rightly so, we have been critical of the way the government has gone about so-called management of workers' injuries, and the fact that there have been draconian and unusual decisions and legislation brought through by a government that purports to look after workers, this is separate to all of that history that we have gone through in this chamber over many years.

Whilst Australian Conservatives have and will continue to support self-insurance for the private sector, having deliberated very carefully on this, having spoken to the self-insurers and having spoken to some of the unions and associated agencies and the government, the government has two responsibilities with its own workforce: first and foremost, it needs to be very responsible when it comes to best practice from the point of view of occupational health and safety and prevention of injury; and, secondly and in concert with that, the government needs to ensure that, when a worker

is injured, they are properly looked after, physically and mentally, and return to work as quickly as possible, subject to proper recovery and support.

On the other hand, the government also has an obligation to taxpayers to ensure that they manage their WorkCover costs prudently and taxpayers expect that, because if that does not happen it is just another cost, ultimately, through Treasury to the South Australian taxpayers. This will put more responsibility, I believe, back on the government. It will take away some responsibility from direct management by agencies, but on the other hand it will also put some pressure on CEOs of agencies to ensure that what I have just said about a safe workplace, about looking after injured workers, etc., is more prudent than it has been in some agencies.

Whilst we know the history of how the Liberals lost office in 2002, at that point in time I, with the police portfolio as one example, was concerned about the way injured police officers were being looked after by the department. There was a weakness, I believed, in the human resource management aspects of part of the department, including that of WorkCover, and I believe that is still the case today. In fact, in all the years I have dealt with police officers and when I have talked and worked with the Police Association, there is clear evidence, in files that I have in my office, of appalling case management under a self-insurance model with South Australia Police.

While I am generally a strong supporter of South Australia Police, I am happy to put that on the public record because I believe that they have failed a lot of police officers over a long period of time. I have seen some of those police officers who had physical injuries end up with quite serious stress and post-traumatic stress disorder injuries because of the way they were not looked after properly in recovery. I have seen situations where even commissioned officers have ended up having to leave the police department as a result of, in my opinion, not being handled properly when it came to return-to-work processes.

That is just one agency, but I raise that one because, obviously, police are in a situation where they come closer more often to high-risk areas of occupational health and safety than a lot of other Public Service workers. Therefore, after careful deliberation and quite a lot of discussion with my colleague, Dennis Hood, Australian Conservatives—whilst we reserve the right to listen to amendments clearly during committee—can see the principles of this bill are of genuine intent. I have spoken to the Attorney-General about this and whilst I am as cynical as any MP in this chamber, partly for self-protection (you need to be a little bit, as a member of parliament), I do not buy the line that the government is setting this up for privatisation.

If the government wanted to actually get out of WorkCover—wanted to outsource it or privatise it in its entirety—they have had plenty of opportunities to do that. This is an ideology of the Labor government, going right back to when the late Hon. Jack Wright was the minister, so I cannot see that they are going to set it up for sale. However, I believe there is too much money being spent willy-nilly when it comes to getting injured workers back to the workplace. I believe there is an ad hoc approach—agency by agency—at the moment, with little benchmarking. This will allow benchmarking to occur and it will make CEOs have a very close look at what is going on. It will have even more of an impact, in a sense, in their budget.

It will also have an impact on how they actually go about exercising proper human kindness and obligations, under human resource management, towards those injured workers. For those reasons, we will be supporting the government on this bill.

Debate adjourned on motion of Hon. J.S.L. Dawkins.

ELECTORAL (MISCELLANEOUS) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 30 May 2017.)

The Hon. J.A. DARLEY (12:19): I rise very briefly to indicate my support for the second reading of this bill. The bill makes a number of amendments to the Electoral Act, which were recommended by the former electoral commissioner following the 2014 election. I understand many of the changes the government is proposing are merely to make it easier for the electoral

commissioner to do their job and clarify portions of the act which may have been ambiguous. The bill also makes a number of changes to pre-poll voting. I understand the government's position is that voters should be encouraged to vote on polling day only, and as such pre-poll voting should not be widely advertised or promoted.

As members will be aware, I have filed a number of amendments to the bill. Some of my amendments have a similar flavour to the government's in that they simply formalise current practices or clarify ambiguity in the bill. However, I do flag that I have filed an amendment regarding robocalls. As a political tool, robocalls have increased in popularity in recent years. In fact, it was only in the past month that I picked up a phone call from—in inverted commas—'Bill Shorten'. I am not sure what he was trying to tell me because, frankly, I did not stay on the line long enough to hear it.

The Hon. P. Malinauskas: It would have been good!

The Hon. J.A. DARLEY: You reckon? I know that both sides of major parties have used robocalls, as have other organisations, such as the unions and GetUp!, for political purposes. I have no problem with robocalls; however, I believe it is deceptive when organisations present these calls as calls from ordinary people. I remember receiving a call from a doctor who trumpeted the virtues of Transforming Health. Clearly, this doctor was aligned with the government and had been asked to be the voice of the campaign.

At the 2014 election campaign, voters received a call from a concerned nurse who said they were worried about their penalty rates being cut by Nick Xenophon and his colleagues. Notwithstanding the fact that this was an outright lie and completely misrepresented NXT's position on penalty rates, I know there were voters who genuinely failed to recognise this as a political call.

These are scripted advertisements paid for by organisations that aim to impact the political climate through a robocall campaign. I have no problem with this and am not moving this amendment only because NXT has been targeted by a number of robocall campaigns; rather, it is because I believe these advertisements should be treated the same as any other form of political advertising: disclosure should be made as to who authorised the advertisement and which organisation they are from.

Yesterday, I received a briefing from the government, which advised that they will be moving a very similar amendment to mine to address robocalls. I am glad they recognise this issue. The government is also finalising amendments to clarify political expenditure and disclosure requirements. At first glance, these amendments seem sensible and will reduce the administrative burden whilst increasing transparency; however, I reserve my position on these until I have had time to consider them in greater depth.

I will speak to my other amendments during the committee stage, and again indicate my support for the second reading.

Debate adjourned on motion of Hon. J.S.L. Dawkins.

Resolutions

WOMEN'S SUFFRAGE ANNIVERSARY

Consideration of message No. 229 from the House of Assembly.

1. That, in the opinion of this house, a joint committee be established to inquire into and report on matters relating to the 125th anniversary of women's suffrage and to consider—

   (a) the significance of the Adult Suffrage Bill 1894;

   (b) the courageous political campaign by South Australian suffragists, unions, and women's rights movements;

   (c) recognition of Aboriginal women in South Australia, who gained the right to vote in 1894, but were denied the right to vote at Federation until 1967;

   (d) ways to commemorate the 125th anniversary of women's suffrage in South Australia; and

   (e) any other related matter.

2. That, in the event of a joint committee being appointed, the House of Assembly shall be represented thereon by three members, of whom two shall form a quorum of assembly members necessary to be present at all sittings of the committee.

The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (12:23): I move:

That the council concur with the resolution of the House of Assembly contained in message No. 229 for the appointment of a joint committee on matters relating to the 125th anniversary of women's suffrage, that the council be represented on the joint committee by three members of whom two shall form the quorum necessary to be present at all sittings of the committee, and that the members of the joint committee to represent the Legislative Council be the Hon. G.E. Gago, the Hon. T.A. Franks and the Hon. J.M.A. Lensink.

The Hon. G.E. GAGO (12:24): I rise on behalf of the government to support the motion. On 18 December 1894, the South Australian parliament passed the Adult Suffrage Bill, which granted women the right to vote and stand for election in the colony's parliament. In March 1895, the bill received royal assent from Her Majesty Queen Victoria and on 25 April 1896 women in South Australia voted for the first time in the colony's election. Although South Australia was the fourth jurisdiction in the world to grant women the right to vote, even more notable was the fact that we were the first jurisdiction in the world to grant women the right to stand for parliament. We will remain forever indebted to the female suffragists behind this success in 1894.

Some of the women we remember include Mary Lee, referred to as 'the streetfighter', a widow who collected an impressive 11,600 signatures on a petition; Catherine Helen Spence, who was the first female political candidate in Australia and considered to be an intellectual powerhouse; and Augusta Zadow, who remained dedicated to improving the rights of working women, particularly those in clothing factories. Of course, there are many other suffragists who, first and foremost, wanted to end women's oppression in relation to their employment opportunities, the exploitation of women and young girls, their access to education, denial of property rights and many other deeply entrenched inequalities at the end of the 19th century.

Part of that entrenched inequality was particularly evident in relation to the universal right to participate equally with men in society's parliamentary decision-making processes. Prior to 1894, women were not afforded the right to vote or stand for parliament, and although, clearly, today the gender gap in politics in our parliaments is still wide—which has many implications for our society—nevertheless, we must take this opportunity to consider the significance of the Adult Suffrage Bill 1894 and the enormous changes that it brought about. It was considered that, with women gaining the right to vote, there would be a natural defence against exploitation and other inequalities and history has proven this to be true, although, sadly, too many gender inequities still exist today.

The legacy of South Australian suffragettes needs to be acknowledged and enshrined in our state's history, not only as a reminder of their magnificent achievements but also of their brilliant activism, courage and tenacity. It is also worth noting their ability as suffragists to work collectively and effectively when we consider the huge variation in the backgrounds of these women: they came from quite different social strata, economic backgrounds and very different experiences. We see women from The Women's Suffrage League, the YWCA, the Woman's Christian Temperance Union, the Wesleyan Methodists and also the working women's trade union.

Establishing a process which looks at ways to commemorate our 125th anniversary provides an opportunity to the wider community, including the community sector, women's services, local government and, obviously, members of parliament, to identify the best way to commemorate, celebrate and acknowledge the contribution of those trailblazers of 1894 during our 125th anniversary, which falls in 2019. In addition, there will be an enormous opportunity to recognise and consider the fact that Aboriginal women in South Australia were granted the right to vote in 1894, but denied the right to vote at Federation until 1967.

The centenary of the 1894 bill provided a wonderful opportunity for parliament to work together and provide a legacy, and we see elements of that in the magnificent tapestries in Parliament House. I am confident that together we can find appropriate ways to commemorate and acknowledge our groundbreaking 1894 suffragists. I commend the motion to the house.

Debate adjourned on motion of Hon. J.M.A. Lensink.

Bills

LOCAL GOVERNMENT (BOUNDARY ADJUSTMENT) AMENDMENT BILL

Second Reading

The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (12:30): I move:

That this bill be now read a second time.

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

Leave granted.

The Local Government (Boundary Adjustment) Amendment Bill 2016 (the Bill) seeks to reform the legislative provisions that govern how council boundaries can be changed under the *Local Government Act 1999* (the Act).

While significant amendments have been made to the Local Government legislative framework to strengthen local government accountability and governance, strategic planning, financial and asset management and community consultation, the framework that governs the operations of council boundary changes has not been amended since the Act's commencement in 2000.

At the commencement of the Act, the Boundary Adjustment Facilitation Panel was established as an interim body to refine council boundaries following the council amalgamations and boundary alterations that occurred in South Australia in the late 1990s. Since that time, there have been few significant boundary changes to councils in this State.

Following the abolition of the Boundary Adjustment Facilitation Panel through the review of Government Boards and Committees, the Minister for Local Government made a commitment to review the provisions in the Act relating to council boundary changes.

Reforming the legislative provisions that govern how council boundaries can be changed has been a significant item of discussion at Premier's State/Local Government Forum meetings (the Forum). The legislative framework underpinning the Bill is based on the review work undertaken by the Local Government Association (LGA) and the Office of Local Government, as overseen by the Forum.

The Bill is based on a discussion paper released last year by the LGA and on a proposed legislative framework for boundary reform endorsed by the LGA Board in November 2015. The framework sets out principles for local government boundary reform and a process for boundary adjustments that have been endorsed by the LGA Board and the Forum. I would like to thank the LGA for their work in preparing the discussion paper and the input they have provided to this review of the legislative framework.

A draft Bill on these reforms was released for public consultation on 4 August 2016. The original closing date for submissions was 30 September, however, the Minister extended the consultation period by two weeks to allow interested people more time to make a submission. Submissions closed on 14 October 2016. 29 submissions were received, and I am pleased to note that these submissions were generally supportive of the Bill.

I now turn to the key elements of the Bill.

The first of these is the introduction of a simplified pathway for administrative proposals—those that are made to correct historical anomalies in council boundaries, to allow for development that is approved elsewhere, or for other, largely administrative, reasons.

Under the current provisions, these proposals are subject to the same processes as proposals for more significant boundary change. Theses procedural requirements are cumbersome and unnecessarily complex for what can be considered straightforward matters. The Bill creates a simpler and more flexible process for both initiating and deciding these proposals.

The Bill also clearly recognises the importance of significant boundary changes, and the need for there to be much freer debate on these. A key change the Bill proposes is to allow proposals for boundary changes to be initiated by a single council or the Minister for Local Government. Currently, significant changes cannot be formally considered unless all councils involved agree that a proposal should go forward.

Opening up this initiation process will encourage discussion on structural reform opportunities that could bring real benefit to our communities.

It is essential though, that a greater ability to initiate proposals is matched with an independent assessment of their merits. The Bill therefore establishes an independent Commission to oversee the assessment of all proposals.

For significant proposals—or as the Bill calls them, 'general proposals'—the Commission can appoint one or more investigators to undertake a detailed inquiry into the proposal. However, the Commission must appoint

investigators when a general proposal is referred to them by either the Minister or by resolution of either House of Parliament.

The intent of this requirement is to ensure that the close analysis of significant proposals for boundary change is undertaken by people with expertise and knowledge that is specific to each proposal and that there is consultation with the affected councils. The Bill also provides appropriate flexibility in appointing investigators—more significant proposals will require a number of investigators, whereas relatively straightforward proposals may only require a single investigator.

At the conclusion of an inquiry, the Commission must prepare and publish on a website a report that includes the Commission's recommendations. The requirement for the Commission to publish the report ensures that the Commission's advice to the Minister, and the decision making that then follows, is fully transparent.

The Bill provides that the Minister may, on receipt of a report from the Commission, send the report back to the Commission with a request that the Commission consider making specified amendments to the report. Importantly, the Commission is not bound to comply with the Minister's request. However, if the Commission does amend its report then the Commission must then publish an amended report and provide a copy of the amended report to the Minister. The Minister may then determine whether a proposal recommended by the Commission should proceed.

Given the crucial role of the Commission, the question of which body would be best placed to undertake this work was a particularly important matter to resolve.

In the consultation on the draft Bill, the Local Government Grants Commission was overwhelmingly nominated as the preferred body to undertake this role due to its knowledge, experience and role across all local government finances and services, and the general high esteem that the Commission is held in across the local government sector.

The Bill therefore amends the *South Australian Local Government Grants Commission Act 1992* to enable the Local Government Grants Commission to perform these functions and to have support as necessary to do so. The Bill also includes an amendment to enable the South Australian Local Government Grants Commission Account to receive amounts related to and be applied towards the Commission's functions.

I emphasise that the functions relating to the boundaries role will be a separate piece of work for the Commission.

This additional role will not compromise the Local Government Grants Commission's current important function of delivering Federal funding as required by the South Australian *Local Government Grants Commission Act 1992*. The Minister has confirmed this in a letter to the Federal Minister for Local Government and Territories, Senator the Hon Fiona Nash. Further, any Federal funding for councils will not be used for boundary commission purposes.

The Bill provides for the Commission to recover reasonable costs incurred in respect of an inquiry in relation to a general proposal by a council or councils. This will assure councils that the investigation of these proposals are not delayed through limited resource allocations.

The cost recovery provisions will also ensure that councils undertake a business case analysis prior to proceeding with a general proposal to determine whether it will result in benefits to their communities. Costs related to work needed on proposals initiated by the Minister will be the responsibility of the State Government.

It is proposed that the legislation commence on 1 January 2019, following the 2018 Local Government elections.

The intervening time will be used to draft Guidelines that will set out procedures for inquiries, including the process by which the Commission will determine costs. Guidelines will also be prepared that specify consultation requirements, including consultation with the community, councils affected by proposals, and entities that represent the interests of council employees affected by proposals.

The development of the Guidelines will be further discussed at Forum meetings and the LGA and Unions will be fully consulted on their content.

Finally, the LGA has requested additional amendments to the Act to support the development of effective regional governance models in local government. The Bill therefore amends section 8 of the Act to outline the objects and principles of regional collaboration and partnerships. Further, as part of the council boundary reform framework, the principles for boundary change will also include consideration of regional activities.

The Bill also amends the Act to include a requirement for councils or other regional bodies to demonstrate the potential benefits of regionalisation have been assessed as part of long-term planning.

In this way, the Bill supports the effective future of local government in this State, be this through regional service delivery, or consideration of council boundaries that best reflect the needs and aspirations of communities across South Australia.

I commend the Bill to Members.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

3—Amendment provisions

These clauses are formal.

Part 2—Amendment of *Local Government Act 1999*

4—Amendment of section 4—Interpretation

The *Commission* for the purposes of Chapter 3 Part 2 is the South Australian Local Government Grants Commission.

5—Amendment of section 8—Principles to be observed by a council

An additional principle to be observed by councils relating to regional collaboration is inserted.

6—Amendment of section 26—Principles

The principles relating to proposals are amended to insert a principle relating to regional collaboration being considered as an alternative to structural change. Other amendments are consequential.

7—Substitution of Chapter 3 Part 2 Divisions 4 to 7

A new scheme relating to proposals for boundary changes is proposed to be inserted:

Division 4—Procedures for proposals

27—Preliminary

Definitions are set out for the purposes of the Division. A key definition relates to the *proposal guidelines*, which the Commission must publish for the purposes of proposals.

28—Commission to receive proposals

Provision is made relating to the referral of proposals to the Commission.

29—Commission to deal with proposals

Procedures relating to how the Commission is to deal with proposals are provided for.

30—Inquiries—administrative proposals

Provision is made for the Commission to inquire into and make recommendations to the Minister in relation to administrative proposals (which are defined). The provision also governs the process relating to the Minister forwarding proposals to the Governor.

31—Inquiries—general proposals

Provision is made for inquiries to be conducted into, and recommendations to be made in relation to, general proposals (which are defined). The Commission may appoint an investigator to conduct an inquiry and report to the Commission on the matter or the Commission may conduct the inquiry itself. The provision also governs the process relating to the Minister forwarding proposals to the Governor.

32—Notification of outcome of inquiries

The Commission is required to give notice of the outcome of inquiries.

32A—Powers relating to inquiries

Powers that may be exercised in the conduct of an inquiry under the Division are set out.

32B—Costs

Provision is made for the Commission to recover the reasonable costs of an inquiry in relation to a general proposal referred to the Commission by a council or councils under the Division as a debt due from the council or councils.

32C—Inquiries—independence of Commission etc

It is provided that the Commission or an investigator appointed by the Commission is not subject to Ministerial direction in relation to an inquiry or a recommendation or report under the Division (except as provided by the Division).

8—Amendment of section 34—Error or deficiency in address, recommendation, notice or proclamation

This amendment is consequential.

9—Amendment of section 110—Code of conduct for employees

This amendment is technical in nature.

10—Amendment of section 122—Strategic management plans

An amendment to the provisions governing strategic management plans relating to regional collaboration is inserted.

11—Amendment of Schedule 5—Documents to be made available by councils

This amendment is consequential.

Schedule 1—Related amendments and transitional provision

Part 1—Related amendments to *South Australian Local Government Grants Commission Act 1992*

1—Amendment of section 5—The Account

Section 5(2) of the *South Australian Local Government Grants Commission Act 1992* is amended so that amounts may be paid into the Account for the purposes of the Commission's functions under any other Act. A similar amendment is made to section 5(3) relating to the application of the funds of the Account.

2—Amendment of section 14—Staff

The provision relating to the staff of the Commission is extended to include staff for the performance of the Commission's functions under any other Act.

3—Amendment of section 15—Functions of Commission

This amendment allows the Commission to perform functions provided for under any other Act.

Part 2—Transitional provision

4—Transitional provision

A transitional provision is inserted for the purposes of the measure.

Debate adjourned on motion of Hon. J.M.A. Lensink.

Sitting suspended from 12:31 to 14:19.

Parliamentary Committees

LEGISLATIVE REVIEW COMMITTEE

The Hon. J.E. HANSON (14:19): I bring up the 46th report of the committee.

Report received.

Question Time

PRISONER REHABILITATION

The Hon. D.W. RIDGWAY (Leader of the Opposition) (14:20): I seek leave to make a brief explanation before asking the Minister for Correctional Services a question regarding prisoner rehabilitation.

Leave granted.

The Hon. D.W. RIDGWAY: In South Australia, for some crimes a prisoner must undertake mandatory rehabilitation prior to being assessed by the Parole Board for parole. In an opinion piece in February this year in *The Advertiser*, Mr Tony Rossi, President of the Law Society, said:

Prison overcrowding becomes self-perpetuating.

Many prisoners cannot complete mandatory rehabilitation courses because the waiting list is too long. This keeps prisoners in jail for longer and increases overcrowding.

A similar warning was given by the Parole Board chief Frances Nelson QC in February 2016:

Prisoners who genuinely want to turn their lives around are languishing in jail for up to a year because they cannot access court-ordered rehabilitation programs, the state's Parole Board chief warns today.

My question to the minister is: why aren't all prisoners given an opportunity to complete their mandatory rehabilitation programs before their non-parole periods are finished?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:21): I thank the honourable member for his question. It is a question that speaks to a subject that I am very proud of; that is, the work the government is doing and remains committed to doing into the future so as to maximise the likelihood of someone not reoffending in the community. I think I have spoken in this place on a number of occasions about the fact that the government has set a bold and ambitious strategy to reduce reoffending in South Australia and it starts with this government committing itself to a target to reduce the rate of reoffending in South Australia by 10 per cent by the year 2020.

Already, South Australia is a national leader when it comes to rehabilitation and that is proven and demonstrated by the fact that we are ahead of the national average when it comes to the most universally accepted reoffending statistic, which is a return to corrections within two years of release. The South Australian reoffending rate is currently 46 per cent. The national reoffending rate, I believe, sits around 50 to 51 per cent, so we are performing better than the national average. We have to be more ambitious than just resting on our laurels. We have to look to the future to see what we can do to see that number come down.

We have committed ourselves to a target. We have put in place a strategic policy panel, which provided a report to me already last year. At the moment, as we speak, the government is preparing its response to that strategic policy panel report, which will put in place a set of policies to realise the target of reducing the rate of reoffending. It is a no-brainer, and I think Mr Rossi's article that the Hon. Mr Ridgway refers to has a lot of merit in the arguments that are put forward through it. I have met with Mr Rossi since the article appeared in *The Advertiser* and we share a passion and the government and the Law Society share a commitment and a desire to see the number coming down.

If we are able to realise a reduction in the rate of reoffending it will mean two key things. For those of us who are wanting to save taxpayers' money, it will result in an extraordinary saving by virtue of the fact that locking people up costs somewhere in the order of $100,000 per annum. It is a very substantial expense. Building new prison beds is also an astonishingly expensive enterprise.

The Hon. R.L. Brokenshire: It used to be only 70 grand.

The Hon. P. MALINAUSKAS: The Hon. Mr Brokenshire interjects and refers to statistics that must be many, many years old, from a long, long time ago—

The Hon. R.L. Brokenshire: You've got to rein your costs in.

The Hon. P. MALINAUSKAS: —when he was last in government.

The PRESIDENT: The honourable minister, don't respond to the interjections of the Hon. Mr Brokenshire.

The Hon. P. MALINAUSKAS: The other key virtue of achieving a reduction in the rate of reoffending, apart from the substantial saving, which is good for the government fiscally, of course, is a reduction in the amount of crime happening within the community. If someone gets out of custody and goes into the community and does not reoffend whereas they otherwise might, that is a reduction in a crime statistic. That means one less victim in the community who has suffered all the disruption that is associated with any act of crime. So, we remain committed to that reduction.

The Hon. Mr Ridgway talks about efforts in terms of programs that are provided to prisoners that could contribute to a decision by the Parole Board in and around parole. Last year, the state government already announced a very substantial increase in investments when it comes to criminogenic programs provided in the prison, many of which would provide, potentially, an opportunity for an inmate, or for a prisoner, to get access to a program which could therefore influence the Parole Board's decision.

From memory—and I am happy to double-check this statistic—that was a $9.9 million investment in criminogenic programs. That is a very substantial increase in the amount of money

that this state government is investing in providing prisoners with programs so as to prevent the sort of thing that the Hon. Mr Ridgway refers to in this question.

We are committed to making sure prisoners get the rehabilitation they need, so that once they get out they don't reoffend, which means a safer community and a very substantial saving to the taxpayer.

PRISONER REHABILITATION

The Hon. D.W. RIDGWAY (Leader of the Opposition) (14:26): Supplementary question: I thank the minister for his answer, but does the minister know how many prisoners have been refused bail by the Parole Board simply because they have not completed the mandatory rehabilitation program? I might just add on the back of it, given he's given a commitment to bring back some details of the funding—he thinks $9.2 million—

The Hon. P. Malinauskas: $9.9 million.

The Hon. D.W. RIDGWAY: —$9.9 million—how much of that is addressed to the actual mandatory rehabilitation program as required by part of their sentence before they go to the Parole Board?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:26): Naturally, I don't have those two specific numbers at hand. I'm more than happy to get that information. I will also confirm that $9.9 million. In fact, I would expect to do that before the end of question time. It speaks to a very serious and genuine commitment around this important policy area.

I've got to say, to the extent as a parliament in a bipartisan way we can confirm our commitment to reducing reoffending, that would be a good thing, because this is a difficult policy area. It isn't a natural vote winner. It is a difficult area politically. But to the extent that the opposition is serious about supporting the government in its endeavours and efforts to reduce the rate of reoffending, we will have achieved a genuinely good public policy outcome for the South Australian community.

PRISONER REHABILITATION

The Hon. R.L. BROKENSHIRE (14:27): Supplementary, based on the minister's answer: can the minister advise the house how much money in the present budget the government is spending in DCS on rehabilitation programs and how much money in the previous budget they were spending?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:27): I am happy to seek those numbers and take that question on notice and get the specific number for the Hon. Mr Brokenshire. I have numbers floating around in my head, but for the sake of accuracy and assuredness, I would seek to take the question on notice and get the information back for the member as quickly as possible.

HOUSING AFFORDABILITY

The Hon. J.M.A. LENSINK (14:28): Subject to standing order 107 I seek leave to make a brief explanation before directing questions to a private member on the subject of housing affordability.

Leave granted.

The Hon. J.M.A. LENSINK: Today, the Hon. Mr Justin Hanson, in relation to a land sale from his period on council, is quoted by the *Leader Messenger* as saying, 'I'm not anti-development, but we're not inner city Melbourne, there's not that much demand for low-cost housing.' My questions to the honourable member are:

1. Is he aware that Anglicare's rental affordability snapshot has shown that Adelaide's housing across the metropolitan area has been in crisis levels for people living on low incomes?

2. Does he support his government's affordable housing policies, and will he apologise to the 21,000 people on the South Australian Housing Trust waiting list, including 3,500 on the category 1 list?

The Hon. J.E. HANSON (14:29): I thank the member for her question.

An honourable member: Your first question.

The Hon. J.E. HANSON: My first question. Essentially, this is about a specific geographical area. You were quoting from the *Leader Messenger*. What occurred here is there is a development in Modbury, and this particular article relates to that. There was a petition, going back a period of time, when some residents were concerned about some sale of land, and this relates to that specific area.

HOUSING AFFORDABILITY

The Hon. J.M.A. LENSINK (14:30): Supplementary: does the honourable member support his government's affordable housing policies, particularly those in which 15 per cent of developments should be set aside for affordable housing? Given that it has been divided into eight, that would allow at least one of those to be affordable housing.

The Hon. J.E. HANSON (14:30): I thank the honourable member for my second question.

An honourable member: It's a supplementary.

The Hon. J.E. HANSON: It counts in Lotto, so maybe it counts here. I will go back to my original answer. This is about a very specific issue, where a park was being sold in an area that has then been turned into units for that area. That area in particular is Modbury, and this comment really relates to that specific issue.

HOUSING AFFORDABILITY

The Hon. J.M.A. LENSINK (14:31): I have a further supplementary—

The PRESIDENT: No. I have given you two questions, or one question and a supplementary. This questioning has nothing to do with the business of the council, and I will rule any further supplementaries out of order.

The Hon. J.M.A. Lensink: Well, it's a public matter, by the member's own utterance.

Members interjecting:

The PRESIDENT: The Hon. Mr Wade.

Members interjecting:

The PRESIDENT: Order! We don't need any discussion. The Hon. Mr Wade has the floor.

EMERGENCY SERVICES

The Hon. S.G. WADE (14:31): My question is to the Minister for Emergency Services. Can the minister advise whether all level 3 incident management centres have generator backup?

The Hon. P. Malinauskas: I didn't hear the question—

The Hon. D.W. Ridgway: Well, if you weren't interjecting—

The PRESIDENT: That's a good point. The Hon. Mr Wade, do you want to ask that question again, please.

The Hon. S.G. WADE: My question is to the Minister for Emergency Services. Can the minister advise whether all level 3 incident management centres have power generator backup?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:32): I have received advice from emergency services on more than one occasion, including each of the agencies, around the backup generator arrangements that are in place. I understand also that the Burns review went through a

substantial exercise in looking at the issue of backup generators in and around the emergency services sector and also other critical services that the state government is responsible for providing.

With respect to each of those specific locations, I am more than happy to take that question on notice, but to the best of my knowledge each of our emergency services has reviewed and assessed their policies and arrangements in and around backup power generation and believe that the state is well placed to be able to deal with those issues should they arise in the future.

EMERGENCY SERVICES

The Hon. S.G. WADE (14:33): Supplementary: I thank the minister for taking it on notice. In providing the answer, could he advise whether the capacity of the particular centres allows for not only the power generation needs of, if you like, the home service, but also any other services that might need to collocate in the context of a larger incident?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:33): I believe that the Burns review, again, looked at the issue of backup generation and the adequacy of the arrangements that exist within South Australia regarding this issue, but I am more than happy to take that into account as well during the course of acquiring additional information.

ABORIGINAL EMPLOYMENT TARGETS

The Hon. J.E. HANSON (14:34): My question is to the Minister for Aboriginal Affairs and Reconciliation. Can the minister advise the chamber on how the government is assisting Aboriginal South Australians with pathways into further education and employment?

The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (14:34): I thank the honourable member for his question and his interest in this area. As Minister for Aboriginal Affairs, I have the privilege of spending quite a bit of time with young Aboriginal people all over the state in their home communities, from areas like Oak Valley on the Coorong or in places like Amata in the APY lands. I must say that, far and away, one of the standout programs that not only receives significant community participation but delivers tangible results for young people is the Aboriginal Power Cup.

Now in its 10th year, it is easy to see the size of the impact the Power Cup has had on a generation of Aboriginal high school students. Looking back at 2008, when the Port Adelaide Football Club embarked on this program, much has changed for the better. The first program had a few more than 100 Aboriginal students who participated, with an average school attendance rate of 52 per cent for those first participants. If we fast forward to this week, the number participating in the Aboriginal Power Cup is almost 400, and among those participants the school attendance rate is about 95 per cent.

This is not a coincidence or a sudden change in attitudes. These results sit squarely at the feet of the Port Adelaide Football Club and their Aboriginal programs. It is testament to the hard work of those involved. The work they do, the way they do it and the way they engage our students is exemplary. It is not unusual, when I visit remote communities, that I see Pauly Vandenbergh and his team with the Aboriginal programs visiting remote communities like Pipalyatjara or Yalata. A number of times I have visited those remote communities and been told that I just missed the Port Adelaide crew.

The students engage in the Aboriginal Power Cup in workshops, focusing on making healthy and wise lifestyle choices in leadership programs and learning about school-to-work transition. This enables students to be more aware of what pathways are available once they finish high school. The state government is a proud sponsor of the Aboriginal Power Cup and provides financial support of around $120,000 a year and also in-kind support through helping to create the jumpers that the participants wear. There are 20 teams this year, all in fantastic Indigenous art designed jumpers.

From last year's Aboriginal Power Cup, 80 students were linked up with a tertiary education or job placement. These are the kinds of results that literally change lives. The trajectory some of these students were on before being involved in the Power Cup was not ideal. The support around

them and the mentors they have around them to encourage them to aim high and fulfil their potential with the Power Cup really make a difference.

Through the Aboriginal Power Cup, having to meet high standards of school attendance, SACE competencies and all-round behaviour, many Aboriginal students are now striving to be the best they can be. I want to pay tribute to the team at Port Adelaide for raising the bar, expecting the best and not accepting any less. It is through these kinds of programs that students are being fully prepared for the next stages in their lives. I am sure we will see Aboriginal students who are participating in programs like the Aboriginal Power Cup as the next generation of leaders in their communities. Many of them will go on to become lawyers, doctors, engineers or teachers.

As we talked about in the chamber yesterday, over the next couple of weeks we are celebrating a number of milestones in Indigenous history in Australia—the 50th anniversary of the 1967 referendum and the 25th anniversary of the Mabo decision. I am sure that many of the students from this year's Aboriginal Power Cup program and the ones preceding it will be the next generation of leaders to take up the struggles that their aunties and uncles and grandparents took up.

As well as being leaders in their communities, I'm sure we will see a number of students from the last couple of years go on to play at the elite football level, and I'm happy for them to play with Port Adelaide as long as the first choice is wearing yellow and black in the AFL.

POLICE STAFFING

The Hon. R.L. BROKENSHIRE (14:39): I seek leave to make a brief explanation before asking the Minister for Police a question regarding police resourcing.

Leave granted.

The Hon. R.L. BROKENSHIRE: Over several sitting weeks, we have heard the Minister for Police espousing the virtues of government when it comes to increased police numbers. Of course we all know that there was a big campaign about to start if the government did not come back on their promise of 313 recruits.

The Hon. P. Malinauskas: Which we did.

The Hon. R.L. BROKENSHIRE: Yes, because politically, it would have flogged you after you broke promises for over two years. Secondly, we have had the police minister regularly saying that the budgets are bigger and better than they have ever been for SAPOL. Inside police sources at SAPOL have advised me that it is possible that 27 metropolitan public servants who work in metropolitan police stations, doing a lot of the mundane and repetitive bureaucratic administrative work, will have their positions removed and that they will no longer be there to support police officers in those police stations.

Given that the minister has said repeatedly that there will be more police out on the beat, my question to the minister is: can he confirm that there will be up to 27 civilian people who work in metropolitan police stations losing their positions, or can he rule it out, and if he cannot rule it out does he agree that this is going to put further imposts on operational police officers who should be out on the beat, keeping the South Australian community safe?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:40): Well, Mr President, I can absolutely confirm that this government is serious and committed to making sure that we have more operational police officers out on the beat. I think this government's steadfast commitment to that can be demonstrated by two key points. The first one is that we are in the process of delivering this police commissioner, this police force, the largest number of active sworn police officers that has ever been seen in the state's history. We are already the largest employer of police on a per capita basis of any state within the commonwealth—a phenomenal record, and that record will continue to improve by virtue of the process of recruiting 300-plus extra police officers currently, as we speak.

If the Hon. Mr Brokenshire, as a passionate individual around policing in this state, wants to go down to the academy and witness, as I have, the extraordinary number of police going through their training procedures before becoming active sworn officers, I would actively encourage him to

do so, because I am sure he will be nothing but impressed by the calibre of men and women coming into the police force at the moment.

The second thing that demonstrates this government's commitment to having more police officers operationally on the beat is our willingness to support the police commissioner in determining the way police station operating hours should apply—as distinct from other members within this parliament who seek to make political plays out of the way that police station operating hours occur. It is utterly remarkable that we have got the alternative government of this state going to the next state election with a policy to start interfering operationally in the way SAPOL conduct themselves. We have got the alternative government of this state tearing up every basic principle and convention that exists around the way policing occurs in this state by going to the next election—

Members interjecting:

The Hon. P. MALINAUSKAS: This is all a statement; this is all on the record, Mr President. They have got a policy—

Members interjecting:

The Hon. P. MALINAUSKAS: It's okay, it's all out there, the electorate will make a determination in due course. But let us be clear about it: it is a substantial point of difference. Do not try to resile from it. You are better off just owning it. They are going to the next election with a policy of telling the police commissioner when he should have police stations open and closed. It is quite extraordinary, Mr President, because what they are in effect doing is telling the South Australian public that they know more about operational police matters than the police commissioner himself. That is the first thing they are doing.

The second thing they are doing is they are going to take police officers out, off the beat, and put them behind a desk somewhere at 2, 3, 4 o'clock in the morning under this strange illusional concoction of thought that criminals walk into police stations to commit crimes. It is utterly remarkable. We, on the other hand, have a proud track record when it comes to putting more operational police officers out on the beat to tackle crime, which, by and large, is where serving officers want to be.

POLICE STAFFING

The Hon. R.L. BROKENSHIRE (14:44): Supplementary: after that diatribe I would actually like an answer. Can the minister confirm or rule out that up to 27 civilians in police stations in the metropolitan area of Adelaide are about to lose their jobs—yes or no?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:45): I can confirm that the overwhelming feedback I have had from the policing community is nothing but gratitude and support for this state government's policing policy to ensure there are more operational, active sworn police officers out on the beat.

POLICE STAFFING

The Hon. R.L. BROKENSHIRE (14:45): Further supplementary: can the minister advise the house whether he has had any discussions with the police commissioner or the executive arm of South Australia Police that involves the consideration of up to 27 civilians located currently in police stations in the metropolitan area of Adelaide losing their jobs?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:45): I speak to the police commissioner all the time to find out how the Recruit 313 effort is going. I am pleased to report that all is in train, the academy is full, more resources are going SAPOL's way to ensure that we have active sworn officers out on the South Australian beat keeping people safe.

POLICE STAFFING

The Hon. D.W. RIDGWAY (Leader of the Opposition) (14:46): Supplementary question: given the minister has repeated on numerous occasions that we have record numbers of police—more per head of population than any other state—can he explain why methamphetamine use in Adelaide has tripled in the last five years?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:46): I thank the honourable member for his important question touching on an important—

Members interjecting:

The PRESIDENT: Order! Allow the minister—

The Hon. D.W. Ridgway: Go and talk to families whose lives have been destroyed by ice.

The PRESIDENT: Order!

The Hon. P. MALINAUSKAS: You have to simplify it, don't you?

The Hon. D.W. Ridgway: It's an illegal substance. Why has it tripled under your—

The PRESIDENT: Order! The honourable Leader of the Opposition and the minister will desist.

The Hon. D.W. Ridgway: You're the government.

The PRESIDENT: Order!

The Hon. D.W. Ridgway interjecting:

The PRESIDENT: Order! Will the honourable Leader of the Opposition desist. I don't need the minister to aggravate him and stir him on.

The Hon. D.W. Ridgway: You should go out—

The PRESIDENT: You should be quiet and allow the minister to answer your question. Minister.

The Hon. P. MALINAUSKAS: The honourable member might be aware that I have had the responsibility of chairing the ice taskforce. The government is in the process of formulating its response to the extraordinary efforts of the taskforce. During those interjections the honourable member was banging on about meeting families. I have met those families and have been nothing but moved by the pain and suffering that they experience as a result of this terrible drug.

The honourable member is right to point out that meeting families is an important part of the process. But, I tell you what, not once did those families want to see the politicisation of our police force. Not once have they thought that that would contribute to a safer community, yet the only thing we have heard from members opposite regarding policing in this state is a politicisation of the police force and for them to start telling the police commissioner what to do.

Now you ain't going to catch too many drug dealers sitting behind a desk at Henley Beach Police Station at 3 o'clock in the morning. We need those people out on the beat, and that is why we acknowledge and support the operational independence of the police commissioner in the exercising of police functions.

POLICE STAFFING

The Hon. R.L. BROKENSHIRE (14:48): Supplementary: can the minister advise the house whether he has any knowledge whatsoever of an intention to remove up to 27 public servants in police stations in the metropolitan area who currently backup and support our operational police by doing a lot of administrative work? Does he have any idea whether these jobs are guaranteed or whether they are going?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:48): I don't know how many times the Hon. Mr Brokenshire wants me to keep going around and speaking on what we are doing around policing policy in this state. We give the police commissioner the capacity to be able to run his police force and run the operations around the police force. The honourable member would know that the police commissioner is in the process of delivering a very substantial piece of organisational reform. We support him in his endeavours to do that. It is ensuring that we have resources in the right place, and the honourable member has attended or had representatives attend, I believe—

The Hon. R.L. Brokenshire: I've been there.

The Hon. P. MALINAUSKAS: —has attended two briefs around organisational reform that is going on within SAPOL. This government is committed to making sure that SAPOL has all the resources they reasonably can have. That commitment has been demonstrated by dramatically increasing the amount of resources that SAPOL has, both in personnel and in dollars. On top of that, we are also acknowledging and supporting the operational independence of SAPOL to be able to get out there and do the job.

POLICE STAFFING

The Hon. R.L. BROKENSHIRE (14:49): A supplementary, sir: sorry to my colleagues, but I would like an answer. This is question time. Can the minister rule out any civilian people working for SAPOL in metropolitan police stations losing their jobs, any up to 27? Can he rule it out?

The PRESIDENT: The Hon. Mr Brokenshire, the minister has actually answered in the way he sees fit.

The Hon. R.L. Brokenshire: He hasn't given me an answer.

The PRESIDENT: He has answered it the way he believes is appropriate. You can ask all the supplementaries you want, but you are going to get the same sorts of answers.

EXTREME WEATHER CONDITIONS

The PRESIDENT: The Hon. Ms Lee.

Members interjecting:

The PRESIDENT: Order! The Hon. Ms Lee has the floor.

The Hon. J.S. LEE (14:50): I seek leave to make a brief explanation before asking the Minister for Emergency Services a question about the statewide power outage.

Leave granted.

The Hon. J.S. LEE: On 28 September 2016, as honourable members know, South Australia experienced extreme weather resulting in a statewide power outage. Hospitals, businesses, households and our streets were all left without power, causing chaos, uncertainties and financial losses among South Australians. My question to the minister is: can the minister inform the council whether an educational program to encourage South Australian businesses to develop business continuity programs has commenced?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:51): I appreciate the honourable member's question. Post the substantial and significant weather event that the honourable member refers to in her question, the state government has put in place a range of different works in and around it, but principally what we have seen is the government undertake the Burns review.

The Burns review was a substantial exercise to look at the way South Australia generally, our emergency services and also the community at large, handled that particular event, including the statewide power outage, and what can be done to better prepare ourselves into the future. Whilst the review concluded that the statewide complex event was, in general, well managed with coordinated effective response and recovery options put in place, the state government welcomes the opportunity to strengthen its emergency management arrangements.

The Burns review made 62 recommendations. Work is underway to implement or further examine all recommendations; 42 of the recommendations have been accepted, one has been completed, and 22 are due to be completed by 30 June 2017. There is a range of different works that are already underway, including the development of a state plan for managing the consequences of a statewide power outage, an evacuation plan for the central business district, reviewing updated business continuity plans of government agencies and providing essential services to the community, strengthening planning arrangements with telecommunication providers, and enhanced training and capacity building of emergency services personnel.

A recommendation proposed for the development of a strategy to foster community resilience has also been accepted in principle. The remaining 15 recommendations to be considered involve investing in equipment, infrastructure or systems of a complex nature requiring extensive external consultation. The State Emergency Management Committee will oversee the implementation and further consideration of the recommendations as appropriate and will provide a progress update on 30 July this year.

We are working assiduously in trying to ensure that the Burns recommendations are contemplated and actioned where it is appropriate. I think the honourable member's question should be considered in that context. I am trying to recall whether or not one of those specific 62 recommendations spoke specifically to the area that the honourable member has referred to, and I am happy to go back and assess whether or not one of the 62 recommendations specifically deals with the honourable member's question. If it does, I am more than happy to update her on where that is at.

EXTREME WEATHER CONDITIONS

The Hon. J.S. LEE (14:54): Supplementary question: specifically with the business continuity programs, can the minister advise which agency or agencies will be implementing those programs?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:55): Again, and in the context of already having committed to get that information for the Hon. Ms Lee, I am more than happy to get the information about which agency has responsibility for the implementation of that specific recommendation. I am more than happy to take that up if there is that recommendation that goes to that. From memory there is, but I am more than happy to get the specific recommendation and details and follow it up for her.

NORTH-EAST WATER SUPPLY

The Hon. T.T. NGO (14:55): My question is to the Minister for Water and the River Murray. Can the minister tell the chamber how the government is investing in vital water infrastructure for residents in Adelaide's North-East?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (14:55): I thank the honourable member for his most important question. The state government and SA Water are committed to ensuring that South Australians have access to high quality and affordable water, and we continually look at ways to improve our customers' water supply across the state.

Over the past few months, sir, if you have driven along Grand Junction Road, you may have noticed on the skyline a number of large cranes operating at SA Water's Hope Valley large water storage tank site, between Canopus and Madeira Avenues at Hope Valley. That is because we are commencing a $21.6 million upgrade program to the largest metropolitan water tank we have in Adelaide. This upgrade is part of a wider program of $89 million worth of works, which will see the refurbishment of 111 water storages right across the state over the next four years. This demonstrates our ongoing commitment, as a utility, to upgrading our infrastructure.

The Hope Valley tank is a 136-megalitre water storage facility constructed in 1955. It was roofed, I think, at a later stage, somewhere around 1971 and 1972. It is a large and impressive structure, but you would have to be on site to know that because a lot of the size of the tank is hidden underground. It has the capacity for water storage equivalent to almost 55 Olympic-sized swimming pools and is a critical asset for SA Water, providing water supply to approximately 100,000 households and businesses. The roof of the tank is supported by 117 concrete columns and associated structural elements. Condition inspections have revealed that approximately half of the 117 structural elements—specifically the corbels—are in need of replacement, as the roof is nearing the end of its asset life.

The upgrade will include demolition of the existing roof and replacement with a lightweight aluminium roof. By replacing the ageing roof we are ensuring the ongoing security of supply and water quality for SA Water customers. I understand, from my inspection on site, that they are also

taking the weight-bearing away from the side of the tank and giving it its own weight-bearing structure to separate that from the sides of the tank—so they have a double protection, I suppose. I am advised that the upgrade will employ about 250 people throughout the length of the project, and works will be undertaken by SA-based construction company York Civil. York Civil has told me that at the height of construction there will be at least 75 people working on the site.

Other water storage tanks being upgraded as part of the refurbishment program include one in North Adelaide—I think it was featured in an InDaily article a few months ago—which was constructed in 1878 and is still operating well. I can tell the chamber that SA Water has undertaken a comprehensive suite of planning to ensure that works don't interrupt water supply to local residents. SA Water will temporarily supply residents in the area through an alternative part of the network which they have connected up, and will schedule works during the wetter months of the year when the demand for water from the system is obviously lower.

I also understand that the local community has been a valuable asset to SA Water in the lead-up to construction by providing constructive feedback on the project during community meetings that SA Water has coordinated. This feedback identified the importance that the local neighbourhood attaches to the visual amenity of the area and, of course, around this rather large structure. In response, SA Water has committed to working with residents in restoring and improving the site's amenity through revegetation programs and the associated landscaping works.

The upgrade of the Hope Valley water storage tank is expected to be complete by the end of the year. If any honourable members have an interest, they can look at the infrastructure upgrades being undertaken by SA Water on their website www.sawater.com.au.

TAXI INDUSTRY ASSISTANCE PACKAGE

The Hon. M.C. PARNELL (15:00): I seek leave to make a brief explanation before asking a question of the Minister for Police, representing the Minister for Transport and Infrastructure, about the taxi industry assistance package.

Leave granted.

The Hon. M.C. PARNELL: I met last week with the United Taxi Association of South Australia and they drew my attention to what they believe is an unfairness in the compensation package that the government announced. In particular, they are concerned about the payment of $50 per week to the lessees of taxi licence plates. The government's package, as members would remember, provided $30,000 for a licence holder and $50 per week for up to 11 months for a taxi lessee. The magic date that was inserted into the package was 12 April. What that means is that if your lease expired on 11 April and you renewed it, you are entitled to compensation and you can get $2,380. But if you are unlucky enough that your lease expired on 13 April and you renewed it, then you will get nothing because the package is only related to the portion of the lease after 12 April.

I expect that the government's assumption was that, having announced this package, the price that a taxi lease would attract would be reduced and, therefore, those people wouldn't miss out. But there appears to be no evidence that has happened; in fact, people are renewing their leases for the same price as they had them for previously. So, we have two drivers whose leases expire two days apart and one gets $2,380 and the other one gets nothing. My question to the minister is: where taxi leases expire after 12 April and where they are renewed for the same lease fee or a higher lease fee, will the government consider extending assistance to those taxi lessees on the same terms and conditions as those who renewed their leases prior to 12 April?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (15:02): I thank the honourable member for his question. This government is one that wants to work collaboratively with the taxi industry. We think that we have worked incredibly hard as a government, particularly the Minister for Transport, to work with both the taxi industry and also the ride sharing component of the industry to develop a package that provides some certainty, confidence and compensation to taxi drivers, going forward. It stands in stark contrast to the opposition, of course, which seems to care little about the future of the taxi industry itself and the hundreds of people that work within it. That said, I am more

than happy to take the question on notice and make sure it's provided to the responsible minister in the other place.

ICE TASKFORCE

The Hon. A.L. McLACHLAN (15:03): I seek leave to make a brief explanation before asking the Minister for Police a question in regard to the Ice Taskforce.

Leave granted.

The Hon. A.L. McLACHLAN: The minister announced the Ice Taskforce on 14 February this year and has since stated that the task force has had a hard deadline of 60 days. Earlier, in response to a question, he alluded to the government currently considering a response. My questions to the minister are: when will the report be released or tabled in parliament, and when is the minister anticipating the government will be able to provide a response?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (15:04): Thank you to the honourable member for his question. It's a good one and an important one. The government is currently in the process of developing its position. Naturally, some of those considerations need to be done in the context of the state budget, and the budget process is obviously well in train.

We would hope that the cabinet would be able to finalise the government's position in coming weeks regarding the Ice Taskforce response and, of course, very quickly after that it will be known publicly.

HOUSE FIRES

The Hon. J.M. GAZZOLA (15:04): My question is to the Minister for Emergency Services. Can the minister inform the council about precautions South Australians can take to keep themselves safe from house fires this winter?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (15:04): I thank the honourable member for his important question. I am sure that all members would be aware that tomorrow is actually the beginning of winter, and that covers—

Members interjecting:

The Hon. P. MALINAUSKAS: Now that we've got that cleared up—

Members interjecting:

The PRESIDENT: Order!

The Hon. P. MALINAUSKAS: Tragically, each year an average of one person dies unnecessarily due to a home heater fire. The Metropolitan Fire Service and the Country Fire Service respond to approximately 60 fires each year caused by poorly maintained or incorrectly used heating equipment. Since July 2014, the Metropolitan Fire Service cause investigators have attended three fatal house fires that were started by either combustion heaters or bar radiator heaters located too close to combustible materials.

These fires cause immeasurable physical and emotional injury, not to mention structural damage and also economic loss. As the chilly winter sets in, the government and our fire services are urging all South Australians to play their part in preventing avoidable house fires this winter. The most common causes of heating related house fires include heaters or fires located too close to items such as furniture, bedding or clothes, and heaters or fires left on in bedrooms overnight. These fires are avoidable yet, tragically, each year we will lose an average of one life and see immense levels of injury and loss.

The fire services promote quick tips for reducing winter fire risk, which include checking that heating equipment is in good working order. Do not just take appliances out of storage and expect that they will work as they did last season. Manufacturers recommend that gas and solid fuel heaters be serviced regularly. One should clean air filters or ducted or reverse cycle units as per manufacturer's instructions. At any sign that a heater is not working properly, turn the heater off

immediately. Suspect or faulty heating equipment should be checked and repaired by qualified tradespersons or, alternatively, discarded altogether.

Remember to supervise children and animals when heaters are in use to ensure that they remain a safe distance away and keep fire lighting tools such as matches and lighters well out of reach and out of sight of children. If your house has an open fire, make sure that chimneys and flues are cleaned every year before winter. You should also place a full-size fire screen in front of open fires or combustion heaters to prevent sparks or embers coming into contact with furniture, carpet or other flammable items. You can also make safe choices in the products that you buy. Choose portable heating equipment with an automatic safety switch so that, if the heater is accidentally tipped over, it turns off immediately. These are just some tips to keep in mind while heating your home this winter.

It is up to all of us to remain vigilant and ensure we do what we can to protect ourselves, our families and our homes from avoidable fire. While our emergency services are always at the ready to protect our community in times of need, let's do what we can to avoid putting these brave men and women in harm's way.

HOUSE FIRES

The Hon. J.S.L. DAWKINS (15:08): Supplementary question: given the high number of house fires which start in kitchens, can the minister indicate whether the South Australian Metropolitan Fire Service has a kitchen fire demonstration unit such as that used in New South Wales communities by the Metropolitan Fire Service in that state?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (15:09): I am not familiar with the New South Wales facility, but I am more than happy to make those inquiries for the Hon. Mr Dawkins. What I would say is that the MFS, and also the CFS, works collaboratively with other organisations like the Julian Burton Burns Trust to make sure that we are getting messages out to the community to try to avoid fires. I know some of those efforts in terms of messaging in the past have been around kitchen fires, but I am more than happy to make inquiries around the New South Wales facility that the honourable member refers to, which I am not familiar with, and get the information for him.

TAXI INDUSTRY ASSISTANCE PACKAGE

The Hon. J.A. DARLEY (15:10): I seek leave to make a brief explanation before asking the Minister for Police, representing the Minister for Transport and Infrastructure, a question regarding the taxi industry assistance package.

Leave granted.

The Hon. J.A. DARLEY: The taxi industry assistance package was established by the government in response to the introduction and regulation of Uber into South Australia. On 1 May, a $1 point-to-point transport service transaction levy commenced for all taxi, ride sharing and chauffeur-driven car trips in the Adelaide metropolitan area. These moneys will be used to fund the industry assistance payment, which would see taxi licence holders eligible for payments of up to $30,000, and taxi licence lessees for up to $50 per week.

The fact sheet on the DPTI website outlines that applications for payment can be made from 22 May until 30 November. I have been contacted by a constituent whose investment into a taxi licence has plummeted from approximately $450,000 to $140,000 as a result of the introduction of Uber. This constituent has been advised by his bank that they will soon be moving to foreclose borrowings on his taxi licence. If this does occur, my constituent fears that they will become homeless. Can the minister advise:

1. What are the tax implications for licensees and lessees who receive this payment?
2. How long will it take to assess an application?
3. Are there any plans to reduce taxi licence or registration fees?

The Hon. P. MALINAUSKAS (Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (15:11): Of course, I will take that

question on notice to the responsible minister in another place, to ensure that the honourable member gets an answer to his important question. I also will reiterate the point that this government is one that is committed to working with the taxi industry to try to make sure that it is compensated in some format for the substantial changes that are going on with what has been a regulated industry in the past.

Naturally, the ride sharing technologies that are now coming online globally are causing significant disruption to the taxi industry. That is something that this government is concerned about, which is why we have put together a package to help address that. Again, that stands in stark contrast to the opposition, which has shown little regard, commitment or consideration to the hardworking men and women who are in the taxi industry.

Many migrant communities have come to South Australia and used the taxi industry as a platform to make a contribution to this state and to provide for many families. It is something that this government is conscious of and has hence developed the package that exists. We think it stands as a clear example of the sort of government that this one is, a Labor government committed to compensating working people, committed to considering working people, versus those opposite to have little regard or consideration for the ordinary people, and instead leave them to the wolves of mass disruption.

COUNTRY CABINET

The Hon. T.J. STEPHENS (15:13): My question is to the Minister for Aboriginal Affairs and Reconciliation. With regard to the government's APY country cabinet held from 30 April to 2 May this year, when can the public expect to see the issues paper published on the YourSAy website? In addition, can the minister confirm that the government response is due and will be there before 1 August?

The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (15:13): I thank the honourable member for his question and his interest in this area generally. I know that the time frame varies some days before or after, depending on when responses can be delivered, but typically after a country cabinet, it is about a 90-day response to issues raised. I know that each department that had questions raised with them from their time on the APY lands is looking at the issues that were raised to formulate that response.

I can't remember the exact date but I would expect a response sometime in August. I can find out if a response date has been set down for the APY community cabinet. If one has been set down already, I will bring that back for the honourable member, but it is typically around 90 days from the visit that responses to issues raised are collated. As I have said, I know that in the past it has varied—a little bit of time before or after, depending on when the minister can return to where the country cabinet was held or when members from that country cabinet can be in Adelaide.

STATE EARLY COMMERCIALISATION FUND

The Hon. G.E. GAGO (15:15): My question is to the Minister for Manufacturing and Innovation. Can the minister update the chamber on the success of the government's South Australian Early Commercialisation Fund?

The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (15:15): I can and I thank the honourable member for her interest in this area. Certainly, when the honourable member was minister for science, she was heavily involved in the RedFire report that gave rise to recommendations that included the establishment of the South Australian Early Commercialisation Fund as well as the South Australian Venture Capital Fund, so I thank her for her efforts in helping get these sorts of thing started.

I would also like to thank the Hon. David Ridgway who has shown his own particular interest in this program during the course of this week. I was able to answer nearly all his questions but I'm

sure the answer I am able to give today will further enlighten him and provide extra information for his benefit and satisfy his strong interest in this area.

The Hon. I.K. Hunter: Insatiable curiosity.

The Hon. K.J. MAHER: The Hon. David Ridgway is a curious fellow: he is always curious about things. The state government launched the $10 million South Australian Early Commercialisation Fund in November 2016 to support innovative early-stage high-growth ventures with national and possible global market potential that could have a benefit for the South Australian economy.

This is currently a four-year program with funding provided to the 2019-20 financial year. The program is designed to support eligible companies and organisations with tranche grants up to a combined total of a maximum of $500,000 per project. Since its inception, TechInSA have administered the fund and I am pleased to report that there has been a very high level of interest from early-stage businesses seeking support to take their idea, product or service to the next level.

I am advised that, at 25 May, there had been 225 expressions of interest received by TechInSA for the South Australian Early Commercialisation Fund, so there is significant interest in this program. As I outlined this week, to date, 24 different companies have been approved and TechInSA continues to receive around six new expressions of interest every week. These grants have been provided to companies from a very wide range of sectors—manufacturing, health care, banking and finance, agriculture, environment, entertainment, aeronautics and mining, to name a few.

For honourable members' benefit, I will outline a few of the different companies to give an idea of the range of companies that are becoming involved with this program. Beta Cell Technology is a company that has extensive experience in the field of medical science and technologies. The company recently received a grant of $50,000 to assist in the design of a prototype of a device that will load islet insulin-producing cells in a biodegradable temporising matrix to create an ectopic skin pancreas which, if successful, will be a breakthrough in the treatment of type I diabetes. My colleague and former scientist, Ian Hunter, who obviously understands these things in great depth, is nodding.

The Hon. I.K. Hunter: What type of cells are they again?

The Hon. K.J. MAHER: Beta cells. Also, the team at Liquid Integrity, which has expertise in environmental science, received a grant of $50,000 to further develop an innovative sensor system that remotely provides information to detect and locate leaks in large liquid storage facilities. This product is expected to prevent financial loss and environmental contamination. The grant money will be used by the company to develop and calibrate their technology and conduct field demonstrations of their technology.

Moose Industries is working in the agricultural sector developing the Adapta-Bar prototype, which is a cultivator adaptable to the size of the cultivation machinery, whilst also allowing the farmer to seed to specific depths and densities. I understand it has the ability to perform a wide range of seeding functions in a variety of conditions and can be flat-packed for shipping around the world. The company received a grant of $50,000 to design and build the Adapta-Bar prototype for feasibility testing in the field.

Another company is Sine, which is developing a new set of integrated products to modernise not only the paper visitor book at front reception but many other on-site registration situations that often involve contractors. Sine's products will give a far more secure experience for all users and will allow for the introduction of training systems and physical access systems for other third-party application integrations.

Solutions include a verification process that involves the use of QR codes, georeferencing and NFC (near-field communication) through mobile devices that will allow access to a site that will not necessarily require the old paper-based sign-in book and registration procedures. The company has received a grant to design, implement, test and release enhancement micro-services, software architecture and additional core features of their pre-site check-in forms.

Another interesting company that I am sure the Hon. David Ridgway would be particularly interested in is Safe Ag. They are developing a health and safety system which is an online mobile solution to be completely individualised to different agribusiness situations. The system will be supported using educational tools and geofence technology. Safe Ag has developed a cloud-based system that translates work health and safety requirements into easy-to-understand applications for primary producers and provides the tools that employers and employees need to be compliant with regulations.

The system enhances training and hazard identification in the workplace to reduce injuries and improves reporting and compliance in real-time for workforce management. Safe Ag will receive funding from the early stage commercialisation fund to automate their current system, create training resources and obtain expert advice to support the development of their product.

I am told the company's team is from the primary producing industries on the Yorke Peninsula and have a wealth of experience in agribusiness and strategic content marketing. They are well-placed to deliver a system that improves workplace safety for agricultural businesses, as well as providing a potential high-growth company that can provide economic benefit for South Australia.

The commercialisation arm of Flinders University, Flinders Partners, is developing an innovative sports hydration system called PREP'D, which is borne out of medical research into dehydration at Flinders University. I am advised they have a scientifically proven product for elite athletes and anyone who strives to maximise their athletic performance, much like the Hon. David Ridgway. Many of these things have him very interested. It is a two-part hydration system, which primes the body for optimal fluid absorption using a specialised resistant starch in its patented formula.

These are just a sample of some of the companies that have already received funding through the South Australian Early Commercialisation Fund.

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

The Hon. K.J. MAHER: The Hon. John Dawkins is very interested in these and is very keen for me to talk about more. I have more for another day. I will be more than keen to talk about them on another day.

Matters of Interest

MUSIC ROYALTIES

The Hon. J.M. GAZZOLA (15:23): APRA AMCOS (Australasian Performing Right Association Limited and Australasian Mechanical Copyright Owners Society Limited) act for the interests of songwriters and music publishers, offering authorised services such as membership, licensing, distribution and international arrangements. Its role also includes industry development, professional development, digital content guidance, grants for the local music industry, investing in talent and awards to recognise and celebrate creators of music.

At the heart, APRA AMCOS assist music creators to receive revenue for their work and provide users with uncomplicated ways to copy and legally play the music. APRA AMCOS disburses royalties to its members, which is achieved through the licensing of businesses and organisations who perform, play, record or grant access to the music of its members.

APRA AMCOS has approximately 90,000 members, who include songwriters, music publishers and composers. The review of 2015-16 revealed that 142,378 businesses are licensed across Australia and New Zealand. In South Australia, 500 venues possess APRA licences to play or perform live music. The APRA licensed venues include governments, hotels, performing arts centres, nightclubs, restaurants, retail businesses, schools and universities, to name a few. APRA AMCOS Head of Revenue, Richard Mallett said:

> The majority of hotels, bars and nightclubs not only recognise the importance of music to their business and its ability to attract and hold clientele, but understand they also have an obligation to ensure that songwriters are properly paid.

The royalties artists receive are a significant part of their overall income. APRA AMCOS wants to see a financially sustainable music industry. Licensing agreements are an important part of this.

The Live Music Office and Sounds Australia are sponsored by APRA AMCOS, and the Live Music Office works closely with the South Australian Music Development Office and Music SA, playing a significant role in advocating for strategic planning and improved regulation. APRA AMCOS is assisting the Live Music Office by way of contributing to creating better regulation work, which is underway in South Australia. This includes:

- supporting the removal of entertainment consent provisions from the Liquor Licencing Act;
- creating the small arts venue and assembly building state variations to the National Construction Code; and
- advocating for the low impact exempt development regulation reforms to the Development Act.

The viability of the LMO and Sound Australia organisations are dependent on the sponsorship of APRA AMCOS. Sound Australia assists South Australian artists who are looking to export into international markets and has provided support through master classes and professional development for local musicians in SA.

APRA is also involved in a number of social projects, including Green Music Australia and various music charities. I acknowledge a handful of the APRA staff, including: Brett Cottle, Chief Executive of APRA; Jenny Morris, APRA chair; Jennifer Gome, Director of Business and Licensing; Dean Ormston, Head of Member Services; Rhys Richards, Account Manager; and Karen Tinman, Senior Marketing and Communications Manager.

The SA team is made up of managers, Matt Swayne and Lee Gardiner; Shane Carroll, customer support representative; Sharonne Belfer, member coordinator and international revenue; Carolyn Lee in licensing ; and Adam Atkins, account manager, state events. I also acknowledge John Wardle, who is the Director of the Live Music Office, and the staff at the LMO.

On a separate note, I also acknowledge the induction of Doug Thomas into the Music Hall of Fame. Doug is founder of Greasy Pop Records and played in bands such as The Dagoes, Assassins and Spikes. I was pleased to attend the event that took place last Friday night at the Jade: congratulations to Doug. I would also like to mention the Adelaide band, The Young Offenders. They have just jetted off to England to perform at the Glastonbury Festival in June—a fantastic achievement and great exposure for the Adelaide band. Congratulations to members, Kyle Landman, Anthony Katern and Leigh Shags.

ROYAL AIR FORCE BOMBER COMMAND

The Hon. A.L. McLACHLAN (15:28): I rise to speak on the Royal Air Force Bomber Command, which served during World War II. On Sunday 4 June 2017, commemorative ceremonies will be held around the country to celebrate 75 years since Australian squadrons were formed in Bomber Command. It will also mark the 10th year since these commemorative services began. A memorial service is planned to be held at the Torrens Parade Ground this Sunday.

The young men of Bomber Command were among the bravest and most accomplished of all allied combatants in World War II. Many were in their teens, most no older than 25 years. They were among the best of their generation. It is said that many were attracted to service in the Royal Air Force following the advent of air travel and the romance associated with it. All had a strong belief in service to their country and to the empire.

The Royal Air Force incurred the highest casualty rate of all allied forces. Of the 125,000 airmen who served in the Royal Air Force, of which approximately 10,000 were Australian, more than 55,000 were killed (over 40 per cent) and another 18,000 become casualties. Australians killed in action numbered almost 3,500, accounting for 10 per cent of Australia's total number of combat deaths in World War II. Given that just 2 per cent of Australia's forces served in Bomber Command, the sacrifice of this country of its sons is even more poignant.

A tour of duty for these men consisted of 30 sorties, after which six months' rest was required. It has been reported that the chances of completing a tour were around 30 to 40 per cent. Due to these high casualty rates, an airman would average just 16 missions. Besides Australia and the United Kingdom, the men of Bomber Command hailed from New Zealand, Canada, South Africa, southern Rhodesia, Czechoslovakia, France and Poland. Eighty Bomber Command squadrons were formed at the height of operations of which eight Royal Australian Air Force squadrons served.

For South Australians, initial training was conducted at a number of training schools set up in 1940 around the state in Victor Harbor, Mallala, Mount Gambier and Port Pirie. A two-month sea journey on a transport or Merchant Navy ship headed for Britain then followed, which was itself a dangerous journey. In July 1941, Bomber Command received a directive defining its main aim as dislocating the German transportation system and its industrial capabilities.

Initially, air raids against Germany were not closely planned or coordinated. It was reported that due to inaccurate navigation and faulty bomb targeting, only one in three aircraft were bombing within five miles of the target. It was not until Air Chief Marshal Arthur Harris took charge in February 1942 when Bomber Command came to be considered a powerful fighting force. Within three months of his taking command, Harris launched the first mass area attack against Cologne in the Ruhr Valley with more than 1,000 attacking aircraft. This was twice the size of any previous formation and employed strategic manoeuvring that until then had not been utilised. Formations were highly concentrated. These attacks caused damage that was almost equal to the aggregate damage inflicted upon Germany up to then.

Bomber Command was so effective that General Eisenhower considered them one of the most important parts of the entire war fighting organisation. Even a German commander, writing after the war, credited Allied strategic bombing with inflicting the greatest losses of all in the war. Bomber Command reportedly deprived the German frontlines of well over a million soldiers and effectively destroyed half of Germany's anti-tank ability. In the final days of the war, Bomber Command's final mission involved flying liberated prisoners of war back to England and dropping more than 7,000 tonnes of vital food supplies to the Dutch following their liberation.

For their gallantry, the men of Bomber Command received at least 2,000 Australian and foreign Armed Forces metals, including two Victoria Crosses. These brave young men fought against all odds and showed remarkable feats of strength to secure our freedoms and safeguard our values. I bring to honourable members' attention that the late Hon. William Alan Rodda, who served in the other place for 20 years, was a Bomber Command veteran. There are perhaps only around 400 Bomber Command veterans still alive today.

I acknowledge the generosity of the Liberal federal government for flying veterans to Canberra to reunite on the 75th anniversary this weekend. As quoted by historian and former RAAF pilot Dr Alan Stephens, 'No single group of Australians from any service did more to help win World War II than the men who fought in Bomber Command.' Lest we forget.

POVERTY IN AUSTRALIA

The Hon. T.A. FRANKS (15:33): I rise today to speak on the war on the poor. Back in the 1980s when Bob Hawke was the first prime minister that I had a real clear memory of as a teenager, we used to hear our prime ministers promising that no child in Australia need live in poverty. Of course, we know that not only do at least 600,000 children currently live in poverty in our nation, some 2.5 million Australians live in poverty.

At the time, the then leader of the opposition, Bob Hawke, when he first made that pledge, stumbled on the words. He had meant to say, 'No child need live in poverty.' Of course, he stumbled and chose the far more aspirational sentence that no child would live in poverty by the year 1990. In a classic case of majoring in the minors, the media focused on the gotcha moment of that slip of the tongue rather than the pressing issue of poverty. We are a developed nation, a nation that has a system where all in our community should share in the wealth that we have in this society, particularly when you compare us to some of the poorer nations across the globe.

It is disappointing to see continued attacks, not only made on those people who have been plunged into poverty and live below that poverty line but punishing them while they are there. It is certainly a situation that I see as kicking people when they are down. The language that no child

need or would live in poverty has long been lost. We have seen successive leaders talk about so-called mutual obligation rather than social security, and beating up on the poor seems to have become a national pastime of our federal leaders.

Most recently we have seen the robo-debt debacle, where those on these incomes well below the poverty line are pursued by the federal government to pay back amounts of as little as $20 that are deemed to be owed through this robo-debt income reclaiming system, when former senator Bob Day was pardoned half a million dollars of debt. Like most Australians I cannot fathom how a federal government would pardon a debt of almost half a million dollars from a senator yet pursue those who are least able to afford to pay—those who have lived in poverty and those who have probably made no false claims—for some $20.

We have our priorities all wrong. We used to have leaders who talked about not wars on the poor but wars on poverty. Indeed, that is one thing for which I would be 'All the way with LBJ'. LBJ took up the mantle of Franklin Delano Roosevelt, who once promised a New Deal and talked about a war on poverty back in the sixties. I would like to see that language come back into play. We should not be accepting anybody in our nation living in poverty, and certainly we should not be punishing them once they are there.

But we are seeing them punished. We are seeing them punished with these robo-debts, and we are seeing them punished with the language of mutual obligation, as if somehow they are trying to rort a system to live in poverty. We are seeing cashless welfare cards rolled out in our state—and soon to be across the country—where people who are on welfare support are unable to access even that meagre amount of cash, which prevents them from being able to do things like buy fresh fruit and vegetables from the next-door neighbour for a couple of bucks. It prevents them from being able to buy second-hand goods through easily accessible online platforms that today have become commonplace.

What I am most sad to see is that in terms of these awful attacks on the poor, which we have come to expect, particularly from the Liberals with their big stick, these people living in poverty are now being taken to not just with that stick of that horrific mutual obligation language but indeed with the baseball bat of things like robo-debts, which have been found by the Ombudsman to be false, to be persecution and to be a war on the poor. It is time to declare war on poverty, and certainly the Greens will continue to fight for that.

LOCAL GOVERNMENT

The Hon. J.E. HANSON (15:38): I want to speak today about the important work undertaken by local government in order to provide amenities and services for residents of their cities. It is my consistent experience that the work of local governments and their elected members has the capacity to make a considerable positive contribution to the quality of life of residents within their cities.

The City of Port Adelaide Enfield is part of the 68 councils that operate in South Australia, a system that is integral to the democratic system of government in this state and a system that provides vital economic, social and environmental support for communities. Each year, every council is required, by regulation of this parliament, to have community consultation on its financial plan for the upcoming year.

In response to community needs, this financial year the City of Port Adelaide Enfield council will continue to provide services and programs, including things such as libraries, which are located in Port Adelaide, Semaphore, Greenacres and Enfield; community events, including many festivals, Australia Day celebrations and citizenship ceremonies; youth services, including holding Youth Week and early intervention projects; and community grants and sponsorship programs.

In addition to providing all these continuing services and programs the City of Port Adelaide Enfield is committing to undertake several key activities in the 2017-18 period. These activities include council continuing with a comprehensive capital works program over this period.

We will see the continuation of significant development works on the Roy Marten Park, which is a $6.4 million staged project, the Taperoo Reserve, another $6.4 million staged project, and Hanson Reserve (no relation to myself), a $2.4 million staged project. Construction will also be commencing on the council's Parks Library and Community Facility, which is a $7.7 million project.

Council is also actively working to realise the $18 million worth of construction of an indoor recreation hub at Lightsview. They have been undertaking concept designs, securing the land and sourcing capital grant funding. It is anticipated that construction will commence during this financial year.

In addition, council will be constructing over $7 million in drainage assets, $12.5 million in roadway assets, and $1 million in footway assets during the year to ensure the service standards for users of these assets are maintained. The council will also operate a number facilities on a fee-for-service basis as part of being an innovative council in its approach to economic management. Just some of these are the golf courses located at Valley View, Glanville and Regency Park, community halls for hire, as well as a bus service, HACC services, ovals, courts, parks and reserves for hire across the council area.

Council's 2017-18 budget has been drafted by estimating all income and expenditure associated with providing continuing services at similar service levels to those provided in the previous financial year. This year, the council has, however, faced a number of unusual budgetary pressures, including increased depreciation charges to the amount of $1.9 million, an increased waste levy, in particular in regard to solid waste disposal, increased streetlighting costs due to contract negotiations, increased rebates for community housing providers, issues with power or the PLEC scheme, reduced road grant funding, and reduced interest income due to the global position of investments.

It is clear, when looking through these numbers, that the city of Port Adelaide Enfield, like many councils, has demonstrated a long-term commitment to ensuring a sustainable financial future for its community. This is a particularly remarkable effort and achievement given the increases in the costs of service delivery, reductions in government grant income for some services, and the stalling of federal assistance grants up until this year for this council—and, indeed, many other council bodies.

This council, in particular, deserves credit for maintaining a focus on stability, debt management, continuous improvement and fiscal consolidation. It does not deserve to receive a penalty for its conscientious fiscal management and for voluntarily keeping its costs in line with community expectations. This is the kind of penalty we have seen imposed in New South Wales with rate capping, this is the kind of penalty that has seen high fees and charges for services, decaying infrastructure and cost shifting between the various levels of government in New South Wales, as future generations suffer the increased costs that rate capping has promoted there. I am glad this government stands against such an ill thought out policy.

DISABILITY ACCESSIBILITY

The Hon. K.L. VINCENT (15:43): A fortnight ago, purchase of pre-sale tickets to Ed Sheeran's March 2018 Adelaide Oval concert commenced. The pre-sale period for all Ed Sheeran's Australian concerts commenced at the same time, apparently causing absolute chaos. For these pre-sale tickets, the only way a person requiring disability access to the concert or using a companion card could purchase tickets was through the special needs hotline. One family, who have had a very difficult time buying tickets, told me that they have been blocked on Facebook by Ticketek after demanding better service. If true, this is a completely outrageous response to a family simply seeking fair access to an everyday experience.

Many constituents contacted my office reporting they had called the Ticketek Special Needs Bookings service more than 100 times without being able to get through on even one occasion, as the line is constantly engaged. It does not even ring. It is clear that Ticketek either needs to allocate more staff to this booking line or fix a technical malfunction. One family contacted me because their 15-year old son is a massive Ed Sheeran fan, as well as being a wheelchair user. This would have been his first concert since The Wiggles, and, although his parents are keen to take him to Ed Sheeran, they just cannot book tickets. It is utterly unfair for such a young person to be denied this right of passage.

I call on Ticketek to urgently improve its sales processes, after many South Australians with disabilities have been unable to purchase tickets for these huge upcoming concerts for both Bruno Mars and Ed Sheeran due to an apparent malfunction of Ticketek's Special Needs Bookings service. People with disabilities have just as much right to attend music, entertainment and sporting events

as anyone else; in fact, it is protected under the United Nations Convention on the Rights of Persons with Disabilities. Given that one in five of us has a disability in this country, it just makes good business sense to include us. Yet, time and time again, barriers such as lack of physical access or poor ticketing procedures prevent us from attending these events.

Ticketek states that people with disabilities who have specific needs, e.g. wheelchair access, or who use a companion card can only purchase tickets through their specific telephone hotline and are unable to attend outlets or buy online, particularly for presale events. During the Fringe Festival, there was a Beccy Cole concert at Adelaide Oval. Due to an oversight by the Fringe Festival organisers and Adelaide Oval and despite being advertised as a wheelchair-accessible event, there was no such access.

Constituents of mine from Highgate Park were denied the opportunity to attend a Fringe event they dearly would have loved to, all because of poor planning and venue set-up that rendered the event inaccessible to them. Some cinemas and other venues are able to provide an online booking service to people with disabilities, so it is time that big ticketing companies moved into the 21st century and started providing a modern, fair-for-all service.

More generally, I would like to raise the issue of accessible concert, music and sporting venues. Far too many buildings, public spaces and venues across Adelaide, and indeed the state of South Australia, remain inaccessible to people who have disabilities, the elderly, parents with prams and so on, or they require back entrance or assisted entry. People with disabilities should be able to go through the front door, wherever possible, just like someone else. After all, we are paying the same price, if not more, for accessible seating at concert and sporting events.

In *The Advertiser* a couple of weeks ago, the Dignity Party raised the lack of changing places in South Australia as a concern. We are the only state in Australia not to have an accredited, high-level access changing place toilet that includes extra room, a hoist and an adult-size changing table. It would be good, indeed it is vital, to see a changing place at least at Adelaide Oval and in the new Royal Adelaide Hospital. This is something we continue to lobby on, as well as trying to get changing places in other venues across the state.

The disability community is getting a raw deal in many respects, particularly when it comes to buying tickets or entry to community, arts and sporting events. It is time ticketing services and venues either improve their access or face prosecution under the Disability Discrimination Act.

CABINET DOCUMENTS

The Hon. R.I. LUCAS (15:47): I rise to speak about the issue of access to cabinet documents by the Auditor-General and the ICAC Commissioner. The Auditor-General first raised this issue of the changed policy of the secretive Weatherill government when he said that in September he had been advised that the policy had changed in relation to cabinet documents. He indicated in his report that he was advised that, whilst routine access had been refused, there was still the option that he could seek access to cabinet documents and that a request may be considered by cabinet as to whether it considers an exception to the policy is warranted, depending upon the circumstances of any particular investigation undertaken by the investigative agency.

As members will be aware, in recent days the commissioner has indicated an intention to proceed with an inquiry in relation to Oakden. Various ministers and former ministers, including former minister Gail Gago, are potentially the subject of the investigation inquiry. The commissioner has made it clear that he has not made any request under this new policy for access to cabinet documents at this stage, yet when the premier was asked whether or not access would be given he indicated that there would be a blanket refusal for access to cabinet documents.

As the commissioner has pointed out, he has not as yet even complied with the policy of requesting access to documents. So, I think it is incumbent on the Premier, Attorney-General Rau and the government to indicate, given that they announced this new policy, how they have in fact complied with the new policy when there has not been a request, yet they are point-blank saying they will refuse access to any document.

It does raise the question, as many journalists, many in the media and many commentators are raising, that if there is this blanket refusal from the Premier, there must be a particular reason. Is

he trying to protect minister Gago, minister Hill, minister Snelling, minister Vlahos or, indeed, himself from what might be obtained in a cabinet document?

In evidence to the Budget and Finance Committee, in explaining his understanding of the policy, the Auditor-General agreed that he had been told that it would have to be a cabinet decision as to whether or not he would get access to a cabinet document. He also indicated that his understanding had been that he would get access, without going to cabinet, to what is known as the cabinet decisions; that is, he would be seeing the decision set that came out of cabinet deliberations because we would need to see those, especially where they provide the authority for the next steps of action. That is not actually the cabinet submission or, indeed, what has been banned, evidently, as access to documents leading towards the cabinet submission, but the cabinet decision that might have arisen as a result of it.

The Auditor-General highlighted that prior to Christmas they had actually requested a copy of a cabinet decision, as opposed to submission or documents supporting a submission, and as of 6 February had still not received a response as to whether they would even get access to the cabinet decision, let alone issues of cabinet submissions. The Auditor-General did highlight that he was considering legal advice. We asked him the question as to whether that would be Crown law and there was obviously a potential conflict. He did agree that previously they had sought external legal advice in relation to the issue as to whether or not the coercive powers that the Auditor-General has override a decision in relation to cabinet to confidentiality and refusal to provide cabinet documents.

The Auditor-General said that was an issue that he was considering, and that was in February of this year. Given the recent developments in relation to the commissioner and his powers in relation to how that applies to a refusal to provide a cabinet document, it would be useful to hear from the Auditor-General at the moment, given that he has now had more than three months to reflect on the advice that he gave to the Budget and Finance Committee, as to what his position is and what his legal advice is in relation to whether or not the coercive powers that he has overrides a refusal by the Premier to provide a critical cabinet document or documents which were used in the preparation of a cabinet document which never actually went to cabinet anyway.

I think it would be informative in terms of this public debate if an opportunity was made available for the Auditor-General to answer some questions in relation to his progress on this critical issue, given the Weatherill government's recent statements on cabinet documents.

INTERNATIONAL CHRISTIAN FAITH PERSECUTION

The Hon. D.G.E. HOOD (15:53): I rise to speak about international persecution against Christian groups around the world. The definition that has been used by the defining society is that it is, 'Hostility experienced as a result of proclaiming one's faith in Christ,' and the prevalence of such persecution is unfortunately increasing on a global scale. Today, it is estimated that 215 million Christians worldwide are experiencing persecution. This is not just a finger-in-the-wind-type estimate: it is an estimate calculated, based on verifiable, reportable incidents.

This figure is conservative when compared to figures estimated by the Center for Studies on New Religions, which estimates that nearly 90,000 Christians were killed in 2016 because of their faith and another 600 million were prevented from practising their faith through intimidation, forced conversions, bodily harm or, as I have outlined, in some cases, even death.

For example, India has recorded the highest increase in incidence since 2014. The subcontinent averaged 40 incidents of Christian persecution per month in 2016. Incidents include physical beatings of pastors, which have been documented, burning of churches and the general harassment of Christians. It is estimated that 39 million (56 per cent) of the 64 million Christians living in India have experienced persecution. The majority of Christians residing in India live and, to some extent, worship in fear.

Christians are further targeted by ISIS in Syria and Iraq, and incidents of persecution are on the rise in Iran, Pakistan, Saudi Arabia and other Gulf nations. Despite the rise in Christian persecution around the world—or perhaps because of the rise—there are organisations that are making a difference in this area. One such organisation is called Middle East Concern, which includes specialists in international law, and migration and refugee law. A substantial number of its members hold masters degrees in international law, including from Australian universities.

Middle East Concern is a coalition of agencies and individuals working with politicians and government officials worldwide who are willing to be approached to engage with perpetrating governments in the Middle East and North Africa region. The role of the MP in that case is to contact those governments and write a letter on behalf of the individual concerned in order to persuade that particular government that its behaviour towards that individual is not acceptable in the modern world. This includes petitioning for a just resolution in cases of discrimination or persecution, such as the release of those imprisoned for their faith and the reopening of church buildings, which can be closed at a moment's notice in some countries.

I hosted a meeting in this building today where a representative from that organisation (Middle East Concern) spoke about her experience in advocating for persecuted Christians, and provided an overview of the current situation facing Christians in the Middle East and North Africa region. In one case last year, an Algerian man by the name of Slimane Bouhafs was imprisoned for three years after he spoke out against Islam. Today, Mr Bouhafs is a Christian, who converted from Islam, and is still languishing in an Algerian prison as we speak, suffering from ill health and fearing for his life.

In another case, a Turkish Muslim man (I may not get this pronunciation quite right), Mr Orhan Kemal Cengiz, received death threats because of his willingness to support a Turkish Protestant church's right to exist. Mr Cengiz worked with the church in the pursuit of justice for victims of murder who were brutally tortured and killed on account of their faith in 2007. Just to reiterate, that is a Muslim man that this Christian organisation is defending. In 2017, Mr Cengiz was indicted and held in detention based on his work as a journalist. These are only two examples of Christian persecution in that part of the world. In that particular case, this individual was, as I said, a Muslim man defending the church's right to exist, and he has been persecuted for that simple act.

In a world where the persecution of Christians is often unreported, or certainly underreported, it is important that individual organisations such as this—and there are many others, of course—have chosen to devote their time, experience and expertise to assist those being oppressed because of their faith. There is simply too much of this. It goes largely unnoticed, but organisations that I have mentioned today and others have decided that it is time to take up the fight.

Bills

PASSENGER TRANSPORT (MISCELLANEOUS) AMENDMENT BILL

Introduction and First Reading

The Hon. M.C. PARNELL (15:58): Obtained leave and introduced a bill for an act to amend the Passenger Transport Act 1994. Read a first time.

Second Reading

The Hon. M.C. PARNELL (15:58): I move:

That this bill be now read a second time.

This bill deals with a number of amendments to the Passenger Transport Act. As members would know, this bill deals with a whole range of passenger transport issues: trains, trams, buses, taxis and some of the new entrants to the passenger transport market, such as ride sharing schemes. The bill before us contains a number of measures, some of which, I appreciate, relate to money. I thank the Clerk and parliamentary counsel for assisting me to ensure that this bill complies with the constitution.

The point-to-point transport service transaction levy of $1 per trip applying to all taxi, ride sharing and chauffeur car trips in the Adelaide metropolitan area came into operation on 1 May. The new levy was part of last year's budget and it was introduced to raise money to compensate the taxi industry for losing their monopoly rights to provide certain transport services. The compensation package was mostly in response to the commencement of new ride sharing operators such as Uber, which had commenced operations in South Australia.

The debate over whether compensation of incumbent taxi licence holders and operators was necessary or justified has been a vexed one, but the government proceeded down that path and the compensation is now locked in. To pay for it, the government introduced the levy. But is it really a

levy? Is it hypothecated to specific purposes? Is it time limited to the period necessary to raise the funds required for its stated purpose?

The answer to all these questions is no. It is not a levy: it is a tax. It is not hypothecated: it can be spent on anything. It is not time-limited: it is open-ended. It is permanent: the tax does not end when its job is done. It may never end. This is the wrong that at least one or two of the clauses of my bill seek to overcome. The bill ensures, through a sunset clause, that the tax will come to an end when sufficient funds have been raised to satisfy the government's compensation package.

There is a certain amount of guesswork involved in calculating how long it will take to raise the amount required to compensate the taxi industry at $30,000 per licence plate and $50 per week for lessees for up to 11 months. At briefings last year, we were advised that the money could be raised in four years. Since then, further estimates have been provided that suggest that it might take longer, especially given the considerable compliance and administrative costs.

The length of time will also obviously depend on how many trips are taken, which could vary according to prevailing economic conditions. A worst-case scenario is six years, so that is the sunset period I have adopted in this bill. The $1 per trip tax will end in six years. That will certainly be welcomed by the taxi industry, the chauffeur car industry and Uber. I have received communication from the CEO of Suburban Taxis, Mr Vince Mazzone, who welcomed this bill because it ensured that this would not be an ongoing new tax on their industry.

I have also had discussions with Uber and they are very keen to see this tax come to an end as soon as possible. The taxi industry and Uber do not always see eye to eye, but on this issue they are in furious agreement. They do not like the new tax and they want to see it go as soon as possible. The question I posed before—is it a tax or is it a levy?—raises the question of whether the money raised might be used for other good things in the transport area. The answer of course is yes, but those good things could be funded in other ways as well, through other taxes or through general revenue.

It is worth teasing this out because the government, in its attempt to convince the public of the merits of this new tax, has identified some other good things that it is proposing to do with the money and these include fee reductions to chauffeur vehicle operators, taxi drivers and owner-drivers and improvements to access cabs, but there is no legal link between these programs and the new tax. The government might as well have promised to spend the money on police, hospitals, teachers or even cute baby animals. However, the fact remains that it is a new tax and it can be spent on anything.

In trying to sell the tax to the travelling public, the government has pointed out that passengers will be no worse off because the government has now capped credit card surcharge fees charged by taxis, which were formerly 10 per cent, at 5 per cent. On an average taxi fare of $20, the surcharge will drop from $2 to $1. The new tax is only $1, so passengers are no worse off, or so the argument goes. But should we accept that? Should we be grateful that the extravagant credit card surcharge fees are now being reduced? I welcome the reduction, but I do not think it goes far enough. Taxi passengers are still being ripped off because, even at 5 per cent, the taxi industry is raising more money than it costs them to administer credit card payments.

According to *Choice* magazine, the true cost of collecting payment by credit card is only 1 or 2 per cent, not 5 per cent and certainly not 10 per cent. In fact, I booked a flight recently and the credit card surcharge was 1.3 per cent. That I think does reflect the real costs to the operators. In fact, taxis along with airlines have been mentioned in the media over many years as topping the list of rip-off merchants. Customers are still being ripped off and you cannot offset the government's credit card surcharge savings with the new tax. I think passengers deserve better treatment and they deserve fairer treatment.

It is an inefficient tax as well. There are millions of transactions that have to be documented. The levy is also not being levied statewide, and that means that there are problems, especially in the outer metropolitan area, the border of country and metropolitan. Certainly, the Greens support governments raising money for essential community services and programs, but this is the wrong tax.

It is a bad tax for a number of reasons. Certainly, people choose to use taxies, ride sharing or other point-to-point services for many and varied reasons. For example, many people simply physically cannot drive through disability or for some other reason. You have other people who prefer not to drive, especially if people are being responsible when they are out drinking—they prefer and choose not to drive and so use point-to-point transport.

Some people have realised that the expensive standing costs associated with a car can be avoided, especially in relation to a second car, if those additional trips are taken by public transport or by taxi. But, the bottom line is that anything that adversely skews the relative price of private car travel to other forms of public transport, including taxis and ride-sharing services, is bad.

I opposed this measure last year when the budget was being debated, and the opposition chose not to support the Greens at that stage. The grounds offered were that it was a budget measure and that they don't block budget measures. I raised the point at the time that the opposition did in fact have form in blocking budget measures, such as the car park tax. The explanation I was given was that, whilst that was a budget measure, it was something they took to the election, and somehow that made it all right.

So, I would remind members, especially members of the opposition: we have another state election in 10 months' time, and I expect that pressure will be put on the Liberals and on all other parties by the thousands of South Australians who are impacted by this new tax. If the Liberals support a sunset clause, they need to support this bill. If they don't, then it will be clear that they want this tax to remain permanent, so if they do get into power eventually they will have the benefit of this extra general untied revenue.

On the other hand, if the Liberal Party announces support for a sunset clause, then by their own standards it is now an election issue, and they are free to vote for it. So, I want to see the opposition come clean on their true position.

I want to briefly raise some of the other provisions in this bill. Clause 4 of the bill deals with the Metropolitan Taxicab Industry Research and Development Fund. Members will be excused for not ever having heard of that fund or not knowing anything about it, because there is nowhere in the act where there is any accountability in relation to that fund.

When you look at the annual reports each year, there is no indication of how much money is in it or how the money is being spent. It is, in fact, a mystery fund. One of the things the taxi industry has asked me to look at is some of the details of what is in that fund and how it is being spent. So, my bill provides for an accountability mechanism, where those two key issues—how much is in the fund and how is it being spent—will be reported, because currently they are not being reported.

One of the other amendments relates to the Passenger Transport Standards Committee. Members may have heard of this committee, because clearly when you have a system of accrediting drivers, for example, you need to have a body of people who will do that work. In South Australia it is the Passenger Transport Standards Committee. What struck me when looking at the Passenger Transport Act is how that committee is brought into existence and how independent is it in relation to the important accreditation and disciplinary powers it has.

I was shocked to find that the Passenger Transport Standards Committee is basically comprised of any persons that the minister thinks fit can be appointed, effectively on any terms and conditions determined by the minister. There is no expertise base used to determine who is appropriate, there is no tenure, there is no ability, for example, for the appointment for a fixed term. The minister basically has carte blanche to appoint whoever and under whatever circumstances they want to this committee. This committee has extensive powers to determine the livelihoods of thousands of South Australians, so I think that it needs to be a little more accountable.

The amendment that I have brought forward in this bill is pretty straightforward. It simply takes the general statutory body appointment mechanisms used in dozens and dozens of other acts of parliament and replicates them in this bill. For example, my bill provides for tenure—in other words, terms of office—in this case, for periods of two years with the right to be reappointed. There is a list of the circumstances in which a position becomes vacant, and that is the standard list: a person dies, completes a term of office, resigns, is convicted of an indictable offence, etc.

These are the provisions we are all familiar with. They apply to many statutory bodies in dozens of pieces of legislation. I think the Passenger Transport Standards Committee should also comply with that standard. Most importantly, I want to make sure that there is at least one person on that committee who represents the interests of consumers of passenger transport services. I am not saying it needs to be a person who is nominated by any particular body. I am just saying that given that this body is all about standards, at least one of the people on it should in some way be able to represent the interests of consumers rather than just, for example, the interests of industry or the interests of government departments or regulators. I think it is a very modest reform and I urge all members to support it.

With those words, I look forward to further debate on this bill. I appreciate that there are some aspects of it that we will not be debating in committee, and if the bill passes, we will be making recommendations to the lower house in relation to those aspects that relate to money. I urge all honourable members to take this bill seriously, to look at all parts of it, whether they involve money or the other measures I have raised. I hope that it can have a speedy passage through this chamber in the next few months.

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

Parliamentary Committees

SELECT COMMITTEE ON STATUTES AMENDMENT (DECRIMINALISATION OF SEX WORK) BILL

The Hon. J.M.A. LENSINK (16:12): I move:

That the report of the select committee be noted.

The select committee report is into the Statutes Amendment (Decriminalisation of Sex Work) Bill 2015 which I introduced in this place on 1 July 2015. It is the identical bill to the bill in the House of Assembly tabled by the Hon. Steph Key. The bill was referred to a select committee after the amendment of the Hon. Stephen Wade on 9 September 2015. The purpose of referring the bill to a select committee was to ensure that there would not be any unintended consequences. As private members, sometimes it is good for us to cover all matters in relation to our bills and also to see if there are any amendments which might improve it. For a complete picture on the background to this legislation, readers might like to read *Hansard* from those dates and the second reading contributions.

The threshold question on the matter generally of the reform of our sex work legislation is, firstly, do our current laws work? I think there is a broad consensus among a number of stakeholders that they do not, and then I think in a mature way we need to try to find alternatives. As legislators, I certainly believe it is our duty to not be afraid of covering some areas which some people might regard as controversial. Pleasingly, in this day and age, the community response has been very mature. I certainly have not been overwhelmed with representations as I have on some similar conscience matters.

For some members and for some people in the community, there are also threshold questions for them to answer about whether they do or do not agree with people purchasing or selling sex as a commodity. For me, that is a neutral matter. It takes place and therefore, as legislators, we are duty-bound to try to make sure that the best interests of all in the community are served. A further threshold question is: will decriminalisation increase the prevalence of sex work? That is largely based on whether people agree with it or not. Those are some questions that I am sure are employed in many members' minds as they make their decision about whether to vote on this legislation, or any other for that matter.

We formed a committee of seven members. There were two from the government, Hon. Tung Ngo and Hon. John Gazzola; two from Her Majesty's loyal opposition, Hon. Andrew McLachlan the brave and me; three crossbench MLCs, Hon. Tammy Franks from the Greens, Hon. John Darley from then NXT and now SA-Best, and Hon. Robert Brokenshire from Family First, which is now Australian Conservatives.

I would like to commend the committee members and particularly our staff, Leslie Guy, who is our secretary, and Carmel Young, our researcher. Particularly given the sensitive nature of this

topic and the diversity of views—there was a conscience vote for most members, I think—the committee worked very effectively and was very respectful towards the topic and to witnesses. So, I would like to thank my colleagues for their commitment to this process and Leslie and Carmel for their professionalism and hard work. I also acknowledge Tammy Franks for taking on the chair's role while I was on maternity leave.

In terms of the report that was tabled yesterday, the committee received 87 written submissions and took oral evidence in about 15 hearings, which includes multiple witnesses and multiple sessions. I have spoken before about the different legislative approaches and models. These are well documented and are discussed at section 4 of the report, which is on pages 8 and 9.

Briefly, a criminalised model codifies that certain sex work activities are offences which attract a criminal penalty, which is our current situation. A legalised or regulated model takes the view that certain activities are legal if they take place according to certain conditions, such as those that operate in some other Australian jurisdictions, which provide that brothels are legal if they are registered. A decriminalised model does not place specific activities in criminal law; instead, applying other laws that affect work practices or health.

Australian states and territories fall into different regulatory models, which are covered under section 5 of the report on pages 11 to 14. This section also discusses parliamentary and other reviews. A table at the end of the report outlines state and territory approaches to regulation.

Section 6 of the report discusses the background to the bill, which includes a consensus view, including several comments from several senior members of SAPOL that South Australia's current laws are difficult to police and that the draft legislation has been driven by concerns for people who work in the industry, who are made more vulnerable by operating under a criminalised model. A table on page 16 shows the charges that have been laid for each type of offence each year from 2006 to 2016 inclusive.

South Australian sex work laws follow a criminalised model. The bill follows a decriminalised model. I would just like to add that, in terms of the amendments to the legislation, so that any readers are abundantly clear, we are proposing to retain the offences that relate to sexual servitude, deceptive recruiting, use of children in commercial sexual services and also introduce a new offence, which is to provide services to a child, which will attract a maximum penalty of 10 years.

The report summarises the matters raised in evidence in section 17, which starts on page 7. As I have said—and I repeat myself on this issue, because it is a very important one for us—the key issue for many members of the committee is the safety of people working in the industry, and it is unequivocally the view of people who work in the industry, and a number of other advocates, that sex work should be decriminalised. As the committee report puts it, the current criminalised legislative regime creates covert working conditions with high risks to individuals' health and safety. The issues raised in evidence were, first, the same rights and protections as other workers, that what sex workers do is work, and therefore they should have the same rights and protections as others.

Secondly, access to finance, because what sex workers do is not able to be legitimately recognised, and makes dealing with institutions such as banks, Centrelink or other institutions difficult. Third is removing the stigma associated with illegal work—which, again, relates to having the same rights and protections as others enjoy. This section also raises the stereotype or urban myth of the victim as sex worker, typically portrayed as someone who was abused as a child, is drug dependent or mentally unwell, etc. That stereotype is a barrier to gaining help if people are actually a victim of crime, and can prevent them from being taken seriously by a whole range of others.

The fourth point is that it would enable people to facilitate exiting this field of work, particularly given that it is currently illegal, which makes it difficult to gain employment in other industries, specifically those where a police clearance is required, such as working with children, the elderly or people with disabilities. Five is impacts on policing. Whilst SAPOL agree that South Australia's current laws are challenging to police, they do not take a view on the bill as that is a matter for the parliament, but they do have concerns about relinquishing specific police powers.

SAPOL argued, in their presentations, that retaining the right of entry to brothels and applying some probity, such as that contained in the Tattooing Industry Control Act 2015, would facilitate

identifying potential exploitative elements such as outlaw motorcycle gangs. The report quotes one of the SAPOL witnesses as stating, 'a completely unregulated environment will only lead us to problems in the future.' This particular argument is challenged by the Law Society of South Australia, which has pointed out that there is a significant number of laws which, just on the matter of search powers, are already in existence.

Those are listed in the report, but for the benefit of readers of this speech I will repeat them: the Offences Act, the Controlled Substances Act, the Criminal Assets Confiscation Act, the Crimes Act, the Criminal Investigation (Extraterritorial Offences) Act, the Firearms Act, the Migration Act, the Serious and Organised Crime (Control) Act, the Summary Offences Act (SA), (the Indecent Behaviour and Gross Indecency section). On that basis I take issue with the characterisation that the bill would mean sex work is unregulated. There is a whole range of other areas where the Law Society has provided details where current laws apply.

The sixth area is organised crime, sexual servitude and trafficking. This is an area that is often used as a reason to oppose law reform in this area, that if what is currently an illegal practice becomes legal people are more likely to be able to be coerced into working in it, and once it is legal authorities are unlikely to try to detect people being coerced into working in it. I just repeat that the bill is not removing any existing offences relating to sexual servitude, recruiting or use of children, which are clauses 66, 67 and 68 of the Criminal Law Consolidation Act.

We heard quite conflicting evidence about this from various stakeholders. Industry advocates state that there is little evidence of criminal element involvement and that, in any case, decriminalising it strengthens the ability of those working in it to report intimidation, extortion and so forth to the police. SAPOL stated they believe that exploitation takes place but do not offer any evidence of this. They also made assumptions that foreign national fly-in fly-out workers travelled to avoid detection—which, coincidentally, was a matter that was the subject of an article in the *Police Journal* of April 2017.

It is an article which details the case of Ting Fang, who was the sex worker who was murdered on New Year's Eve 2014 at the Hotel Grand Chancellor on Hindley Street. As it turns out, for those who have not read this article, Ting Fang was murdered for her cash by a client. Detectives have investigated the background of the details of her situation, including why she was in Adelaide. I quote from the article, page 12:

> Fang had arrived in Adelaide two days earlier and checked in to the Hotel Grand Chancellor in Hindley St. She had booked her flight and the escort agency she was working for in Adelaide had arranged her pick-up from the airport and accommodation.
>
> Her plan was to work in Adelaide for a few days and, then, return to Sydney with a percentage of her earnings after paying the agency its fee. She had done exactly that several times before - without any problems.

Then there is a quote from major crime Detective Brevet Sergeant Damian Britton, who says:

> 'The girls in this industry rarely work in their own cities for fear of running into a customer,' Britton explains. 'So the girls fly around the country; and Fang came to Adelaide up to eight times in the 18 months or so that she'd worked for the Adelaide business.
>
> The Chinese clients were quite well-to-do people. (They had) the financial means to pay for that kind of service.
>
> 'Quite often they were married or had girlfriends, had their own businesses themselves, and this was just one of their vices.'

He says further, in another part of the article:

> Some overseas students hear about it—

that is, sex work—

> as a way to make some reasonable money and live a lifestyle they probably wouldn't otherwise be able to afford.
>
> Fang started out working as an escort in Sydney before she likely discovered the option of operating interstate. The advantage of that practice was that sex workers were never likely to run into clients in their home towns.

That is another point of view that is put on these issues. Trafficking itself falls into the jurisdiction of the Australian government. Prior to the bill's referral to the committee, I had written to federal justice

minister Michael Keenan to seek further information on the South Australian situation. His reply to me is in the content of the report, but I will read a few paragraphs because I think they are pretty important for this debate. His letter, dated 13 October 2015, states the following:

> Due to the clandestine nature of the crime type, there is little reliable data about the nature and extent of human trafficking at a global, regional or domestic level. However, when compared to global trends, it is clear that instances of human trafficking remain relatively uncommon in Australia. Opportunities to traffic people into, or exploit people within, Australia are limited because of our strong migration controls, geographic isolation, and high degree of regulation, compliance and enforcement.
>
> Since the Australian Government strategy to combat human trafficking and slavery commenced on 1 January 2004, as at 31 August 2015 279 suspected victims of human trafficking, slavery or slavery-like practices such as forced labour and forced marriage have been identified by the Australian Federal Police (AFP) and referred to the Australian Government Support for Trafficked People Program. Of the 279, 189 females and two males were referred for suspected exploitation in the sex industry. The majority of suspected victims were referred in New South Wales and Victoria, reflecting the population concentration and relative size of industry in these jurisdictions.
>
> Information available to the Australian Government agencies responsible for combating human trafficking and slavery indicates that the incidence of human trafficking for sexual exploitation in South Australia remains low. From 1 July 2012 to 31 August 2015, the AFP received three referrals for suspected sexual exploitation matters in South Australia, one of which was accepted for further investigation. One matter was not accepted for investigation as no victim was identified. The other matter was not accepted for investigation as the AFP's evaluation revealed no evidence that an offence had occurred.

The seventh area of evidence and matters raised related to the level of criminal activity within the industry. The committee did not receive any evidence to confirm criminal activity, although I think it is fair to say that a lot of people have views about what they perceive to be the level of criminal activity.

Next, we have human rights. There were strong views for and against. Industry groups argue decriminalisation advances the human rights, while a number of Christian-based witnesses argue against that point of view. Also in favour of the view that decriminalisation advances human rights are Amnesty International and the women's organisations—so the oral representation was provided by YWC Adelaide, which also spoke on behalf of Zonta International and Soroptimists International. Also I have received representations from BPW that they also support decriminalisation, and the National Council of Women, providing another umbrella, has provided forums on several occasions at which all of those organisations have attended and represented those views.

On Health, we received evidence from Clinic 275 and the Communicable Diseases Control Branch of SA Health that communicable disease rates are often lower than that in the general population and that decriminalisation will generally be beneficial for health. There would be some who oppose that.

Local government was an interesting area. I think it is fair to say that the local government sector is either not interested in providing a cohesive response or is somewhat confused. We had sought, as we had sought from a number of stakeholders in all good faith, to get views from local government. We received three submissions, and they are summarised in the report. We had also quite specifically sought out the LGA which, after having said they were not going to be providing evidence, then realised that they had actually written to a committee member; so that letter was subsequently received. But it took some time for that to come to light, that they actually had made some attempt to represent their sector's views, albeit via another means.

I think it is fair to say, too, that a lot of those opposed to decriminalisation who are cited in section 7 were members of a group who call themselves the Nordic Coalition, many of whom are members of Christian faith-based organisations. A number of them advocate for the so-called Nordic model, which targets the criminalisation of the client or purchaser of the services.

One of the matters I had been quite hopeful of gaining a greater understanding of was that concerning the vulnerable people who might work in the industry and how best we can protect them. The message from individual workers and industry representatives themselves was very clear: the decriminalised model makes them more vulnerable.

For this reason we had sought SAPOL's views very early on. We did receive oral representations from them on 11 May, and we then asked them a range of questions on notice of a

qualitative nature, because they were not able to provide them to us on the day that they appeared, which was a little bit frustrating.

We then had them return, on 26 October—that was the Licensing Enforcement Branch. These transcripts are available on the committee website. In my view I would characterise some of the evidence as a little bit anecdotal and non-specific. There seemed to be a general attitude that SAPOL like to take a benevolent attitude towards the industry, and this was described by the representative of the sex industry network along the lines of officers coming in, sitting down to have a cup of tea and saying, 'How's it all going?', just to see that everyone is safe.

Late in 2016, the committee was advised that there had been an increase in police activities and so we called in a number of witnesses to provide evidence to us about that. Other honourable members may wish to talk about that in more detail, because we thought it was pretty important for us to know what was going on.

On 21 February, the Sex Industry Network's Sharon Jennings came into the committee and had a lot to say about the activities that had taken place. We wanted SA Police to have a right of reply on that matter and so we wrote to them, and I seek to table a response from the Commissioner of Police, Grant Stevens, dated 23 May 2017, in response to correspondence from the committee dated 10 April 2017, which, for whatever reason, was not transmitted until 31 May 2017 at 12.32pm.

This is quite an extraordinary letter. I could not see for a few minutes when I read it today because of the steam blowing out of my ears. We were told quite clearly by the assistant police commissioner in her evidence on 11 May last year that:

> We don't take a view on whether the sex industry should be decriminalised or not. However, I think it is reasonable to say, and I think we have been consistent in our views over many years, that there are some definite challenges and difficulties in policing the current legislation as it exists.

She goes on to make some comments which was consistent with later evidence from the LEB that they have some concerns, and that they would like to retain particular controls or regulation to be able to manage the industry. It is quite clear, that this letter—and I will seek leave to conclude my remarks at the end of this speech because I would like some time to digest it—has reversed that position.

There is some data that may or may not have been useful if it had been provided earlier, but I would have to say that the committee in good faith really did want to get to understand what is going on in South Australia. I would characterise this letter as an attempt to bully the parliament. It has been delivered in the week that the report has been tabled. It actually reverses the police's position on this legislation and says that they now officially oppose it and it reads to me like a brief from the faction of the shoppies union.

Can I just say, thank God for the separation of powers in this state. This is an utter disgrace. It is signed by the police commissioner and I am just flabbergasted that a committee that has been working on this for 18 months is being subjected to some sort of tactic to try to blow our work out of the water by using some fairly emotive language. However, we are the ones who make the law in South Australia. We have sought, in good faith, to engage the police and now we have this letter tabled by the police commissioner and, in my view, it is some underhand tactic to undermine the work of the South Australian parliament and it is an utter disgrace.

You see those signs on the police vehicles that say 'Keeping South Australia Safe'. If this is the sort of bullshit that can happen in South Australia, I have got to wonder how far does this go? Does the police minister know about it? Do other members of executive government know about it? How did this happen? I am not going to be dissuaded in my point of view. I hope that other members of this parliament will not be dissuaded in their point of view. It is unprofessional and I am at a loss for words, which is a bit unusual for a member of parliament.

I turn to the conclusion of the report. The body of evidence was agreed to by all seven members. A majority of four supported the bill as the best way forward, and I believe that a number of members in this place already know what their views are on this bill and how they intend to vote on it. A number have spoken to the second reading. Seven of the 22 members of this place were members of the committee and so have heard and had the benefit of the evidence.

I commend the report to the house. I hope that we can vote on this soon. I think we all know what the issues are. There may well be attempts to drag it out by people who oppose it—anyway, I am not going to go there. The select committee has made submissions and its transcripts are available on the website. As was reported in today's paper, it is my intention to call this bill to a vote soon. If members have particular concerns about that, would they raise those with me, not sort of sneak around and try to do the funny little tactics that might be consistent with this letter, and I seek leave to—actually, no, I am not going to, I do not think I need to, I would just like other honourable members to read the report, make some comments if they wish and let's get on with it, Mr President.

Debate adjourned on motion of Hon. J.S.L. Dawkins.

SELECT COMMITTEE ON ACCESS TO THE SOUTH AUSTRALIAN EDUCATION SYSTEM FOR STUDENTS WITH DISABILITIES

The Hon. K.L. VINCENT (16:41): I move:

That the report of the select committee be noted.

It is a pleasure to be tabling this report today. It is one that, due to a high level of interest and the number of stories that needed to be shared, has been some time in the making. I begin, of course, by thanking my fellow committee members: Tammy Franks, Tung Ngo, Stephen Wade and Jing Lee. I give special thanks to the committee staff—our secretary, Leslie Guy, and researcher, Andrew Russ—for their contributions, and for the comprehensive report that has resulted from it.

I also wish to thank the teachers and staff in schools across the state, the vast majority of whom have done, and continue to do, a good job in providing students of all ages and all abilities with a positive schooling experience. This inquiry was never about bringing into question the commitment or the skill of the teaching profession. In fact, I struggle to think of a profession that I respect and admire more than teaching. The goal of this inquiry has always been to highlight areas in need of improvement for the benefit of students and school staff alike.

Of course, perhaps I most of all want to thank the individuals and organisations who shared their stories with us. They were often grim stories, stories that I can well imagine were very difficult to share, but that is indeed why it was so important to share them. Of all the people who came forward, whether they were parents, students, teachers or representing a peak body they did so freely and generously, but also, I believe, out of a sense of obligation to assist in creating a system in which their negative experiences are not repeated but the positive ones can be duplicated many times over.

Students in our education system, be they in public, private, religious or independent settings, are all different. They are different ages and different genders, they come from different cultural backgrounds and they have different interests and different aspirations. No matter who they are, these students all share two very important things in common. The first is their right to formal schooling and education, in which they are accepted and respected for who they are, where their voice and their skills are encouraged, and perhaps even more importantly, where they are pushed to achieve, where their capacity to continue to develop is truly believed in by those around them.

Of course, the second important thing that these young people all have in common is that they rely on people like us here today in this chamber to give them that experience. While I have said that I know that there are many people working to ensure that that is the case, unfortunately it seems clear that on the whole we are not delivering students with disabilities in particular that vital opportunity. Over the course of the inquiry, the committee heard distressing and repeated examples demonstrating this.

I do not intend to go into every detail of this 161-page report today, nor do I intend to outline every single one its 94 recommendations and findings. What I am going to do instead is to try to identify and outline key themes and some of the most important issues that we need to work on. Firstly, it should come as no surprise that the committee quickly identified the need to invest in children's education and welfare very early on in the child's life, in order to give them the best possible start.

We have recommended that the Minister for Education and Child Development and SA Health should increase resources for home visits particularly in the first year of a child's life to facilitate early identification of disability or other risks and invest in the prevention of future disabilities, learning difficulties or developmental delays. The committee also heard evidence of the importance of using play as a type of education for young children in particular and has recommended that educators should be made more aware of the value of play-based curriculum as an instructional method for all primary school aged children.

With regard to a student's fundamental right to access school, I think the general consensus is that this right is well laid out in existing law and policy, including the Disability Discrimination Act, the Disability Education Standards and the United Nations Convention on the Rights of Persons with Disabilities. What is lacking, according to the real lived stories of those who presented to the committee, is an awareness of those rights and obligations, and an understanding of how to implement them to benefit students, families, and school communities alike.

Therefore, the committee has made a number of recommendations about the need for education authorities and legal service bodies to develop easily understandable and easily accessible information about a child's right to access school, including enrolment and admission, and ongoing support while at school. It is vital that this information is easy to get and easy to understand because many parents, particularly parents who have just been told that their child is going to have a disability, have enough on their minds without having to dig deep to find even the basics of how to support their child's schooling.

As well as measures to increase awareness of rights, the report also recommends measures to ensure that properly resourced advocacy bodies exist that can be called upon if someone feels that their rights are not being met. Importantly, this awareness must also spread to teachers and other school staff, so that they are aware of their entitlement to seek additional support, resources and advice about how best to work with their students. The report suggests that discretionary funding, appropriately acquitted, should be made available at the school level to support students who in this case do not have a formal diagnosis yet but display an obvious need for additional support.

Members might be aware that the Disability Discrimination Act allows an exemption from making modifications for access to businesses and institutions such as schools, as long as they can prove that making the requested adjustment would cause what is termed unjustifiable hardship—that is to say, it would cost more than they can afford or it would disrupt other people too much. However, it would appear from the evidence received by the committee that, in the context of schools, this clause is sometimes used as an excuse not to make even minor modifications. I want to share just one quick anecdote that illustrates this.

One person who presented to the committee told us that their young daughter's disability means that she finds social interaction overstimulating. The parents requested that, if she became overstimulated, their daughter be allowed to take a short break from group activity and work quietly on her own while listening to calming music on headphones—a girl after my own heart. I understand that the school attempted to claim unjustifiable hardship, saying that it would be unfair on other students, who may wonder why they too were not allowed to listen to music while working.

With respect, this example perpetuates what I think is the mistaken belief that all people learn the same way, can learn the same way and need to take in information in the same way. One person might find music distracting, while another person finds that it helps calm them and helps them concentrate. Additionally, it does not put a financial impost on the school to provide this particular accommodation and, most importantly, the student and those around her, thanks to the use of personal headphones, can continue to work.

Whilst the Disability Discrimination Act is a federal law, and so the state parliament has no power to change this clause itself, the committee recommends that students, parents and schools should be given clear guidance as to the meaning of 'unjustifiable hardship', such that it cannot be used to disallow modifications for learning, point blank.

Transition, both in and out of the school system, was frequently raised with the committee as well, in particular the need for greater flexibility in transition into school and, where possible, avoiding arbitrary time lines for progression through that process. The report also recommends that

an online portal or electronic portable record be established as a repository of school information, assessments, education plans and behaviour support plans to avoid reassessment upon entering a new school, so that all relevant information is widely known to those who need to know it and easily accessible to help ease the transition to a new school.

The fact that students with disabilities are home schooled more often than those without disabilities was also raised on multiple occasions, and the committee makes recommendations in this respect, including that the Department for Education and Child Development should record the specific reasons why students leave formal education settings to commence home schooling, including but not limited to disability, bullying, geography, economic hardship, behaviour and simple personal choice.

With the transition of older students out of the school system and into employment and other opportunities, measures were identified, including that transition arrangements for school leavers should be incorporated into negotiated education plan processes, with a sufficiently long lead time, and that the post-school experiences of people with disabilities should be monitored, including at the individual school level, to help all of us identify trends and opportunities for improvement, as well as what government should be doing more of.

The committee also heard concerning reports of students with disability being actively discouraged from participating in school events, including NAPLAN testing. The report stands strong against this, as we all should. After all, the very purpose of tests like NAPLAN is to identify a student's current level of understanding of the material they are learning. If a student is not doing as well as might be expected, and if they might be able to do better with better supports around them, let this be shown.

Negotiated education plans (NEPs) was another frequently-raised, hotly-debated topic. While views on their effectiveness are certainly mixed according to the evidence, the committee's final view is that they remain important documents for recording and tracking student needs and achievements, with some room for improvement. In particular, the committee repeatedly heard the view that NEPs are all too often static documents, not updated regularly enough to accurately reflect a student and their changing needs, or give staff the best idea of how to work with them.

The report makes a large number of recommendations about NEPs, including that each plan should be focused on the student, helping them fulfil their capacity and pursue their aspirations. As their maturity allows, the student should be asked what they think they are capable of achieving. Planning should involve cooperative engagement of all the major contributors to a child's education, including the student, their parents, therapists, teachers, leadership teams and disability coordinators.

Planning meetings should also seek consensus about developmentally appropriate approaches, goals and curriculum modifications. A cooperative approach means that decisions should not be predetermined. As part of the NEP process, an individual sensory overview document should also be included, including but not limited to a student's hearing, sight, self-awareness, motor skills, sensory-related likes, aversions, as well as strategies for improving these skills which should be completed and updated as part of the NEP as the student develops.

Importantly, the report also recommends that the students themselves, as well as their families, are given a greater say in the development of their own NEP. Specifically, the report recommends a model in which at least three goals are identified: one chosen by the student; one by the family or guardian; and one by school staff. In the case of students under guardianship, in recognition of the additional challenges that they can face, the student can select two of their own goals.

Increased in-school support, both from assisted technology and with increased funding to the Special Education Resource Unit, better known as SERU, and that provided by speech pathologists and other allied health professionals, was also identified in the report as critical. Additionally, recognising the impact a less than optimal schooling experience has not only on the student but on their family is highlighted in the report which recommends increased support for parents and siblings. It also recommends that there be a study into the economic impact of families and students with disability, including their capacity to participate full-time in the workplace.

I hope that this will go some way to address another area of concern raised in the report; that is, the situation where schools rely on parents and guardians to provide regular support to students during the day, including feeding and toileting supports. The committee sees this as highly inappropriate as it detracts from a positive, normal schooling experience for the student as well as the workforce participation of their guardian.

The report makes a number of recommendations in relation to school leadership and teacher training and support. Indeed, a common theme was that where school leadership was strong regarding the inclusion of a student with disability, great things are already happening, and I thank those school staff for that. To use one example, the report recommends the increased investigation and rollout of the interoception program, teaching students skills such as proprioception (awareness of their body in space) and emotional regulation which with a whole-of-school approach seems to be highly beneficial for all students both with and without an identified disability.

Suspension and inclusion from school is another area of great concern. As well as the positive behaviour support measures I have mentioned earlier, which I hope will reduce and eventually eliminate restraint and seclusion as well as exclusion on the grounds of disability, the report also makes a number of specific recommendations which include the following:

- that policies should ensure that schools accept their responsibility wherever possible to see out the day, where they have accepted the student at the beginning of the day;
- that these policies do not use exclusion or suspension from school as the default behaviour management strategy for students with disabilities and what are named 'challenging behaviours'; and
- that the policies demonstrate that they have developed and implemented formal behaviour support plans before any moves to exclude or suspend a student with disability from school are considered, and that disability and education standards are reflected specifically in those documents.

As I have already said, it is not my intention to outline everything the committee heard or recommended today, but rather to give a broad overview of some of the important issues covered. But I hope that what I have mentioned and the rest of what is in the report will go a long way to improving school life for all. We all stand to benefit from providing a better education for young people as they will have more independence, socially and financially, better job prospects, and decreased interaction with the justice system, for a start.

Although it would be nice to believe this, I am not naive enough to believe, either, that everything that could benefit students with disabilities and additional needs is in this report. That is to say, the answer to every problem does not lie in this report, however comprehensive it might be. Nor should it, because if the report shows us one thing very clearly it is that we cannot and must not blindly accept the status quo when it comes to supporting and respecting students of all types in our schools. Fittingly, it is up to all of us to keep learning new facts, new methods, new ways of respecting people and responding to their needs and challenges as they arise.

Again, I thank everyone involved in this important process and very much look forward to working with all members to ensure that we implement these changes and more. Let's all show South Australian students across the state that we believe them when they tell us what does and does not work for them. Most importantly of all, let us show them that we believe in them.

Debate adjourned on motion of Hon. J.S.L. Dawkins.

PARLIAMENTARY COMMITTEE ON OCCUPATIONAL SAFETY, REHABILITATION AND COMPENSATION: RETURN TO WORK ACT AND SCHEME

The Hon. J.E. HANSON (17:01): I move:

That the interim report of the committee, on the Return to Work Act and scheme, be noted.

For many years South Australia's previous workers compensation scheme, WorkCover, was often cited as one of the poorest performing in the country. It consistently produced return to work rates well below the national average, required one of the country's highest employer premiums to operate, and was extremely underfunded. Significant reform of that was required.

On 1 July 2015, the Return to Work Act and scheme commenced. Moving away from being focused on medico-legal matters, the return-to-work scheme now better recognises the health benefits of working and has a stronger focus on early intervention and customer service. It uses mobile case managers to provide a greater level of face-to-face service, and utilises systems such as telephone reporting to help reduce administrative processes, connecting employers and workers with the support they need sooner.

Since the introduction of the Return to Work Act, average employer premiums have significantly dropped and the scheme is now fully funded; however, the percentage of injured workers who are at work for one, three, six and 12 months post injury has only marginally improved since the commencement of the reformed scheme. The committee is keen to see whether these figures continue to improve.

Many submissions, mainly from workers and their unions, have stated that the benefit to employers by way of reduced premiums have come at the expense of the support provided to the injured workers. Workers who were on the WorkCover scheme on 1 July 2015 moved to the return-to-work scheme in accordance with the transitional provisions. As a result of wording in these provisions, some workers have been left without income or medical support.

The Full Bench of the South Australian Employment Tribunal found these provisions caused a seemingly unfair outcome for one worker. The committee received submissions with examples of other workers who have had no access to income support on the return-to-work scheme as a result of these provisions. These include workers who were on maternity leave or on non-work-related sick leave at the time the act commenced. The committee even received submissions providing examples where some injured workers who were soldiering on at work had been denied weekly payments due to the wording of some provisions.

In comparison to workers with physical injuries, workers with psychiatric injuries have always had a greater hurdle to overcome when seeking to access the scheme. Workers with a psychiatric injury now need to prove employment is the significant contributing cause of their injury. All of us will go through some sort of psychological trauma or stress at one time or another, it is part of life; however, the committee heard, in evidence, concerns that new wording—the inclusion of the word 'the'—gives case managers too broad a power to reject psychiatric injury claims when a worker has or has had a personal, non-work-related stressor in their life.

The committee received an example where one worker was sexually harassed at work, but had her claim denied. The case manager relied on the fact that the worker had had a miscarriage a year earlier and had sought some counselling for it. They argued that this meant that the employment was not the significant contributing cause. This committee received submissions detailing a number of examples similar to this one.

While there was a slight change of wording for workers with physical injury, case law today indicates that this will have minimal impact for them when accessing the scheme. The Return to Work Act introduced the classification of the 'seriously injured worker'. These are workers who have been assessed as having a whole person impairment of 30 per cent or more. The committee does not ignore the significant impact that a work injury may have on a worker's life, even if the worker does not meet the arbitrary 30 per cent threshold. However, the act draws a very distinct and inflexible line in the sand. The committee received a great number of submissions which strongly expressed their concern that this approach does not account for the individuality of each worker and nuances of the circumstances.

Workers who meet the act's definition of 'seriously injured' have access to weekly income support until retirement age, continue to have their medical expenses paid and have no obligation to ever return to work. Not seen since 1992 in this state's workers' compensation system, seriously injured workers are also able to access common law rights to sue their employer in the cases of employer negligence. The committee received some submissions supporting this move, citing it may encourage employers to provide safer workplaces as well as give employers their day in court.

However, many submissions did not support this reintroduction, as the process was thought to be too adversarial, to give rise to fractured worker and employer relationships and to go against the objective of supporting workers to return to their workplace. Almost all submissions that provided

an opinion on common law stated that, in its current state—it being only accessible to those with the whole person impairment of 30 per cent or more—it is a token gesture that is most likely not going to be used.

Workers who do not meet the arbitrary 30 per cent threshold—the key that opens the door to access ongoing support—will find the support afforded to them to be limited. Weekly income support payments are now limited to 104 weeks, with a further 12 months of medical expenses covered, or, if no income support is claimed, then just 12 months of medical expenses covered.

It is worth noting that the majority of injured workers—around 70 per cent—will not require income support payments. Of those workers who do, 80 per cent of them have historically not been in receipt of income support by the 104th week. Many submissions raised concern that the biggest impact will be felt by those workers who have had a whole person impairment of less than 30 per cent and are unable or have reduced capacity to work come the end of that 104-week period. In fact, the committee received some submissions stating that for some complex injuries, including psychiatric injuries, 104 weeks is not enough time to allow for adequate recovery.

I have mentioned 104 weeks a few times. This is important to note, because towards the end of next month marks 104 weeks since the commencement of the Return to Work Act. It is also when the first group of workers will have their income support ceased as a result of the new strict time limit. The committee received a number of submissions from injured workers who are still not able to work as a result of their injuries but have their payments ceasing in 27 days from today.

While some workers may be able to seek support from community organisations, government agencies, friends or family, many submissions were clear that these supports were not available for every worker. Some workers are fearing they will no longer be able to afford mortgage repayments and will lose their home. The committee understands the scheme is still evolving, with the full effects of the reform yet to be realised.

This inquiry has been of great interest, receiving almost 50 submissions, with more than half from workers and their representatives. I would like to thank everybody who has made a submission. They have taken time to assist the committee in its understanding of this very important inquiry. I would also like to thank the presiding member, the Hon. Steph Key. She, like all of the committee's members, takes a keen interest in workers compensation and how it affects workers and employers of this great state. I would also like to thank the member for Fisher and the member for Schubert, as well as the Hon. John Dawkins and the Hon. John Darley, for their contributions. Finally, I would like to express my appreciation to the committee staff: the executive officer, Ms Sue Sedivy, and the research officer, Mr Peter Knapp.

The Hon. J.S.L. DAWKINS (17:08): I rise to briefly speak to the motion noting this report. I would, initially, commend members of this place and others to read what I think is a very significant summary of the scheme as it stands. As the Hon. Mr Hanson just said, it is approaching 104 weeks since the current scheme was commenced.

It is important to recognise that this inquiry resulted from the motion of the Hon. Tammy Franks about this committee taking up the work. I am pleased to say that in the time I have been on the committee we have actually had a number of significant inquiries, and this has been one that I think has been very informative. It has certainly shown up the changes, the transitions and also perhaps some of the holes in the scheme, particularly in the psychological area. That is one area that I have a great interest in.

Similar to the previous inquiry we did into mental illness and suicide prevention in the workplace, we still get drawn to our attention the weaknesses in the way in which people with a psychological illness are treated or helped through this system or even encouraged to be in this system. There is no doubt there are still some workplaces—some government workplaces—where people do not feel comfortable putting their hand up to actually get into this system. That has been highlighted in evidence.

This interim report is, as I say, a very good one in that it summarises many of the issues. The committee has identified that the scheme is evolving, with the full effects of the reform yet to be realised. As such, the committee decided to produce this interim report, which allowed for a summary

of the evidence, submissions, etc., up until early March this year. It provides that document as a basis for further discussion and input from the sector.

In a number of committees that I have participated in, we do not have to wait until the recommendations are delivered or responded to. Sometimes, some of the things that are presented in evidence actually have an impact as the committee is going along. Some may say that is an ambitious view. It does not always work that way, but it sometimes does. So, that is one of the reasons that I have been very grateful to participate in this inquiry. Certainly, on the committee there are a number of members who have a greater understanding of industrial relations than I do. This is a very valuable document, and I thank the committee staff, Sue Sedivy and Peter Knapp, for their very good work in the preparation of it.

As the Hon. Mr Hanson said, we have great leadership in this area from the Hon. Steph Key. I thank the members for Fisher and Schubert in the other place and my colleagues the Hon. Mr Hanson and the Hon. Mr Darley for their work on this report. As I say, it is not one that brings down recommendations, but it was important in the calendar of the year leading up to an election that we get a summary of the evidence that has been brought to us as a result of the inquiry that resulted from the motion of the Hon. Tammy Franks. I commend the report to the council.

The Hon. J.A. DARLEY (17:14): On 25 May 2016, the Hon. Tammy Franks moved for the Parliamentary Committee on Occupational Safety Rehabilitation and Compensation to inquire into the Return to Work Act and scheme. I co-sponsored this motion as a result of being contacted by countless constituents with concerns about the new return-to-work scheme. The Return to Work Act has been very successful in reducing the unfunded liability of the state's workers compensation scheme.

I remember when I first came into this place, one of the first bills that I dealt with was the Workers Rehabilitation and Compensation (Scheme Review) Amendment Bill. This bill proposed a number of changes to curtail the $1 billion unfunded liability debt. Currently, the return-to-work scheme is fully funded and that is certainly a great result. However, that is far from the only outcome which matters when it comes to workers compensation. The committee heard how the return-to-work scheme focused on early intervention and customer service. This is a vast improvement to the previous WorkCover scheme and evidence collected by ReturnToWorkSA indicates that customer feedback is mostly positive.

However, the committee certainly heard from many injured workers and their supporters who were highly critical of the new scheme. Injured workers are entitled to 104 weeks income maintenance before they are left to their own devices, unless they are deemed to be seriously injured by having a whole-of-person impairment of 30 per cent or more. Whilst the majority of injured workers do return to work within 104 weeks, there is still a glaring gap where people who are injured at work and do not in meet the 30 per cent WPI threshold are not able to return to work. These people are left with no income maintenance and only a further 12 months of medical expenses before they need to fend for themselves.

The committee heard from several witnesses who were extremely anxious about what would happen to them and their families when their income maintenance ceased. People were worried about having injuries which would require lifelong treatment and yet moneys for this would have to be found from their own pockets because they did not meet the 30 per cent WPI threshold. Similarly, the committee heard from witnesses who had had their claims accepted under the WorkCover scheme, only to find out that their income maintenance would cease after 104 weeks. These people had already gone through the rigmarole of having a claim assessed and they had been accepted under the old WorkCover scheme.

The change to the return-to-work scheme meant that their claims would transition over to the new scheme. These people had their claims accepted with some being told that they would be entitled to lifetime income support and yet, with changes made by the government, they discovered that they only had two years of income maintenance before their payments would be discontinued. People worried about their mortgages and how they were going to provide for their families simply because they had the misfortune of being injured at work. Even worse were the workers who have injuries which require lifelong medical care who had been told under the old scheme that these costs

would be covered for the rest of their life, only to find out that these expenses would no longer be covered after 27 June 2018.

There was ample evidence that not being able to include psychological injuries unless it was the significant contributing cause of injury had resulted in many people being unable to meet the threshold. This is also coupled with the inability to combine or accumulate injuries as a cause. The committee heard evidence which showed that the transitional arrangements for the new scheme sometimes resulted in unfair outcomes. I hope the government will consider these and make or support amendments as necessary.

I want to thank all parties who took the time to make a submission to the inquiry. I am optimistic that their time and efforts will not go to waste and that this inquiry will result in positive changes to the scheme. Thanks to the committee's staff, Ms Sue Sedivy and Mr Peter Knapp. Thanks also go to the committee members: the Presiding Member, the member for Ashford and the members for Fisher and Schubert in the other place, the Hon. Justin Hanson and the Hon. John Dawkins. I also want to thank the Hon. Gerry Kandelaars and the member for Reynell for their contributions whilst they were members of the committee.

The Hon. T.A. FRANKS (17:19): I rise to speak to the return-to-work inquiry interim report and I would also like to echo the thanks of those committee members, including the chair, Steph Key, the member for Ashford, the member for Fisher, Nat Cook, the Hon. John Darley, the Hon. John Dawkins, the Hon. Justin Hanson and the member for Schubert, Stephan Knoll. I also echo the thanks to the research officer, Peter Knapp, for his work on this interim report.

The committee heard evidence on the operations of the act from workers, unions, and medical and legal professional organisations. Over 25 submissions were received from workers and unions, with 10 submissions from employer groups, nine submissions from medical and legal professional organisations and three from other groups. A number of concerns were raised, most of which the Greens, of course, had previously envisaged, and I will seek to outline some of these findings of the inquiry. I note that the findings are an opportunity for the state government to consider moving amendments to the Return to Work Act.

The submissions noted that the timing of the eligibility criteria for compensation is draconian. The stakeholders remain concerned about the new definition of what constitutes a seriously injured worker. The act defines a seriously injured worker as one having a whole person impairment of 30 per cent or more. I find the committee's evidence of some workers with a 30 per cent whole person impairment returning to work, yet other workers with a lower whole person impairment having their weekly payments ceased, concerning but not surprising. This indicates that the 30 per cent whole person impairment assessment bears no relationship to the extent of the worker's true incapacity for work following a work injury.

The Greens have always held the view that the workers compensation scheme needs to be tailored to the injury and not be a one size fits all scheme. This is clearly showing the tensions of that approach. The Greens approached aspects of the state's workers compensation system when it was debated here in the formation of the new act, particularly the 30 per cent whole person impairment rating. The act's definition of what constitutes a seriously injured worker means that only those workers with near catastrophic injuries, such as quadriplegia and paraplegia, would meet the threshold of a 30 per cent whole person impairment, and that the overwhelming majority would have their compensation payments unfairly terminated.

The inquiry found that stakeholders are concerned about the provision in the act that makes it difficult to claim compensation for psychiatric injuries—again, no surprise to the Greens. The act states clearly that workers must provide employment as 'the significant contributing cause' of their injury. This threshold is too high and it is envisaged that most workers compensation claims for psychiatric injury will be rejected because they will not meet this too strict eligibility criteria.

The inquiry found that there are concerns about injured workers having their entitled reimbursement of medical expenses cut off come 1 July 2017. These injured workers will also have their weekly payments discontinued after 12 months. The report, of course, acknowledges the issues that both myself and the Hon. John Darley raised with regard to workers who were on the WorkCover scheme on 1 July 2015 who were then moved to the return-to-work scheme in accordance with the

transitional provisions contained in the Return to Work Act. The report found that, as a result of these provisions, some workers have indeed been left without income or medical support—again, an opportunity for the government to act.

The Greens thank those workers, unions, employer groups and medical and legal professional organisations for taking the time to put in a submission to the inquiry. We say to the government: 'Now the ball is in your court. Please take the time to act on behalf of injured workers, and take this opportunity, with the support of the crossbench, to make this act actually serve injured workers rather than punish them.'

Motion carried.

Motions

PORT AUGUSTA SOLAR THERMAL STORAGE

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

That this council—

1. Acknowledges the work of the Port Augusta community in advocating for solar thermal with storage as a 24-hour renewable solution for SA's power and for local jobs post the closure of Alinta Energy coal power station;

2. Applauds the work of the local community and unions in calling for an economically viable and environmentally sustainable transition for Port Augusta and other coal-dependent communities;

3. Calls on the state government to use every avenue available to use its purchasing power to facilitate solar thermal with storage capacity in Port Augusta; and

4. Urges the Turnbull government to deliver on its promise to make solar thermal in Port Augusta the 'number one priority' for its clean energy funds as announced before the 2016 federal election.

(Continued from 12 April 2017.)

The Hon. R.I. LUCAS (17:24): I rise on behalf of Liberal members to indicate support for the motion. As members will probably be aware, carriage of this issue in the Liberal Party has been with the member for Stuart, Mr Dan van Holst Pellekaan. Again, those who have followed this issue will be well aware that, as local member, he has been supportive of the development of a solar thermal power station at Port Augusta for very many years. He has championed the cause within the Liberal Party and within the local community. He has advised us that it was in 2012, which is certainly a long time ago, that he prodded the state Liberal Party into establishing a select committee to study this proposal. That is five years ago.

More recently, he has advised that, in February this year, he wrote to the Minister for Mineral Resources and Energy calling on the government to include the development of a solar thermal power station at Port Augusta and, if it did not intend to do so, to explain to him and to the community why they would not support the position. For those reasons, the Liberal Party, under the leadership of the member for Stuart on this particular issue, has indicated its support for the passage of the motion.

The Hon. M.C. PARNELL (17:26): I rise to add my voice to that of my colleague, the Hon. Tammy Franks, in supporting this motion. I congratulate her for putting it on the parliamentary agenda because there are few issues in South Australia that have attracted so much support from such a divergent range of people. As we all know, Port Augusta is a town at the crossroads. The coal-fired power stations have closed and there is a wonderful opportunity to replace them with Australia's first solar thermal plants that will deliver clean electricity day and night, through the addition of storage.

The campaign has been going for many years and, in fact, I cannot remember how far back it was that the people from Beyond Zero Emissions came to see me. I am sure that they saw other members of parliament as well. They brought their little model with them showing the mirrors and the towers and how it worked. It was a good campaign that really got people thinking about what the future energy supply would look like in South Australia.

The Repower Port Augusta Alliance was formed. That alliance has carried on the work of Beyond Zero Emissions, and they have been joined by many other partners in that endeavour. The local community, the local council and local businesses are all keen to see a solar thermal plant with storage at Port Augusta. I might just put on the record some of the members of the Repower Port Augusta Alliance because that will show how wide the support is and the divergence of interests that are represented on this alliance.

I mentioned Beyond Zero Emissions. I think they were the first. We have the Australian Youth Climate Coalition, the Port Augusta city council, Business Port Augusta, SA Unions, the Australian Nursing and Midwifery Federation, the National Union of Workers, the Australian Education Union, the Tertiary Education Union, CLEANSA, 100% Renewables, the Conservation Council SA, the SA Student Environment Network, Doctors for the Environment, the Climate and Health Alliance and the Public Health Association of South Australia.

I know that the list is actually bigger than that and other groups have come on board, whether it is as part of the alliance or independently. Certainly groups like Solar Citizens have been very supportive of a wide range of solar initiatives including this one. In fact, it is very hard to find people who think it is a bad idea. I have not met anyone who has any ideological or other opposition to solar energy in general or solar thermal in particular. We know that the transition away from dirty fossil fuels is inevitable but one of the great sadnesses, I think, of this campaign is that it has not been managed that well.

We do need to transition workers into cleaner new industries, such as solar thermal, and we need to manage the transition carefully. Port Augusta is a classic example. Some people said that we should never have let the coal-fired power stations close without a transition plan. That is the wrong way of looking at it: what people should be thinking of is the fact that this proposal has been around for so many years that, if the federal and state governments had grasped the nettle earlier, the transition would have been smoother. Those workers who are no longer producing electricity for us using coal could have stepped straight into an alternative clean energy generation job.

Everyone knew that Port Augusta was closing. In fact, even before it closed it was being mothballed for, originally, parts of the year, then most of the year, and its ultimate closure was inevitable. We knew that the coal was running out, and we knew that the old Playford power station in particular was the dirtiest power station in Australia per unit of energy generated. What we have needed to get the solar thermal plant up and running was a suitable funding model. Many were put forward, but many of them involved the government using its buying power to buy clean energy and to lead by example.

The final thing I wanted to do was put on the record an acknowledgment of one person who has been involved with this campaign and driven it for many years, and that is Mr Dan Spencer, who built—

The Hon. R.I. Lucas interjecting:

The Hon. M.C. PARNELL: No, no, a different Dan. I acknowledge that Dan van Holst Pellekaan has shown a great interest in this as well, but without wanting to bring comparisons into this, the other Dan (Dan Spencer) has been involved with this for many years and was the co-ordinator of the campaign in Port August that that saw a fantastic local vote. I have forgotten the exact number, but something like 98 per cent of people thought that solar thermal for Port Augusta was a good idea. If it is not 98 per cent, it is close to it, but a vast majority of people.

Dan Spencer's contribution to climate activism has been acknowledged and awarded. In 2012 he received the Bob Brown Foundation Inaugural Youth Environmentalist of the Year Award. He was recognised by the Conservation Council of South Australia with the Jill Hudson Award for Environment Protection. In 2013 he received the Flinders Ports Environment Award at the Channel 9 Young Achievers Award in South Australia, so I would particularly acknowledge Dan Spencer's contribution.

But, the campaign is not won yet. There is still a lot more to do, and I am delighted that the Legislative Council at least looks like it is going to be supporting the Hon. Tammy Franks' motion, and that sends a clear message to both the federal and the state government that this is a project

that South Australians want, a project we deserve, a project that will be good for our climate, good for our economy and in particular good for Port Augusta.

The Hon. T.T. NGO (17:32): I rise on behalf of the government to speak on the Hon. Tammy Franks' motion regarding solar thermal in Port Augusta. The government is committed to increasing renewable electricity generation to 50 per cent by 2025 and to supporting the development of commercially viable renewable energy projects. Two solar thermal projects are in the early stages of development in South Australia, both in the Port Augusta area.

Solar thermal projects can dispatch clean energy, when it is needed, into the grid. The government has initiatives in place to support development of dispatchable renewable energy. These include tendering 25 per cent of our long-term electricity load to a dispatchable renewable energy provider, and providing financial assistance through the $150 million Renewable Technology Fund.

A few weeks ago I visited Port Augusta as part of my duty as a junior member for the Labor Party up there, and I met with locals, ALP supporters and members. While I was there, the majority of issues that were raised to me were regarding the Joy Baluch Bridge and the local concern with the increase in pedestrian traffic and traffic congestion on the bridge. The bridge forms part of the national highway network. It is a key freight route. People travelling west in Australia and up north must cross that bridge. I am also told that all emergency services such as ambulances and hospitals are situated on one side of the bridge, and if access to the bridge is limited for some reason, it will be extremely difficult for emergency services to attend accidents on the other side and, therefore, people's lives could be in jeopardy.

The solar thermal plant proposal was also mentioned. I am not privy to the business case which has been submitted to the minister, but some of the questions raised when the locals met with me were whether this investment would stack up; for example, whether it will be able to compete with other renewable energies such as wind. To me, any government subsidy of a project should be considered very carefully to see whether it will bring about competition in reducing the energy costs for the locals in the long run. So, I will leave the business case to the people who put the proposal together and the minister to consider that project.

As I said previously, I am not privy to all the information but the locals privately said to me that they were a bit disappointed that at the end of the construction of the project, there will probably be about 40 full-time jobs once the whole construction is completed. They are a bit concerned that there are not as many jobs as there should be to help with the town. With that, on behalf of the government, I support this motion by the Hon. Tammy Franks.

The Hon. T.A. FRANKS (17:37): I rise to respond and thank members for their support and the indication that this motion will succeed tonight. I thank in particular the Hon. Rob Lucas, the Hon. Tung Ngo and the Hon. Mark Parnell who have made contributions this evening. I acknowledge the work of the member for Stuart, Dan van Holst Pellekaan, and note that the idea for this motion came about when I was walking through the corridor and ran across Dan Spencer who has quite rightly received some praise tonight for his fine and ongoing work in Repower Port Augusta. He was sitting with the member for Stuart and they were both encouraging of such a motion coming before this place.

This motion calls on all political parties to work together and I am heartened to hear that there is support from the Liberal opposition who are the Liberal federal government in their capacity and the Labor government here in South Australia. I note also that around about the time I moved this motion, the Xenophon Team in the Senate (to be SA-Best in this state) have also been involved in regard to supporting Repower Port Augusta getting off the ground.

The federal government has come to the party; we have that particular financial federal commitment made. All we need now is for the Premier to use the state government's buying power to ensure that this can go ahead and for the Premier, when he receives the petitions that will be presented to him tomorrow, as I understand it, to listen to the voice of the people, not just of Port Augusta, not just of South Australia, but across this nation who have seen the power of organising and community.

I simply want to note that one of the most recent events, as part of this very long—many years long—campaign that has been a fine example of community organising, are the words of Lovisa Muyderman from the Australian Youth Climate Coalition, when she stood on the steps of parliament less than a month ago and talked about her involvement in this campaign. She said on those parliament house steps:

> This is a campaign and a story that people want to be part of and I think it's because they realise what a good opportunity solar thermal in Port Augusta is because repowering Port Augusta is about more than adding capacity to our energy system. It's about doing right by a community that's been left behind by the fossil fuel industry. Repowering Port Augusta is making sure that our regions survive without the strains on our health, on our communities, and on our climate that come hand in hand with reliance on the fossil fuel industry.
>
> Repowering Port Augusta is about providing clean jobs to South Australians and making sure that workers have access to the renewable energy economy. It's about being part of the transition to clean energy that we're seeing around the world. It's about taking strong action on climate change and making sure that young people don't have to see a future where we're experiencing the worst effects of global warning.
>
> The story of Port Augusta is one of my favourite stories to tell and I feel so privileged to be part of it, but this story isn't over yet. I'm looking forward to the day when we can look back and tell the story of the community that stood up to state and federal governments to produce a brighter future for their town.
>
> But there's a missing piece still and that missing piece is Jay Weatherill. Right now, Jay Weatherill needs to stand up and turn his words into action. He needs to do right by Port Augusta. He needs to give young people a fighting chance for our future and he needs to commit to solar thermal in Port Augusta now.

Another speaker that day was another young woman—

The PRESIDENT: The Hon. Ms Franks, you are actually supposed to be summing up, I believe, not making another speech, so can you please just sum up.

The Hon. T.A. FRANKS: I am summing up.

The PRESIDENT: No, you are not, you are making another speech and going through other people's speeches, and all that. Just get to the point and sum up so we can get it passed.

The Hon. T.A. FRANKS: I am sharing the words of the young people of Repower Port Augusta.

The PRESIDENT: Do not worry about that; you are summing up, not making another speech; just move on.

The Hon. T.A. FRANKS: I will sum up then and I will not share the words of Maddie Sarre. I will also reflect that I am quite disappointed that the state government has yet to come to the party. We have had fine words. We are sick of the words of the Premier. We want the Premier to sign up to public power from this state being used to repower Port Augusta. Tomorrow, the Premier will yet again receive missives and thousands of petition signatures. Let's hear the Premier actually sign up and put his money—our money—where his mouth has been.

Motion carried.

PROCLAMATION OF SOUTH AUSTRALIA ANNIVERSARY

The Hon. J.S. LEE (17:43): I move:

That this council—

1. Acknowledges the historical significance of the 180th anniversary of the proclamation of South Australia; and

2. Highlights the major political, social and cultural milestones which have been achieved in South Australia over the last 180 years.

It is with great honour that I rise today to move this motion to acknowledge the 180th anniversary of the Proclamation of South Australia. A survey conducted in 2015 by *The Advertiser* reported that two out of three South Australians do not know why we celebrate Proclamation Day. It is one of the reasons why I felt compelled to move this motion and use this opportunity to look into the past, reflect on the present and share my view on where our state could be heading when South Australia approaches its bicentenary in 2036.

Proclamation Day in South Australia celebrates the establishment of government in South Australia as a British province; however, the proclamation issued by Governor John Hindmarsh on 28 December 1836 did not proclaim the province of South Australia officially. It was done in England in two stages long before the first colonists set sail.

The first stage took place in 1834, when the South Australian Association persuaded the British parliament to pass the South Australia Act 1834. The act stated that some 800,000 square kilometres would be allotted to the colony and it would be convict-free. The plan was for the colony to be the ideal embodiment of the best qualities of British society—that means no religious discrimination or unemployment. The province and its capital were named prior to settlement. The act further specified that it was to be self-sufficient; a £20,000 bond had to be created and £35,000 worth of land had to be sold in the new colony before any settlement was permitted. These conditions were fulfilled by the close of 1835.

The second stage took place on 19 February 1836, when the first of the South Australian Company's ships were about to sail. King William issued Letters Patent establishing the province and outlining various aspects of its management, including the way in which the original inhabitants' rights should be maintained. Governor Hindmarsh arrived at Holdfast Bay on 28 December 1836. The Governor's private secretary, George Stevenson, read the Governor's first proclamation. It was interesting to note that Stevenson drafted the text of this proclamation while on board the *HMS Buffalo*—thank goodness he did not suffer from any motion sickness.

The proclamation advised the assembled settlers that the government of the province had been created, asked them to respect the laws and to behave with 'order and quietness…to prove themselves worthy to be the founders of a great free colony', and warned them that the Governor intended to ensure the rights of the Aboriginal people were protected, as they were equally entitled to the privileges of British subjects. The history of South Australia recognises that Aboriginal people have lived in South Australia for tens of thousands of years, while British colonists arrived in the 19th century to establish a free colony with no convict settlers. The colony became a cradle of democratic reform in Australia.

This parliament, the parliament of South Australia, was formed in 1857 when the colony was granted self-government. South Australia became a state of the Commonwealth of Australia in 1901, following a vote to join with the other British colonies of Australia under Federation. While it has a smaller population than the Eastern States, South Australia has often been at the forefront of political and social change in Australia. South Australia's founders wanted South Australia to have greater social and political freedoms than those which existed in the United Kingdom in the 1830s, to be a place where the freedom and the rights of individuals were respected regardless of their cultural heritage or religion. It was under those lofty aims and principles that this great state of ours was founded.

As a state of many firsts, when the first South Australian parliament met in 1857 it was the most democratic in Australia. However, back then women were still excluded from politics. In 1861, for the first time in Australia female ratepayers were allowed to vote in local government elections but they were not allowed to stand for election. In 1885 the House of Assembly adopted a motion supporting women's suffrage but, despite numerous attempts, legislation permitting women's suffrage was not passed by the parliament until 1894. This legislation gave women, including Indigenous women, the right to vote in elections and to stand for parliament. This made South Australia the first Australian colony to allow women to vote and the first place in the world that allowed them to stand for parliament.

As honourable members would know, the joint committee on matters relating to the 125th anniversary of women's suffrage has been brought up this week in parliament. Thanks to South Australia, women were guaranteed the right to vote in federal elections. The very strong-minded South Australian delegation to the constitutional convention threatened to withdraw from negotiations if this were not guaranteed.

While South Australia was the first place in the world that allowed women to stand for parliament, it was not until 1918, 24 years after being given the right to do so, that a woman stood for election to the South Australian parliament. We then waited even longer, until 1959, to see two

South Australian women make history and be elected to state parliament. I am proud to say that those two female flagbearers were from the Liberal Party: Mrs Joyce Steele became the first female MP elected to the House of Assembly and the Hon. Jessie Cooper became the first female member elected to this Legislative Council.

In 1962, South Australia continued to break new ground with respect to women. Roma Mitchell became the first woman to be admitted as a Queen's Counsel. In 1965, Roma Mitchell QC became the first woman to be appointed to the Supreme Court of South Australia. By the time of her retirement in 1983, she was still the only woman to be appointed to the state Supreme Court. In 1991, Dame Roma Mitchell was appointed Governor of South Australia, the first woman in Australia to be appointed governor. Equally significantly, South Australia also appointed the first state governor of Asian heritage in Australia, namely His Excellency the Hon. Hieu Van Le.

It is most fitting at this point that I pay tribute and acknowledge the legacy of the former Liberal Premier of South Australia, the Hon. Sir Thomas Playford. He served continuously as Premier of South Australia for nearly 27 years. It was the longest term of any elected government leader in the history of Australia and, indeed, of anywhere under the Westminster system. His tenure as Premier was marked by the period of population and economic growth unmatched by any other Australian state. He was known for his parochial style in pushing South Australia's interest and was known for his ability to secure a disproportionate share of federal funding for the state. His pioneering leadership opened up South Australia to welcoming the disproportionately large number of post-war migrants arriving from Britain and post-war Europeans who help to rapidly increase South Australia's population and cultural diversity.

He was integral in establishing South Australia's world-class defence industry, all the while doing it prudently and keeping a tight rein on government spending. As a result of Playford's remarkable efforts, a wholesome manufacturing industry was established during his tenure. Liberal Premier Playford was a prudent economic manager, intensely opposed to spending public money on unproductive public works, and governing on the premise that public spending was only legitimate when based on some definite benefit to the state.

Premier Playford became the master of public finance by reviewing the auditor-general's reports, something that this wasteful Labor government could learn from. For those of us who diligently study the Auditor-General's Report, members would no doubt notice that it regularly highlights the Weatherill Labor government's poor practices and inability to manage to the state finances.

For example, the Auditor-General was highly critical of the Weatherill government's Gillman deal which failed to deliver not even one of the promised 6,000 jobs. All it did was cost South Australians millions of dollars in legal fees and departmental waste. Over the last 15 years of this incompetent Labor government, we have fallen short of the high bar that our founders have set for us.

In my speech earlier, I touched on the vision for South Australia. Back then, it was for the colony to be an ideal embodiment of the best qualities of British society, and that South Australia would be a free and prosperous colony with no religious discrimination or unemployment. However, if our founders were still around, they would be so disappointed to learn that the unemployment rate in South Australia increased to 7.3 per cent despite the national rate falling to 5.7 per cent. South Australia has retained the worst jobless rate in the country.

In May 2017, South Australia was the only state to record a decrease in employment with 5,000 fewer people in jobs. The Labor government through mismanagement has wasted every opportunity this state has had to return to greatness. This Labor government is completely unable to manage the economy. What is worse is that they never take responsibility for the situation they have inflicted upon the people of South Australia. They are dishonest, delusional and negligent.

Never in South Australia's history has there been a government so scandalous, so incompetent and so arrogant. For the past 15 years, this Labor government has weakened our health system, mistreated our most vulnerable as seen in the Oakden Mental Health Facility saga, has wasted our state's resources, destroyed the reliability of the electricity grid and continues to keep South Australians in the dark.

In contrast, the Liberal Party under Steven Marshall is passionate about creating a better and brighter future for all South Australians. On 15 March 2016, the state Liberal leader, Stephen Marshall, released '2036', the state Liberal's long-term vision for South Australia. Through nine key policy areas, '2036' outlines our agenda and our plan for a better future for South Australians. If elected in 2018, a Marshall Liberal government will ensure that South Australia again leads the nation and has a stable and growing economy where our children can find jobs easily. We are committed to ending the brain drain.

When South Australia reaches its bicentenary anniversary (200 years) in 2036, we envisage that members coming to this place will be able to say that South Australia is once again leading the nation, rather than lagging behind, as we are now under this Labor government. Unlike Jay Weatherill, who constantly picks fights with the federal government and secures nothing, Steven Marshall would be committed to convincing the federal government to back his plans. South Australia is waiting eagerly for a Marshall Liberal government to be elected in 2018 so that it can turn this state's fortune around.

As a state, there is so much we need to do to grow our economy, ease cost of living pressures on families and increase the wellbeing of our people. Therefore, as we reflect on the last 180 years, we must also look ahead to where we want to be in the future and make the changes necessary to achieve that vision and prove that we are worthy to be the inheritors of the great free colony that was established since proclamation.

As a member of parliament with Malaysian-Chinese heritage and with the portfolio responsibility for multicultural affairs, small business and trade and investment, I am incredibly proud to see the ever-growing, ever-changing and ever-influential nature of the cultural and social diversity shaping and enriching the future development of South Australia. We have come a long way as we acknowledge the 180th anniversary of the proclamation of South Australia. Since proclamation, South Australia must remain true to its original ideals and continue to change for the better.

Each one of us has the opportunity to make a difference for South Australia. I urge honourable members to exercise their duties to preserve and celebrate the major political, social and cultural milestones that have been achieved in South Australia over the last 180 years. With those remarks, I commend the motion to the Legislative Council.

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

STATE DEBT

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

That this council notes the level of total state debt in South Australia since the early 1990s and the factors that have influenced that level of state debt.

(Continued from 17 May 2017.)

The Hon. R.I. LUCAS (17:57): I rise to conclude my remarks in relation to this issue. When I concluded, I was about to address the detail of the issue in relation to interest rate manipulation in the period leading up to the state election of 1989. I refer to the final report of the Royal Commission into the State Bank of South Australia. On page 290, I refer to the following comments:

As shown in earlier chapters, the issue arose in the context of a State election in 1985, and a federal election in 1987, when the Treasurer's information and advice led the Bank to defer any change to home-loan interest rates until after the elections.

A State election was again due towards the end of 1989, or at latest in early 1990. It was in fact held on 25 November 1989.

At the six-weekly meeting on 16 May 1989 the Bank, in the report routinely provided for such meetings, commented that interest rates were likely to stay high until December and might well rise by 0.5% before December. That prompted the Treasurer to remark that such a move would be 'very bad in the December quarter'. It is difficult to identify any factor other than the prospect of an election during that period, which could have prompted the remark. Mr Prowse understood that the Treasurer was seeking to discourage an interest rate rise in the December quarter.

A passing reference to the topic in the Bank's routine report for the six-weekly meeting of 28 August 1989 again excited attention. The Treasurer was then told that the Bank was borrowing money to fund housing loans at

rates above its housing lending rate, and that the position would not improve until after December 1989. Again, the Treasurer expressed concern at the prospect of an increase in home-loan interest rates.

On 15 September 1989 Mr Clark—

that is Mr Marcus Clark—

wrote to the Treasurer at the Board's direction advising him that continuing high interest rates were having an adverse impact on the profitability of the Bank, especially as the Bank was now having to borrow at 18.5% and lending for housing in South Australia at between 16.25% and 16.5%. The letter indicated that, at the current lending rate of $50 million per month, the loss on housing loans was increasing at the rate of $12 million per year, so that the Bank would soon be forced to increase its rates to 17% in line with other banks. The letter concluded that the Bank did not believe it could continue to subsidise home loans at a level of loss which would dramatically affect the Bank's profitability.

I interpose to reinforce the nature of that part of the commissioner's report. It is saying that treasurer Bannon was placing pressure on the bank in that period from May through to September. There was an election on 25 November. On 15 September, he was told that the bank was lending at 16.25 and 16.5 per cent and was actually having to borrow money at 18.5 per cent. It was undercutting its lending rates to the extent of almost half to three-quarters of a per cent at that particular time. The treasurer was being told that the bank was making very significant losses as a result of the decisions that they were taking and that the treasurer was urging them to take. I return to the report:

The Treasurer's response, almost certainly prompted by the letter, was to have his Economic Adviser, Mr Woodland, speak to Mr Simmons on 22 September 1989 and again on 25 September 1989 to express the Government's concern, and to endeavour to have Mr Simmons speak directly to the Treasurer on the topic. It is noteworthy that Mr Woodland spoke to the Chairman, Mr Simmons, rather than to Mr Clark who was the author of the letter and the appropriate person to speak for the Bank on such matters.

In the face of an accumulating trading loss of some $12 million per year on such business, there was no legitimate commercial reason to challenge what Mr Clark had said. The Bank, which was expected to be competitive, was shouldering the burden of additional unprofitable assets at the rate of $50 million per month or $600 million per year.

The advice was that there were unprofitable assets of $600 million per year as a result of the policy that the treasurer in the Labor government was urging upon the State Bank. Continuing:

Section 15 neither provides nor implies any mandate or authority for such a policy: quite the reverse. The other major banks, which were charging more realistic rates, would shrug with surprised content in observing the plight of their competitor.

Further on, the report says:

On 26 September 1989 the Chairman and Mr Clark met the Treasurer for a routine six-weekly meeting. The topic of interest rates was on the agenda. There is a range of emphases among those present at the meeting about how the topic was discussed, but it is clear on all accounts that Mr Clark vigorously stressed the need for the Bank to raise its interest rates—

this was about three months before the state election—

if it was to act commercially, and that it had to act commercially. It is also clear that the Treasurer requested the Bank to hold down its housing-loan interest rates for a time, consistent with the comment he had made at the meeting on 9 May 1989. It is a fair conclusion on the whole of the evidence that this made Mr Clark angry, and that indeed may be an understatement.

There are only two issues in real contention about what transpired at the meeting: the extent to which, if at all, the Treasurer's comments were made with some explicit reference to the anticipated election or to political sensitivities, and the extent to which, if at all, compensation was offered to the Bank to hold down its interest rates.

Mr Simmons said that he was told by the Treasurer at the meeting that an interest rate rise would be politically undesirable—

This is the chairman of the bank saying, at the meeting, that treasurer and premier Bannon was pressuring the bank, even in light of the fact that they were losing money hand over fist during that particular period, to say that an interest rate rise was politically undesirable for the Labor government of the day—

and that he (the Treasurer) would like the Bank to hold its rates 'for a couple of months'—

he clearly had the election in mind, which was on 25 November 1989—

that he (Mr Simmons) was responsive to the request despite Mr Clark's attitude, and that he told the Treasurer he would take the request to the Board. Mr Bannon in evidence did not agree that he had used such words, or that their import should be attributed to him and he specifically denied that he had commented about the forthcoming election at all. He said that he had not then fixed the date of the election, which could still have been held in the first quarter of 1990. Mr Simmons' clear recollection was that the possibility of compensation was also adverted to at that meeting and Mr Clark confirmed Mr Simmons' recollection on this aspect, but Mr Bannon did not recall the issue of compensation being raised. Mr Woodland, however, did recall the issue of compensation—

I interpose here: Mr Woodland was actually Mr Bannon's economic adviser, his own staffer—

arising this time prior to the Reserve Bank's announcement of a subsidy for the nationally operating banks, made on 28 September 1989, and he described the meeting as being an 'argument' about whether the Bank should put up rates at that time. He did not recall the election being mentioned, although it was of concern to him and he knew it was of concern to the Treasurer.

Further on:

> At the Board meeting on 28 September 1989, the Board decided to freeze housing-loan interest rates for a time which ultimately was to 31 December 1989…

Conveniently, one month after the state election in November 1989. Without quoting all of the minutes, the section of the minutes states:

> It was agreed that the Group Managing Director should again contact the Premier and advise that where any two major banks, being ANZ and NAB, Westpac and Commonwealth, were to increase their rates, then State Bank would also increase its rates. The Bank would, however consider deferring any increases pending satisfactory arrangements with the Treasury and on the basis that an appropriate proposal be in place by 10 October 1989…

Clearly, that is a reference to the issue of compensation being paid by the government to the bank to keep their interest rates down at least until after the state election in November 1989. Further on in the report the commissioner says:

> On 2 October 1989—

so this is now about seven weeks before the election—

Mr Clark met with the Treasurer and Mr Woodland to discuss the possibility of the Bank receiving the suggested subsidy to compensate it for revenue that would be forgone by holding interest rates at their existing level. By then there was little risk of the major banks needing to increase their lending interest rates, which were now 'cushioned' by the Reserve Bank's decision.

> The Treasurer agreed in principle to the Bank's proposal and refer the matter to Treasury to negotiate a solution.

> On 26 October 1989—

about four weeks before the election—

the board considered a paper dated 20 October 1989 presented by Mr Clark, headed 'Profit 1989/90 Year'. The paper, in discussing the fact that Bank was operating below budgets, specifically stated that one factor affecting the bank's profitability was its inability to cover the cost of funds borrowed to provide 'below margin' housing loans. It noted that the Bank's failure to increase interest rates on home lending was founded upon the Bank's mandate to provide affordable housing to South Australians and political sensitivities approaching an election...

So, this is actually in a board paper and it is referring to the fact that the reason they were going on losing money in terms of their lending practices was because of political sensitivities approaching an election. He continues:

> On 31 October 1989 Mr Clark met with Mr Prowse and discussed, among other things, the quantification of the subsidy for not increasing housing interest rates. The timing of this meeting was important as Mr Clark, implementing the Board's decision, was conscious of the need to have some arrangement confirmed with Treasury prior to the election on 25 November 1989. His note of the meeting is quite explicit:
>
> > I also explained to Mr Prowse that from the housing loan issue, the Bank is in a very strong position to see this matter resolved in the next few weeks, but has no bargaining power once the election is over.

The bank is making it quite clear that it is looking for a secret payment from the government in the period leading up to the election to help the government out by keeping interest rates low, or lower, during the election of 1989, but that they knew they only had leverage whilst it was a period leading up to the election and they needed this deal to be sorted out before the election was held because their bargaining power would be gone once the election was held. He continues:

> Shortly thereafter, an arrangement was made for the bank to receive $2 million as compensation.
>
> On 13 December 1989—

soon after the election—

the Board considered a paper presented by Mr Paddison dated 11 December 1989 upon which it resolved—

surprise, surprise—

to increase interest rates from 16.5% to 17% effective from the 1 January 1990. The paper contained the following assertions:

> This matter was discussed at the Board meeting of 28th September 1989. As a result of that discussion and given the sensitivity of the issue in the context of the then forthcoming State Election, it was agreed not to increase interest rates at that time…
>
> With the State Election now completed it is appropriate for the Bank to reconsider its housing rate. We have held our rates at 16.5% for approximately five months longer than our major National Operating Bank competitors. This is causing us to forego approximately $300,000 of interest per month.
>
> In the current profit environment and with little immediate prospect of a further fall in interest rates, it is considered essential that we achieve market parity immediately. Interest funding costs are not dropping and home loans are currently being written at a marginal loss to the Bank.

So, immediately after the election of 25 November, or two or three weeks after the election, the board, on 13 December, votes to increase interest rates and in the board paper and the minutes notes that they had held the interest rate increases down as a result of the forthcoming state election and political sensitivities at the time. The royal commissioner's findings continue:

> Mr Simmons agreed that these assertions were correct, and although the minutes cannot of themselves be held to bind Mr Bannon to the Bank's version of the events, there is ample support in the evidence of the contemporaneous events for the substantial accuracy of the minutes.
>
> It is plain from the above that, whether or not the election had been announced, Mr Simmons and Mr Clark and the Board all understood that the Treasurer's comments at the meeting of 26 September 1989 were in the context of an imminent election, and that their understanding was shared by Mr Bannon's advisers.
>
> The evidence does not warrant an affirmative finding that Mr Bannon himself made a proposal at this meeting in terms of a categorical request for political favours. But he knew that the proposal to hold interest rates involved the Bank acting to its financial detriment in a way which would avoid political odium and might well attract support to his Government; and he could not have failed to realise the Bank Board was alive to that implication. The intense interest of his Economic Adviser, Mr Woodland, supports that view, and Mr Emery's specific recollection that the political implications were mentioned also tends to confirm that view of the facts. To the extent that differing versions of the conversation are inconsistent with that finding, they simply reflect the different perspectives of the individuals concerned.
>
> In his letter to the Bank of 24 November 1989 Mr Prowse—

this is the day before the election—

in dealing with a range of issues, proposed, for no attributed reason, that $2 million of the Bank's indebtedness to SAFA be forgone. Mr Simmons' letter in reply of 14 December 1989 is equally oblique. Mr Prowse's minutes to the Treasurer of 11 and 19 January 1990 are of parallel obscurity:

> Within the wide-ranging discussions on the financial structure of the Bank it was agreed with the Bank—subject of course to your approval—that SAFA would now forgo $2 million of indebtedness, representing a 'remnant of an earlier transaction—[relating to restructuring of housing finance]—the details of which are not significant'.

This is Treasury-speak, which makes no reference, of course, to political sensitivities or anything. They were much more sensitive to the issues that were alive at the time than the State Bank board and the minutes were, clearly. Further on:

> Subject to approval by the Treasurer, that was 'our proposed resolution of one outstanding matter'.

The commissioner concludes:

> There are two important footnotes to this episode:
>
> - There is clear evidence before the Commission that in media statements and electoral advertisements and 'propaganda' prior to the election, it was the Government that claimed credit for holding down interest rates.

- The manner in which the compensation to the Bank was agreed and paid can only be described as surreptitious. The Bank itself had stipulated 'no publicity' and the manner in which the payment was made was such as to minimise the risk, whether or not intentional, of public disclosure of the arrangement.

There is much, much more, and time does not permit me to go through all of that detail, but that is the brutal reality of what was going on at the time. I listed last week the examples of the 1985 state election and the 1987 federal election, but the most obscene example of political manipulation of an interest rate issue and responsibility in part for the State Bank collapse are as a result of those comments from the State Bank report.

Put in its most simple and most brutal fashion, we had a situation where interest rates were in the order of 16 per cent, 17 per cent and 18 per cent in the period leading up to the 1989 state election. From May through to November, treasurer Bannon, on behalf of the Labor government, was pressuring the State Bank of South Australia to not increase interest rates because of the political odium that would descend upon the then Labor government.

When the bank resisted that in the early stages, what was arrived at was a secret $2 million payment to the bank for them to keep quiet about it and for them to not increase interest rates in the period leading up to the election, only to increase the interest rates immediately after the election, and for all that period, premier Bannon, the Labor Party and the Labor government at that particular time claimed credit for keeping interest rates low in South Australia. That is the brutal reality of what was going on with the State Bank and the Labor government at the time.

I will not brook any of the attempts to whitewash the history in relation to the Labor Party's responsibility. I have heard some commentators and others saying that it was an independent body, they made these decisions unrelated to the Labor government administration, it just happened to be unlucky that the Labor Party was there at that time. We have all heard those stories in justification, attempting to whitewash the circumstances of the State Bank debacle in South Australia.

The brutal reality is that the dirty hands of the Labor Party and the Labor government were all over the State Bank in relation to these interest rate issues. The brutal reality was that the premier at the time, the treasurer at the time, senior advisers at the time and the cabinet at the time were actively engaged in trying to manipulate interest rates in the period leading up to the 1989 election, at the financial cost of the State Bank of South Australia, for the political benefit of the Labor government. The reality is that in today's climate such a circumstance would have ended up in front of an ICAC. An ICAC, of course, did not exist in those days.

As I said at the time, the issue of ministerial accountability is now being rewritten by Premier Weatherill, minister Snelling, minister Vlahos and others in refusing to accept responsibility in relation to Oakden and issues like that. In this case, the responsibility rested with the Labor government. Ultimately, because it became untenable, premier Bannon did resign his position and hand over to incoming premier Arnold. It was only when, eventually, it became too much that it was impossible for him to continue.

With the first announcement of the State Bank bailout, premier Bannon said he would fight on and continue to fight the battle on behalf of the government but, ultimately, the evidence was too overwhelming and he did accept responsibility and resign his position. At least to that extent he can be contrasted to the position of Premier Weatherill, minister Vlahos, minister Snelling and others in the current environment.

As I said at the outset, it has been many years since the State Bank. I have seen people and heard people trying to rewrite history. There are many members of this parliament who perhaps were not active, some perhaps not even born, at the time of the debacle of 1989, leading through to 1993. I want to place on the record for those new members, newer members and those to be elected in 2018, the sad and sorry history of this Labor government. That was the previous one; on other occasions and in other motions we can document the obscenities and atrocities committed by the current Labor government under Premier Weatherill.

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

Bills

STATUTES AMENDMENT (HEAVY VEHICLES REGISTRATION FEES) BILL

Introduction and First Reading

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

HEALTH PRACTITIONER REGULATION NATIONAL LAW (SOUTH AUSTRALIA) (MISCELLANEOUS) AMENDMENT BILL

Second Reading

The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (18:19): I move:

That this bill be now read a second time.

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

Leave granted.

The *Health Practitioner Regulation National Law (South Australia) Act 2010* sets out the legislative provisions for the operation of the National Registration and Accreditation Scheme. This National Scheme provides for the registration of practitioners across 14 health professions across Australia and the regulation of these practitioners under nationally consistent registration standards and codes for their professions. As at 30 June, 2016 53,119 health practitioners in South Australia were registered under the National Scheme.

The Act also covers the regulation of other related matters in South Australia that are not part of the National Scheme. These matters include the registration of pharmacy premises and pharmacy depots, and provisions to ensure that optical appliances are prescribed by qualified persons only.

The Amendment Bill before the House today makes changes to the Act to give effect to:

- simplifying the regulatory requirements for manufacturers and retailers of ready-made spectacles; and
- the merger of the CrimTrac Agency with the Australian Crime Commission.

I will now outline these changes in detail for the benefit of Members.

Simplifying the regulatory requirements for manufacturers and retailers of ready-made spectacles

Part 5 of the *Health Practitioner Regulation National Law (South Australia) Act 2010* includes provisions for the regulation of optical appliances in South Australia. This includes spectacle lenses and contact lenses. Any optical appliance cannot be sold in South Australia unless it is prescribed by an optometrist or ophthalmologist. This is to ensure that the optical appliance is to the right strength to correct the eye defect and fitted properly. If this does not occur there is the potential for damage to the eye that may lead to blindness.

However, if glasses are purely for magnifying, commonly called ready-made spectacles, they can be sold without a prescription provided that a warning label is attached to the glasses stating that they are not prescription glasses, and recommending that the purchaser should consider an eye examination by an optometrist for an assessment. There may be underlying medical reasons such as glaucoma and macular degeneration that may be causing difficulty in reading, which if left untreated, may lead to blindness. The purpose of the warning label is to alert the purchaser to consider an examination to determine whether there is an underlying eye problem which is contributing to their vision difficulties.

The Act currently requires the warning label to be affixed to the glasses in a prescribed manner. Previous regulations have prescribed the warning label to be affixed by cotton twine. In drafting a new regulation to prescribe the warning label it was considered that prescribing the attachment of the warning label by cotton twine may be an unnecessary impost on businesses, particularly if they have come up with an alternate method that is more cost-effective such as adhesive sticker on the lenses or plastic tie attached to the frames.

The intent of the regulation is only to ensure that the purchaser is aware that the ready-made glasses are not prescription glasses, and that they are only a temporary fix to their vision problems. As long as this warning label is attached to the glasses at the point of sale, and in such a manner that the purchaser needs to physically remove the label, then the objective of the legislation is met. The amendment before Parliament removes the requirement about the manner in which the warning label is to be affixed to the ready-made spectacles.

Optometry South Australia has been consulted on this revised provision and supports the proposed amendment.

The merger of the CrimTrac Agency with the Australian Crime Commission

This amendment is a minor and technical amendment to give effect to the merger of the CrimTrac Agency with the Australian Crime Commission.

The *Health Practitioner Regulation National Law* used the CrimTrac Agency to receive criminal history information to determine whether a person is 'fit and proper' to practise as a health practitioner in Australia. The National Law also provides that a health profession regulatory board may at any time request the criminal history of an individual practitioner. Section 79 of the *Health Practitioner Regulation National Law (South Australia) Act 2010* authorises the South Australian Commissioner of Police to provide a criminal history report when requested to a health profession regulatory board, the CrimTrac Agency or another police force or service of the Commonwealth or another State.

The proposed amendment changes all references from the CrimTrac Agency to the Australian Crime Commission as the authority to provide the criminal history reports. While references to the CrimTrac Agency in the *Health Practitioner Regulation National Law* will be amended later this year the Minister for Health has decided to progress the corresponding amendments in the National Law as it applies in South Australia to remove any doubt that the Australian Crime Commission is the authority to provide criminal history information now that the CrimTrac Agency no longer exists. This is an appropriate course of action to ensure that the South Australian public is protected from persons that are not of good character to practice.

I commend the Bill to Members.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

3—Amendment provisions

These clauses are formal.

Part 2—Amendment of *Health Practitioner Regulation National Law (South Australia) Act 2010*

4—Amendment of section 74—Unauthorised dispensing of optical appliances

This clause amends section 74(2)(d) to remove the requirement that a prescribed warning is attached to the glasses in the prescribed manner. The requirement on amendment will be that a prescribed warning is attached to the glasses at the time of sale.

5—Amendment of section 79—Commissioner of Police may give criminal history information

This clause amends section 79 to update the reference to CrimTrac to the Australian Crime Commission established under the *Australian Crime Commission Act 2002* of the Commonwealth.

6—Amendment of Schedule 2—Health Practitioner Regulation National Law

This clause amends the Health Practitioner Regulation National Law to update references to CrimTrac to the Australian Crime Commission established under the *Australian Crime Commission Act 2002* of the Commonwealth and to delete the definition of CrimTrac.

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

SUMMARY PROCEDURE (SERVICE) AMENDMENT BILL

Second Reading

The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (18:20): I move:

That this bill be now read a second time.

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

Leave granted.

Today I am introducing the Summary Procedure (Service) Amendment Bill 2017 (the Bill).

The purpose of this Bill is to amend the *Summary Procedure Act 1921* (the Act) to achieve efficiencies in the criminal justice sector by facilitating greater use of electronic communications in relation to documents required for court proceedings and introducing other efficiencies related to the service of documents. This Bill will have a positive impact on the community and those within the criminal justice sector. It will remove barriers and facilitate the greater

use of electronic communications. Information will be able to be provided in a more timely manner, and will contribute to a more efficient use of resources.

The Bill has been drafted on the basis that it is to commence after the Summary Procedure (Abolition of Complaints) Amendment Act 2016 and Part 8 of the Statutes Amendment and Repeal (Simplify) Act 2017.

The provisions of the Act are invoked whenever a criminal prosecution is commenced in the State. At different stages of proceedings, the Act requires the filing in Court and the exchange by the parties of a number of documents. This includes the provision by the prosecution, under section 104 of the Act, of a brief of documents to the defence prior to a committal hearing.

The Bill seeks to be proactive and amend the Act generally in anticipation of current and future efficiency initiatives that would rely on electronic communications. As technology has become an integral part of everyday life, it is important that the criminal justice system be able to keep pace with the use of technology, and take advantage of the efficiencies that technology allows. There is clear public value in the criminal justice system being efficient whilst also preventing disadvantage to those without ready access to electronic methods of communication. The proposed amendments in the Bill would have the effect that general provisions in the Act for the serving or giving of documents and other material would allow electronic methods to be used, providing the method chosen is one that is readily accessible to the recipient and the document is able to be printed by them. Exclusions from particular methods of delivery, if any, are to be provided in an Act, regulations or Magistrates Court rules.

The reforms in the Bill are required to facilitate current projects being developed by the Government. One such project is to provide an electronic process for provision of committal documents to the defence under section 104 of the Act as a resource-saving alternative to SAPOL providing often voluminous hardcopies of documents to the defence.

The major provision of the Bill is the amendment of section 27 of the Act. The amending clauses are lengthy and technical. Briefly, their effect is that, subject to an Act, regulations or Court rules, any document to be given to a person (including a prosecution brief to be given to the defence under section 104 in respect of committal proceedings) can be:

1. given to the person personally;

2. left at or posted to the person's last known residential or business address, or if a body corporate, its registered address;

3. sent to a fax number or email address provided for the purpose of the particular proceedings by the person or their legal representative;

4. made available to the person by other electronic means, including:

   a) sending the document to an Internet address provided for the purpose by the person or their legal representative; or

   b) sending to an email address provided by the person or their legal representative a link to an Internet address from which the document may be accessed or downloaded; or

   c) by means of a data storage device from which the document can be accessed or downloaded;

   d) other means that may be prescribed in regulations or rules.

It will only be possible to give a document by fax, email or other electronic means if it has been previously ascertained that the intended recipient will be readily able to access or download (and if necessary print) the document. The requirement that the person must be able to access or download the document, and print if required, protects those persons who do not have ready internet access, or who may have access to the documents, but would not be able to print them for use, or who are unrepresented. This aspect of the Bill is modelled on similar provisions in the *Electronic Transactions (Legal Proceedings) Amendment Act 2016*.

Related amendments are made to the *Electronic Communications Act 2000* (currently the *Electronic Transactions Act 2000*) to change the word 'dispatch' to 'transmission' in respect of electronic communications. This aligns with language used in new section 27.

The Bill also amends section 57A of the Act to permit the defendant or their counsel to file in the Magistrates Court a guilty plea by an online process. However, they will continue to be able to file a guilty plea in writing under section 57A, should they choose.

Consequential amendments are made to other provisions of the Act to support the changes to sections 27 and 57A.

Other amendments made by the Bill are consistent with the aim to produce efficiencies in Court proceedings. Section 22 is amended by the Bill to change its current prescriptive terms and permit the Magistrates Court to make rules to provide for summonses for the appearance of defendants. The rules will enable the Court to stipulate, among other things, the form that a summons is to take, its contents, who may issue the summons and the manner in which the summons is to be given to the defendant. Consequential amendments are made to section 57. These amendments

are intended to facilitate a project being developed by SAPOL and the Magistrates Court for SAPOL to be able to issue and serve a summons at the point where an alleged offender is detected and reported for an offence. It will no longer be necessary in these cases for SAPOL to obtain a summons issued by the Court, which may occur considerably later, and then attempt to locate the alleged offender to serve them with the summons. The existing process of prosecutorial oversight of offences reported and brought to court via a summons process will continue to apply where an on-the-spot summons is issued by police. As is currently the case with reported matters, the investigating officer's supervisor, the brief quality control officer and then members within SAPOL's prosecution function will provide an assessment of the matter.

At the request of the Chief Magistrate, amendments were inserted in the Bill to sections 27C, 62B and 62C of the Act, as well as other consequential amendments. Sections 27C, 62B and 62C deal with the powers of the Magistrates Court to sentence a person who has been convicted, or has pleaded guilty, but is not currently before the Court. Currently, under these provisions, there are certain penalties that the Court cannot impose in the defendant's absence, including disqualifying the defendant from holding a driver's licence, and under section 27C the Court cannot take unproven prior convictions into account, without the Court first adjourning the hearing to permit the defendant to be served with a notice. The amendments inserted would permit the Court to avoid having to adjourn the proceedings if the defendant had been previously personally served with a summons that contains information as to the consequences that may follow if the defendant is convicted of the relevant charge, and consequential amendments are made to section 22 to facilitate this. This measure will introduce efficiencies in the Court without prejudicing a defendant who is not before the Court during sentencing. These amendments will apply to any offence capable of being dealt with by the Magistrates Court where the proposed sentence or penalty is either a term of imprisonment, disqualification from holding or obtaining a driver's licence or a payment of compensation greater than the amount specified in the relevant information.

The Bill also amends the Act to enable the Magistrates Court, where proceeding in a defendant's absence under section 27C of the Act, to order payment of compensation if SAPOL have specified the amount of compensation sought in the information served on the defendant.

An amendment is made to section 99E of the Act, which is a provision regarding service of paedophile restraining orders and child protection restraining orders made by the Magistrates Court under sections 99AA and 99AAC. Under section 99E, these restraining orders must currently be served personally on the defendant in order to be binding. Under the proposed amendment, where reasonable efforts to effect personal service of the restraining order have failed, the Court can order service in such other manner as it thinks fit. Also, if the order as amended or varied is more favourable to the defendant, the Court may declare that the amendment or variation is to be binding on the defendant as from the day of the declaration or such other day as the Court specifies. These proposed amendments align section 99E with similar provisions in section 81 of the Act regarding non-association and place restriction orders. A further amendment to section 99E aligns section 99E with as yet uncommenced provisions of the *Intervention Orders (Prevention of Abuse) Act 2009* and deems a restraining order to be served if the defendant were present in Court when the order was made. This will avoid the expense and effort of serving the order on individuals, some of whom may no longer be in the Court precincts, but who are already aware that the orders have been made against them.

The opportunity has also been taken to amend sections 99A, 99AAC, 99C, 99G and 99J relating to paedophile restraining orders and child protection restraining orders so that they may be commenced by the making of an application to the Magistrates Court rather than the laying of an information. These amendments are technical only and do not alter the operation of the provisions.

I commend the Bill to Members.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

3—Amendment provisions

These clauses are formal.

Part 2—Amendment of *Summary Procedure Act 1921*

4—Amendment of section 4—Interpretation

It is proposed to amend this section to insert a new subsection that provides that, subject to the rules of the Magistrates Court, for the purposes of the principal Act—

- a reference to a summons, notice or other document, or documentary material, being served personally includes service by means described in section 27(1)(a) and (b); and
- a reference to a summons, notice or other document, or documentary material, being served by post includes service by means described in section 27(1)(c), (d) and (e).

5—Substitution of section 22

It is proposed to repeal section 22 and replace it with a new section (Rules in respect of summonses) that provides that the Magistrates Court may make rules to provide for summonses for the appearance of defendants.

6—Substitution of sections 27 and 27A

Sections 27 and 27A are to be repealed and replaced with a new section 27.

27—Service

The substituted section 27 provides for the means by which a summons, notice or other document required or authorised to be issued, given or sent to, or served on, a person may be served, including by being given personally or by post to the person or, in the case of particular proceedings, by various electronic means.

7—Substitution of sections 27B and 27C

As a consequence of proposed new section 27, current sections 27B and 27C are to be repealed and substituted.

27B—Hearing on a written plea of guilty

New section 27B provides that, if an information and summons in the form required by the rules under section 57A is served on the defendant named in the summons in accordance with the rules and the defendant fails to appear in obedience to the summons but pleads guilty in writing to the offence to which that summons relates, the Magistrates Court may proceed to deal with the matter in the manner provided by sections 62B and 62C.

27C—Hearing if defendant fails to appear

New section 27C provides that, subject to the section, if a summons is served in accordance with section 27 on the defendant named in the summons and either the defendant fails to appear in obedience to the summons or the defendant fails to plead guilty in the manner provided for under section 57A to the offence to which the summons relates. In that situation, the Magistrates Court may proceed in the absence of the defendant to the hearing of the information to which the summons relates (and, despite section 62C, adjudicate the matter as if the defendant had personally appeared in obedience to the summons) or order that the information be heard in the absence of the defendant and adjourn the hearing (and, on the adjourned hearing, proceed in the manner provided for in paragraph (c) of subsection (1)).

On conviction after a hearing under subsection (1), the Magistrates Court must not—

(a) impose any penalty other than a fine; or

(b) disqualify the defendant from holding or obtaining a licence to drive a motor vehicle; or

(c) treat the offence as other than a first offence unless the informant proves that the defendant has previously been convicted of such an offence; or

(d) make an order for payment of compensation of an amount that exceeds an amount specified in the information,

unless—

(e) the summons was given personally to the defendant; or

(f) —

(i) the Court has first adjourned the hearing of the information to a specified time and place; and

(ii) the defendant is personally served, not less than 14 days before the time to which the hearing has been adjourned, with a notice informing the defendant of—(A)the conviction; and(B)the time and place to which the hearing has been adjourned; and(C)the provisions of section 76A; and

(iii) the defendant does not, within 14 days after the date of service of the notice on the defendant, apply in accordance with section 76A, for an order setting aside the conviction.

8—Amendment of section 57—Issue of summons by Magistrates Court

The proposed amendments to this section 57 are consequential on the changes proposed by new section 22 which will allow for the Magistrates Court rules to provide for the manner in which and by whom a summons may be issued.

9—Substitution of section 57A

It is proposed to repeal current section 57A and substitute a new section.

57A—Rules may make provision for written guilty pleas

New section 57A provides that the Magistrates Court may make rules to provide for a person against whom an information has been laid for an offence that is not punishable by imprisonment (either for a first or subsequent offence) to elect to plead guilty to the offence without appearing in the Court in obedience to a summons.

A defendant who returns a form in which the defendant pleads guilty in accordance with the rules need not attend the Court as directed by the summons.

If a defendant who has been served with forms of information and summons in accordance with the rules fails to return a form pleading guilty in accordance with the rules, and fails to appear in obedience to the summons, the Court may, subject to section 62B, proceed to exercise its powers under section 62(1)(a) or (b).

This section does not apply in relation to a defendant who is a child within the meaning of the *Young Offenders Act 1993* except where the defendant—

(a) is of or above the age of 16 years; and

(b) is charged with an offence under the *Road Traffic Act 1961*.

10—Substitution of sections 62B, 62BA and 62C

It is proposed to repeal current sections 62B, 62BA and 62C and substitute new sections.

62B—Powers of Magistrates Court on written plea of guilty

New section 62B sets out the powers of the Magistrates Court that apply when a defendant fails to appear in obedience to a summons but has given the Court, in the manner and form prescribed by the rules made under section 57A, a form pleading guilty.

62BA—Proceedings where defendant neither appears nor returns written plea of guilty

New section 62BA sets out how the Magistrates Court may proceed if, in any proceedings under the Act—

(a) an information has been laid against a defendant; and

(b) the defendant has been duly served with a summons but—

(i) does not appear at the time and place appointed for the hearing or determination of the information or at a time and place at which the information is subsequently heard or determined; or

(ii) in the case of an information and summons served under section 57A—the defendant neither appears nor pleads guilty in the manner provided under that section.

The section provides that the Court may proceed to adjudicate on the information in the absence of the defendant in accordance with current section 62, and in so doing regard any allegation contained in the summons, or information and summons, (as served on the defendant) as sufficient evidence of the matter alleged.

62C—Proceedings in absence of defendant

New section 62C sets out the powers of the Magistrates Court where a defendant fails to appear in obedience to a summons and is convicted (whether on a plea of guilty under section 57A or after a hearing in the defendant's absence).

11—Amendment of section 99AA—Paedophile restraining orders

12—Amendment of section 99AAC—Child protection restraining orders

13—Amendment of section 99C—Issue of restraining order in absence of defendant

All of the amendments proposed to sections 99AA, 99AAC and 99C are of a technical nature only and relate to, or are consequential on, the commencement of proceedings to obtain from the Magistrates Court a restraining order by making of an application to the Court rather than by laying an information before the Court.

14—Substitution of section 99E

99E—Service

The amendments proposed in new section 99E in relation to service of a restraining order on a defendant are consistent with changes proposed to be made in relation to the service of intervention orders

under the *Intervention Orders (Prevention of Abuse) Act 2009* and will deem that service on a defendant occurs if—

(a) the order is served on the defendant personally; or

(b) the order is served on the defendant in some other manner authorised by the Magistrates Court; or

(c) the defendant is present in the Magistrates Court when the order is made, amended or varied (as the case requires).

15—Amendment of section 99G—Notification of making etc of restraining orders

16—Amendment of section 99J—Applications by or on behalf of child

The amendments proposed to sections 99G and 99J are of a technical nature only and relate to, or are consequential on, the commencement of proceedings to obtain from the Magistrates Court a restraining order by making of an application to the Court rather than by laying an information before the Court.

17—Amendment of section 104—Preliminary examination of charges of indictable offences

These proposed amendments are consequential.

Schedule 1—Related amendments to *Electronic Communications Act 2000*

1—Amendment of section 4—Simplified outline

2—Amendment of section 13—Time of transmission

3—Amendment of section 13B—Place of transmission and receipt

Each of the amendments proposed in Schedule 1 will substitute 'transmitted' or 'transmission' for 'dispatched' or 'dispatch', consistent with the amendments proposed to the *Summary Procedure Act 1921* in Part 2 of the measure.

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

STATUTES AMENDMENT (NATIONAL POLICING INFORMATION SYSTEMS AND SERVICES) BILL

Second Reading

The Hon. K.J. MAHER (Minister for Employment, Minister for Aboriginal Affairs and Reconciliation, Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Science and Information Economy) (18:20): I move:

That this bill be now read a second time.

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

Leave granted.

The Commonwealth merged CrimTrac and the Australian Crime Commission on 1 July 2016. The new merged body commenced operation on 1 July 2016. The new body is known as the Australian Criminal Intelligence Commission (though legally it is the 'Australian Crime Commission'). The merger resulted in a new scheme for the use and exchange of policing information between Australian jurisdictions. This new scheme also commenced operation on 1 July 2016.

The Statutes Amendment (National Policing Information Systems and Services) Bill 2017 makes consequential amendments to several Acts to update references to the new merged agency and reflect the new scheme for the use and exchange of policing information. The Bill amends the *Children's Protection Act 1993*, the *Criminal Law (Forensic Procedures) Act 2007*, the *Disability Services Act 1993* and the *Spent Convictions Act 2003*. The Bill is technical in nature.

The Government is keen to facilitate the exchange of policing information between jurisdictions. There is an obvious need in a modern context for the accurate, swift and effective exchange of policing information between Australian law enforcement and other agencies, notably in situations such as terrorism, serious and organised crime, domestic violence and child protection.

CrimTrac was established under an Intergovernmental Agreement (IGA) between the Commonwealth, States and Territories. A new IGA now exists to support the merger and reflect the changed agency arrangements and the new regime to share policing information. South Australia has signed this new IGA.

CrimTrac was a partnership between State, Territory and Commonwealth police forces. It provided police (and other agencies); whether frontline staff, investigators, intelligence or undertaking other functions, with information sharing services. While the majority of CrimTrac systems were available to most police, some of CrimTrac's systems

(such as relating to child exploitation material) were restricted to specialist investigators and forensic specialists. CrimTrac had a transactional focus. CrimTrac supported police agencies to input, export and share data. Additionally, CrimTrac built and hosted systems such as the National Automated Fingerprint Identification System, National Child Offender System, National Investigative DNA Database, the Australian Cybercrime Online Reporting Network, the Australian Ballistic Identification Network and the Child Exploitation System which provide operational capability to State, Territory and Commonwealth law enforcement agencies. The new post 1 July 2016 scheme largely replicates the previous scheme.

The merger, though a Commonwealth operational issue, raised other implications for South Australia, notably in the new scheme for the exchange of policing information. As an interim solution in South Australia, the *Disability Services (Assessment of Relevant History) Variation Regulations 2016* and the *Children's Protection Variation Regulations 2016* came into operation on 1 July 2016. These Regulations ensured South Australia's continued unimpeded short term involvement in the national policing information scheme after the merger.

The purpose of the merger is to support operational effectiveness and enhance law enforcement and national security benefits and the provision of timely, accurate and cogent information to law enforcement and other agencies. The Commonwealth has summarised the benefits as:

> 'having a unified resource would enrich the national understanding of criminal activity, including volume crimes (such as domestic violence) and serious and organised crime and terrorism. The merger of the agencies would improve the quality, access and timeliness of intelligence provided to law enforcement and intelligence agencies and would allow police, justice agencies and policy makers at all levels of government to adopt a more effective, efficient and evidence-based response to crime.'

The use and benefits of the information scheme extends beyond law enforcement to supporting the State's legislative child safe and disability environment provisions as a broad range of both government and non-government organisations that provide services to children and certain persons with disability must ensure that a relevant history assessment is conducted for any person who will be performing a prescribed function.

The Statutes Amendment (National Policing Information Systems and Services) Bill 2017 supports the new scheme for the swift, accurate and effective exchange of policing information between Australian jurisdictions.

I commend the Bill to Members.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Amendment provisions

These clauses are formal.

Part 2—Amendment of *Children's Protection Act 1993*

3—Amendment of section 8BA—Obligations of certain performers of prescribed functions in respect of relevant history

This clause amends section 8BA to update the reference to CrimTrac to the Australian Crime Commission (the *ACC*) established under the *Australian Crime Commission Act 2002* of the Commonwealth.

Part 3—Amendment of *Criminal Law (Forensic Procedures) Act 2007*

4—Amendment of section 41—Commissioner may maintain DNA database system

This clause amends section 41 to update references to CrimTrac to the Australian Crime Commission (the *ACC*) established under the *Australian Crime Commission Act 2002* of the Commonwealth.

Part 4—Amendment of *Disability Services Act 1993*

5—Amendment of section 5C—Obligations of certain performers of prescribed functions in respect of relevant history

This clause amends section 5C to update the reference to CrimTrac to the Australian Crime Commission (the *ACC*) established under the *Australian Crime Commission Act 2002* of the Commonwealth.

Part 5—Amendment of *Spent Convictions Act 2009*

6—Amendment of section 3—Preliminary

This clause deletes the reference to the CrimTrac Agency that is listed in the definition of *justice agency* for the purposes of the Act.

Schedule 1—Transitional provisions

1—Preliminary

This clause provides a definition of CrimTrac for the purposes of the transitional provisions in clauses 2 and 3.

2—Transitional provision—*Children's Protection Act 1993*

This clause provides that a criminal history report prepared by CrimTrac or a CrimTrac accredited agency or broker will, for the purposes of section 8BA of the *Children's Protection Act 1993* as in force after the commencement of Part 2 of this Act, be taken to be a criminal history report prepared by the ACC.

3—Transitional provision—*Disability Services Act 1993*

This clause provides that a criminal history report prepared by CrimTrac or a CrimTrac accredited agency or broker will, for the purposes of section 5C of the *Disability Services Act 1993* as in force after the commencement of Part 4 of this Act, be taken to be a criminal history report prepared by the ACC.

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

At 18:21 the council adjourned until Thursday 1 June 2017 at 11:00.