LEGISLATIVE COUNCIL

Thursday, 15 November 2018

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

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

Parliamentary Procedure

SITTINGS AND BUSINESS

The Hon. R.I. LUCAS (Treasurer) (11:01): I move:

That standing orders be so far suspended as to enable petitions, the tabling of papers and question time to be taken into consideration at 2.15pm.

Motion carried.

Bills

INDEPENDENT COMMISSIONER AGAINST CORRUPTION (INVESTIGATION POWERS) NO 2 AMENDMENT BILL

Introduction and First Reading

The Hon. R.I. LUCAS (Treasurer) (11:02): Obtained leave and introduced a bill for an act to amend the Independent Commissioner Against Corruption Act 2012. Read a first time.

Second Reading

The Hon. R.I. LUCAS (Treasurer) (11:03): I move:

That this bill be now read a second time.

This bill amends the Independent Commissioner Against Corruption Act 2012, the ICAC Act, to address the government's commitment to address the need for transparent justice in South Australia when investigating serious or systemic maladministration and misconduct in public administration. In short, the bill clarifies how the Independent Commissioner Against Corruption investigates matters raising potential issues of serious or systemic misconduct and maladministration in public administration and, importantly, will provide the commissioner with the discretion to hold public hearings into matters.

It should be emphasised that the amendments do not affect anything in the ICAC Act relating to investigations into corruption. Neither the government nor the commissioner support open hearings into such investigations. Under the current convoluted scheme, the commissioner's power to investigate misconduct or maladministration is provided by reference to the Ombudsman Act 1972. The Ombudsman has the powers of a commission, as defined in the Royal Commissions Act 1917. However, that power is curtailed by section 18(2) which requires investigations to be carried out in private.

Because the commissioner is both the investigator and the decision-maker in these types of investigations, persons whose rights, interests or legitimate expectations might be adversely affected must be accorded procedural fairness. Therefore, it is crucial that the process be transparent for that to occur, and that the commissioner is able to determine when and if an investigation or part of an investigation should be held in public.

This bill does what the commissioner himself has been requesting for several years. However, the Oakden investigation particularly highlighted the issue of open hearings. On page 16 of the Oakden report, the commissioner wrote:

This investigation has firmly reinforced my view that the legislation under which I operate ought to be amended to give me the discretion to conduct investigations of this kind in public.

He went on to state:

> There is a tension between the Act which provides jurisdiction to investigate and the Acts which provide the powers during the investigation…The tensions could be resolved if the ICAC Act were modified to seamlessly include the powers of investigation and reporting in respect of misconduct and maladministration. I have previously proposed to the Government that the powers to investigate such conduct be found by a more direct route than is presently the case. The Government did not accept my proposal. I am hopeful that these issues will be considered again.

These amendments address the commissioner's comments in a practical and simple way. They remove the requirement for the commissioner, when dealing with an investigation into matters raising a potential issue of serious or systemic maladministration or misconduct in public administration, to exercise powers of an inquiry agency and set out the powers and functions relating to such investigations in schedule 3A of the ICAC Act. The schedule consolidates the powers and functions available to the commissioner under the Ombudsman and Royal Commissions acts, clarifying the manner in which an inquiry is to be heard, the powers available to the commissioner and ensuring those powers are fit for purpose.

In particular, the bill clarifies the extent to which legal professional privilege and public interest immunity are abrogated during a maladministration or misconduct investigation and provides for the commissioner to report on one or more investigations in such manner as the commissioner thinks fit. Setting out the powers and functions in this way will ensure that arguments about the scope and nature of investigative powers available to the commissioner are avoided in future investigations of this nature.

The first version of this bill was introduced in the House of Assembly on 10 May 2018 and passed that house on 30 May 2018. That bill was received in the Legislative Council on 31 May 2018. However, it was subsequently withdrawn and referred to the Crime and Public Integrity Policy Committee for report and recommendations on 26 July 2018. The Legislative Council received the report of the committee on 20 September 2018.

In addition to the above, this version of the bill makes further changes to the ICAC Act in accordance with recommendations made by the committee in its report. The committee's final report contained eight recommendations. The government has determined to accept many of the recommendations of the committee and has reflected this acceptance in the bill before the parliament, such as to:

- make clear that unless the commissioner makes a determination to conduct a public inquiry, an investigation into misconduct or maladministration in public administration must be conducted in private;
- provide that the commissioner, a public officer or public authority that may be affected by the investigation may apply to the Supreme Court to determine whether the decision to conduct a public inquiry was properly made and make any orders necessary to give effect to the determination;
- provide that a witness or other person may apply to the person heading the investigation for the making of an order forbidding the publication or disclosure of a matter, and to include an appeal process where an application is refused;
- provide that the person heading an investigation may, if satisfied that special circumstances exist, allow a person to appear at a public inquiry or to make submissions, despite the fact that the person is not required to give evidence;
- provide that all persons giving evidence in an examination into serious or systemic maladministration and misconduct in public administration, or persons allowed to appear or make submissions before an examination, are entitled to legal representation;
- permit a person to refuse to answer a question, provide information or produce a document only if it would tend to incriminate the person of an offence;
- clarify the operation of the clause of the bill relating to legal professional privilege;
- include amendments proposed by both the government and the Hon. Mark Parnell MLC in relation to the version of the bill previously before the parliament, including to:

- require the commissioner to publish information on a website about why he or she is satisfied it is in the public interest to hold a public inquiry;
- to clarify that where a person other than the commissioner is heading an investigation, that person may make findings relating to that investigation and can publish a report setting out those findings and recommendations and to require the reviewer under schedule 4 of the ICAC Act to maintain a website.

However, the government has determined that instead of providing a requirement for the commissioner to provide 21 days' written notice to affected parties of his or her intention to conduct a public inquiry, as recommended by the committee, the commissioner will instead be required to publish a notice, both on a website and in a newspaper circulating generally in the state. While there may be an identifiable witness list at the outset to assist the commissioner to determine the persons affected in advance of the inquiry, by nature an investigation will evolve and other persons will be affected. Therefore, the value of the written notice directed to affected parties must be questioned given the changeable nature of an investigation.

Sensible amendments have been preferred that will require the commissioner to publish information on a website as to why he is satisfied that it is in the public interest to hold a public inquiry and will also require the commissioner to publish such notice in a newspaper circulating generally in the state, so as to capture a wider audience. The bill further requires that the commissioner must state in such notice the subject matter of the inquiry.

The government also firmly opposes the recommendation of the committee to include an amendment that would provide that the bill would not impact on the applicability of any common law right to procedural fairness or natural justice. There is a common law duty to act fairly, according procedural fairness in administrative decisions affecting rights, interests and legitimate expectations, subject only to an express contrary statutory intention. The law is clear that procedural fairness will not be found to be excluded unless parliament has expressed a very clear intention to do so in the statute. There is no such contrary statutory intention in the proposed bill or the act.

The commissioner stated in his evidence to the committee that the requirements of procedural fairness apply to ICAC investigations in relation to misconduct and maladministration and he would regard them as continuing to apply should the act be amended by this bill. In fact, he further stated that should parliament be minded to include such a provision, it would need to be carefully drafted so as not to exclude or narrow the existing common law procedural fairness obligations. This is a point well made.

It is not only unnecessary to make such explicit reference in the act, where there is clearly no statutory intention to exclude procedural fairness, but sets a precedent where questions would be raised where other legislation dealing with inquiries did not include a similar provision. There are examples where similar powers and processes apply without express provision to state that the person conducting the inquiry must afford procedural fairness, such that it would sit uncomfortably to include such express provision here, with the government preferring to rely on well-established principles.

The bill also includes further amendments intended to improve some operational aspects of the legislation. For example, the bill will provide a delegation power, so that if for some reason the commissioner is unable to conduct an investigation, the deputy commissioner or an examiner may head the investigation and report to the commissioner. The bill also provides for the persons heading the investigation to make non-publication or suppression orders. These changes are necessary for purely practical reasons.

The bill further clarifies that where a person other than the commissioner is heading an investigation, that person may make findings relating to that investigation and can publish a report setting out those findings and recommendations. It is necessary because currently the power to make findings lies with only the commissioner.

The commissioner has repeatedly called for amendments to provide for public hearings to be available when investigating serious or systemic maladministration and misconduct in public administration, and the government has committed to transparent and accountable practices in public

administration. This measure clearly demonstrates that commitment. I seek leave to have the detailed explanation of the clauses inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

3—Amendment provisions

These clauses are formal.

Part 2—Amendment of *Independent Commissioner Against Corruption Act 2012*

4—Amendment of section 7—Functions

This clause amends the provision specifying the functions of the ICAC to remove references to the ICAC exercising the powers of an inquiry agency and instead refer to the ICAC investigating misconduct and maladministration in public administration. The provision also makes some amendments that are consequential to allowing public inquiries.

5—Amendment of section 24—Action that may be taken

This clause removes references to the ICAC exercising the powers of an inquiry agency and replaces them with references to the ICAC investigating misconduct and maladministration in public administration.

6—Repeal of sections 26 and 27

7—Repeal of sections 33 to 36

Clauses 6 and 7 are related to the ICAC's new investigatory powers in relation to misconduct and maladministration in public administration. These provisions that currently relate to corruption investigations are able to apply equally to misconduct and maladministration investigations and so are being relocated to a new general Division (see clauses 9 and 10).

8—Substitution of section 36A

This clause substitutes the current section 36A (which allows the ICAC to investigate potential issues of misconduct and maladministration in public administration by exercising the powers of an inquiry agency, ie the Ombudsman's powers) with a new section 36A that applies the proposed Schedule 3A to investigations by the ICAC into potential issues of misconduct and maladministration in public administration. In addition, proposed new section 36B provides for applications to the Supreme Court to determine whether the ICAC has jurisdiction to conduct an investigation in respect of a matter raising potential issues of misconduct or maladministration in public administration or to determine whether a decision to conduct a public inquiry was properly made. Proposed section 36C provides for appeals to the Supreme Court from a refusal to make an order forbidding publication or disclosure of matter under proposed Schedule 3A clause 3(1).

9—Heading to Part 4 Division 2 Subdivision 4

This clause substitutes a heading to make Part 4 Division 2 a Division containing general provisions relating to investigations by the ICAC.

10—Insertion of sections 39A to 39F

This clause relocates the provisions deleted by clauses 6 and 7.

11—Amendment of section 42—Reports

This clause deletes a provision that would be inconsistent with the power to hold public inquiries.

12—Amendment of section 45—Commissioner's annual report

This clause deletes a provision that required the ICAC to report on the number and general nature of occasions on which the ICAC exercised the powers of an inquiry agency. The requirement to report on investigations by the Commissioner is already contained in subsection (2)(b)(ii) (and this provision will now cover both corruption investigations and misconduct and maladministration investigations).

13—Amendment of section 48—Commissioner's website

This clause requires the Commissioner's website to include information relating to Schedule 4.

14—Amendment of section 54—Confidentiality

This clause is consequential to the new provisions on public inquiries.

15—Amendment of section 56—Publication of information and evidence

This clause is consequential to the new provisions on public inquiries.

16—Amendment of Schedule 4—Reviews

This clause amends Schedule 4 to require the reviewer to maintain a website, to include a mechanism for calling for public submissions prior to an annual review and to specify certain categories of information that must be included in a report on an annual review.

17—Insertion of Schedule 3A

This clause inserts a new Schedule containing provisions relating to investigations into misconduct and maladministration. The new Schedule contains provisions dealing with the following matters:

- the power to conduct a public inquiry and requirements to give notice of such an inquiry
- orders that may be made in the course of an investigation into misconduct or maladministration in public administration to prevent undue prejudice or undue hardship to any person, or otherwise in the public interest
- rules as to procedure and evidence are disapplied
- representation for participants in the investigation
- dealing with the privilege against self-incrimination, legal professional privilege and public interest immunity
- admissibility in evidence of statements or disclosures etc made in an investigation
- examination of witnesses (including powers to compel attendance and deal with contempt)
- power to require a written statement of information about a specified matter or to require answers to questions
- power to require a person to produce a document or thing for the purposes of the investigation
- power to enter and inspect any premises or place occupied by a public authority and anything in or on those premises or that place
- action that may be taken following an investigation, including the making of findings, recommendations or reports

Schedule 1—Transitional provisions

1—Application of amendments

The transitional provision deals with the replacement of section 36A and the introduction of the new investigation powers.

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

STATUTES AMENDMENT AND REPEAL (BUDGET MEASURES) BILL

Second Reading

Adjourned debate on second reading.

(Continued from 13 November 2018.)

The Hon. K.J. MAHER (Leader of the Opposition) (11:15): I rise today to indicate that Labor will not prevent this bill passing the Legislative Council. We have consistently said that we want to be a constructive opposition, and allowing this bill to pass, despite the precedent the Liberals have set in previous years, is an indication of our willingness to be supportive. We want to be helpful and constructive in opposition. Indeed, being helpful and providing helpful advice generally is one of my mottos in this chamber, as you are well aware, Mr President. This is not to say that the Liberal government should not be held accountable for many of their decisions. They should be, and Labor stands ready to do that.

Even though the new Liberal government is still wet behind the ears, they have managed to send up red flags all over the place. The government speaks about public sector renewal. They say

that we need to give our Public Service a new future, so that it is doing what we need in efficient and innovative ways that keep our tax and other costs down, in their words, but we know that the Liberals' instinct is to cut jobs. We would all remember former leader and former member for Heysen Isobel Redmond's plan to slash 25,000 public sector jobs, and we know that it is in the Liberals' DNA to continue to do just those sorts of things.

On 20 October, only a few weeks ago, we passed the 12-month anniversary of the closure of Holden. One wonders what the Liberal government would have done if faced with the possibility of Holden closing. Their 'do nothing but cut' modus operandi to date would suggest that they simply would have let Holden be consigned to the wreckers, which history shows is pretty much what they did in opposition. The state Liberals put no pressure on their federal colleagues. They just put up the white flag of surrender when the federal government chased Holden out of the country.

We saw on 18 October the most recent job figures come out. South Australia's trend figure was 5.6 per cent, and seasonally adjusted it was 5.5 per cent. This is good news for South Australia, but it is not a figure the Liberal government can rightly lay claim to. The figures are only materialising because of the programs and supports that were put in place while Labor was in government.

Just as we are seeing green shoots in the economy, the Liberals are starting to cut some of those programs. As a government we worked hard to nurture and support our innovative entrepreneurs and start-ups. We established the Early Commercialisation Fund to offer specific grants to help entrepreneurs and innovators turn their ideas into commercial realities. We invested in the Adelaide GigCity project to provide ultrafast broadband to innovation and co-working precincts.

We saw under the last Labor government our city start to change, to have a new-found vibrancy in its cultural life and, with that, we saw an increasing reflection in the entrepreneurial and innovation ecosystems. Adelaide was becoming the default destination for this part of the world for innovators and entrepreneurs. However, the early signs are that many of the programs will not be continued. The Liberals appear to have cut the games fund. They have indicated they will disband TechInSA and repurpose the Early Commercialisation Fund. They are not innovators: they are wreckers.

The area of Aboriginal affairs saw significant cuts in this budget. Amongst other things in the first budget, the government abolished the office of the treaty commissioner, walked away from Aboriginal self-determination by abandoning Australia's first Aboriginal regional authority policy and almost halved the number of people in the division for Aboriginal affairs in the public sector.

I note that there is an amendment from the Hon. Mark Parnell to this bill that has the effect of the Commissioner for Kangaroo Island Act not being repealed. The member for Mawson has lobbied very strongly about this as well, as has the Commissioner for Kangaroo Island. I am in receipt of a letter from the Kangaroo Island commissioner urging members not to repeal the bill. Rather than reading out the whole letter, I seek to table the letter from the Commissioner for Kangaroo Island.

Leave granted.

The Hon. K.J. MAHER: We have seen very similar things in the Attorney-General's portfolio. The communication partner grants has a saving, a cut, of $319,000 per annum. This grant has supported adults and children with complex communication needs who come into contact with the justice system. The Disability Justice support training grant program was cut as well. These are mean and petty cuts that will make it much harder for some of our state's most vulnerable people, children and adults with a disability, to access justice. The Attorney-General should be looking after vulnerable people who need to access the justice system, not doing the opposite.

We have seen cuts in community safety areas. Concierge services to managed taxi ranks have been cut, discontinuing such services in Adelaide, Glenelg and Port Augusta. Crime prevention grants have been cut dramatically and grants for the maintenance of CCTV cameras in Adelaide city council areas have been cut. These cuts will make our city and our state a less safe place, and should not have been cut. The Legal Services Commission faces a deep cut of $1.2 million per year and, disturbingly, the SA Native Title Services sees a cut of over half a million dollars per year.

One cannot help but wonder whether the Attorney-General in the other place will look back on her first seven or eight months as Attorney-General with regret in terms of what has occurred.

She has established a pattern of behaviour where she ignores or even attacks senior figures and law officers in this state, certainly not treating them with the respect they deserve. We have heard the discussion between the Murray-Darling Basin Royal Commissioner and the Attorney-General, a very unedifying public stoush.

We have seen other missteps such as the payment to Henry Keogh of more than $2½ million of taxpayers' money without identifying the legal basis upon which it was made. More recently, we have heard statements made in relation to ICAC, which of course are concerning. Labor has commissioned legal advice in relation to statements that have been made. I seek leave to table that legal advice.

Leave granted.

The Hon. K.J. MAHER: Labor also commissioned an initial set of legal advice about whether the ICAC commissioner could retrospectively authorise statements to be made. I now seek to table a copy of that original first piece of advice.

Leave granted.

The Hon. K.J. MAHER: Both sets of legal advice were provided by Mr Raymond Finkelstein, an eminent QC, a former Victorian Solicitor-General and a former judge of the Federal Court. The first set of advice I have just tabled indicates that, 'there was a contravention of section 56(a) when the Attorney-General uploaded the statement on her website'—and the advice qualifies that to say—if the Attorney-General uploaded her statement on the government's website without first having obtained authorisation from the commissioner and before the commissioner authorised the media to publish the statement.

An initial examination of the time that the statements were published on the internet indicate that the Attorney-General published her statement at approximately 3.24pm on 27 September and that the ICAC commissioner published his statement on the internet at 5.10pm on 27 September this year. Members would have seen today's reports in *The Advertiser* that the Liberal Attorney-General, Vickie Chapman, is subject to an assessment by the police for a possible breach of the ICAC Act.

This is an extraordinary development, which means her position as the state's first law officer has become untenable. Given all of this information, and taken together, the most likely conclusion to be drawn is that the Attorney-General has broken the law and breached the ICAC Act. There is very little option but for the Attorney-General to stand down.

The Attorney-General has been asked repeatedly to provide proof that she received approval from the ICAC commissioner prior to issuing her statement about ICAC. To date, she has been unable or unwilling to do that. If the Attorney-General cannot or will not provide that proof, given the legal advice that has been tabled, the Attorney-General's position has become completely untenable and she must stand down, pending a full investigation. I indicate that the opposition will be supporting the second reading of the bill, but we do not support the Attorney-General.

The Hon. C. BONAROS (11:25): I rise to speak in support of the second reading of the Statutes Amendment and Repeal (Budget Measures) Bill 2018. The bill establishes the proposed legislation necessary to give effect to a number of the government's 2018-19 budget measures and announcements. My contribution will focus on a particular aspect of the budget: the consolidating of the gambling regulatory regime in South Australia. My colleague the Hon. Frank Pangallo will focus on a separate aspect of the bill during his second reading contribution.

The effect of the changes is that the Independent Gambling Authority—the IGA as it has become more commonly known—will be consolidated with Consumer and Business Services, which will now be responsible for the regulatory functions of the soon to be defunct IGA. This is to come into effect from 1 December 2018. The bill then amends the Independent Gambling Authority Act 1995, the Authorised Betting Operations Act 2000, the Casino Act 1997, the Gaming Machines Act 1992, the Intervention Orders (Prevention of Abuse) Act 2009, the Liquor Licensing Act 1997, the Problem Gambling Family Protection Orders Act 2004, the Racing (Proprietary Business Licensing) Act 2000 and the State Lotteries Act 1966 to remove the reference to the IGA and replace it with a reference to the Liquor and Gambling Commissioner.

The genesis of the consolidation of gambling operations into a single regulator is consistent with the recommendations of the Administrative Review of Gambling Regulation in South Australia by the Hon. T.R. Anderson QC, which was initiated by the former Labor government in 2016. I add that I gave a submission to that review, together with Nick Xenophon. That review was completed on 9 December 2016 by retired Supreme Court Justice, Tim Anderson QC, yet the former Labor government sat on the report until the Marshall government released the report this year.

The reasons for this mystify me, but I will not waste time dwelling on it; suffice to say that the inexplicable delay by the former Labor government is just another wasted opportunity for substantive change with respect to gambling harm. In addition, the 2010 Productivity Commission inquiry into gambling identified the need for a single regulator and stated:

> In South Australia there are effectively two regulators. The Independent Gambling Authority (a statutory body) is the principal regulator and undertakes 'structural regulatory' activities. The Office of the Liquor and Gambling Commissioner is housed within the government and performs the role of an 'operational regulator' carrying out both regulatory and enforcement functions, including approving gaming machines and undertaking on-the-ground enforcement. Such an arrangement may lead to confusion and inefficiencies.

Indeed, the current arrangement has led to confusion and inefficiencies and industry gambling harm support services and gambling addicts have been left with a substandard system of regulation. The 1999 Productivity Commission report into gambling has previously identified that a single regulator would minimise the risk and states:

> Special arrangements will be established and maintained by different groups, venues or providers at the expense of the broader public interest…

And:

> …inconsistent policies will be put in place in what are ostensibly like circumstances, especially so far as measures to protect consumers are concerned.

The need for reform and streamlining of the regulatory framework is clear because the current system has certainly let down gambling addicts. An earlier external consultancy report was commissioned in June 2014 by the board of the IGA to review the organisation generally and the performance of its director. Tim Anderson QC was provided with a copy of that report, which raised its own concerns with the board, yet no action was taken. It is damning that Tim Anderson QC said:

> I am afraid to say that the IGA brand within the industry is tarnished to such an extent and regarded so poorly that the powers and functions of any replacement body would, at the very least, need to be established under a different organisation with a new charter…

Only this week it was revealed that almost 650 barring orders preventing people from gambling were not renewed by the IGA because the IGA was unable to contact them during a review of the scheme. We found this out in the context of an annual report. We do not know the extent to which the IGA tried to make contact with these individuals other than, apparently, two attempts were made to contact them. After that, no further attempts were made. So there were two phone calls: 'We can't reach the person who is subject to a barring order; we won't try anything further.'

This has put hundreds of South Australians at risk of causing harm to themselves and indeed their families. That is because of the IGA's decision, allowing them to freely walk into a poker machine venue, or the Casino, to gamble away their life savings, their wages, their livelihoods, their homes and their families. This is just one example where the IGA has failed in its obligation to protect gambling addicts by revoking the barring orders simply because it could not contact those individuals in question. No rationale was provided for the decision for revoking hundreds of barring orders in the previous 2017-18 annual report.

You have to ask yourself: where is the duty of care to gambling addicts and their families? In my view, it was absent. The decision was reckless and made without any consideration for the impact it may have on a gambling addict, their families and loved ones. The lack of any meaningful attempt to reach out to the 642 individuals with identified gambling addictions, who required barring orders in the first place, with no follow-up, is akin to throwing gambling addicts back into the lion's den. It is an outrage, and I am not alone in this sentiment. Even the Attorney-General, Vickie Chapman, agrees, and recently stated:

The review by Tim Anderson QC had noted complaints about the way in which the Authority had treated people who had been barred and the process for reviewing orders had effectively broken down.

The revocation of barring orders on vulnerable gambling addicts by the IGA is pathetic, given the 2010 Productivity Commission report into gambling, which found that around 4 per cent of the adult population play the poker machines at least weekly. At least 15 per cent of those players are problem gamblers, with their share of total spending on poker machines estimated to be between 40 and 60 per cent. I would suggest that they are very conservative estimates as well.

From the judgement in the South Australian Jockey Club's application for a social effect certificate, we know that the training provided by industry bodies Gaming Care and Club Safe, which are designed to identify gambling addicts, is woefully inadequate and not fit for purpose. Professor Delfabbro of the University of Adelaide gave evidence during the hearing that the content of training material provided by Club Safe was fairly cursory, and the training itself would not turn a staff member into an effective venue staff member in dealing with problem gamblers. More alarmingly, Professor Delfabbro gave evidence that he had received feedback from staff in gaming venues, and stated:

Although they had done the training, they were told not to take it too seriously, and that the venue was really more interested in profits.

We must stop prioritising profit over people. The compelling evidence presented during the SAJC hearing should be of great concern to the government as it is an indication of the failure of the poker machine industry in South Australia to appropriately train staff in harm minimisation. The government continues to be conflicted by receiving revenue from poker machines and regulating the machines that cause such devastation to so many South Australians, as was the previous South Australian government.

The net gambling revenue for 2016-17 was $680.27 million, which delivered the government $264.87 million in taxes derived from poker machines. We have still today over 12,337 poker machines in this state, which have their highest density in the lowest socio-economic areas and affect our disadvantaged more than any other cohort.

Barring orders are an important and imperative initiative, but they must work, they must be monitored and they must be effective. I note that the Attorney-General is currently reviewing the legislation about gambling, and I look forward to the resulting report, but I place on the record very clearly that we will not accept any future legislation that waters down existing protections.

For example, we are heartened to learn that since the introduction of the social effect inquiry process, which must be completed and assessed before an applicant can apply for a gaming machine licence, no new gaming machines have been granted, which is a testament to the success of that legislation. It is clear, though, that the gambling codes of conduct require updating, given modern technology and its impact on new forms of gambling which have exploded online to devastate more and more vulnerable people.

I note that the transfer of the IGA's existing powers and functions to the Liquor and Gambling Commissioner will soon take effect from 1 December 2018, with the abolition of the IGA. The transfer of its functions to Consumer and Business Services, as I have already alluded to, is expected to provide savings of about $483,000, indexed per annum from 2019-20.

However, one criticism of the IGA was its under-resourcing, and I will have some questions of the minister about the additional resources provided to Consumer and Business Services following the passage of the provisions of this bill. I will also add that I have met with the Attorney in relation to this particular aspect of the bill and she has made the commissioner, Dini Soulio, available.

I have certainly aired our concerns in relation to the changes with both the Attorney and the commissioner. I think it is fair to say that the commissioner is genuinely committed to ensuring that there are changes in relation to the enforcement of the legislation with respect to gambling and also with respect to the codes of practice. We will be watching closely to ensure that that actually eventuates. Tim Anderson QC noted in his report that:

If the Commissioner through CBS is to become the sole regulator it must be better resourced with expertise in all areas of gambling at a senior level encompassing the policy, licensing, compliance and enforcement aspect of regulation.

These are the precise issues that we have raised with the commissioner and the Attorney, and these are the issues that we will be following up on very carefully to ensure that everything that needs to be done is being done to assist with that enforcement, but also to ensure that those with problem gambling addictions receive the best possible care that they can within our current structures, which, I might add, SA-Best still maintains are woefully inadequate. With those words, I support the second reading of the bill.

The Hon. F. PANGALLO (11:38): As my honourable colleague has indicated, SA-Best is supporting the Statutes Amendment and Repeal (Budget Measures) Bill, but also will be supporting the Hon. Mark Parnell's amendment that will not repeal the Commissioner for Kangaroo Island Act. The Treasurer has already indicated that the government will not fund the office beyond 2020, but why is there a need to repeal the act? It does not cost taxpayers any money for it to lie dormant, and a future government may want to resurrect the function of the office.

Many in this house know my affinity with and strong connection to the island. My wife and I have a property there. If my bridge proposal ever gets to see the light of day, islanders may well require the services of an island commissioner to provide input on the island's requirements, and there are plenty right now.

The Hon. J.S.L. Dawkins: It is not going to be a one-way bridge, is it?

The Hon. F. PANGALLO: Well, if you are in government, it will be.

The Hon. J.S.L. Dawkins: Not at all. We build things, not like that mob over there.

The Hon. F. PANGALLO: I still do not understand the government's reasoning for scrapping the role of the commissioner. I commend the previous Labor government and the then tourism minister and member for Mawson, Leon Bignell, for having the foresight to establish the office so that Kangaroo Island can reach its potential as Australia's number one tourist destination.

My hardworking Centre Alliance colleague and very popular member for Mayo, Rebekha Sharkie, is also supportive of the valuable work done by the commissioner in her electorate and is aware of the strong level of support for the OKIC from the island community at large. I have met with the commissioner, Wendy Campana, after being elected, and she outlined the important and valuable work that she has undertaken.

This is not a cushy role just to lie back and take in the sun in what has been aptly described by the Economic Development Board as paradise girt by sea. The commissioner is both a conduit and advocate for developing the island's economic, social and environmental capacity and is a channel direct to the government for the community, its business sector, agribusiness and developers as well as local government. The role is designed to improve the management and delivery of services by government agencies, deal with those agencies and assist in the ongoing improvement of the local economy.

Many have said, 'Why do we need one for Kangaroo Island? What about the other regions of the state?' Well, there is a big difference here, and it is the island's biggest challenge and hurdle: its isolation. As the Economic Development Board's report for the Kangaroo Island Futures Authority reported in 2015, the seas surrounding the island are its greatest asset and its enduring burden. It has it all, but then it does not.

This is a massive pot of gold at the end of a rainbow. You will not find a more beautiful, pristine, natural wonderland with spectacular vistas and landscapes, unspoilt beaches, incredible produce and sustainable agriculture, all within touch of the mainland, anywhere else in Australia. Tourism is its future to prosperity, but the entire community is burdened by costs of getting to and from the island, ranging from freight, fuel and supplies to things we all take for granted on the mainland like access to broader educational opportunities, health services, vocational training and housing needs.

The young leave the island because the opportunities are greater. The vagaries of the weather in winter are another factor, while much of the island is reliant on rainwater, and power is

delivered by an underground cable. So, unlike other regions, this natural barrier hinders more economic growth. That pot of gold is just waiting to be reached. However, there has been much progress, like a bigger airport, a fabulous walking trail, more hotel accommodation and improved services. Maybe a bridge or a tunnel one day. Tourism numbers are certainly on an upward trajectory, but something that still bewilders me are the small numbers of South Australians who have visited. I put that to a panel of young engineers recently, and out of about 60 in the room only one had been there.

The office of the commissioner was established following extensive consultation with the island's community. It still has strong support from more than 350 businesses, including mine. They have seen and experienced the value of this office. Scrapping the office is a retrograde step. Compare the costs; they are miniscule in comparison to the $35 million the government wants to waste on a right-hand tram turn onto North Terrace that nobody gives a toss about. Kangaroo Island needs a voice to government, and that should be a priority. With that, I support the second reading.

The Hon. R.I. LUCAS (Treasurer) (11:43): I thank honourable members for their contribution to the second reading of the Statutes Amendment and Repeal (Budget Measures) Bill 2018. Before addressing some of the individual aspects of the bill, I will not repeat the broad premise underlying the 4 September budget introduced by the government. The Appropriation Bill has already passed this place, and this is the attendant bill which implements some of the measures outlined in the budget speech and also referred to broadly in the Appropriation Bill in terms of funding.

I must say that in my very long period in parliament I have been called many things, but I did note that the Leader of the Opposition referred to the government as being wet behind in the ears in relation to budget matters and this particular budget. I am not sure how many more years I have to serve in parliament before I would not be described in such a way. As I said, I have been called many things but I think that is the first time in recent years that I have been called wet behind the ears. I thank the honourable leader for that acknowledgement.

In terms of specific issues, the Hon. Ms Bonaros raised the issue of gambling regulation. I cannot answer the question that she put rhetorically in terms of why the former government did not respond to the very impressive review that former Judge Anderson had done in terms of gambling regulation. I guess ultimately that can only be a question directed to the former government and its representatives. All I can say, as one member of the new government, is that it did present, I think, a very persuasive case for the need for change.

As the Hon. Ms Bonaros has indicated, this is not the only learned report that has pointed in that direction. I think she referred to an earlier report by the Productivity Commission. Indeed, I think anybody who consulted with people in industry would have known that there were criticisms of the Independent Gambling Authority and its operations. To be fair, a lot of those criticisms, I suspect, were directed at the former chief executive and perhaps the way that organisation was being run. I will not go too far down that particular path on the public record.

However, I think the intriguing thing in relation to gambling regulation is that people come at the gambling debate from completely different directions. The Hon. Ms Bonaros and others with whom she has associated recently, and I am sure presently, come from a perspective which she has clearly outlined. I come from a completely different perspective. I have proudly indicated that in all of my time in the parliament I have supported almost every expansion of gambling options available in the state, from the first vote for the establishment of the Casino to being a supporter of actually introducing gaming machines into South Australia.

Currently, here in the parliament you have people from completely opposing directions in relation to the gambling debate but with an absolutely united view about the usefulness of the current state of gambling regulation in the state. It takes a special sort of accomplishment to achieve a unity of both supporters of gaming options and gambling options in the state and opponents, but nevertheless united in their view that the current mechanisms for gambling regulation, in particular the IGA, have not worked.

I was part of the government, I think on reflection, who argued for the need for a powerful independent gambling authority. It came soon after the establishment of gaming machines in South Australia, and I think part of the debate at the time was, 'Okay, if you are going to have gaming

machines introduced, even though we do have gambling regulation available in the state, perhaps we need this bright new body called the IGA', which was going to be independent and add value to gambling regulation.

So 20-plus years later, or whatever it is, I think the reality was, given the evidence that had been produced in various learned reports, whatever the goals might have been it had not worked and therefore it was time to take bold and decisive action. Why the former government did not do so is a decision for them, but the reality is that at the very first opportunity, as part of this particular budget, it nevertheless fitted our general approach, which I have outlined before in this place, and that is that our clear message to ministers and CEOs in terms of this budget is that we cannot continue to do everything that we have done and just take a bit off the top of everything.

If we want to do new things as a government—new projects, new programs, new policies—at some stage you have to take difficult decisions and jettison some of the projects, programs and policies of the former government. Some of them are harder, in terms of the decisions; some of them are relatively easier. This one is in the relatively easier category because there was the Anderson review report and there was the Productivity Commission report. There was this united view from people who were pro-gaming or gambling and those who were antigambling and gaming, if you took the time to speak to them, that it was not adding any value and maybe, even worse than that, not just not adding value it was probably causing more damage in terms of what it was meant to be doing and it was not doing.

I think that is an interesting perspective in that there is a unity of purpose from people from all sorts of perspectives in relation to the gambling regulation debate, generally. Unsurprisingly, there were some other aspects of the Hon. Ms Bonaros's contribution that, given my own bias and perspective, I did not agree with, but they are not necessarily part of this debate: they will be part of subsequent debates.

I think, as she has referred to, the Attorney-General has carriage for much of the legislation in this area; albeit, as Treasurer, I have an ongoing interest, but putting aside the position of Treasurer, as someone who supports sensible gambling options being available to the vast majority of people in this state who in my view are responsible gamblers and have the capacity to make their own adult decisions in terms of how they spend their money and therefore should be entitled to do so, whilst at the same time acknowledging a very small number of people cannot and are designated as problem gamblers or at-risk gamblers and the government and the state owes a responsibility to them and to their families to do whatever it can to assist them in the problems they might confront.

That is not an issue that we have to address in the broad in this particular debate. We are just making a decision that the current body has not added value and might have in fact even caused the additional problems and it is time to get rid of it. We welcome the Hon. Ms Bonaros's support for that, and that of her party. While I do not think it was directly addressed by members of the opposition, I think the mere fact that they did not is probably an indication that they are not going to be opposing that aspect of the bill either.

The other issue that has attracted some debate has been the issue of the Kangaroo Island commissioner. The Hon. Mr Pangallo, having rightly identified his own interest in Kangaroo Island, has been, as with other members, a passionate supporter of the continuing role of the Kangaroo Island commissioner. From the discussions I have had with him and various statements, it will not surprise the Hon. Mr Pangallo that I have a completely contrary view and always have had. This has nothing to do with the current incumbent of the position, I might say. The view I had about the merit or otherwise of establishing this particular position was known both within my party and within the parliament when we were debating the original establishment of the Kangaroo Island commissioner as a position, putting aside the issue of the incumbent.

I think the Hon. Mr Pangallo, with a weather eye to other regions, made an attempt to justify why there should be a Commissioner for Kangaroo Island as opposed to many other regional areas which have mounted the argument that they too would like to have a commissioner—the West Coast, for example, with its own particular distance problems and geographic disadvantage. It does not have the advantage that Kangaroo Island has of being closer to Adelaide and being compact. Services such as education, health and transport, all of those issues, are much, much more

complicated for the good residents of Eyre Peninsula as opposed to a compact island like Kangaroo Island.

The member rightly identifies a significant problem for Kangaroo Island is in terms of the sea in between the island and Adelaide, and that is acknowledged. But, as I said, in my view it was not a persuasive argument. If you are going to argue the case that a particular region such as Kangaroo Island is entitled to a commissioner, then I do not think too many people in other regions would have been convinced that they too could not mount a case that they too should have a commissioner for Eyre Peninsula or a commissioner for the Yorke Peninsula or a commissioner for God's own country in the South-East of South Australia, the Mount Gambier region.

I think it comes back to principles. We already have, in many people's view, a system of government that is erring on the side of over-government with federal, state government and local government, each with their responsibilities and many examples of where they overlap. To add another element to that governance process of federal government, state government and local government, a Commissioner for Kangaroo Island, in my view, adds precious little value, if any at all, and at cost to the taxpayers of the state.

The Hon. J.S.L. Dawkins: The people spoke on the weekend at the local government elections.

The Hon. R.I. LUCAS: The Hon. Mr Dawkins, perhaps out of order, interjects. Let me respond to that. I was going to raise the point that the very popularly elected—by an overwhelming majority—new Mayor of Kangaroo Island is quite public in terms of his criticism of the whole role of the Commissioner for Kangaroo Island. The people of Kangaroo Island, at the recent local government election, knew very well his particular attitude to this issue and yet responded in droves. An overwhelming majority of people flocked to support Mr Pengilly as the new mayor, even with the views that he had expressed on this particular issue.

I do not believe the claims that have been made that there is an overwhelming tidal wave of support for the position of Kangaroo Island commissioner from everyone on the island. Business groups—I think the honourable member referred to the business association and others—perhaps the former mayor, I am not sure, but indeed others are on the public record in terms of supporting it. I noted some of the claimed benefits of the Kangaroo Island commissioner, but all of these issues are actually decisions of ministers and governments.

The commissioner has no power or authority to put money into a new airport, build a new school or health facility, provide money for tourism facility upgrades, or whatever else. Sure, he or she can lobby and advocate. Why do we have local government, in terms of representing Kangaroo Island? Why do we have mayors and councillors? Why do we have CEOs and staff officers? Surely, their role is to lobby governments. Surely, their role is to advocate for their community. Surely, their role is to actually do all the sorts of things that in every other regional community either the local council or the equivalent to a regional development board argue for their particular region or council areas.

I can assure the Hon. Mr Pangallo that if the position of commissioner were to continue under this government, with me as Treasurer, the mere fact that the commissioner was wanting to knock on my door and to argue the toss for something would carry no weight with me at all. There is a duly elected local council, there are ministers responsible for the delivery of health, transport and education services and there is a federal government with responsibilities as well.

The commissioner is just an overpaid lobbyist working between government agencies and councils. Good luck to him or her that the taxpayers pay them a good sum of money to undertake the job. They are unelected and they have no direct responsibility to anyone other than to themselves. Frankly, the responsibility for the delivery of health, education and transport services is with the ministers and the departments they run.

Certainly, under the new government and under the budget framework that we are outlining, if there are criticisms in terms of tourism facilities, education or health, those criticisms should be directed to the ministers responsible, to the Premier and to me as Treasurer. We have the ultimate

responsibility in terms of the quality of the services delivered not only to Kangaroo Island but to all regional areas throughout the state.

The mere fact that the taxpayers are paying additional sums of money for a commissioner to ferry between government departments and agencies, in the government's view adds no value to the circumstances. The Hon. Mr Pangallo said that the significant difference with Kangaroo Island is the sea in between, and the additional costs that are incurred by the good residents of Kangaroo Island. Again, that is acknowledged, but I am not sure what, in the last couple of years, or whatever it is, the commissioner has done or achieved in terms of reducing the costs. What has actually been achieved in the last two years by the commissioner in terms of reducing the costs that the Hon. Mr Pangallo raised?

I guess my view of the world would be that the cost disadvantage that existed there before is the same cost disadvantage that exists there now after we have had two or three years, or however long, that the Commissioner for Kangaroo Island has been operating. That should not be a criticism of the commissioner, because he or she has no power or authority anyway to do anything in relation to the costs that are incurred by the residents. He or she can lobby on whatever it is, but again that is what you have a mayor for, that is what you have a council for, that is what you have a CEO for: to advocate on behalf of your local community. The Hon. Mr Pangallo and others have said that they are not sure why the government is so opposed to this. It is fundamentally opposed in principle to the whole concept of another layer of bureaucracy paid for by the taxpayers of the state in terms of a Commissioner for Kangaroo Island.

As I said, if you have one there, there are arguments about having commissioners in other areas as well. So, from the government's viewpoint, should the parliament insist on opposing this particular provision of the budget measures bill, I have indicated publicly and privately that, for so long as I draw breath and for so long as I hold the position of Treasurer, there will not be a dollar directed towards what will be in name and statute only a position of Commissioner for Kangaroo Island.

Can I indicate that this is not an unusual set of circumstances. There are a number of examples, but the most obvious, for those who have been on parliamentary committees, like the Statutory Authorities Review Committee, is that the former government refused to establish the Economic Development Board under the Economic Development Act for 16 years. They refused to appoint the board, refused to appoint commissioners, I think it might have been for about six months and then they got rid of it. It existed in statute only.

The reason we have simplify bills—we have one before us at the moment—is that you actually repeal bills that have been sitting there because they serve no good purpose at all. People have not been appointed, the bodies have not been appointed, they have not been funded, because the government of the day believes they serve no good purpose. So the logic of leaving a bill there, opposing a part of the budget measures and leaving a provision for a Kangaroo Island commissioner's bill, escapes me. Certainly, for as long as I hold the position, it will not be funded and will exist in name and title only.

If the Labor opposition wants to campaign right through to the next election promising to reinstate the Kangaroo Island commissioner, and a range of other commissioners if they want to, good luck to them. They can campaign on that particular issue and, as part of their policy platform, they can introduce either the existing bill or they can introduce perhaps a new refined version of a Kangaroo Island commissioner that meets some of the criticisms that have been made about the operations. I think it is silly to leave it on the statute, when clearly the government was elected on a platform. I did not highlight this earlier, but it is not as if this is something we did not campaign on. We clearly indicated our intention to get rid of this.

This is one of the policy commitments we took to the election. We announced it in our policy costing document as a saving to be achieved, and we are now at the first opportunity, as part of the budget measures bill, seeking to implement the policy promise we made at the time of the election. There is no secret about this particular policy commitment. We were open about it, we campaigned on it and we were transparent and accountable for the particular position that we have.

The other criticisms made generally were essentially about difficult budget decisions, Service SA centre reductions, Housing Trust rent increases and a range of other issues like that. Most of those we have addressed either through question time or other debate, and I do not intend to go over the government's explanation or defence of its position about them during my reply to the second reading. With that, I thank honourable members for their indication of support for the second reading of the budget measures bill.

Bill read a second time.

Committee Stage

In committee.

Clauses 1 to 62 passed.

Clause 63.

The Hon. M.C. PARNELL: My amendment is simply an advice to the committee that I will be opposing clause 63. Clause 63 repeals the Commissioner for Kangaroo Island Act. I spoke at some little length in my second reading contribution about why I felt it was inappropriate to take that statute from our statute book, but the Hon. Rob Lucas has said a few things in his summing-up that I need to respond to, so I will quickly refer to some of those. He mentioned that it is a legitimate role of the government to go through the statute book and remove from it things that no longer have any work to do.

I will say that I agree with him entirely. I will shed no tears when the Liens on Fruit Act 1923 is eventually repealed. It is an excellent case study on how not to draft legislation. There is one part of that act that goes for 23 lines without a full stop, the longest sentence I have ever seen in a South Australian statute. It can be summarised as follows: if you do not pay your bills, the creditors get the apricots. I do not think that act has any more work to do. I am happy for it to go, but the Commissioner for Kangaroo Island Act I think is in a different category.

Ultimately, what the Treasurer has told the council today is that the Liberals are reverting to type: anything that might be regarded as small government must be good by definition. He raised the floodgate argument—although he did not use the word—saying, 'Well, if the people of Kangaroo Island get someone to represent their interests and help them to deal with the bureaucracy, what about the people on the West Coast? What about the people in God's own country (I think he said) down in the South-East?'

That is a very good question. Why should people in disadvantaged, far-flung regional communities not have someone whose job it is to bat for them when it comes to dealing with bureaucracy and red tape? The minister said that that is the proper role of local government. Local government has a clear set of responsibilities, but I am not aware that there are many local councils that take on the role of batting for citizens when they have trouble dealing with state government departments or agencies. They just do not do that. It is not their role. I think that referring to the office as simply an overpaid lobbyist sells the position short.

I remind people, as I did the other day, that this legislation was reviewed as recently as last year. The review committee consisted of Liberal, Labor and Greens. The committee unanimously resolved that the office was worth keeping. It did not recommend getting rid of it and it did not recommend getting rid of the legislation. The submissions are on the Environment, Resources and Development Committee website and members can read the submissions made by business owners, expressing their support for the continuation of the office.

Interestingly, in responding to an out of order interjection, the Treasurer seemed to indicate that the election of Mr Pengilly is some sort of referendum on whether the office of commissioner should continue. I make the prediction here now that we might hear the election of Mr Pengilly as being a referendum on a whole manner of issues coming up. We will be told that it represents the overwhelming support of Kangaroo Island for oil and gas drilling offshore. It will be overwhelming support for anything that Mr Pengilly, in all his years in state parliament, advocated or opposed. But, we know that local government elections are fought on different grounds. With those brief words, I

indicate that when the question is put that clause 63 stand as printed, the Greens will be opposing that clause.

The Hon. R.I. LUCAS: I have only one other point which I should have made. I will not repeat everything I said in my second reading contribution. The honourable member's comments have prompted me to put on the public record that in relation to, for example, representing local businesses—which was an issue I think the Hon. Mr Pangallo raised, and the Hon. Mr Parnell asked why should people not have someone representing them to government departments and agencies—at the moment in South Australia there are other governance structures available.

The Small Business Commissioner immediately springs to mind. If any individual small business, whether they be on Kangaroo Island or Eyre Peninsula or wherever, is having problems with government departments and agencies, we already have a Small Business Commissioner, which is there to advocate on behalf of the small business person who is having a problem with the transport department, tax department, SA Water, or whatever. We are already paying the Small Business Commissioner to undertake that particular function.

You can always come up with a bright idea for another commissioner. In my time in the parliament, commissioners have grown like Topsy in terms of: we need a commissioner for this area or that area, or whatever it might happen to be. The Kangaroo Island commissioner just happens to be the latest iteration of the commissioner fetish that some people have.

In relation to advocating for individual businesses, in this case with government departments and agencies I should have placed on the record that we do have a structure for that in terms of the Small Business Commissioner. In other more specific areas, we have the Office of the Industry Advocate, which deals with government contracts and small businesses that have problems with government departments and agencies in terms of accessing government contracts right across the board.

We have another advocate in this case, not called a commissioner, who advocates on behalf of businesses as they seek to be treated fairly by government departments and agencies. So there are any number of these commissioners, advocates and agencies that are there already in terms of assisting individuals, businesses or others in terms of their negotiations or discussions.

The other issue of course is that you do have members of parliament. The Hon. Mr Parnell says, 'Who is going to advocate on behalf of a citizen with a government department?' That is what you elect a local member of parliament to do, at least in my comprehension of the situation. That is not just your local member; if you do not like your local member, you could actually go to the Hon. Mr Parnell.

The Hon. M.C. Parnell: And they do.

The Hon. R.I. LUCAS: And they do. Well, there you go. There is a frank confession. Some constituents do go to the Hon. Mr Parnell to ask him to advocate on their behalf with government departments, ministers and agencies. That is the job for which we have been elected. We are state members of parliament, elected to represent our constituents, whether it be as a lower house member or as a whole-of-state Legislative Council elected member, to advocate on behalf of our constituents with ministers and with government departments and agencies.

I think this binary notion that unless you have the commissioner there is no-one out there advocating on behalf of the poor constituent—whether it be on Kangaroo Island or the West Coast—is fanciful. There are any number of advocates. We are just saying that enough is enough. A Kangaroo Island commissioner is a step too far. We are going to get rid of it and, if the parliament will not let us, we just will not fund it.

The Hon. I.K. HUNTER: The opposition has similar views to those expressed by the Hon. Mark Parnell and we will be opposing the repeal clause.

The Hon. J.A. DARLEY: I will not be supporting the Hon. Mark Parnell's motion.

The Hon. F. PANGALLO: We will be supporting the Hon. Mark Parnell.

The committee divided on the clause:

Ayes 8
Noes 11
Majority 3

AYES

Darley, J.A.	Dawkins, J.S.L.	Hood, D.G.E.
Lee, J.S.	Lensink, J.M.A.	Lucas, R.I. (teller)
Stephens, T.J.	Wade, S.G.	

NOES

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

PAIRS

Ridgway, D.W.	Wortley, R.P.

Clause thus negatived.

Clauses 64 to 66 passed.

Clause 67.

The Hon. C. BONAROS: During the second reading debate, I raised the issue of the woefully inadequate resourcing of the soon to be defunct IGA and the consolidation of the gambling operations into the single regulator, namely, the Liquor and Gambling Commissioner. Our view remains that that was related to resourcing issues in many respects.

My question to the Treasurer is: can you advise what, if any, new funds will be made available to the commissioner specifically in relation to issues of licensing compliance and enforcement? In so doing, can the Treasurer also confirm that these responsibilities will not simply fall within existing funding arrangements?

The Hon. R.I. LUCAS: I am advised that the existing staffing complement from the IGA will be coming across to the commissioner's office, so there will be a net increment of approximately 5.8 FTEs—let's round it up to around about 6. The savings, in terms of the abolition of the IGA, are obviously the board, the overall governance structure, the accommodation, those sorts of things, but the warm bodies that do all the hard work within the IGA—the positions, anyway; I am not sure whether they are the same people—are entitled to come across to the commissioner's office. So there will actually be an increase in the number of staff in the commissioner's jurisdiction as a result of the transfer of those staff entitlement positions from the IGA to the commissioner's operations.

The Hon. C. BONAROS: Just to confirm: will those 5.8 FTEs who are transferring over be specifically undertaking roles in relation to gambling or liquor and gambling, or will they go into a general pool of staff for the commissioner?

The Hon. R.I. LUCAS: In the first instance, there is a specialist gambling team—unit, squad, crack unit; I am not sure what they are called—with specific responsibilities for gambling regulation in the commissioner's jurisdiction. These 5.8 FTEs will immediately go there, but given there is this review being conducted by the Attorney, we are not saying, and I am not saying—ultimately, it is not my specific call; it will be an issue for the Attorney and the commissioner—that that might be the ongoing structure going forward.

The whole purpose of the review of gambling regulation will be to review the adequacy of gaming regulation and then there will be advice from the commissioner and the Attorney in terms of,

'Okay, what's the best way of structuring whatever resources we've got to achieve the purposes that might be agreed in terms of gambling regulation?'

The Hon. C. BONAROS: Just on the issue of the review: do we have a time frame within which we can expect to receive the outcome of that review? Also, will that review include the adequacy or otherwise of funding for gambling addiction programs and bodies that provide those programs?

The Hon. R.I. LUCAS: No; at this stage there is no firm time line in relation to it. I think it will be an issue the Attorney-General may want to discuss with colleagues, including the Premier, myself and others who may have an interest in the area as well. At this stage we are not in a position to say when that might be. What we can say is that it is going to be a substantial piece of work, so it is not likely to be done either quickly or in the very near future. It is going to take some time.

Clearly, the issue the honourable member has referred to in terms of the adequacy of how we tackle problem gambling—and that is not just the issue of how you fund particular programs or indeed what particular programs—would necessarily, I would assume, be part of that, but at this stage there are no formal terms of reference. It does not say, 'Is the lump of money that is currently going to this particular program adequate or not?' It will be a more generic review, and then within that context there will be the debate about how best we tackle problem gambling within whatever new or revised structure the government might agree upon.

The Hon. C. BONAROS: Can the Treasurer also provide details if any action is being taken by the government, or the IGA or the commissioner, when those powers are transferred over, in relation to the 650 barring orders that were deemed redundant as a result of not being able to make contact, apparently, with those individuals involved?

The Hon. R.I. LUCAS: We will say barleys on the issue of retrospectivity and what might or might not be possible there. However, in terms of prospectively, I am advised that the commissioner is already considering, in the event that this legislation passes and the responsibility transfers to him, what the appropriate course of action is in terms of—from the time that he has responsibility, or they have responsibility onwards—better managing the process in terms of the barring orders. He has already commenced work in the anticipation that parliament might agree to the budget measures bill and the responsibility will be transferring to him, so he will be in a position to hit the ground running—I am not necessarily saying on day one but certainly soon after that—in terms of how to manage the process from then on.

The issue of what happens in relation to the specific 650-odd barring orders from the past will have to be taken on notice at this stage. I think that is a complicated legal question and the honourable member is probably better placed than I am to understand some of the complexities of that and what might or might not be able to be done in terms of perhaps the inadequacy of the way those barring orders were policed or monitored. We would have to take that issue on notice. However, certainly in relation to once the responsibilities are transferred the commissioner is well on the way to preparing himself from then as to how they will better manage the process from the date that he is given responsibility.

The Hon. C. BONAROS: In relation to issues that are outstanding with the IGA, if this bill does pass and that body becomes defunct there are a number of issues outstanding. There was the social effect inquiry review undertaken by the IGA, the results of which have not been released. Is this something where we can expect to have the results provided before the move over to the commissioner, or what will happen with those outstanding inquiries?

The Hon. R.I. LUCAS: I might make some general comment and then, on behalf of the member, I indicate that I will have the issues raised with the Attorney-General and if she thinks she can add anything further to my broad response she will correspond with the member. If you do not get a letter from her then she is quite comfortable with what I have said on the public record.

Within this transfer of power there is the capacity for an existing inquiry that the IGA was working on—and the answer to your question is that the IGA had not completed the social effects test inquiry; it was part way through. I am not sure whether that means they had just started or they had almost finished and were about to write it; I cannot tell you how far advanced it was, but my advice is that it is not concluded. So there is the capacity in this for that to be concluded.

If, however, they had only just started the process, my view would be—and this is as an individual; it is not a government view—it would not seem to make much sense to, in essence, initiate a whole process in a transitional provision just because they have technically started it when we are doing a review of everything. I accept the Hon. Ms Bonaros's view, which is different to mine in relation to the social effects test. The honourable member says the fact that nothing has been transferred is testimony to the great success of the legislation. There are certainly other stakeholders who have a completely different view to that, and the member would be aware of that.

I think there are arguments that the government will need to consider where sporting associations seek to move on their existing property, from one side of the property to the other side of the property, the gaming machine entitlements they have because of a redevelopment, for example, or something like that, and the sheer impossibility of getting anything through the social effects test, which the honourable member is delighted with, has proved impossible either to get it through or the judgement in terms of the costs of going through that particular process for that to occur.

Certainly, from my viewpoint—and this is not the government's position at this stage—it would make sense to review the social effects test. If the IGA inquiry has almost completed their review and it is just a question of dotting the i's and crossing the t's on whatever it is that they were going to do, then it might make sense to conclude that and then to refer that to whoever is going to do the overall review of gambling legislation. I think it makes sense that when we are talking about reviewing gaming regulation and gambling regulation that issues like social effects tests and others ought to be part of an overall review.

From my viewpoint, the fact that the views of a particular body that we are getting rid of because everyone agrees it did not add value, in and of itself should not be a binding issue. It might be useful information, but it should not be binding on a new government and it would not be binding on a new government anyway; it is only a recommendation. It no longer exists and it would have been concluded by the commissioner under the new powers.

It is a potentially confused, convoluted response because I am not sure how far advanced the IGA inquiry into the social effects test had proceeded. All we know is it has not finished. I can give you that amount of information. If there is anything more the Attorney-General can usefully offer you, she will do that by way of correspondence.

The Hon. C. BONAROS: I appreciate what the Treasurer has said, but there was also the call from the IGA in relation to the inquiry into online gambling, and submissions were called for in relation to that. I completely understand that it was your position that it may or may not proceed, but if we could confirm whether that one is likely to proceed. I would like to say for the record that the Independent Gambling Authority has, over the years, conducted a number of reviews, many of which we have relied on and which we have found very helpful. I want to place that on the record because I would not like it to be suggested that we did not support the IGA in those functions, because we certainly have and we have provided submissions and evidence to those inquiries over numerous years.

Following on from that, my other question is: there are a number FOIs that our officers have outstanding and they have been outstanding for some time. It has been a struggle in terms of getting a response within the required time frame in relation to those FOIs. So is this something that we envisage will go down the same path? If they are not responded to by the time—assuming, again, the bill gets through—the IGA becomes defunct, will we need to start over again or will they be responded to?

The Hon. R.I. LUCAS: On the second question, we suspect the answer to that is that they would be referred and transferred to the commissioner. But, given this whole area of FOI is such a litigious one, we would need to take advice. If it is anything different to that, the Attorney will correspond with the honourable member. Our suspicion at this stage is that they would be transferred to the commissioner in terms of handling and managing it. There may well be legal issues in relation to that under the FOI legislation, which we would need to address.

In relation to the first question about the online gambling inquiry by the IGA, the answer is that that has not been concluded, so we are not aware of how far advanced that particular one is. I

think that is an even more powerful argument: if that has not very significantly gone down the path, it would not seem to make much sense to do that separately as an inquiry, albeit we have a transitional provision that allows it. If you are going to do an overall review of gambling and gaming regulation, clearly the issue of online gambling is a critical part of all of that. Again, if the Attorney thinks there is anything more that she could add to the answer I have just given you, she may well correspond with you.

The Hon. C. BONAROS: Just by way of a final question, in relation to that review and also in relation to those inquiries that I have just alluded to, the IGA was very good at ensuring that all stakeholders, including members of parliament and political parties, were involved in that consultation process, always had the ability to provide submissions, both written and oral, and were always invited to do so. My question to the Treasurer is: will the review being undertaken by the government be open to that same sort of process? That is, will we have the opportunity to provide evidence, submissions or whatever the case may be in relation to specific gambling regulation components?

Parliamentary Procedure

VISITORS

The CHAIR: I acknowledge and welcome the guests of the Hon. Emily Bourke, the SDA warehouse delegates.

Bills

STATUTES AMENDMENT AND REPEAL (BUDGET MEASURES) BILL

Committee Stage

Debate resumed.

The Hon. R.I. LUCAS: I think Mr Dini Soulio is known as Mr Dini 'The Great Consulter' Soulio, at least in informal circles in the public sector. You can rest assured that any review that he or his people are involved with will involve the opportunity for consultation with key stakeholders and members of parliament, and indeed anybody else with interests. Certainly, from the government's viewpoint, you can be assured that there will be appropriate consultation with all interested stakeholders.

Clause passed.

Remaining clauses (68 to 146) and title passed.

Bill reported with amendment.

Third Reading

The Hon. R.I. LUCAS (Treasurer) (12:43): I move:

That this bill be now read a third time.

In doing so, I want to make some brief comments. I thank honourable members for their general support for the passage of the bill with the exception of the key opposition to the provision for the abolition of the position of the Commissioner for Kangaroo Island. As a member of the Legislative Council who sat on the other side of the benches in opposition in the last budget, I was roundly criticised for having supported, as did other members in this chamber, the lawful entitlement of the Legislative Council to make amendments to budget bills, in that particular case on the bank tax.

I note that contrary to the protestations of the now Leader of the Opposition, and indeed other Labor members—to be fair to at least the Greens, their position has remained consistent on this—the Legislative Council does have the lawful entitlement to amend budget measures as long as it is prepared to accept the public criticism, if there is any, in relation to the decisions it makes. However, I do put on the public record the hypocrisy of the Labor Party on this issue.

The Hon. I.K. Hunter: You reap what you sow. You broke the convention; you're paying for it.

The PRESIDENT: The Hon. Mr Hunter, order!

The Hon. R.I. LUCAS: I am acknowledging that the Legislative Council has the lawful entitlement to vote to amend budget bills. That was our position in opposition, and in government I acknowledge the lawful entitlement of the Legislative Council to act in the same way. The hypocrisy rests with the Labor Party, because the Labor Party in government said, 'This is an outrage, it has never happened before and you should never do it.' The Labor Party, at the very first opportunity, has voted, as the *Hansard* record shows, to amend a budget bill, contrary to all the claims they made in government, that this was an outrage, that it should not be done by the Legislative Council.

My position, and the government's position more particularly, is clear: the government has acknowledged when in government that the Legislative Council does have the right. We will oppose the provision, as we did, because we believed it was wrong in terms of the principle that was involved—that is, whether or not there was a need for a Commissioner for Kangaroo Island—but in relation to whether or not the Legislative Council has the power, we acknowledge that power, and that is the same position that we adopted in opposition; that is, that the Legislative Council did have the power to amend budget—

The Hon. I.K. Hunter: Only recently.

The Hon. R.I. LUCAS: No, not recently. I refer the Hon. Mr Hunter to the speech I gave where I listed more than a dozen occasions over the 150-year history of the Legislative Council when budget bills had been amended by Labor and Liberal oppositions, with the support of crossbenchers in most cases.

The never-never land in which the Hon. Mr Hunter and the Labor Party exist is not supported by facts. The facts have been placed on the record in the last budget debate. I acknowledge that on this occasion again the Labor Party, contrary to the claims they made, has committed, in their view, the outrage of amending a budget bill in the Legislative Council. With that, I thank honourable members for their support for the third reading of the bill, with the exception of that particular opposition.

Bill read a third time and passed.

Sitting suspended from 12:48 to 14:15.

Parliamentary Procedure

PAPERS

The following papers were laid on the table:

By the President—

Reports, 2017-18—
- District Council of Grant
- District Council of Mount Remarkable

By the Treasurer (Hon. R.I. Lucas)—

Reports, 2017-18—
- Department of Treasury and Finance
- Distribution Lessor Corporation
- Generation Lessor Corporation
- Local Government Finance Authority of South Australia
- South Australian Government Financing Authority
- Southern Select Super Corporation
- Transmission Lessor Corporation

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

Reports, 2017-18—
- Department for Child Protection
- Department of Human Services
- Office of the Guardian for Children and Young People

South Australian Housing Trust
Department for Child Protection—Additional Reporting Obligations Report

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

Reports, 2017-18—
Australian Health Practitioner Regulation Agency
Balaklava Riverton Health Advisory Council Inc
Barossa and Districts Health Advisory Council Inc
Berri Barmera District Health Advisory Council Inc
Bordertown and District Health Advisory Council Inc
Ceduna District Health Service Health Advisory Council Inc
Central Adelaide Local Health Network
Central Adelaide Local Health Network Health Advisory Council
Chief Psychiatrist of South Australia
Coorong Health Service Health Advisory Council Inc
Country Health SA Local Health Network Inc
Country Health SA Local Health Network Health Advisory Council Inc (Governing Council)
Eastern Eyre Health Advisory Council Inc
Eudunda Kapunda Health Advisory Council Inc
Gawler District Health Advisory Council Inc
Far North Health Advisory Council
Hawker District Memorial Health Advisory Council
Health Performance Council
Hills Area Health Advisory Council Inc
Kangaroo Island Health Advisory Council Inc
Kingston Robe Health Advisory Council Inc
Leigh Creek Health Services Health Advisory Council
Lifetime Support Authority
Lower Eyre Health Advisory Council
Lower North Health Advisory Council Inc
Loxton and Districts Health Advisory Council Inc
Mallee Health Service Health Advisory Council Inc
Mannum District Hospital Health Advisory Council Inc
Mid North Health Advisory Council Inc
Mid-West Health Advisory Council Inc
Millicent and District Health Advisory Council Inc
Mount Gambier and Districts Health Advisory Council Inc
Naracoorte Area Health Advisory Council Inc
Northern Adelaide Local Health Network
Northern Adelaide Local Health Network Health Advisory Council Inc
Northern Yorke Peninsula Health Advisory Council Inc
Office for the Ageing
Penola and Districts Health Advisory Council Inc
Pharmacy Regulation Authority SA
Port Augusta, Roxby Downs and Woomera Health Advisory Council
Port Broughton District Hospital and Health Services Health Advisory Council Inc
Port Lincoln Health Advisory Council Inc
Port Pirie Health Service Advisory Council
Quorn Health Services Health Advisory Council
Renmark Paringa District Health Advisory Council Inc
SA Ambulance Service Inc
SAAS Volunteer Health Advisory Council
Small Business Commissioner
South Australian Medical Education and Training Health Advisory Council
South Australian Mental Health Commission
South Coast Health Advisory Council Inc

Southern Adelaide Local Health Network
Southern Adelaide Local Health Network Health Advisory Council
Southern Flinders Health Advisory Council
The Murray Bridge Soldiers' Memorial Hospital Health Advisory Council Inc
The Whyalla Hospital and Health Service Health Advisory Council
Veterans' Health Advisory Council
Waikerie and Districts Health Advisory Council Inc
Women's and Children's Health Network
Women's and Children's Health Network Health Advisory Council Inc
Yorke Peninsula Health Advisory Council Inc

Regulation under National Schemes—
Health Practitioner Regulation National Law

Ministerial Statement

SURROGACY REFORM

The Hon. R.I. LUCAS (Treasurer) (14:21): I table a ministerial statement made by the Attorney-General in another place today on the subject of Surrogacy Reform Takes Next Steps.

Parliamentary Procedure

ANSWERS TABLED

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

Question Time

KORDAMENTHA

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:22): I seek leave to make a statement to provide additional information in answer to a question.

Leave granted.

The Hon. S.G. WADE: In response to a question yesterday from the Leader of the Opposition, I undertook to seek further advice regarding two KordaMentha staff who have temporarily taken on roles in CALHN management. I have been advised that the cost of these positions is in addition to the broader KordaMentha contract and their appointment was a decision of SA Health management.

The KordaMentha employees have reported to a public servant throughout this process. They have no authority over any clinical decisions, hold no financial delegations and exercise no authority under Public Service legislation. Decisions about patient care, including access to patient records or direct interaction with patients, have always and will always remain with clinical staff. The total cost of these temporary appointments will be $220,000 plus GST and on-costs over a 10-week period, concluding on 30 November.

COMMUNITY VISITOR SCHEME

The Hon. K.J. MAHER (Leader of the Opposition) (14:25): I seek leave to make a brief explanation before asking a question of the Minister for Human Services regarding the Community Visitor Scheme.

Leave granted.

The Hon. K.J. MAHER: I refer the minister to a report in *The Advertiser* on Monday of this week, titled 'New probe on carer's "threats"', regarding a police investigation into the alleged abuse of a disability client by a disability worker. I understand, and I am informed, that these concerns were already made known to the minister through the Principal Community Visitor's annual report.

I also refer the minister to another report in *The Advertiser* on Monday titled, 'Visitor scheme is threatened', in which the minister refused to support the ongoing funding of the scheme beyond

30 June 2019. Given the good work of the Principal Community Visitor in unearthing complaints and concerns within the community sector, can the minister explain why she is refusing to provide funding certainty for it beyond June next year?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:26): I thank the honourable member for his questions. In relation to the Community Visitor Scheme, the disability Community Visitor Scheme is established under the Disability Services (Community Visitor Scheme) Regulations 2013. The CVS attends supported accommodation funded by DHS, supported residential facilities and day options programs to advocate for individuals and inquire into the quality of care.

The CVS is an independent statutory scheme that can advocate resolution of client issues and improve service responses for state-funded supports. The NDIS Quality and Safeguards Commission commenced in South Australia in July 2018. This commission is responsible for service provider registration, complaints, incident management and positive behaviour support for NDIS-funded providers and participants. We have received legal advice that the CVS has no legal coverage for these services.

The commonwealth Department of Social Services is coordinating a national review of community visitor schemes, which is being conducted by an independent consultant, which is due for consideration by COAG in December 2018. South Australian stakeholders were provided with an opportunity to participate in consultations on 9 October. At the request of the South Australian Principal Community Visitor, a second private consultation was held in Adelaide, specifically for community visitors. This followed the public consultation. The role of the mental health community visitor is not affected by any changes to the disability Community Visitor Scheme, which is an important note, so that role continues.

The role of the community visitor in the disability space is under review by the commonwealth government. We believe that the Community Visitor Scheme certainly adds value to disability services. The commonwealth of course has a right to review these services going forward, and we await a positive report from them in due course.

COMMUNITY VISITOR SCHEME

The Hon. K.J. MAHER (Leader of the Opposition) (14:28): A supplementary: when is the review expected to be finalised?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:28): As I think I outlined in my substantive response, we believe that it will be completed this year.

COMMUNITY VISITOR SCHEME

The Hon. K.J. MAHER (Leader of the Opposition) (14:28): A further supplementary: has the minister contributed to the review or been a part of the review and made suggestions as to what the minister thinks should happen beyond the time remaining for funding?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:29): I understand that the Department of Human Services has had some involvement in this and has provided input through that. I would need to double-check whether I have corresponded with them directly myself. It is well known that I am supportive of the Community Visitor Scheme because, indeed, I am very proud of the fact that I introduced the first legislation into parliament to support the Community Visitor Scheme. So my views are well known on this and have been expressed many times.

COMMUNITY VISITOR SCHEME

The Hon. K.J. MAHER (Leader of the Opposition) (14:29): A further supplementary: can the minister inform the chamber what the existing state federal funding mix is for the visitor scheme?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:29): I think the honourable member once again demonstrates that the Labor Party doesn't understand what is taking place with the NDIS. Prior to the full rollout, which was due to take place on 30 June this year, the South Australian government was responsible for the regulation of disability services. That has now transferred to the Quality and Safeguards Commission, as of 1 July.

Our advice, as I said in my substantive response, is that we understand from legal advice that the Community Visitor Scheme does not have jurisdiction to continue to compulsorily enter services, or without the willingness of the provider, although a number of providers have, and the CBS has reported to us that most providers are more than happy for the community visitor to continue to enter premises because they certainly see it as a value-added role as issues are often identified through the scheme that they weren't aware of. It has heretofore been completely funded by the state government. The federal government is responsible for the Quality and Safeguards Commission, which is its own agency.

ECONOMIC AND BUSINESS GROWTH FUND

The Hon. C.M. SCRIVEN (14:31): I seek leave to make a brief explanation before asking a question of the Minister for Trade, Tourism and Investment regarding the Economic and Business Growth Fund.

Leave granted.

The Hon. C.M. SCRIVEN: During question time on Tuesday, the minister advised the council that the industry assistance grant to Mitsubishi was awarded under the Economic and Business Growth Fund. This grant represents 10 per cent of the allocated $20 million for this financial year for the fund, a grant that did not appear to undergo any due diligence process that the government set out for itself. My questions to the minister are:

1. When did Mitsubishi contact the government seeking industry assistance funding?

2. Why didn't the $2 million grant to Mitsubishi go through the governance group for this fund?

3. Did his departmental officials assess the application?

4. How many applications to the Economic and Business Growth Fund are currently under consideration?

The PRESIDENT: Minister.

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:32): I am just making sure I don't miss any of the honourable member's questions, Mr President. I thank her again for her ongoing interest in this particular issue. In relation to the actual date that Mitsubishi contacted the government, I will have to take that exact date on notice. There had been some ongoing discussions for some considerable time, but I don't have the exact date in front of me.

As we explained on the day, this is a cabinet approved fund that has a governance group that has senior officials and Treasury officials and the like on it, and then of course it comes to cabinet. The Mitsubishi application did go through the process that I outlined before, and I think the Treasurer may have outlined, when we were examining the Auditor-General's Report on Tuesday as well. It did go through that process.

The Treasurer and I have often mentioned in this place together that our new approach will be to have a broader approach to industry assistance, more of a sectoral approach where a range of businesses can benefit, but cabinet and the government always reserve the right to make a decision on an individual company if we see that it is a sensible thing to do.

We have seen that Mitsubishi has a long-term commitment now. It has had since 1980; that is 38 years now. It was an opportunity to support Mitsubishi for a long-term investment, to make their national headquarters here in South Australia. We will pursue opportunities that are of the broadest possible nature, but we will always reserve the right, as a government and a cabinet, to make decisions on individual companies as we did with Mitsubishi. Regarding the departmental officials, I am sure there was some assessment done at a departmental level as the process, the application and the actual deal itself were assessed.

In relation to the number of applications, at the moment the way it is operating is we have a set of guidelines I think soon to come to cabinet, which cabinet will be reviewing, but at the moment I don't know the number. Certainly, we have the Department for Trade, Tourism and Investment, the Department for Industry and Skills and the Department of Primary Industries—there will be three

ministers that can bring matters to cabinet and through the process to that senior governance group from that particular fund. So I don't have the exact figures of any applications.

There are a number of groups, industry sectors, that are in constant contact with the government. There is a range of proposals that are live proposals at any one time. I will take that on notice and endeavour to bring back a reply for the member.

The PRESIDENT: The Hon. Ms Scriven, a supplementary.

ECONOMIC AND BUSINESS GROWTH FUND

The Hon. C.M. SCRIVEN (14:35): So what criteria will the government be using to determine whether to look sector-wide or to individually pick winners for individual companies, as they've done in this case?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:35): The honourable member obviously hasn't been in government. I made the comment that it will be a sector-wide approach, but the government always will reserve its right, from a cabinet point of view—the cabinet determines that—to support a company. Clearly members opposite were, if you like, in control when Mitsubishi left and when Holden left, and obviously they are a bit annoyed that Mitsubishi have decided to stay in South Australia. They were happy to see them go.

We have made a decision to invest $2 million. We think it's a wise investment. Mitsubishi are committed to a long-term future in Australia, and, as I said on Tuesday, it's not only automotive manufacturing. Obviously their automotive headquarters are here, but they are a massive global company. It's great to have their commitment to stay in South Australia. That will be a cabinet decision, and I'm not going to divulge the discussions that happen in cabinet.

ECONOMIC AND BUSINESS GROWTH FUND

The Hon. C.M. SCRIVEN (14:36): A further supplementary: I am not asking for you to divulge cabinet discussions, merely the criteria that will be used to assess whether an individual company is granted assistance, as opposed to your rhetoric around it being sectoral.

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:36): I said there will be a list; there will be guidelines that go to cabinet shortly. When they have gone to cabinet, if cabinet chooses to make them public, we will, and the criteria, as I said, will be a matter of judgement for the cabinet on any particular set of circumstances where we see an individual company is worth supporting.

KORDAMENTHA

The Hon. E.S. BOURKE (14:37): My question is for the Minister for Health and Wellbeing. Although the minister refuses to answer whether the original contract with KordaMentha was entered into in accordance with the Treasurer's Instructions, can the minister advise whether the original contract with KordaMentha was entered into in accordance with the state procurement guidelines?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:37): So the question was whether or not it was entered into in accordance with the—

The Hon. E.S. Bourke: State procurement guidelines.

The Hon. S.G. WADE: —state procurement guidelines? It was certainly entered into within procurement guidelines, but if the honourable member is asking me what involvement the State Procurement Board had, I will take that on notice.

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

KORDAMENTHA

The Hon. E.S. BOURKE (14:38): Yes, I do have a supplementary. It can't come from the answer, but are you aware of any investigations into the appointment of KordaMentha and, if so, by whom?

The PRESIDENT: That's not a supplementary, having regard to the minister's answer. It can be asked by another Labor member later in question time.

TRADE MISSIONS

The Hon. T.J. STEPHENS (14:38): My question is for the Minister for Trade, Tourism and Investment. Can the minister share an update with the council on his business trip to China last week?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:38): Thank you, Mr President—

The PRESIDENT: I haven't given you the call, yet.

The Hon. D.W. RIDGWAY: Oh, sorry.

The PRESIDENT: Minister.

Members interjecting:

The Hon. D.W. RIDGWAY: The members opposite are always intrigued about business cards; I don't know quite what they are on about. They have made up some fictitious little story, but I don't want to be distracted by them, Mr President.

The PRESIDENT: The Hon. Mr Ridgway, please inform the chamber from the—

The Hon. D.W. RIDGWAY: I thank the honourable member for his question. The Marshall Liberal government is committed to regaining our ground on international trade. I just reiterate: when Labor came to office in 2002, South Australia's share of the national merchandise exports was 7.4 per cent, and after 16 years of Labor, South Australia's export performance has fallen behind the rest of the nation, with our current share around 4 per cent; in fact it is a little under 4 per cent. In addition to honouring our election commitment by opening the Shanghai trade office, my trip last week supported dozens of South Australian companies with their in-market exporting activities.

On 5 and 6 November I attended China's first International Import Expo (known as the CIIE) in Shanghai. The CIIE was held in an exhibition centre of some 50 hectares, some 500,000 square metres of exhibition space. I think on 5 November I walked some 23,000 or 24,000 steps, walking around that particular exhibition. As people would know, I enjoy walking but that was still a pretty big day of walking around. Unfortunately, I still did not get to some of the pavilions that had the latest automotive displays and robotics which I think would have been spectacular to see. Unfortunately, we could not get to everything.

There were 24 South Australian businesses exhibiting their products and services at CIIE and I visited all of their trade booths. Of course, there were a number of world-class wineries present as well as SA food and beverage companies such as Beston Pure Foods, Thomas Foods, Southern Australian Cattle Company, Almond Board of Australia, Oleapak and more who exhibited as part of the Food SA stand. I also caught up with Mr Gui, the business partner for Hancock Pastoral and the Kidman Properties, on his stand, where they were certainly proud to display some of the magnificent beef that is raised not only in South Australia but the rest of Australia.

Other South Australian brands also included the Port Adelaide Football Club. It was good to be joined on a trade venture with some South Australian footballers. I know that the Hon. Rob Lucas is not that excited by Port Adelaide but, nonetheless, when overseas it is all one big happy family and we have to support every football club that is over there in the market. Also there was the University of Adelaide and Earth Adventure. While at the CIIE I was pleased to witness a number of business deals signed between South Australian businesses and their Chinese partners, creating more jobs and more wealth for our state.

Following the CIIE, I travelled to Hong Kong for the annual Wine and Spirits Fair on the 8th. At the fair I caught up with some distributors and key wine influencers in Asia as well as many South Australian wineries, including wines by Geoff Hardy, Chateau Tanunda, Schubert Estate, Leabrook Estate, Organic Hill, Salena Estate, Eisenstone Wines, Eldredge Wines and more.

An honourable member: Which was the best?

The Hon. D.W. RIDGWAY: They were all fantastic. That evening at the Cathay Pacific Hong Kong International Wine and Spirit Competition I was proud to present two South Australian wineries

with awards, recognising some of their world-class product. McLaren Vale III Associates won best shiraz and best Australian red wine for their 2016 Squid Ink shiraz, and the Barossa winery, Gatt Wines, won the award for the best riesling for their Gatt High Eden riesling 2015. Considering that there were some 1,075 exhibitors at the fair from 33 countries I think these awards are an outstanding achievement and testament to the state's quality produce and our winemaking abilities.

While I was at the dinner, seated at the table with me was the Minister for Agriculture and Forests from Slovenia. I took the opportunity to extend an invitation to the minister to visit South Australia, a part of the world that she said she had never been to. Hopefully, next year, Mr President, you might be able to recognise her in the gallery if, hopefully, she comes to visit.

This experience working in-market for South Australian wineries and food companies last week confirms that our product is, of course, world-class but that our competition, which comes from the world over, is both fierce and unrelenting. As demonstrated by this visit and the opening of our new Shanghai office, our government is committed to working with our producers to help them unlock new export opportunities in key markets to boost our state's economic performance, to boost our export performance, and to drive a stronger economy and create more jobs for South Australians.

MEDICAL SPECIALISTS

The Hon. F. PANGALLO (14:43): I seek leave to make a brief explanation before asking the Minister for Health and Wellbeing a question about the use of overseas specialists to fill positions in regional hospitals.

Leave granted.

The Hon. F. PANGALLO: On a recent visit to Eyre Peninsula I was informed that a maternity specialist, I believe an obstetrician, flies into Whyalla Hospital on a regular basis from Singapore, and that there are other medical specialists brought in from interstate to fill various roles in regional hospitals or health centres. My questions to the Minister for Health and Wellbeing are:

1. Can the minister confirm that doctors and specialists from overseas and interstate are being flown in to fill positions in city and regional hospitals?

2. Can he provide details about each individual case, including where they travel from and where they practise?

3. Can he outline how long have they been in those positions, the costs of their tenure and how it would compare with using local medical specialists and practitioners?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:44): I thank the honourable member for his question. If I could start with your last question: would we prefer to employ locals—of course, we would. We would always prefer to employ locals and, in particular, we are very keen to employ locals who are resident. In a recent trip to Eyre Peninsula, I visited four country towns who did not have a resident GP and the anxiety in those communities about not having emergency access to GPs is palpable. So of course we would always want to employ locals.

In terms of Whyalla, obviously Whyalla is a major regional centre. It has approximately 180 births per year and, just like any other regional centre, it is important for that community to have access to maternity services. Whyalla Hospital and Health Service has obstetrics and gynaecology specialist services, but unfortunately they are dependent on locum services. Whyalla Hospital relies on specialists to provide 24-hour maternity and gynaecological services.

All specialist locums are registered as specialists by the Australian medical board and credentialled as specialists in obstetrics and gynaecology. Locums are booked and rostered well in advance, with the hospital coordinating flights within Australia to Whyalla. The Whyalla Hospital is only responsible for the costs of a flight from a city in Australia to Whyalla. Any overseas locums that are used are expected to pay the cost of flights from overseas to reach Australia. Whyalla Hospital provides level 3 birthing services and a specialist gynaecology service, but there is no general practitioner obstetrician currently practising in Whyalla.

The last international medical graduate obstetrics and gynaecology specialist left Whyalla in February 2016, after four years of service. Regular locums are engaged to provide the service and locums can reside in Adelaide, interstate or overseas. As I said, if they are an overseas locum, we

only pay for the last leg of the transport costs. I assure the people of Whyalla and the honourable member that all specialists have a specialist registration with the Australian Health Practitioner Regulation Agency and credentialling in both obstetrics and gynaecology.

SYPHILIS OUTBREAKS

The Hon. I.K. HUNTER (14:47): I seek leave to make a brief explanation before asking a question of the Minister for Health and Wellbeing on the subject of syphilis outbreaks.

Leave granted.

The Hon. I.K. HUNTER: I refer to recent reports that a baby born in Port Augusta last year was the first child to be born in South Australia with congenital syphilis in 18 years. I also refer to reports yesterday that a syphilis outbreak has been declared in Adelaide, in addition to parts of regional South Australia. My three questions to the minister are:

1. What action has the government taken to reduce rates of syphilis and congenital syphilis diagnoses, particularly in regional South Australia?

2. Why has the government cut funding to HIV and STI prevention programs in this state budget at a time of ongoing and increasing syphilis outbreaks in our state?

3. Will the government commit to increasing funding for sex education programs, particularly in regional areas, now that the minster is aware of these outbreaks?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:48): The syphilis outbreak is well-established, in a sense. I think it is about eight years since the outbreak first started. I think it is 18 months since it first entered South Australia and, more recently, Adelaide. We are contacting all GPs and medical officers to make them aware of the small but sustained increase in syphilis cases in metropolitan Adelaide over the past six months. Adelaide is now included in the syphilis outbreak, which has affected the Far North and Eyre and western regions of South Australia.

All doctors are advised to offer syphilis testing to Aboriginal and Torres Strait Islander people to assist in controlling the outbreak. Locating, testing and treating the partners of infectious people is also an important part in controlling syphilis. For its part, the state government is working with the commonwealth as part of the Multijurisdictional Syphilis Outbreak Working Group to monitor the outbreak and coordinate the public response.

I do have a statement that was issued by the Communicable Disease Control Branch on 14 November and it gives information particularly for medical practitioners in the outbreak areas. Some of the work that is being done at the state level has included a syphilis register, which helps us to follow up the care needs of people with syphilis.

We are working actively at the local level with the Aboriginal Health Council, and I think it is important to be mindful that the government will always stand alert to ensure that programs are nimble enough to respond to emerging risks. I can assure you that the Communicable Disease Control Branch of SA Health will be alert to make sure that resources are deployed to minimise the outbreak.

SYPHILIS OUTBREAKS

The Hon. T.A. FRANKS (14:50): Supplementary: what level of financial resources have been allocated, given the outbreak has now hit the capital city of Adelaide, to ensure that nimbleness is effective and able to be implemented with particular regard to peer education and prevention, not just testing?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:50): I certainly take the member's point that education, awareness and so forth are very important preventive health measures. The government certainly concurs with that strategy. Of course, they are medium to long-term strategies and the public health response, at this stage, will be particularly in relation to the treatment side of the equation. In terms of the costs, I will make inquiries of my department, and in particular seek an assurance that if resources are needed to escalate the response in relation to recent developments, I am made aware of that.

SYPHILIS OUTBREAKS

The Hon. I.K. HUNTER (14:51): Supplementary arising from the minister's original answer: was the minister aware of the syphilis outbreak when he and his Treasurer were determining the cuts to STI prevention programs in the recent budget?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:51): As I indicated, the syphilis outbreak has been with us in South Australia for about 18 months, is my understanding, so of course we were aware of the range of public health challenges South Australia faces. We have to manage all of our services in a sustainable way year after year.

SYPHILIS OUTBREAKS

The Hon. I.K. HUNTER (14:52): Supplementary arising again from the original answer: given the minister has just admitted that he was aware of the syphilis outbreak, why then has the government cut funding to HIV and STI prevention programs in the state budget?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:52): I go back to the point I made earlier, which was that we have, shall we say, base funding or recurrent funding. We also always stand ready to respond to emerging threats. Treasury retains contingencies and so does Health and, as I indicated to the Hon. Tammy Franks, I will specifically speak to the public health branch about making sure they have the resources they need in the current context.

SYPHILIS OUTBREAKS

The Hon. I.K. HUNTER (14:53): Supplementary: have any STI prevention programs in regional South Australia been scaled back or reduced, and does the minister have any plans, now that he is aware of the syphilis outbreak, to increase their funding?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:53): Much of our funding in this area is not directly by SA Health agencies; it is often to non-government agencies. It would be reckless of me to try to proffer an answer to that, so I will take that on notice.

SYPHILIS OUTBREAKS

The Hon. I.K. HUNTER (14:53): Final supplementary: given the minister's answers and his original answer, and particularly relevant to his last answer, why then does the minister believe it is appropriate to be reducing funding to organisations, such as Shine SA, whose core job is prevention and education programs?

The Hon. J.M.A. Lensink: Service models change over time.

The Hon. I.K. HUNTER: And syphilis outbreaks happen, then.

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:53): Sorry, Mr President, I thought I was being asked the question. He is talking to minister Lensink.

The PRESIDENT: The Hon. Ms Lensink, please refrain from entering into a private conversation with the Hon. Mr Hunter.

The Hon. S.G. WADE: I think the case the honourable member raises, that of Shine SA, is an interesting one. One of the key dynamics there is that SA Health, noting the business models of other organisations interstate and in discussions with Shine SA, is of the view that a significant proportion of the services provided by Shine SA could be, shall we say, 'Medicarised'; in other words, the funding could be accessed through Medicare item numbers. Therefore, it is our view that the services will be able to be sustained without state government funding.

COMMUNITY CENTRES SA

The Hon. J.S. LEE (14:55): My question is to the Minister for Human Services about community partnerships. Can the minister please provide an update to the council about the importance of community centres in fostering community partnerships and how these partnerships are delivering tangible benefits to our community?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:55): I thank the honourable member for her question. Can I say that it was a great privilege to attend recently the annual

Community Centres SA conference, which was held at the Morphettville Racecourse on 25 and 26 October, with the theme 'Partnerships with purpose'. We have over 100 community centres in South Australia, with something like 35 South Australians who visit community centres and neighbourhood houses every week, and those people benefit from the creative solutions, innovative enterprises and economic efficiencies that come from partnerships that community centres initiate and nurture.

Our community centres are a very diverse group of organisations, which are well led by Community Centres SA. This specific conference provided insight to participants from community centres, allied organisations and people at the coalface of community development about the benefits and positive experiences of partnering. It explored how delivering improved community outcomes can be achieved through purposeful partnerships with government, business and philanthropic organisations, as well as some cultural, social and commercial movements.

The sessions I was able to attend this year and also spoke at considered two significant issues: one was the role of volunteers, and the second was about innovative areas for community centres to be in partnerships. From discussions with a number of the people who were there, some of our sporting facilities and civic centres are moving towards incorporating community centres in their redevelopments. Clearly, we have sporting centres that often have a lot of people there on weekends and after hours, and community centres are often open during business hours. So for them to be co-located and share some of their facilities is a good thing and also provides greater opportunities for community members and volunteers to participate.

There was a session where the Department of Human Services and Volunteering SA led a quiz session, just to test everybody's understanding of volunteering, particularly corporate volunteering. To broadly summarise, there are a number of larger corporate organisations that have people volunteering in significant numbers amongst their employees, much less so for small businesses.

It was good to talk to people there about our particular policy, which is focused on extending the WeDo app to businesses to enable them to log the volunteer hours that people provide as a demonstration of their support to the community. They always have very novel speakers at the Community Centres annual conferences, which are very well attended and very uplifting meetings and very enjoyable. I commend them for their work in encouraging community organisations to adopt results-based accountability principles, and wish them and their work in the community all the best.

LEIGH CREEK ENERGY

The Hon. M.C. PARNELL (14:59): I seek leave to make a brief explanation before asking a question of the Minister for Trade, Tourism and Investment, representing the Minister for Energy and Mining.

Leave granted.

The Hon. M.C. PARNELL: Forty minutes ago, Leigh Creek Energy notified the Australian stock exchange of the failure of their gasification process as part of their precommercial trials of underground coal gasification at Leigh Creek. Apparently, the company wrote to the department on 5 November. It pointed out that the gases that were observed on 11 October were mainly air, nitrogen, oxygen, with some products of combustion—carbon dioxide and carbon monoxide—but they have only detected trace amounts of gasification products, being methane and carbon monoxide.

They then sought a suspension of their three-month trial, a suspension of four weeks, so they could try to reignite the coal seam under the ground. That was on 5 November. Two days later, on 7 November, under delegated authority, the director of Energy Resources with the Department for Energy and Mining approved that suspension. Today, at 2.20pm central time, the company notified the stock exchange. My questions, which I would ask the minister to pass on to his colleague in another place, are:

1. Is the government undertaking any independent monitoring of pollution from this project or is it relying entirely on information it receives from the proponent?

2. What is the government's estimate of the quantity of greenhouse gases that have been or are being vented directly to the atmosphere in the absence of flaring?

3. Is the minister at all concerned that the company didn't notify the stock exchange for eight days after seeking permission for the extension?

4. When will the government realise that risky and polluting coal projects have no place in South Australia's renewable energy future?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (15:02): I thank the honourable member for his ongoing extreme and enthusiastic interest in the Leigh Creek Energy project. I will be very happy to take all of those questions on notice and refer them to the Minister for Energy and Mining in another place.

AUSTRALIAN CRANIOFACIAL UNIT

The Hon. I. PNEVMATIKOS (15:02): My question is to the Minister for Health and Wellbeing. Has the minister read the recent letter to him from South Australian of the Year, Professor David David, detailing his 'deep concerns about the status and future of the Australian Craniofacial Unit'? Further, what is your initial response to the concerns raised?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:03): I thank the honourable member for her question. Normally, I would give the person who writes me a letter the courtesy of a response rather than giving it in the house. Nevertheless, on 14 November 2018, I received a letter from Professor David which both reiterated some concerns that he previously conveyed to me and also mentioned some others. I am considering a range of issues in relation to the Australian Craniofacial Unit, including those raised in the letter. There is no further update for the chamber at this time.

AUSTRALIAN CRANIOFACIAL UNIT

The Hon. I. PNEVMATIKOS (15:03): Supplementary, Mr President: what is the minister's response to the concerns of Professor David David, as detailed in the letter, that there are still no overseas patients being treated despite the promises of the minister?

The PRESIDENT: The Hon. Ms Pnevmatikos, the question goes a bit too far from what the minister said. Does the minister want to respond to the first part of that question, whether he wishes to respond to any concerns raised?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:04): I certainly intend to respond to all of the concerns raised by Professor David once I have had the opportunity to further consider the range of issues.

CHEMOTHERAPY TREATMENT

The Hon. J.S.L. DAWKINS (15:04): My question is to the Minister for Health and Wellbeing. Will the minister update the council on what steps the government is taking to improve the safety of chemotherapy prescribing in this state?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:04): Through you, Mr President, I thank the honourable member for his important question. As the member would be aware, in 2014 and 2015, 10 leukaemia patients receiving treatment at the Royal Adelaide Hospital and the Flinders Medical Centre were given the incorrect dosage of chemotherapy. Subsequent to the bungle coming to light, a number of reviews and investigations sought to find out what had gone wrong, why the errors hadn't been picked up sooner, why full and frank disclosure to the affected patients and families hadn't occurred and, importantly, what systems needed to be put in place to reduce the likelihood of something like this happening again.

One of those investigations is still ongoing: a coronial inquiry into the death of four of the 10 patients. Another was a select committee inquiry of this council. I acknowledge that the President, then a mere mortal member of the Legislative Council, was the Chair of that committee and the Hon. John Dawkins, I appreciate, was also a member of that inquiry. That inquiry found that the protracted time frame for the implementation of a statewide electronic system for chemotherapy protocols was 'unacceptable' and shone a light on the then Labor government's failure to implement

key recommendations made in the wake of serious dosage errors that had occurred in 2008—10 years ago. Ten years ago, this was brought to the attention of the former Labor government.

When, in the wake of those earlier bungles, the then Labor health minister, John Hill, tabled a 2009 review of SA Cancer Service, he committed his government to implementing all 12 of the review's recommendations. The work to be done included procuring and implementing a statewide electronic chemotherapy system. Ten years later, we still don't have one.

This work was to be done, including procuring and implementing, as I said, the statewide electronic chemotherapy system. Money was allocated for the system—$4.2 million. Work commenced to identify a suitable provider and then the whole thing got lost, or 'subsumed' would be a better word, when EPAS came along. The money was spent, but a statewide electronic prescribing system was never put in place. One victim of the bungle has described this as 'chronic decision constipation'.

If the Labor government had delivered on its promise, if a robust prescribing system had been put in place, then the underdosing of the 10 leukaemia victims in 2014 and 2015 may never have occurred. In the run-up to the state election, the Liberal Party promised to implement a statewide electronic cancer information and prescribing system. We followed up that commitment with a $5 million allocation in the state budget. Now, today, we are one step closer to cleaning up Labor's mess with a call for tenders for a statewide enterprise chemotherapy prescribing system.

The prescribing system we are putting in place will support the needs of cancer patients, both adults and children, attending any of the public hospital sites across metropolitan and country South Australia delivering chemotherapy. It will support SA Health workers at those sites by improving the safety of the entire medication management process for their patients. It will reduce the risk of adverse events relating to chemotherapy and cancer survival in South Australian public hospitals and it will improve medication safety, resulting in a reduction in errors and serious untoward events.

The tender for the prescribing system closes in the middle of January 2019. SA Health expects the successful tender will be selected in the first half of next year. I look forward to receiving regular briefings on this important project and I will be pleased to update the council on its progress from time to time. In the meantime, I hope the Marshall Liberal government's action in relation to this matter will provide some comfort to the surviving patients and family members of the underdosing bungles. We cannot undo what happened, but we must do everything we can to prevent such things from happening again.

RETIREMENT VILLAGES

The Hon. J.A. DARLEY (15:09): I seek leave to make a brief explanation before asking the Treasurer a question about a select committee on retirement villages.

Leave granted.

The Hon. J.A. DARLEY: Prior to the election this year, the then Liberal opposition committed to establishing a select committee to investigate matters relating to retirement villages, including the impact of valuation policies. Notwithstanding the fact that the undertaking was to have this committee established within the first six months of forming government, no such committee has been established. In discussions with the Treasurer, I understand that the government is working on the terms of reference for the committee. Can the Treasurer advise when he anticipates the motion to establish a committee will be introduced into this place?

The Hon. R.I. LUCAS (Treasurer) (15:10): I thank the honourable member. As he is aware, and has indicated, we have had a number of discussions about the issue. It is my expectation that I will be in a position to give notice on the next Tuesday of sitting to commence debate. It will be a motion in government time, so we should have time, should the parliament agree, to establish the then Liberal opposition's commitment for a joint select committee to look at this particular issue. It will require the passage of a motion through both houses of the parliament.

The honourable member is aware that I have had discussions with the spokesperson—and I forget the exact title of the group—for the residents group of retirement villages in terms of a

discussion about the precise nature of the terms of reference for the joint select committee. There has been some agreement in relation to that particular issue between that group and myself. We now need to go through the processes of government and, as I said, my expectation will be to give notice on the next Tuesday when we sit.

RETIREMENT VILLAGES

The Hon. D.G.E. HOOD (15:11): Supplementary: is it the Treasurer's intention that the select committee would also investigate so-called lifestyle villages?

The Hon. R.I. LUCAS (Treasurer) (15:11): No, it's not, although we are obviously subject to the will of the parliament. There was a specific issue, and the Hon. Mr Darley and I think a number of other members will be aware that residents of retirement villages had been prosecuting for some time, in particular, the practices of the Valuer-General in terms of the valuation of parts of retirement villages and then the potential impact of that in terms of, in particular, SA Water charges. They have also subsequently raised, potentially, the impact on local government rating charges. So there are a range of specific issues of which the Hon. Mr Darley and some other members have been aware in the period leading up to the election.

I, on behalf of the then Liberal opposition, engaged in a range of discussions in terms of putting potential policy solutions to the residents groups. They weren't entirely convinced by those particular policy options. Their preferred course was to allow them to ventilate the issues before both houses of parliament and before all parties in relation to their concerns about the practices of the Valuer-General, and the potential impacts of those practices on residents in retirement villages.

As I indicated in response to a different question I think yesterday from an honourable member, the Valuer-General is completely independent, and the government of the day has no power to direct the individual valuations in relation to the way the Valuer-General goes about the task.

But, ultimately, the impact of that is something that is of interest to governments. The policy commitment was made, as the member has noted, to try to resolve that within a six-month period. We were unable to do that within that time frame but, as I said, albeit a little bit late, my intention is to bring something to the parliament to commence a process of resolution on the first Tuesday when we come back.

LYELL MCEWIN HOSPITAL INCIDENT

The Hon. J.E. HANSON (15:13): My question is to the Minister for Health and Wellbeing. Has the minister been briefed on a carjacking at knifepoint of a woman when she was arriving at work outside Lyell McEwin Hospital at 5am this morning and, if so, what was the content of that briefing?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:14): I was concerned to hear about the reports of a knife carjacking in front of the Lyell McEwin Hospital. I have made urgent inquiries as to the welfare of that staff member. I am advised that the hospital is doing all that it can to support the staff member who, understandably, is quite shaken up. My thoughts are with her and her loved ones following what must have been a traumatic experience.

LYELL MCEWIN HOSPITAL INCIDENT

The Hon. J.E. HANSON (15:14): Supplementary arising out of the answer: given what he has just outlined, is the minister confident that there is no additional risk for patients and staff using any other services ferrying people to the Lyell McEwin Hospital?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:15): In the contact between my office and the management of the Lyell McEwin Hospital, no issues were raised of a broader nature.

AGEING WELL INTERNATIONAL

The Hon. D.G.E. HOOD (15:15): My question is to the Minister for Trade, Tourism and Investment. Can the minister update the council about the recent launch of Ageing Well International at the City of Charles Sturt in late October?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (15:15): I thank the honourable member for his question. I think it is an important aspect of our community. I guess we all want to age well, as we progress through life, and now I am a year older today than I was yesterday.

On 25 October, I was delighted to attend the opening of Ageing Well International at the City of Charles Sturt. Ageing Well International is a new incorporated industry-led not-for-profit association that will promote international opportunities for South Australian businesses in the ageing sector. It is an evolution of the Australia China Aged Care Consortium established in the City of Charles Sturt in 2016.

AWI aims to deliver a systematic approach to assist South Australian businesses to capitalise on ageing opportunities internationally, and will use a 'Team SA' approach, linking the three key spheres of sector influences, an industry-led peer-to-peer network, and commercial businesses. While not intended to be exclusively China focused, AWI will initially focus on connecting players in South Australia's aged-care sector with the Chinese aged-care sector to drive inbound investment and export opportunities, supporting economic development and jobs.

The aged-care sector has great potential to contribute to the export of services through organisations like AWI. Services like training, intellectual property, software, design solutions and financial products that are required in China are all great strengths in South Australia. The gap between the emerging fast-growing Chinese market and the advanced South Australian experience presents us with a great opportunity to grow our service exports and partner with international investors.

China's population is expected to reach 1.4 billion by 2020, of which some 248 million will be over the age of 60. Heavy investment has been made in the development of aged-care facilities by the public and private sectors. As China plans how best to support its ageing population, there will be opportunities for South Australian companies.

The launch was a great event, attended by many key figures in the ageing and health sectors, including Richard Barrett, the chief executive of MedDev SA; Greg Adey, the AWI president; and more. I acknowledge the City of Charles Sturt's drive—in particular Mayor Angela Evans, recently re-elected for a second term, and the CEO, Paul Sutton—for this initiative through its leadership in establishing the Australia China Aged Care Consortium.

The event was attended by about 100 people across many sectors. Interestingly, I first came across Mr Richard Barrett in the Rural Youth Organisation 35 or 40 years ago. That organisation no longer exists, but certainly does provide support for businesses and the community many years after it folded.

The ageing well sector is one of the biggest emerging sectors in the world, and South Australia is in a great position to help meet this demand. Only recently, the Premier launched the Global Centre for Modern Ageing and the associated LifeLab at Tonsley, and I was pleased to have an opportunity to visit that just a few weeks ago.

The state government is a big supporter of industry-led initiatives. We firmly believe in creating the right conditions for the private sector to flourish as a pathway to prosperity. I wish Ageing Well International success and look forward to seeing how the initiative grows in South Australia and around the world.

HEALTH WORKFORCE

The Hon. C. BONAROS (15:18): I seek leave to make a brief explanation before asking a question of the Minister for Health and Wellbeing about front-line nurses in our public health system.

Leave granted.

The Hon. C. BONAROS: In recent months, I had reason to find myself accompanying a loved one to the emergency department of the new Royal Adelaide Hospital, and some of the incidents that I saw there, particularly involving mental health patients in ED beds, have been well documented in the media.

I found myself talking to a nurse, who indicated she had just been assaulted and, specifically, spat on by a patient in a mental health bed. When I queried whether she was okay, her response caught me by surprise in that she said that yes, she was okay, but then she went on to advise me that staff receive a payment, a form of compensation, each time they are subjected to a physical or verbal assault.

Unfortunately, I didn't have the opportunity to query the matter with her further. So my question to the minister is: can the minister confirm whether in fact a scheme exists whereby nurses and health workers in our public system are receiving any form of financial payments or compensation if they are the subject of an assault at work? If this is the case, how much does the individual receive for each assault or act of violence? Is there a scale to determine the amount paid, or is it a flat fee regardless of the act? Who determines the bona fides of the claim and approves payment? And if indeed the scheme does exist, when did it begin and how many payments have been made to patients?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:20): I thank the honourable member for her question. I take the opportunity first of all to indicate what I am sure is a shared abhorrence in this chamber of people who assault our health workers. We condemn incidents of violence against our nursing and medical staff, who work tirelessly, often in very difficult circumstances.

Staff are skilled and trained in dealing with patients who may have behavioural problems caused by intoxication, mental illness or other medical issues, such as dementia, which require expert management. We certainly, in giving that training, hope to help protect their safety. I am certainly not aware of a payment scheme of the type the honourable member refers to, but I will certainly make inquiries. I do wonder if the particular staff member was, in a shorthand way, talking about WorkCover-type payments. I am not clear on that, but I will certainly seek advice.

I think it is worth acknowledging that this parliament has indicated its concern about violence in the health workforce. My recollection was that the committee, which I think is called the occupational health and safety committee, did look at violence in the workplace in the last couple of years and they definitely included consideration of violence in the health workforce.

It is an issue that I think I we as a parliament need to continue to monitor, because one of the concerns that I think the public has, and that I as minister share, is that staff receive appropriate support to pursue matters. From time to time it is suggested that SA Health could do more to support staff to take matters further. Staff often choose not to take matters further, and that's their choice, but if they want to pursue the matter, either as a complaint or workers compensation or a police matter, I think it's important that we as a health administration and leadership support them. People need to feel safe in their workplace. People shouldn't go to work in any workplace and fear injury or death, and that applies to health workers, too.

HEALTH WORKFORCE

The Hon. C. BONAROS (15:23): Supplementary question: can the minister also, in seeking that advice, confirm whether perhaps staff who are brought in via any agencies are subject to those payments, which, for the record, on my understanding were not workers compensation payments but a penalty for the injury they had sustained during a given incident?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:23): You raise an interesting point, honourable member. I must admit the advice I get is likely to only deal with SA Health payments. It may well be that the person you dealt with was an agency nurse—I understand it was a nurse you are referring to—that that person was employed by an agency and they may have their own arrangements. But I will ask the department not only whether they have a payment scheme but whether they are aware of any other, shall we say, labour source that they use that has such a payment scheme.

ROYAL ADELAIDE HOSPITAL

The Hon. T.T. NGO (15:24): My question is to the Minister for Health and Wellbeing. Who made the decision to close the entire 9E wing at the Royal Adelaide Hospital for a month, starting in four weeks' time?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:24): I am not in a position to comment because I don't know whether what the Hon. Tung Ngo has claimed is the case. What I can say is that considering that we have 40,000 staff right across South Australia working for SA Health, there is a very large manageable workforce that is making decisions every day. I think it is important to appreciate the seasonal nature of the hospital operations.

Members interjecting:

The PRESIDENT: Order! Let the minister answer.

The Hon. K.J. Maher: Say you don't know what's going on in your portfolio.

The PRESIDENT: The Leader of the Opposition, please do not try to put words in the minister's mouth whilst you are seated. Minister.

Members interjecting:

The PRESIDENT: Don't try it. Minister, go on.

The Hon. S.G. WADE: Thank you, Mr President, and thank you for trying to teach the other side how parliament works. I will make inquiries in relation to the particular ward, but what I would remind the council is that, in the context of the hospital demand pressures that our health system has been under, particularly in recent times, I have highlighted that the government will continue to be alert, and where there is a proposal to close beds, make sure that they are not needed in terms of demand.

The tangible demonstration of that was in relation to the 20 beds at the Repatriation General Hospital—not the beds in the new Repat because they are new beds. They are basically the first inpatient beds at the old Repatriation General Hospital site since the former Labor government broke its promise to never, ever close the Repat. What is the date today? The 15th. My recollection is that the former Repatriation General Hospital closed on about 17 November, so it is almost a year since the former Labor government broke its promise to never, ever close the Repat.

Members interjecting:

The PRESIDENT: Order! I cannot hear the minister. Minister, go on.

The Hon. S.G. WADE: It goes without saying that the net loss of 100 beds in the southern system as a result of Labor's treachery to the people of South Australia has had an impact on the health system this year. I mentioned the new beds that are in the former Repatriation General Hospital in the former rehab building. We have extended the contract for the beds in what I think they call Ward RV, which is one of the wards in the southern part of the ViTA complex, and the southern network has assessed that they will have an ongoing need for those beds.

We expect management to look at the demand. Demand will often decrease over summer, not just because of seasonal factors such as influenza and the like, but it will be also impacted by seasonal factors such as elective surgery. There is often a reduction in elective surgery over the Christmas-New Year period, not only because staff are not available but also often patients prefer to have their elective surgery scheduled in other parts of the year. So there will be opening and closing of beds, as they are needed, over the coming months.

Bills

SUMMARY OFFENCES (LIQUOR OFFENCES) AMENDMENT BILL

Second Reading

The Hon. R.I. LUCAS (Treasurer) (15:29): I move:

That this bill be now read a second time.

The government is today introducing the Summary Offences (Liquor Offences) Amendment Bill 2018. Members may be aware that this bill has previously been before the parliament in a different life, with broader powers for the search of vehicles in specific areas. Notably, the broad search provisions the former government heavily favoured have not made their way into this bill. Importantly, the bill contains a number of reforms that create new offences and provide additional investigative powers

to reduce the incidence of the unlawful sale of liquor and supply of liquor to vulnerable communities where the possession and consumption of liquor is generally prohibited. This is colloquially known as grog running.

The grog running trade often leads to alcohol-related harm, including serious violence, disorder, antisocial behaviour, and resultant medical problems for many who live in vulnerable communities. Existing measures include those under the Liquor Licensing Act 1997, such as offences, restrictive licence conditions on the sale and supply of liquor and barring orders. In addition, both the Anangu Pitjantjatjara Yankunytjatjara Land Rights Act 1981 and the Aboriginal Lands Trust Act 2013 contain provisions regarding the possession and consumption of liquor in specific areas. It is clear, therefore, that new and different solutions are needed in order to address the issue and effects of grog running in many of our remote communities. This bill seeks to do so.

Members interjecting:

The PRESIDENT: This is not a committee meeting. Can honourable members decide whether they are coming or going.

The Hon. R.I. LUCAS: I now highlight the main features of the bill. There are new offences in the Summary Offences Act 1953 relating to possessing or transporting liquor for the purpose of sale with a rebuttable presumption that possession above a prescribed quantity of liquor is for the purpose of sale. There is also a new offence in the Summary Offences Act 1953 for a person who supplies liquor or possesses or transports liquor with intention to supply it to a person in a dry community. There is a rebuttable presumption that, where an offender possessed or transported liquor in a designated area, the possession or sale was for the purpose of supply.

Designated areas are determined by the minister and must not be more than 20 kilometres from the boundary of a prescribed area. Prescribed areas are dry areas within the Liquor Licensing Act 1997, trust land within the meaning of the Aboriginal Lands Trust Act 2013, or 'the lands' within the meaning of the Anangu Pitjantjatjara Yankunytjatjara Land Rights Act 1981, or 'the lands' within the meaning of the Maralinga Tjarutja Land Rights Act 1984.

There is a new offence in the Liquor Licensing Act 1997 for a holder of a licence who sells liquor to a person reasonably believed to be an unlicensed seller intending to sell the liquor, and the unlicensed seller then sells that liquor. There is a further new offence in the Liquor Licensing Act 1997 for an occupier or person in charge of premises who knowingly permits the unlicensed sale of liquor on those premises.

There are amendments to the Criminal Investigation (Covert Operations) Act 2009 so that serious criminal behaviour for the purposes of undercover operations approved under that act includes offences against section 29 of the Liquor Licensing Act 1997, including the two new offences proposed and the new offences in proposed sections 21OB and 21OC of the Summary Offences Act 1953. There are also amendments to the Criminal Law (Clamping, Impounding and Forfeiture of Vehicles) Act 2007 so that a forfeiture offence for the purposes of forfeiture and impounding of offenders' vehicles includes the new offences in proposed sections 21OB(1) and 21OC(1) of the Summary Offences Act 1953.

As I previously mentioned, the former government introduced a similar bill, which lapsed on the dissolution of parliament. However, this bill differs from the former government's bill in two major areas. Firstly, the limit in relation to a designated area of land, referred to in proposed section 21OD(3), has been reduced from 100 kilometres to 20 kilometres. The Marshall government sees the 100-kilometre limit as excessive and unnecessary, as it would encompass a large geographical area.

Secondly, some of the additional police powers have been removed. In particular, the police power to stop a vehicle, detain and search a vehicle, and direct a person to open any part of the vehicle without reasonable suspicion, has been removed. The power to seize and dispose of property suspected on reasonable grounds as intended to be used for the purpose of committing an offence, or as affording evidence as to the commission of an offence, has also been removed. The government believes that these powers are excessive and that the power of police to stop, search and detain should be the same for every other offence, being those powers in the Summary Offences Act 1953.

It is also the government's belief that the current powers in the Summary Offences Act 1953 achieve the appropriate balance between the need for police officers to enforce the law and for community members to go about their daily activities without fear that they will be stopped and searched without reasonable suspicion. I commend the bill to members and I seek leave to have the detailed explanation of clauses inserted into *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

3—Amendment provisions

These clauses are formal.

Part 2—Amendment of *Summary Offences Act 1953*

4—Insertion of Part 3B

New Part 3B is proposed to be inserted:

Part 3B—Liquor etc

21OA—Interpretation

Definitions are inserted for the purposes of the Part. The definitions of *liquor* and *sale* are the same as in the *Liquor Licensing Act 1997*.

The other definitions relate to *designated areas*—certain offences and powers under the Part apply in designated areas—and *prescribed areas*.

21OB—Possession, transportation of liquor for sale

This section sets out an offence of possessing or transporting liquor for the purpose of sale (as defined). If such an offence is committed, liability is extended to—

- a person (if any) on whose behalf liquor is possessed or transported; and
- a person who would derive a direct or indirect pecuniary benefit from the sale of the liquor who knew, or ought reasonably to have known, that the first person was in possession of or transporting the liquor for the purpose of sale.

The offences in subsections (1) and (2) do not apply to the possession or transportation of liquor for the purpose of a sale that may lawfully be made.

A defence is provided for in relation to the offence set out in subsection (3).

An evidentiary provision provides that if, for an offence against subsection (1) or (2) it is proved that the amount of liquor possessed or transported exceeds the prescribed amount, it is presumed, in the absence of proof to the contrary, that the liquor was possessed or transported (as the case requires) for the purpose of sale.

21OC—Supply etc of liquor in certain areas

This section sets out an offence relating to the supply of liquor to a third person who is in a prescribed area. The offence extends to the transportation of liquor with the intention to supply, or believing that another person intends to supply, the liquor to the third person and to the possession of liquor with the intention to supply it to the third person.

An evidentiary provision provides that if, for an offence against the section, it is proved that a person possessed or transported liquor in a designated area, it is presumed, in the absence of proof to the contrary, that the person possessed or transported the liquor intending to supply it to a third person.

21OD—Designated areas

This section empowers the Minister (by notice published in the Gazette) to designate an area of land as a designated area for the purposes of the Part. A designated area cannot include land that is more than 20km from the boundary of a prescribed area. Notices published under this section must be tabled in Parliament and may be disallowed by either House of Parliament.

21OE—Evidence

Evidentiary provisions relating to proving that a specified substance is liquor and that a statement on a sealed liquor container contains liquor of the description and in the quantity and concentration stated are provided for.

21OF—Regulations

This section allows for the regulations to disapply the Part or provisions of the Part in prescribed circumstances or to a specified class of persons or to provide for exemptions from the Part or provisions of the Part for classes of persons or activities.

Schedule 1—Related amendments

Part 1—Amendment of *Criminal Investigation (Covert Operations) Act 2009*

1—Amendment of section 3—Interpretation

Certain of the new offences provided for in the measure (being offences against section 29 of the *Liquor Licensing Act 1997* and offences against section 21OB or 21OC of the *Summary Offences Act 1953*) are added to the definition of *serious criminal behaviour*.

Part 2—Amendment of *Criminal Law (Clamping, Impounding and Forfeiture of Vehicles) Act 2007*

2—Amendment of section 3—Interpretation

Certain of the new offences provided for in the measure (being offences against section 21OB(1) or 21OC(1) of the *Summary Offences Act 1953* (defined as *designated liquor offences*)) are added to the definition of *forfeiture offence* for the purposes of clamping, impounding and forfeiture of motor vehicles.

Part 3—Amendment of *Liquor Licensing Act 1997*

3—Amendment of section 29—Requirement to hold licence

A new provision provides that an occupier or person in charge of premises on which liquor is sold in contravention of existing section 29(1) who knowingly permits the sale is guilty of an offence.

In addition, if a prescribed person (which is defined) sells liquor to another person and the prescribed person reasonably believes, or ought reasonably to believe, that the other person intends to sell the liquor in contravention of existing section 29(1) and that other person then sells the liquor in contravention of subsection (1), the prescribed person is guilty of an offence.

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

CONTROLLED SUBSTANCES (YOUTH TREATMENT ORDERS) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 21 June 2018.)

The Hon. C. BONAROS (15:36): I rise to speak in broad support of the Controlled Substances (Youth Treatment Orders) Amendment Bill 2018 and our proposed amendments to remove the under 18 age restriction that currently applies to that bill. The bill, inclusive of our proposed amendments, is entirely consistent with SA-Best's and our federal Centre Alliance colleagues' long-held policy on drugs. We are strong advocates for voluntary and involuntary assessment, treatment and rehabilitation as important elements of a suite of measures to tackle drug dependency head on.

SA-Best recognises that drug dependency not only impacts directly on the individual concerned, but has a huge effect on the family, friends and loved ones of the user, not to mention, of course, the burden it places on our health, criminal justice and corrections systems. In an ideal world, people with drug dependency would seek treatment themselves, and many eventually do.

However, as anyone who has had personal experience with drug dependency or someone in their circle with drug dependency knows only too well, many drug dependent people have lost the ability to make informed choices to keep themselves and indeed the community safe. Their families, their loved ones and medical professionals have often felt powerless to help. They can only coerce, entice and encourage the affected person to seek the help they so clearly need.

This can be an exhausting, heartbreaking, financially prohibitive and ultimately ineffective exercise. We do not want to wait until someone with a drug dependency comes to the attention of police, presents as an overdose patient in a hospital emergency department or is the subject of a coroner's report before we do something. Drug dependency requires a much broader policy response than just policing.

This bill gives family members—including siblings and children, as per our amendment to the definition of family members—the public advocate, an officer of the relevant department, medical practitioners, a court, and indeed any person with a proper interest, the ability to make an application for mandatory assessment and treatment. We do not shy away from the mandatory involuntary treatment and detention provisions of the bill, nor do we shy away from our amendments, which seek to broaden that beyond the scope of under 18 year olds.

The bill empowers those who want to help to seek orders for treatment for the drug dependent person, who is unlikely to seek this themselves. We recognise that young people in particular need specialist drug assessment and treatment services. As I understand it, it is for this reason that the Youth Court (and this is the information provided during the course of a briefing I attended) not only supported the policy proposed by the Liberal government but suggested that its judges be able to refer youth for mandatory treatment. It is a tool that I think has been lacking in that jurisdiction for a very long time, and one that would have benefited many who have passed through the doors of the Youth Court up until this point.

However, with an increasing proportion of treatment episodes being provided to older people, that is, people who are 40-plus, it is critical that people of all ages have access to high-quality, accredited assessment and treatment options, including residential and non-residential treatment and rehabilitation services. The government needs to properly resource those services now in readiness for the commencement of this bill.

We know that in Sweden, and more than a dozen nations in Europe, a key element of their drug strategies is the availability of drug rehabilitation treatment and detoxification programs, to which their courts can mandatorily divert people. It is a stringent program. In Sweden, people are helped to get off drugs quickly and permanently. Sweden has shown that, when drug abuse is tackled with strong, decisive and targeted policies, it can have a huge impact.

New South Wales Labor recently announced its drug policy, which would give police and health professionals the power to refer patients to compulsory assessment and treatment, as this bill does, and that is something that our Labor opposition may want to take into account when forming its own opinion or position in relation to this bill. New South Wales Labor wants to target youth to begin with, and then extend the program to all ages.

We have made our views known previously in relation to medicinal cannabis and cannabis oil, and that is something we will seek to clarify during the course of the second reading stage of this bill. SA-Best will continue to advocate a strong stance on drugs; we will unrelentingly push for more high-quality assessment, treatment and rehabilitation facilities and programs in metropolitan and regional South Australia to be available on a voluntary or involuntary basis to people of any age with a drug dependency problem.

If I can just add that one of the issues that was flagged with us during our stakeholder consultation on this bill, and one that I have personally raised with the minister, is concerns raised by the drug and alcohol sector specifically in relation to this scheme. Those concerns seem to centre on the lack of appropriate services available at the moment and how it is that we could possibly enforce any form of mandatory treatment when we simply do not have the numbers, the beds or the funds available at this point for those who need treatment on a voluntary basis.

My advice from the minister is that, should this bill be successful, a consultation process will be undertaken with that sector, and I repeat again for the record that they do remain very concerned about not only how this will operate in practice but also what role they will play in that process, given that they are the specialists in this field and that they are the ones who predominantly provide the services at this point in terms of drug rehabilitation in relation to youth and otherwise.

So I will hold the minister to his word in terms of those undertakings that were given regarding the consultation process that will take place and what that will look like pending the outcome of this bill. Adelaide is renowned the world over as the city of churches, the city of universities. We are well known for our wonderful parklands, our world-class wineries, our sustainable and local produce, our wildlife and our many national landmarks and treasures.

We are renowned for our cutting-edge, world-leading medical advancements, and we rate as one of the most affordable and liveable cities in the world. What a stunning endorsement of our city and, indeed, our state. However, we hang our heads in shame with the title of 'the methamphetamine and ice capital of Australia'. This alone ought to be evidence enough of why we must support these measures and why we must do more to tackle head-on the war on drugs and drug addiction.

I intend to ask the minister a number of questions in relation to the issues that I have raised, but I will keep those for the committee stage debate of the bill. With those words, we support the second reading of the bill and we look forward to fruitful conversations with both sides of the chamber in relation to our amendments.

The Hon. D.G.E. HOOD (15:45): I thank the chamber for its indulgence. I rise to support this bill, which gives effect to the Marshall Liberal government's election commitment to provide drug dependent children and young people with residency at a treatment facility for up to 12 months and to enable caretakers to legally coerce youths to undertake these rehabilitation programs.

This constitutes just one aspect of the numerous reforms on the government's agenda in this space that seek to address drug-related problems experienced in South Australia through the prevention and deterrence of illicit substance abuse, with a particular focus on protecting our younger generation. Other initiatives include the toughening of our state's existing and outdated laws to better reflect the nature of drug crime in our society, ensuring our government and non-government schools have access to effective substance abuse programs and enhancing the engagement between our police officers, teachers and students in order to foster an anti-drug culture in South Australia.

The Minister for Health and Wellbeing previously explained to the council that this bill amends the Controlled Substances Act 1984 to permit an application to be made to the Youth Court for a series of orders in relation to a child or young person under the age of 18 years suffering from drug addiction. Applicants must be a parent or guardian or certain other interested parties, including medical practitioners, those who are prosecuting the respondent for an offence or the Youth Court itself. It is anticipated that the respondent would be initially referred for assessment once the court is satisfied that they are habitually using one or more controlled substances, that they pose a danger to themselves and others and that they are likely to voluntarily seek out such an assessment.

Once the nominated assessment service has reported back to the court, a mandatory treatment order can be made if deemed necessary. The nominated treatment service would be required to report both to the applicant and the court subsequent to the treatment of the respondent. Should the respondent fail to comply with either an assessment or treatment order, the court has the ability to make it a detention order to ensure compliance of the relevant order.

There is no doubt early intervention is vital to successfully combating illicit drug use. The 2016 National Drug Strategy Household Survey report revealed cannabis is the most commonly used controlled substance among secondary students, with no less than 10 per cent admitting to ever having used the drug.

Although the harms of cannabis can be underestimated, studies conducted all over the world have consistently found it to be linked to psychosis, depression, anxiety, increased suicide rates, compromised cardiovascular respiratory and immune systems, premature ageing, cognitive dysfunction, motor skills deficiency and learning executive functioning and memory impairment. This is particularly so in youths and it is particularly concerning, of course, given that youths are the most susceptible to developing addiction to the substance, with research indicating the majority of habitual users will go on to use so-called 'harder drugs'.

Data from the National Ice Taskforce has indicated the proportion of people aged between 14 and 19 using ice has risen threefold from 0.4 of 1 per cent in 2007 to 1.2 per cent in 2013, with one of the latest Australian Criminal Intelligence Commission reports revealing South Australia and

Western Australia as being the only two Australian states where crystal methamphetamine consumption is above the national average. Our communities cannot afford to continue enduring the detrimental social impacts of the ice epidemic let alone the economic costs, which the National Drug Research Institute estimated last year to reach $5 billion nationwide.

As science has confirmed that the adolescent brain is particularly vulnerable to the adverse effects of drug use, measures need to be put in place sooner rather than later to ensure young people both have access to and can be compelled to, where it is required, undertake essential treatment to prevent their addictions from persisting into adulthood.

This Liberal government believes it has a responsibility to provide every opportunity for adolescents to develop into high functioning, well-adjusted and contributing members of our society. It recognises the engagement of these particular provisions could provide at least one hope to someone seeking help for a drug dependent person in their care who does not have the will, capacity, foresight or resolve to enter into treatment through their own personal choice.

I am sure I am not the only member who has had constituents contact their office, virtually in desperation, requesting any form of assistance on behalf of a loved one, often their son or daughter, who is at the mercy of an addiction to one of these substances. Drug dependency can be devastating, not only to the individual but to the families and they should be afforded a legal means of forcing a young person to undergo a rehabilitation program in the absence of other alternatives, as the bill seeks to do.

The Marshall Liberal government is intent on delivering a concerted effort to combat substance abuse throughout our state, with an emphasis on early intervention as a key strategy. Without question, there will be many individuals in our community who will benefit from this proposal over time, which certainly has the potential to save young lives at risk now and in the future. The wellbeing of our young people should be one of our highest priorities and I firmly believe these reforms will prove to be in their best interests in the short, medium and longer term. I strongly support the bill and commend it to the council.

The Hon. T.A. FRANKS (15:50): On behalf of the Greens, I rise today to speak in outright opposition to the Controlled Substances (Youth Treatment Orders) Amendment Bill 2018. In doing so, the Greens stand with the health professionals who have contacted us with great concern about the path that this government is taking. The bill is in direct violation of the human rights of young people and even looking beyond that, though that on its own should be enough to see this bill not go through, it is a deeply flawed piece of legislation.

I have previously spoken in this chamber about the ridiculous failed war on drugs. This legislation seems to be a deeply misguided, at best, continuation of this Liberal government's dangerous war on drugs agenda. Before us today we have yet another bill that punishes instead of supports, that criminalises instead of helps, that keeps trying to tackle drug dependence through the justice system instead of where it should be: through the health system. Most curious of all, we have the health minister putting up what is a justice approach to a health issue.

From a wealth of international experiences and examples, we know that it is harm reduction treatment, decriminalisation and legalisation that actually saves lives. Detaining people, with no cause, no crime and no consent, other than their addiction, does not. I have received submissions from the Youth Affairs Council of South Australia, Uniting Communities, the Aboriginal Health Council of South Australia and the South Australian Network of Drug and Alcohol Services. They all share the Greens' concerns with the bill.

First and foremost, I note that the number of individuals using crystal methamphetamine in the general population has not actually increased over the last three years. As such, it is difficult to see the hysteria that is raised contrary to what the facts reveal. It is also difficult to see the justification for these harsh measures in the bill before us today. Mandatory detention, underpinned by the violation of human rights, is not actually commensurate with the risk to the community. It is also extraordinary that we are flying in the face of all evidence that drug addiction and abuse is a health issue and should not be a criminal matter.

Reductions in drug use can be achieved through far more effective prevention and early intervention processes and, of course, treatment models. One of the things we know about treatment models is that, when people want help, it is at that point that the treatment will be most effective. We also know that, when people are forced into treatment, it is at that point that it is the least effective. Yet here we have the bill before us today.

The bill specifically singles out young people. It stigmatises them as a group. As it is drafted, the bill has failed to take into consideration the Children and Young People (Safety) Act 2017, the National Framework for Protecting Australia's Children, the United Nations' Convention on the Rights of the Child or the European Convention on Human Rights. It also breaches these treaties by treating young people in a more restrictive way than the rest of the population.

In fact, such a proposal to detain individuals against their will where they have not been charged with a crime is without precedent, perhaps with some notable exceptions in terms of our human rights' record on asylum seekers. These young people, as I repeat, have not been charged with a crime. It is without precedent in this state, and it is a measure that should not be taken so lightly. With the potential for individuals to be denied those human rights based on their drug use, abuse or addiction, the use of mandatory treatment for illicit drug use is not a compelling argument.

Some may note that we already have some mandated treatment options administered by the police and the courts under current legislation. However, the distinction here is that those mandatory treatments are enforced only in situations where somebody has been charged with a criminal offence. Furthermore, those mandatory options do not single out one single demographic of our society for such an approach.

Legislation such as this and the surrounding debate only serve to fuel community fear, misinformation and stigma. It serves further to marginalise people—in this case, young people—who do take drugs, and it is the antithesis of true harm reduction. For one thing, the government has not actually provided any justification in this legislation as to how the harms associated with detention, such as stigma, recidivism and the breakdown of their relationships, will actually be mitigated.

Furthermore, the bill fails to treat dependence on alcohol, focusing only on illicit drugs. As we know, alcohol is actually the biggest drug challenge facing our young people. It also imposes judicial processes to manage a young person's health treatment. The government defines 'dependence' according to that definition laid out by the World Health Organization, which is that it is a chronic health condition, but fails to continue to use the health imperatives for the rest of the bill. It completely fails to treat these conditions of addiction and abuse primarily as a health condition. This makes absolutely no sense.

Engagement with the justice system can also have negative consequences for those young people, such as disengagement from their family, education, social networks and their employment, and it can actually be one of the most significant predictors of engagement further on with the adult justice system. What exactly are we trying to do with this bill when those are the implications?

Importantly, the bill also assumes that the person most likely to bring a young person to the attention of the court is that young person's parents. But a parent's primary role should be to support a young person and maintain a relationship that is built on love and trust. Trust and love are deeply undermined if not eradicated by the bill, and the approach of this legislation has been shown in many cases to cause irreparable harm to that young person and their relationships with their family.

Also, why on earth does the government think that a young person would be comfortable seeking support from their family—the very people who should be able to support them—when it comes to their drug dependence, when they know that possibly their loved ones could have them detained against their will as a result of seeking that help?

Another significant failing of the bill is that it is silent on the right of a young person or their parents, where the parents are not the instigators of the order, to appeal against it, to challenge it or to seek to have that order revoked or terminated. There is also no mention of any requirement of the courts having any responsibility to regularly review orders and modify them, considering changed behaviour or circumstances.

I find it interesting as well that a government that has badged itself as a fiscally and economically responsible new government proceeds to promote mandatory detention when mandatory detention of these drug dependent young people, or of anyone, is known to be one of the most expensive and ineffective approaches to drug and alcohol issues. Research shows that involuntary clients require greater resources in terms of time and staffing to provide that effective treatment.

On top of this, it is unclear who will be providing the treatment. If treatments are to be provided by the state or non-government alcohol and drug treatment sectors, noting that the South Australian Network of Drug and Alcohol Services opposes this bill, the government would need to make a commitment—

Members interjecting:

The PRESIDENT: Order! Can we have some quiet and show some respect for the Hon. Ms Franks.

The Hon. T.A. FRANKS: Thank you, Mr President.

The PRESIDENT: The Hon. Ms Franks, please continue.

The Hon. T.A. FRANKS: The government would need to make a commitment to significantly increase their funding to the sector as they cannot even currently meet the demands of the voluntary clients, some of whom are begging for treatment.

Finally, I would like to pre-emptively address suggestions that perhaps the solution to this issue of violating the human rights of young people would be to make mandatory detention apply to everyone, not just young people. Proponents of this idea have simply made a bad idea worse. Instead of making it better, they are just making it bigger. Mandatory detention is expensive and ineffective. Detaining people without charge is appalling. This is no way to treat somebody who has a significant and serious health issue.

To conclude my remarks on this bill, I find it extraordinary that the sheer number of deaths and illnesses that are associated with legal drugs, such as tobacco and alcohol, has not seemed to provoke a similar policy response. Yet we know—particularly from this new government it seems—that when compared with the use of illicit drugs, that indeed is the most pressing health concern.

The approach of the Marshall government flies in the face of evidence, reason and care. Personal safety, social responsibility, harm minimisation and informed choices are the most practical and effective approaches to illicit drug use. Prevention and early intervention, as well as voluntary treatment programs, have the best chance of decreasing the misuse of and dependence on drugs and alcohol.

These are the approaches that should be the focus of any reasonable or responsible decision-maker. Unfortunately, these are not the approaches that win votes prior to elections in marginal seats where such campaign slogans as 'a war on drugs' and 'sniffer dogs in schools' have the effect of providing the few votes they need in the few suburbs they want. Yet these have long-term implications for our state in really tackling the serious issue of drug addiction and drug abuse.

We know that there are cases where parents are crying out for help, and it does seem like a solution to have the mandatory detention of their children to get them the help that they need, but we know that in the longer term those hard cases are making bad laws, and this here today is a very bad law.

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

CONSTRUCTION INDUSTRY TRAINING FUND (BOARD) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 8 November 2018.)

The Hon. T.A. FRANKS (16:03): I rise on behalf of the Greens to speak to the Construction Industry Training Fund (Board) Amendment Bill 2018. I note that this bill was introduced in the other place by the Minister for Industry and Skills, David Pisoni. That occurred on 24 October, and it arrived in this place just shy of a week ago. The date the briefing was held by myself was this morning, and that was only after I drew to the attention of the minister, who had sought through his party processes to put this bill on the priority letter for urgent debate by the end of this sitting week, that he had yet to offer a briefing to the Greens.

I understand from the other place, and the debates in that other place, that a similar situation occurred with the opposition. Indeed, I observe that the bill there was rushed through with what appeared to be undue haste. What is this thing called the Construction Industry Training Fund (Board) Amendment Bill 2018 that deserves such haste?

Well, the Construction Industry Training Board is an industry not a government board, and it has been in operation since 1993. It administers a series of programs, including promoting and supporting careers in construction and—a particular interest I am sure many in this chamber will have—with a focus on women and adult apprenticeships. It also does advise the South Australian government on industry training, and it supports training innovation research and planning. It attracts our future workforce through vocational training in schools and supports what I think many members would be aware of, the Doorways to Construction program.

The operations of the Construction Industry Training Board's work is funded by a 0.25 per cent levy on those developers who build projects of a size of $40,000 or more. Currently, the annual budget of the Construction Industry Training Board for their programs is $25 million. Subsidies from the levy are then paid to employers who have apprentices or workers in the industry for the purposes of training. A decision of the board must have the agreement of the majority of each subgroup to pass a change; that is, for a board that is made up of five employer reps, three employee reps and two government reps, for a change to pass in a board meeting it has to have a majority of each of those.

Far from the concerns that a veto power exists, I think this has actually led to a culture of consensus, and I note that that culture of consensus also exists in this place because we have crossbenchers. Where the opposition and the government disagree there are five crossbenchers who have a veto power, if you like. It leads to a culture of consensus. I think that is actually why we in South Australia have had quite good performance in this area, and I am sure other members of the council will cover that in more detail at a later stage.

I note that the board consists of 11 members appointed by the Governor in accordance with the provisions of the act as follows: an independent presiding member nominated by the minister after consultation with industry; two members and deputies with experience and expertise in the VET sector, nominated by the minister; five members and deputies nominated by employer associations as named in schedule 2 of the act; and three members and deputies nominated by employee associations, named in schedule 3 of the act.

Currently, the directors of the board are as follows. Peter Herbert Kennedy is the independent presiding member. The members representing the interests of employers in the building and construction industry are a nominee of the Master Plumbers Association of SA, Natasha Hemmerling; a nominee of the Housing Industry Association, Stephen Knight; a nominee of the Master Builders Association, Christine Stone; a nominee of the Property Council of Australia, Rebecca Pickering; and a nominee of the Civil Contractors Federation, Philip Sutherland.

Further, those nominees of the employees associations are a nominee of the Australian Workers Union, Gary Henderson; a nominee of the CFMEU, who I understand was Martin O'Malley; and a nominee of the CEPU, the electrical and plumbing division, Jessica Rogers. I also note that there are positions for members nominated by the minister, and they are Denise Janek, who is from TAFE SA, and then quite curiously and very recently the nominee nominated by the minister, Nicholas Handley, who to all appearances appears to be an accountant. Yet I note that it is one of the requirements of the current act in the way that it operates that all nominees must have relevant experience in vocational education and training or construction.

So my first question to the government is: what are the credentials of Nicholas Handley—who has been the only new nominee put there by this new minister in the short period of time that the Marshall government has been in power—that comply with the act in terms of his qualifications in either construction or vocational education and training?

The government consultation process on this bill has been sadly lacking, and it has not just been in consultations with myself as a crossbencher and the way that it has been rushed through parliament. The government has brought this bill before us with undue haste and it appears, to all intents and purposes, to have done very little consultation at all. I have posed a series of questions to the minister in my briefing, which I will repeat now. They are:

1. What were the public consultation processes for this bill?

2. In what way was the public and the industry informed?

3. Was the Local Government Association contacted for its view on this bill?

4. Was the Law Society asked for a position on this bill or any feedback?

5. Was the Master Plumbers Association, which is actually on the board, appropriately consulted with regard to this bill?

I have asked the minister and I again ask the minister representing the minister to detail that consultation process about who knew what and when. Clearly, some sort of conversations have been had but I lack the detail on just how far-ranging and transparent those conversations were. It appears that this blindsided the employee reps on the board, just as much as it blindsided many members of this parliament.

I also ask: what are the financial implications of this bill? Are there any financial implications due to the changes the minister is seeking, through this bill, to the structure of the board? The structure of the board was certainly something that was raised but, curiously, when I asked what review process took place to get us to having a piece of legislation before this parliament that needs to be rushed through with undue haste, I was given a report from 2004.

On my calculation, I know the Labor government was in power for 16 years but to me that is like 14 years ago. I am just wondering if the government has considered that perhaps things might have changed in the last 14 years. I would like the government to outline whether or not they took this as an election pledge, in any transparent way, to the people of South Australia prior to the March 2018 election, and if so could they detail where that was documented and promoted. Could they also detail how the sector has truly been consulted on this when they are relying on the words of 14-year-old documents—it was literally 14 years ago—to prosecute their case.

In the speeches in the other place I note that members of the opposition were shouted down and shut down. I find that an appalling way to progress a bill like this. I have great concerns about that attitude, as to why the government feels the need to rush the bill through this place without due consideration and proper consultation, either by themselves or allowing members of this parliament to do the due diligence and to seek the answers that we should have had before receiving this bill, and to be given and afforded that consensus approach and that rational and reasonable approach that I think would benefit decision-making in any organisation.

I ask the minister to detail what decisions have been made in the last 14 years where a veto power has been used that they find detrimental to the construction industry's training outcomes. I note that, in the other place, the minister detailed one particular case where he stated that in a September 2018 board meeting a veto provision was used to remove a particular decision regarding seeking some information.

The minister cited that example. It was pretty vague—it was not as vague as I just made it, but in reading the *Hansard* it is pretty vague. So a veto power was used on a particular vote in September 2018 and a 14-year-old document exists that David Pisoni has had in his back pocket now for a while and suddenly we have a bill before us and we also have an accountant who has been put on this board just recently with no apparent construction or training expertise, that I can see.

My question to the government is: is this more about, bottom line, trying to get the money and damn the actual impact this will have on the good decision-making that actually does occur through this board that has not been called into question publicly? This is not a board that has been the subject of any controversy recently. It seems to be operating quite effectively as it is. It has very good programs. It has a 91 per cent satisfaction rate in some of its programs, through independent surveying of those participants, so what exactly is the problem here? Is it the fact that there is a bit of money that the government cannot get its hands on and they would like to use restructuring the decision-making to make the decision for the board? Is that, in fact, what is going on here?

How extraordinary as well to come to this parliament having promised to be respectful and democratic, and particularly of the Legislative Council, but certainly not to have a war declared based on sectarian grudge matches of days of yore and yet to have what appears, for all intents and purposes, to be pretty much, 'There's union reps on this board; we want them off. We are going to make sure that we control it. There's a pot of money there that we'd like to have better access and control over.' If I am misreading it, I certainly look forward to being corrected by the minister, but that is my interpretation of it as the bill currently stands. The lack of proper consultation and the lack of transparency and the use of a 14-year-old document does very little to assuage my concerns on that matter.

I have concerns where we set up a board that is here to serve the construction industry and their training needs and yet we are throwing out the ability to bring all players to the table at an early stage to create that consensus approach when we make our decisions. I also note that minister Pisoni has form on this in terms of when the TAFE reforms went through and, to the great discredit of the then Labor government, we corporatised TAFE SA. We did not, at that stage, take up the Greens' amendment option to ensure that the chair of the board would actually have a background in education and training, and look what happened there.

To put people who are not necessarily of the sector appears to have already happened in terms of the minister's first appointment. I ask how we are expected to trust the minister's future appointment if he has even further unfettered powers and less regulation as to how he seeks to employ those decisions, particularly when he knows and when he is fully on record as being avowedly anti-union, living in the seventies, in the era of the Cold War, and acting out what are often vendettas in terms of, certainly, his contributions and other members' contributions on the bill in the other place.

I look at the bill and I see something that is hurriedly put together by a minister on a mission, a mission to get the unions away from the money. The money is important in terms of ensuring that this sector thrives, but what is just as important as ensuring that this sector thrives is ensuring that all players, who are often seen as diametrically opposed, actually come together to a table and work together to a consensus.

The way it is currently structured, with those three groupings, I think we have actually reached a balance. I cannot see that the system is currently broken. We have been offered no evidence other than some particular motion from September 2018 that the system is broken. So if it is not broken, why are we trying to fix it, or is somebody just trying to fix it?

I cannot see why this bill should pass this place. At this point, the Greens are yet to be convinced of its value. We will have further questions, and I understand that we are probably in the minority in this place in terms of opposing this bill. What I hope would happen now is that we will have a proper and full discussion, and that it will not be driven by some sort of *The Bold and the Beautiful* vendetta of days of yore.

I cannot help but think that I have been watching *The Bold and the Beautiful* for 30 years, but I only watch it one day a year. I started watching it when I was breastfeeding my daughter 30 years ago, but you can still turn on the telly just before the Channel 10 news and you still know that the Forresters are at war with the Spectras. You still know that, with David Pisoni as minister in this area, it is a vendetta against the unions. With those few words, I seek leave to conclude my comments.

Leave granted; debate adjourned.

STATUTES AMENDMENT AND REPEAL (BUDGET MEASURES) BILL

Final Stages

The House of Assembly agreed to the amendment made by the Legislative Council without any amendment.

At 16:22 the council adjourned until Tuesday 27 November 2018 at 14:15.

Answers to Questions

MILLICENT AND DISTRICT HOSPITAL AND HEALTH SERVICE

In reply to **the Hon. C.M. SCRIVEN** (4 September 2018).

The Hon. S.G. WADE (Minister for Health and Wellbeing): I have been advised:

Since 3 September 2018, a new general practitioner contract is in place for a two-year period, with an option to extend for a further two years. This will ensure the sustainability of on-site emergency and inpatient services to the Millicent community. Additional gynaecology services will be offered to the Millicent community from November 2018.

STRAWBERRY INDUSTRY

In reply to **the Hon. T.T. NGO** (18 September 2018).

The Hon. S.G. WADE (Minister for Health and Wellbeing): The Minister for Police, Emergency Services and Correctional Services has advised:

The opinion of South Australia Police (SAPOL), based on the low numbers of confirmed cases and the known facts in relation to South Australia events, is that a reward would not necessarily advance the investigation at this time. The government supports the opinion and advice of SAPOL in this matter.

STRAWBERRY INDUSTRY

In reply to **the Hon. J.E. HANSON** (18 September 2018).

The Hon. S.G. WADE (Minister for Health and Wellbeing): The Minister for Primary Industries and Regional Development has advised:

The Marshall government supports our primary industries and will continue to work with industry to identify opportunities to address the challenges that confront each sector from time to time.

LOXTON RESEARCH CENTRE

In reply to **the Hon. F. PANGALLO** (16 October 2018).

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment): I have been advised by the Minister for Primary Industries and Regional Development:

Yes, the Loxton Research Centre is available to community and industry groups.

KANGAROO ISLAND

In reply to **the Hon. E.S. BOURKE** (18 October 2018).

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment): The Minister for Transport, Infrastructure and Local Government has provided the following advice:

In accord with the licence agreement signed by KI Connect on 7 November 2017 with the former minister for transport and infrastructure, KI Connect is responsible for any works (including dredging) and associated costs required to establish its operations in the harbour area at Cape Jervis. The sandbar referred to by the honourable member is part of the initial dredging works that was 'missed' when carried out by KI Connect's contractors in April of this year. Yankalilla council has recently approved a variation to the previous dredging development approval to allow these works to proceed. KI Connect will be responsible for the costs of this further dredging.

Once this work is completed, and as occurs in the area of the harbour utilised by SeaLink, the Department of Planning, Transport and Infrastructure will then conduct maintenance dredging as part of its annual programs.

SOUTH AUSTRALIAN TOURISM COMMISSION

In reply to **the Hon. J.E. HANSON** (18 October 2018).

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

1. The South Australian Tourism Commission's (SATC) international marketing is monitored and measured by the International Visitor Survey (IVS) conducted by Tourism Research Australia, this report is released quarterly. The SATC international key performance indicators (KPIs) have been set as part of the 2020 visitor expenditure full potential goal of $8 billion. The international visitor expenditure goal is a subset of the state's 2020 goal.

The SATC's international 2020 goal is $1.24 billion. Currently international tourism expenditure in South Australia is $1.2 billion, IVS year ending March 2018, and is on track to reach the 2020 goal. The SATC monitors its performance against the quarterly release of the IVS and its goal. It is noted that inbound arrivals of Indians into South Australia have seen a downward trend in all metrics. They are as follows:

- Indian visitor arrivals to South Australia is 12 000 visitors, down 8 per cent for the year ending March 2018.
- Indian room nights for South Australia is 499 000 room nights, down 32 per cent for the year ending March 2018.

- Indian expenditure for South Australia is $28 million, down 32 per cent for the year ending March 2018.

2. Tourism Australia was consulted and has provided support through the transition. The SATC did not undertake broader external consultation with South Australian tourism operators prior to the decision being made as it also included personnel decisions. The SATC decision was based on an internal international operational review. This review was focused on best return on investment to ensure the SATC is able to reach its 2020 goal.

SOUTH AUSTRALIAN TOURISM COMMISSION

In reply to **the Hon. F. PANGALLO** (18 October 2018).

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

In 2008, the South Australian government officially opened an independent state representative office (the office) in Chennai, India. The office employed six staff including a senior trade commissioner, three business development managers, an operations manager and a general administrative assistant/driver.

A review and analysis of the state's investment in the South Australian representative offices was conducted by the then Department for Manufacturing, Innovation, Trade, Resources and Energy, through Mr Roger Hartley (the Hartley Review). In April 2012, the Hartley Review recommended that the South Australian representative office in Chennai, along with those in Dubai, Singapore, Ho Chi Minh City, Santiago, Hong Kong and Shanghai be phased out.

The previous government implemented this recommendation and the Chennai office was closed as at 31 January 2013.

REWARDS WONDER CAMPAIGN

In reply to **the Hon. T.A. FRANKS** (24 October 2018).

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

1. The data collected will be secure and only used for tourism purposes.

2. To the best knowledge of the South Australian Tourism Commission (SATC), there were no technical glitches in the live streaming in public places, including Rundle Mall and Federation Square. It was a streaming service, it took roughly eight seconds for the stream to load, and during that time the consumer saw a 'test pattern' type screen or 'snow'. This is a standard process for any streaming as it loads, it did not affect the number of people viewing. The SATC ensured that there was wording on screen to advise the consumer that the stream was loading.

3. The SATC is proud of its collaboration with Music SA and local musicians as part of the recent Rewards Wonder campaign. The SATC has, and will always be, supporters of local musicians and seek to promote their work on the world stage wherever possible.

The SATC procurement policies are in accordance with those of the State Procurement Board and played no part in this issue.

It is important to note that 51 local artists were given the opportunity to participate in this initiative with only three declining. This acceptance rate suggests the initiative was an overwhelming success.

GREECE, WILDFIRES

In reply to **the Hon. I. PNEVMATIKOS** (25 October 2018).

The Hon. J.S. LEE: I've been advised:

The Premier and the Hon. Jing Lee, MLC, met with the chairman of the SA Greek Fires Appeal, Mr Bill Gonis, OAM, and committee member of the appeal, the Hon. Julian Stefani, OAM, on 18 October 2018.

At this meeting, the Premier expressed his sincere gratitude to the committee of the SA Greek Fires Appeal for its fundraising efforts.

A letter of commitment from the South Australian government, outlining a $100,000 donation was given to the chairman towards the SA Greek Fires Appeal.