LEGISLATIVE COUNCIL

Tuesday, 2 April 2019

The PRESIDENT (Hon. A.L. McLachlan) took the chair at 14:15 and read prayers.

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

Bills

CONSTRUCTION INDUSTRY TRAINING FUND (BOARD) AMENDMENT BILL

Assent

His Excellency the Governor assented to the bill.

Parliamentary Procedure

ANSWERS TABLED

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

Parliamentary Committees

ABORIGINAL LANDS PARLIAMENTARY STANDING COMMITTEE

The Hon. J.S.L. DAWKINS (14:18): I bring up the report of the committee on its review into the operations of the Aboriginal Lands Trust Act 2013.

Report received and ordered to be published.

Parliamentary Procedure

PAPERS

The following papers were laid on the table:

By the Treasurer (Hon. R.I. Lucas)—

Reports, 2017-18—
- Department for Education 2018
- SACE Board of South Australia 2018

By the Treasurer (Hon. R.I. Lucas) on behalf of the Minister for Trade, Tourism and Investment (Hon. D.W. Ridgway)—

Regulations under Acts—
- Harbors and Navigation Act 1993—Speed Limits—Adelaide Dolphin Sanctuary
- Motor Vehicles Act 1959—South Eastern Freeway Offences
- Opal Mining Act 1995—
  - Fees No. 2
  - Miscellaneous
- Road Traffic Act 1961—
  - Road Rules—South Eastern Freeway Offences
  - South Eastern Freeway Offences

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

South Australian—Victorian Border Groundwaters Agreement Review Committee—
- Report, 2017-18

Regulations under Acts—

Water Act 2007 (Commonwealth)—Murray-Darling Basin Agreement—
Basin Salinity Management

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

Regulations under Acts—
Police Act 1998—Drug Testing

KANGAROO ISLAND VISITOR CENTRE

The Hon. R.I. LUCAS: On behalf of my very hardworking colleague the Hon. Mr Ridgway I table a copy of an email that was requested. Can I do that?

The PRESIDENT: It has already been tabled. For the benefit of honourable members, that was the email that was referred to and quoted from by the Hon. Mr Ridgway. As I understand it—I have not seen it—it is not confidential and he has, through the Treasurer, sought to table that.

Question Time

SA PATHOLOGY

The Hon. K.J. MAHER (Leader of the Opposition) (14:25): My question is to the Minister for Health and Wellbeing. Does the minister think it was appropriate to tell SA Pathology clinicians via talkback radio this morning that one in seven of them would be losing their job, and how will these 200 staff at SA Pathology who are to lose their jobs be determined?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:26): The honourable member asks me about comments I made in the media earlier today. Basically, simultaneously with my comments in the media the unions were being informed. The reality is—

Members interjecting:

The PRESIDENT: Can the opposition benchers please calm down. If you wish to ask those questions ask them on your feet when the minister has completed this answer. Minister.

The Hon. S.G. WADE: I need to clarify that the PricewaterhouseCoopers report does not include an FT estimate. The high-level analysis that was provided to me was indicative and, in that regard, further work will need to be done on each of the projects to determine the impact. I would clarify that, in contrast to the estimate in relation to the PwC reports, Labor's report, the Ernst and Young report, was having an FTE impact of more than 330.

SA PATHOLOGY

The Hon. K.J. MAHER (Leader of the Opposition) (14:27): Supplementary arising from the minister's answer: can the minister confirm then that, if you work for SA Pathology and you were listening to the minister this morning, that is the first time that you would have heard that you may be losing your job?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:27): There is more than 1,000 employees, I think 1,400 employees, at SA Pathology. The advice given in the media this morning was in relation to an indicative figure across the programs. Staff will be briefed on the report in the weeks ahead and—

Members interjecting:

The PRESIDENT: Order! I can't hear the minister.

Members interjecting:

The PRESIDENT: Order! The Hon. Mr Hunter, you are not helping me this afternoon. I cannot hear the minister.

The Hon. S.G. WADE: —it will not be possible, at this early stage, to give clarity to staff as to whether they as individuals may be affected by the work being done.

SA PATHOLOGY

The Hon. K.J. MAHER (Leader of the Opposition) (14:28): Supplementary: how does the minister think staff and their families might feel to know that they will be notified in 'weeks ahead' when the minister talked about it on the radio this morning?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:28): Let me pose the question another way: how does the Leader of the Opposition think that the SA Pathology staff would have felt for the four years of the former Labor government—

Members interjecting:

The PRESIDENT: Order! I cannot hear the minister.

Members interjecting:

The PRESIDENT: Order! Allow the minister to answer and then you can ask a supplementary.

The Hon. S.G. WADE: So the former Labor government released the Ernst and Young report—

Members interjecting:

The PRESIDENT: Order! You can continue if you wish, minister, or sit down. I can't hear the minister. It is your question, Leader of the Opposition. I would like to hear his answer to your supplementary.

The Hon. S.G. WADE: This is yet another example of Labor saying—

The Hon. I.K. Hunter: You are the one who was on the radio this morning.

The PRESIDENT: Can we just have a moment so I can listen to the minister.

The Hon. S.G. WADE: Labor released a report in December 2014 which had an estimate of the FTE impact of 334.

Members interjecting:

The PRESIDENT: Order! Sit down, minister. We are going to the next question. Supplementary, the Hon. Ms Franks.

SA PATHOLOGY

The Hon. T.A. FRANKS (14:30): Is the minister concerned that the PwC report was leaked and will the minister undertake an investigation to see how this happened?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:30): One of the risks of being an engaging government is that a number of people have access to information. The steering committee that was overseeing this report had access to the report. I am aware of a number of stakeholders who were not on the steering committee who were briefed on the report. But if I could just remind the honourable member that the figure in relation to 200 is not in the report. The PwC report itself doesn't give an FTE impact. But a number of stakeholders, both within the steering committee and beyond, would have had access to the report.

Members interjecting:

The PRESIDENT: Are we all calm now because I would like to go to the Hon. Ms Scriven. She has been waiting patiently.

The Hon. C.M. Scriven: As always.

The Hon. R.P. Wortley interjecting:

The PRESIDENT: The Hon. Mr Wortley, I don't need you groaning on.

SA PATHOLOGY

The Hon. C.M. SCRIVEN (14:31): My question is to the Minister for Health and Wellbeing. Does the PwC report into SA Pathology recommend a reduced savings target for SA Pathology and, if so, how much is the reduction?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:31): The Ernst and Young report in 2014 recommended savings of $42 million. The PwC report of 2019 identifies measures that, by 2021-22, will deliver in the order of $35 million. The report also indicates there may well be more opportunities to make savings as further information becomes available. Also, SA Pathology has been working on its own set of initiatives and, of course, my department will have an input and, of course, that of the Department of Treasury and Finance. In relation to budget figures, further work to substantiate the savings profile will occur during the 2019-20 budget process.

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

SA PATHOLOGY

The Hon. C.M. SCRIVEN (14:32): Will you be seeking, minister, to make the balance of cuts to other areas of the health system?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:32): I think the honourable member is asking me to release a budget that hasn't been written.

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

SA PATHOLOGY

The Hon. C.M. SCRIVEN (14:32): Yes; noting from that answer that presumably it might be made to other aspects of the health system. Given the report says SA Pathology should be given the opportunity to make fundamental changes to its operating and business model, will the minister now guarantee that the government will not privatise SA Pathology?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:33): I don't know where the honourable member has been today because I think the government is continuing on the tradition of honesty and frankness by making a clear—

Members interjecting:

The PRESIDENT: Order!

The Hon. K.J. Maher interjecting:

The PRESIDENT: Leader of the Opposition, can you show some respect for the Hon. Ms Scriven. She has asked an important supplementary question. The minister is attempting to answer it. Minister.

The Hon. S.G. WADE: As I was saying, this government wants to be clear with people. This is an opportunity to reset SA Pathology. The organisation is guaranteed to remain free from privatisation for the next 12 months. In that time, we need to show that improvements can be made to the efficiency of the agency. Unions and stakeholders have vehemently opposed privatisation, while they have all acknowledged that there are efficiencies that can then be made. Privatisation is off the table for 12 months, but the people of South Australia are entitled to have value for money, high-quality pathology services. That's what this government will deliver.

SA PATHOLOGY

The Hon. C.M. SCRIVEN (14:34): A further supplementary: does the minister consider that 12 months is sufficient to make fundamental changes to the system?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:34): The honourable member distorts the goal. The goal is to see tangible progress. What we didn't see under the former government was tangible progress. We had a report released in December 2014 with a whole range of recommendations, accepted by the former Labor government. What progress did we see against those recommendations? Not a jot.

The Hon. I.K. Hunter interjecting:

The PRESIDENT: The Hon. Mr Hunter, we have done the radio commentary stuff.

The Hon. I.K. Hunter: I have a lot more to go.

The PRESIDENT: It may well be. Minister, do you have anything more?

The Hon. S.G. WADE: I would love to. Thank you for the opportunity. With Labor, we had a report that committed to cut 332 FTEs from SA Pathology. They promised to close sample collection centres. They committed to consolidate all non-urgent—

Members interjecting:

The PRESIDENT: Sit down, minister. The Hon. Ms Franks, do you have a supplementary?

SA PATHOLOGY

The Hon. T.A. FRANKS (14:35): Supplementary: the minister defined that privatisation will not be undertaken for 12 months. Will the minister now also define the areas where contestability will also be ruled out as not possible, either after the 12 months or at any stage?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:35): Really, the honourable member is inviting me to unravel Labor's reforms in SA Pathology. For one, let me—

Members interjecting:

The Hon. S.G. WADE: To be clear, the report makes clear that there are already tests that are sourced from the private sector. There are already significant courier services that are delivered by the private sector. If the honourable member is asking me to rule out contestability now or forever, the answer is no because it is happening now. It will continue to happen.

SA PATHOLOGY

The Hon. T.A. FRANKS (14:36): Will the minister acknowledge that there are some areas that just cannot be made contestable within SA Pathology?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:36): I agree.

SA PATHOLOGY

The Hon. E.S. BOURKE (14:36): My question is to the Minister for Health and Wellbeing. Will the government be closing any SA Pathology laboratories or collection centres? Will the government guarantee there will be no delay for test results from implementing their cuts to SA Pathology?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:36): I can assure honourable members that SA Pathology does not use lavatories to collect specimens. Also, what I can assure honourable members is that there are actually fewer net suggested patient collection centres closed under the PwC report than there was under Ernst and Young.

There is a bit of a pattern developing here. Labor wants an FTE reduction of 330 and then gets shocked when our report suggests 200. They want to do scaremongering about closure of patient collection centres when in fact the report that has been presented to us suggests fewer patient collection centres to be closed. The report also talks about rationalising—in other words, opening centres, closing centres—and a net reduction, under the PwC report, of five. But the details of each of these strategies will be worked through with SA Pathology, with the Department for Health and Wellbeing and with the Department of Treasury and Finance, because one thing this government is determined to do is to not leave people in limbo for three years, having a 334 person FTE cut hanging over people until late 2017 when, so close to the election, the Labor Party thought, 'Well, we need to be kind to staff. We will no longer have the sword of Damocles hanging over them. We will move the sword to the other side of the election.'

They didn't say they stopped believing in pathology efficiencies. What they said is, 'We just want to get through this election. We just want to avoid further scrutiny. We will leave our plan till after the election.' What happens after the election? Having gone through almost a full parliamentary

term with a cuts program with a target of 334, we now have a pathetic opposition that wants to rail in opposition against the very thing they were delivering in government.

You can look at the Ernst and Young report, you can look at the PricewaterhouseCoopers report and you can see this sounds a bit familiar. A lot of the recommendations of PwC are Labor's failed savings strategies. They might rail and preach against what they said in government, but all they are showing is that Labor cannot be trusted on health. In opposition, they will preach like puritans; when they are in government they will act like prostitutes.

SA PATHOLOGY

The Hon. E.S. BOURKE (14:39): I must have missed the minister's answer to the 10 locations that will be closed. Can you confirm the locations of where these centres will be closed?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:39): The PwC strategy is broad. There are no identified locations.

SA PATHOLOGY

The Hon. E.S. BOURKE (14:39): A further supplementary: will there be any pathology centres closed in regional South Australia?

Members interjecting:

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:40): It's nice to be part of the house that works late. The honourable member rightly raises a point of service quality, and I thank her for that. It's a great relief that 25 minutes in we can get Labor focusing on real issues. One of the points made in the PricewaterhouseCoopers report is that we need to be mindful of access. Particularly in country South Australia, the pathology services are much stronger in the public sector than they are in the private. Of course, in reassessing our patient collection centre network, we will be looking at not just value for money. We will also be looking at issues such as quality and access.

SA PATHOLOGY

The Hon. E.S. BOURKE (14:40): A further supplementary: will there be any closures of collection centres in regional South Australia?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:40): I think the honourable member needs to try to link my answers to her questions so that perhaps if—

The Hon. E.S. Bourke: You're not answering them.

The Hon. S.G. WADE: What I have already said is that there are no identified centres. If there are no identified centres, there are no identified centres in metro or country.

SA PATHOLOGY

The Hon. E.S. BOURKE (14:41): Why throughout your questioning today have you not once addressed the safety and wellbeing of patients due to the privatisation of SA Pathology?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:41): I would suggest I did it two answers ago, in the one where I said, 'Access to patients is important.'

SA PATHOLOGY

The Hon. K.J. MAHER (Leader of the Opposition) (14:41): Supplementary arising from the answer about cuts to SA Pathology: are there any clinical or patient risks from the cuts being suggested in the report?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:41): Patient safety and the quality of care will be the paramount consideration for SA Pathology. It always has been and always will be.

The PRESIDENT: Supplementary; this is the last one.

SA PATHOLOGY

The Hon. K.J. MAHER (Leader of the Opposition) (14:41): Further supplementary by way of clarification: are there any potential risks in relation to the cuts?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:42): All risks will be managed by SA Health clinicians.

WOOLWORTHS

The Hon. D.G.E. HOOD (14:42): My question is to the Treasurer. Will the Treasurer update the chamber on the announcement yesterday by Big W that they will be closing stores and their distribution centre at Monarto?

The Hon. R.P. Wortley interjecting:

The PRESIDENT: The Hon. Mr Wortley, please. It's not even witty. Treasurer.

The Hon. R.I. LUCAS (Treasurer) (14:42): Thank you. I thank the honourable member and also the Hon. Mr Wortley for allowing me to give an answer. It was obviously with some concern that, I am sure, all members of parliament but also members of the local regional Monarto-Murray Bridge community heard the announcement from Woolworths Big W in relation to the foreshadowed closure of the distribution centre there in two years' time, in mid-2021.

As Woolworths Big W announced, they have been haemorrhaging losses for a period of time, I think within the Big W division losing more than $100 million a year last year and foreshadowed again this year. As my very good friend Josh Peak from the shoppies union was quoted as saying last night on television, with which I furiously agree, online retailing is having a significant impact.

That's indeed something I have said in this chamber on a number of occasions in the nature of other debates that we have had. The reality is that online retailing and shopping are having and will have a significant impact on bricks and mortar retailers, not only in South Australia but nationally as well. The announcement yesterday was the closure of two distribution centres, South Australia and Queensland, and 30 stores nationally still to be identified.

There are significant issues that bricks and mortar retailers will have to address in the changing environment. As Mr Peak indicated—and Woolworths Big W indicated, when they made their announcement, this was a major factor—consumers are increasingly finding shopping via their mobile phone and mobile phone apps from home or their office and having goods and services delivered to their home or residential address a much more convenient way to shop, rather than going to bricks and mortar retail outlets. It is a reality. We can seek to bury our heads in the sand, if we wish, and ignore it or we are going to have to front up and address what is an increasing reality for the future.

There are a range of programs which will be available. I am pleased to see that Woolworths Big W have announced that they will work with each potentially affected individual employee over the next two years to see what redeployment opportunities exist to see whether there are redeployment opportunities within other Woolworths and Big W retail outlets in South Australia, in particular.

As was indicated by Mr Peak, again, there are a number of other Woolworths outlets in the local region. There is also a federal program called Stronger Transitions which is specifically designed to try to assist retrenched workers, particularly in regional areas, with additional assistance. We are hopeful that Woolworths Big W will be able to assist as many of those employees as possible in relation to finding other opportunities within the broader group.

WOOLWORTHS

The Hon. C.M. SCRIVEN (14:46): A supplementary: will the state government be offering any assistance whatsoever for the workers who are affected?

The Hon. R.I. LUCAS (Treasurer) (14:46): We will be relying on the very strong Stronger Transitions program. Minister Pisoni has indicated that in certain circumstances some workers may well qualify for the $202 million Skilling South Australia retraining fund—a huge

investment from state and federal governments in terms of providing further skills and training for workers in South Australia. He has indicated that in some limited circumstances there will be the capacity for retraining in those programs. As I said, there is a transition program that the commonwealth government runs.

But one would hope that a big employer like Woolworths Big W—and again, as Mr Peak has indicated, they renegotiated in their EB a 30-week redundancy provision which he indicated was much more generous than other redundancy provisions available for other workers who lose their jobs. It will be a combination of those seeking retirement, who will have a 30-week redundancy, or those seeking ongoing employment. We hope Woolworths Big W will be able to assist as many of those workers as possible in relation to finding alternative employment opportunities.

If the member is asking the question: will the taxpayers of South Australia be funding specific assistance programs such as the ones the former government funded for some workers affected at Castalloy? The answer is no.

WOOLWORTHS

The Hon. K.J. MAHER (Leader of the Opposition) (14:48): A further supplementary: given the Treasurer has admitted that the state government won't be spending a single cent helping any of these workers with specific programs, what representations has the government made to Woolworths about not closing any stores in South Australia?

The Hon. R.I. LUCAS (Treasurer) (14:48): To quote a former Labor premier, 'I don't accept the premise of the honourable member's question.'

WOOLWORTHS

The Hon. K.J. MAHER (Leader of the Opposition) (14:48): A further supplementary: what representations has the government made to Woolworths to try to avert any store closures in South Australia?

The Hon. R.I. LUCAS (Treasurer) (14:48): The honourable member's failed attempt at his first question was in relation to workers. The second attempt at a question was in relation to store closures. In relation to the first attempted supplementary question which was in relation to assistance for workers, we note, as I have just indicated, as I did yesterday, the clear statements by the company that they would work with all individual employees over the next two years—and this is something that is not happening today, it's going to happen in 2021—to try to find alternative employment opportunities.

If there is any evidence that they are not doing that, then that will be an opportunity for the government of the day to take up what would be a breach of an undertaking that they have given to the union and publicly at the time of this particular announcement. Unlike the Leader of the Opposition, we will take the company at its word in relation to the undertaking it has given to the union and to its workers and to the community. Unless there's evidence to the contrary, we will work on that premise.

WOOLWORTHS

The Hon. K.J. MAHER (Leader of the Opposition) (14:49): Supplementary arising from the original answer: to the Treasurer's knowledge, has any minister from the government actually talked to Woolworths about the impact this will have on workers?

The Hon. R.I. LUCAS (Treasurer) (14:50): Mr President, I can only speak on my behalf.

Members interjecting:

The Hon. R.I. LUCAS: The Hon. Ms Bourke has never been in government so let me assure her that I don't, on a regular basis, ring each of my 13 colleagues—

Members interjecting:

The Hon. R.I. LUCAS: No, I don't—and say to them, 'Who have you spoken to today?' I responded to media queries yesterday. I have done so again this morning. As I have said in response to the leader's supplementary question just a little earlier, I am prepared to accept the assurances

given by the company to the union, to the mayor and to the community. In the absence of evidence to the contrary, I am prepared to accept those assurances.

ELECTRIC VEHICLES

The Hon. M.C. PARNELL (14:51): I seek leave to make a brief explanation before asking the Leader of the Government, representing the Minister for Transport and Infrastructure and Local Government in another place, a question about electric vehicles.

Leave granted.

The Hon. M.C. PARNELL: Today's *Advertiser* has a story under the heading, 'Ban new petrol cars to accelerate electric vehicle sales, says NRMA'. The article says:

> Australia should ban the sale of new petrol vehicles sometime between 2025 and 2030, the country's largest motoring organisation says…

It goes on:

> 'We need to prepare Australia for the fact that at some point in the next couple of decades we're not going to be able to buy petrol or diesel cars.'
>
> Bans are planned in several European and Asian countries [already].

Last year, I asked a question of the minister about electric vehicles. One question I asked was whether the government was working on a new electric vehicle strategy for South Australia to replace the strategy under the previous government. The response I got back from the minister last year was:

> The government is currently considering the merits of a separate electric vehicle…strategy approach or whether low emission vehicles should be considered as part of overall priorities for action across government pertaining to low carbon or future transport mobility.

I also asked last year what steps the government was taking to lead by example and convert a majority of the state fleet to electric vehicles, and the response I got to that question was that the South Australian government had a target of 30 per cent low-emission vehicles in its fleet by 2019. My questions of the minister now are:

1. Has the government determined whether or not it's going to prepare an electric vehicle strategy for South Australia?

2. Has the government met its target of 30 per cent low-emission vehicles in the state fleet?

3. How many of those vehicles are electric vehicles?

The Hon. R.I. LUCAS (Treasurer) (14:53): I am happy to take on notice those questions that relate to my colleague in another place and bring back a reply. I suspect the second set of questions probably relate to me, in relation to state fleet, so whilst I take the questions formally on behalf of my colleague, I suspect some of them will come back from me.

ENERGY CONCESSIONS

The Hon. I. PNEVMATIKOS (14:54): I seek leave to make a brief explanation before asking a question of the Minister for Human Services regarding energy concessions.

Leave granted.

The Hon. I. PNEVMATIKOS: The Marshall Liberal government recently allocated over $135,000 to start the privatisation process of energy concession payments—a process that is currently undertaken by the Department of Human Services through ConcessionsSA. My question to the minister is: why is the Liberal Party pursuing a policy of privatising essential services that everyday South Australians rely upon to make ends meet?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:54): If I could borrow the words of one of my esteemed colleagues, who borrowed words from the former premier the Hon. Jay Weatherill, I reject the premise of that question. Energy concessions are administered through the Department of Human Services, along with a range of other concessions that we provide to South Australians, which are a very important suite of measures that we assist people with their cost of

living. For instance, we provide the Cost of Living Concession; the emergency services levy concession; an energy concession, which is the subject of the question; medical heating and cooling; water and sewerage.

The matter of the energy concession was one which was raised, I think, with all political parties prior to the election. It was actually the South Australian Council of Social Service that suggested that it would be more efficient for the retailers to manage the energy concession, because under the existing arrangements it can be a bit clunky, it can be a bit cumbersome. We undertook, as part of our election commitments, that we would look at those arrangements. The honourable member may want to check her own election platform. I am not sure whether the Labor Party committed to do the same.

SACOSS put to us a case that it would be in the best interests of consumers that, as is the case interstate, a number of energy retailers actually administer those concessions, and so that is a process that we are looking at. It is very much, as SACOSS put to us, a matter of consumer choice and making sure that we are providing the best consumer experience that is efficient. If that turns out to be the case then that is something that we will do, but we haven't made any decision at this stage. I think, Mr President, I did hear—

Members interjecting:

The PRESIDENT: Order! Allow the minister to answer.

The Hon. J.M.A. LENSINK: Mr President, I am slightly mystified. I think these matters are on the public record, that it is something that we would look at. It was part of what we published to SACOSS, which I think is a matter of the public record. So perhaps the Labor Party might want to look at documents that were published 12 months ago in the election campaign. I am not quite sure who has been writing their questions and what sort of research skills they have, and whether they are in fact talking to the South Australian Council of Social Service, who are very, very keen on these arrangements being changed.

ENERGY CONCESSIONS

The Hon. I. PNEVMATIKOS (14:57): Supplementary: will the minister categorically rule out any South Australian being worse off as a result of her privatisation policy agenda?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:57): Once again, I think I need to make the comment that I reject the premise of the honourable member's question.

Members interjecting:

The PRESIDENT: Order! The minister is on her feet.

The Hon. J.M.A. LENSINK: It is something that we are looking at. We believe that there can be a better customer experience, which may be faster—that is what SACOSS have put to us—and we are looking at that proposal.

ENERGY CONCESSIONS

The Hon. I. PNEVMATIKOS (14:58): Further supplementary: how many South Australians currently receive the energy concession payment and when is this paid?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:58): The advice that I have is that there are over 180,000 South Australian account holders who receive that concession. Those payments are made, I understand, quarterly, in line with when people receive their billing arrangements.

The PRESIDENT: The Hon. Ms Pnevmatikos, a further supplementary?

ENERGY CONCESSIONS

The Hon. I. PNEVMATIKOS (14:59): Yes, sir. Will these figures remain the same once the minister has pursued her policy agenda in terms of this process, and can some clients expect to no longer qualify?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:59): If I could perhaps correct the premise of part of what I think the honourable member is trying to get at: we are not proposing to cut the amount of the rebate.

ENERGY CONCESSIONS

The Hon. I.K. HUNTER (14:59): By way of supplementary question, arising from the original answer: will the government be providing any costs to the private suppliers to recompense them for now carrying on a service that the government heretofore provided?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:59): These matters are still being looked into in terms of all of the finer detail of how it will operate, and I am unable to comment on how it will operate because the government has not actually made a final—

The Hon. I.K. Hunter interjecting:

The PRESIDENT: The Hon. Mr Hunter, allow the minister to answer your supplementary.

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

The PRESIDENT: Well, I can't determine that, the Hon. Mr Hunter, because I can't hear the minister. Minister, please go on.

The Hon. J.M.A. LENSINK: It is hard to respond to a hypothetical situation when the government has not made a final decision about what it is going to do—we are looking at the proposal, and all of these matters are under consideration.

PUBLIC HOUSING

The Hon. J.S. LEE (15:00): My question is to the Minister for Human Services about the South Australian Housing Authority's new antisocial behaviour policy. Can the minister please provide an update to the council about how this new policy will improve the management of antisocial behaviour in public housing?

The Hon. J.M.A. LENSINK (Minister for Human Services) (15:00): I thank the honourable member for her question. We know that we have a large number of complaints received through the Housing Authority every year—some 6,000 complaints are made, 2,500 of which relate to matters which properly could be dealt with through other neighbourhood matters, such as through local councils. On average, we receive complaints about 8 per cent of our tenancies. The vast majority of tenants comply with the agreements that they agree to when they become tenants, and they look after their properties very well, live peacefully, take great pride and are greatly appreciative of their Housing Trust tenancy.

However, we do have problems with particular antisocial behaviour. The policy under the previous administration I think would be fair to describe as reasonably woolly. Matters that may relate to noise and where people park their cars were conflated with much more serious matters. It was unclear what the effect was and how the tenants' behaviour related to their tenancy.

In August 2018, the authority began a review of its disruptive tenancy policy. It established a working group to develop clear, consistent and effective approaches to managing disruptive behaviour. The new policy needed to balance the responsibilities of tenants, the rights of neighbours and the broader community and the need to support tenants to sustain their public housing tenancies if they had particular matters that they needed assistance with.

The new policy, which came into effect yesterday, aims to implement greater controls and improved oversight in relation to the management of antisocial behaviour and complaints, achieve greater efficiency through appropriate triaging and allocation of resources according to the severity of the complaint, improve the quality and timeliness of investigations, improve staff knowledge and skills in managing and responding to complaints, expedite interventions and responses to antisocial behaviour, and achieve a cultural shift whereby authority staff and tenants understand their responsibilities and that antisocial behaviour in tenancies is unacceptable and will be swiftly and appropriately managed.

We have a system where there may be one verbal warning for minor matters. We have a range of behaviours that fall into that category, which generally relate to nuisance, noise, obscene language and accumulated rubbish, but where there is no potential injury to others; the moderate range, which could include physical intimidation, serious harassment, dangerous driving, or out of control parties, as well as damage to property; and, serious, which does include serious damage to property and which renders the place uninhabitable, or if criminal charges have been laid. Those three areas have made it much clearer. We appreciate that there are people who are vulnerable and who may need more assistance and so the senior managers will have the responsibility to intervene in those situations to see what supports we may need to implement for people.

Anybody who has had this portfolio would know that there are a lot of matters that are raised with ministers, written and through telephone calls to the office, and I would hazard a guess that the people who will welcome this new policy the most will be Housing Trust tenants who, as I have mentioned, in the main are respectful and appreciate the properties and look after them well. We believe that they have as much right as everybody else to live in peace and harmony and therefore, in those instances where people are engaged in antisocial behaviour, that their complaints will be managed appropriately.

PUBLIC HOUSING

The Hon. K.J. MAHER (Leader of the Opposition) (15:05): A supplementary: does the minister have any estimates as to how many people might be affected and how many might get this 'third strike and you're out'? Has the department come up with a figure?

The Hon. J.M.A. LENSINK (Minister for Human Services) (15:05): A projection?

The Hon. K.J. Maher: Yes, a projection.

The Hon. J.M.A. LENSINK: No, they haven't done that at this stage, but we do know, as I said, that 8 per cent of existing tenancies have some form of complaint against them, but that would probably include those lower levels as well. It is something that we are monitoring very carefully. We have much better data collection and we want to make sure that this policy is effective and genuinely changes people's behaviour. I think we are giving people opportunities to change their behaviour unless, of course, somebody has been engaged in criminal behaviour, and then they can be referred straight to SACAT.

PUBLIC HOUSING

The Hon. K.J. MAHER (Leader of the Opposition) (15:06): A further supplementary arising from the answer: is the department intending to allocate additional resources for the implementation of this policy and, if so, what are those additional resources and how many FTEs are in the department?

The Hon. J.M.A. LENSINK (Minister for Human Services) (15:06): I thank the honourable member for that question. I don't think I have an answer on that but I would have to say that there is probably a reallocation of the management of complaints in the sense that the less complaints, about the neighbour's barking dog, will not be matters for the Housing Authority to manage into the future. We will be looking at the most serious ones and I would assume that if those lesser matters—which should not have been, in my view, managed by Housing—such as neighbour issues fall away then we have more resources to devote to the more serious matters.

PUBLIC HOUSING

The Hon. K.J. MAHER (Leader of the Opposition) (15:07): A further supplementary: the minister, in her original answer, talked about criminal charges and expulsion from Housing Trust houses. At what stage of the criminal process is the tenant expelled from a Housing Trust house? Is it when they are charged or when a conviction is recorded?

The Hon. J.M.A. LENSINK (Minister for Human Services) (15:07): The advice that I have is that it depends on the seriousness of the crime. For example, if somebody is convicted of a minor crime like shoplifting and not gaoled they will keep their tenancy; however, Housing SA can proceed to seek eviction immediately if a serious crime has been committed.

PUBLIC HOUSING

The Hon. T.J. STEPHENS (15:08): A supplementary question: is the minister aware that the Hon. Bob Sneath, when he was chair of the Statutory Authorities Review Committee, more than a dozen years ago, advocated along these policy lines and, sadly, the previous government refused to adopt them?

The Hon. J.M.A. LENSINK (Minister for Human Services) (15:08): I thank the honourable member for his question. I appreciate the advice that he is providing to the chamber on this matter. I would also have to say that, in reality, while I think in the media this may have been portrayed as being tough on tenants, in fact it is really just enforcing the existing contract that people sign when they enter into Housing Trust tenancies and which I think meets the community standard. We ask our tenants to pay their rent, not commit crimes and keep the property in reasonable condition. I think that is what everybody thinks is fair and reasonable.

I can actually advise, however, that the former minister for social housing in 2013, in some documents that I have received, has made comments to similar effect that the policy that was implemented at that time was about respecting those tenants who do the right thing and their neighbours, while sending a message that disruptive and inappropriate behaviour will not be tolerated.

My understanding from having listened to former ministers in the previous administration is that they thought they had a three strikes policy, whereas in fact it could be multiple strikes because it reset every six months, which meant that people could have multiple complaints over them over a period of years and they would still retain their tenancy. So we are really trying to clarify the rules. Quite frankly, I don't think it is inappropriate that, if somebody is cooking drugs in their home, they be evicted from their Housing Trust property, and I think that that is what the community expects.

PUBLIC HOUSING

The Hon. K.J. MAHER (Leader of the Opposition) (15:10): Supplementary question arising from the original answer: is the minister able to inform the chamber how many Housing Trust tenants have been evicted over the last 12 months?

The Hon. J.M.A. LENSINK (Minister for Human Services) (15:10): I have got a figure somewhere, which was from 2017, that I can't find just at the moment, but I will try to retrieve that and bring that back before the end of question time.

PUBLIC HOUSING

The Hon. R.P. WORTLEY (15:11): Supplementary: some of these serial and very serious offenders who may be eligible for eviction could have serious mental health problems. Is there a strategy in place to ensure that they are not left on the street?

The Hon. J.M.A. LENSINK (Minister for Human Services) (15:11): Part of the problem with the previous policy not having a great deal of clarity is that it states in it that—it lists the range of different types—well, not even that specifically, but it lists a range of matters which can be considered what under the previous policy is called 'disruptive' rather than 'antisocial' and that may include where people park their cars. Now, for me personally, I don't think that is an appropriate reason to evict someone, so we are trying to make things clear in terms of what is and isn't antisocial behaviour through three separate ranges of behaviour identified in the policy.

We certainly do appreciate that there are people who are vulnerable and have matters that mean that they need assistance. For instance, hoarding, I think is probably a classic example of a potential indicator for people who have mental health challenges. So, if we are not having to manage those lesser matters, we can actually concentrate on assisting people to maintain their tenancy and, therefore, it is very much elevating matters where we think people have some challenges and they need assistance so that we can assist them to maintain their tenancy if they have, for instance, a mental health problem.

QUEEN ELIZABETH HOSPITAL

The Hon. J.A. DARLEY (15:12): My question is to the Minister for Health and Wellbeing. Can the minister provide an update about the implementation of the government's policy regarding The Queen Elizabeth Hospital, and can the minister also provide details regarding the estimated time frame for implementation of this policy?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:13): I thank the honourable member for his question and his ongoing commitment to South Australian public health. In particular, I acknowledge the honourable member's advocacy for many years for The QEH both in the community, in the parliament and through his work on the select committee into Transforming Health. The Marshall Liberal government was elected with a strong commitment to support health services in Adelaide's western suburbs after the previous Labor government's disastrous Transforming Health experiment led to downgrades of services at The QEH.

The Marshall Liberal government committed to ensure that The QEH has the capacity to deal with cardiac emergencies with a cardiac catheterisation laboratory available 24 hours a day, seven days a week. The Marshall Liberal government made this a priority and delivered on this commitment shortly after the 2018 election. Since that time, we have been working to upgrade the equipment in the main cardiac catheterisation laboratory, engaging with local clinicians to ensure the equipment met their clinical needs. I can advise the council that work in the lab to upgrade the equipment, together with related capital works, is now underway, and is expected to be completed by the end of May.

Patients at The QEH will have access to a first-class cardiac catheterisation laboratory. The Marshall Liberal government is also committed to the stage 3 redevelopment of TQEH. The honourable member will recall that the redevelopment is another example of Labor's betrayal of Adelaide's western suburbs. The stage 3 redevelopment was promised by Labor at the 2010 election. In 2014, four years later, no work had yet started when the redevelopment was cancelled. The funding was redirected towards Labor's Transforming Health experiment. It was re-announced by Labor in 2017, seven years after it was first announced. By the time of the election, no actual work had been done.

Unlike Labor, the Marshall Liberal government delivers. Work began on the first part of the redevelopment, the car park, in October last year. The $17.4 million car park will provide an additional 500 parking spaces for the hospital and is planned to be completed later this year. The Marshall Liberal government, working with the Morrison Liberal government, has also won a full MRI licence for TQEH, giving a greater range of medical imaging services close to home for residents of the west. Labor couldn't deliver a full licence. This is another clear indication of this government's commitment to Adelaide's west and working with our federal colleagues.

In less than a year since election, the Marshall Liberal government has delivered more for The QEH and the residents of the west than Labor did in 16 years of broken promises and service downgrades. Labor cannot be trusted on health.

DISABILITY TRANSPORT SERVICES

The Hon. R.P. WORTLEY (15:16): I seek leave to make a brief explanation before asking a question of the Minister for Human Services regarding disability transport services.

Leave granted.

The Hon. R.P. WORTLEY: Disability services providers, particularly those supporting people living in group homes, are reporting that it is becoming extremely difficult to transport clients with disabilities as the NDIS continues to roll out. Previously, clients of disability support agencies living in state government-funded shared homes often had a shared accessible vehicle. However, the NDIS funding model means that transport is now funded individually.

Typically, individuals living in group accommodation are receiving $2,472 a year in transport funding per client. This is less than half of what is required, with a shared accessible vehicle for four people typically requiring a contribution of around $6,000 per annum, per client. Accessible taxis are another option for people, however, there are limited taxis and they are not always available at the desired times. $2,472 will purchase approximately 50 return trips a year—this is less than one a

week. The question is: does the minister maintain that less than one return taxi fare per week is fair and reasonable for clients of shared homes who previously had access to a state government-funded accessible vehicle?

The Hon. J.M.A. LENSINK (Minister for Human Services) (15:17): I thank the honourable member for his question, although I think he is mixing up a few issues, which I suppose isn't surprising given that we are moving towards the full transition at 30 June from block funding to individualised funding under the NDIS. I think there are two separate matters that he has raised. One is in relation to the transport subsidies, which was the subject of extensive questioning in the last sitting week. It is an ongoing matter that the Hon. Stephan Knoll and myself are working to resolve.

Regarding the matter of the number of taxi vouchers, I would have to say, if the honourable member thought that the number of vouchers per client was unfair, then at this stage there has been no change from the previous arrangements under the former Labor government in that people still have access to a book of 80 vouchers that they can use in a six-month period. As I said, the Hon. Stephan Knoll and myself, through our negotiations with the commonwealth government are working through various means to resolve the matter of the alternative transport arrangements under the NDIS. Clearly, we are about to go into caretaker mode so hopefully that's not going to slow things down, but we are working to resolve that matter as fast as we can.

I am not quite sure what the honourable member's point is in relation to transport vehicles that NGOs may have themselves, because that is a matter that they manage themselves through their own financial arrangements. Once again, if honourable members weren't happy with the way that the NDIS has been established, then they—Labor members in particular—have nowhere else to look but in the mirror.

The NDIS bilateral that has led to these arrangements where all of these services are being cashed out through the NDIS is an agreement that was signed by the former government. I think the pen was held by the Hon. Jay Weatherill, so these arrangements have been in train for some time. There are various pricing arrangements under the NDIS that have operated. I think we should all be pleased to see that on the weekend the commonwealth has agreed that there are some services which will receive an increase in their funding as of 1 July.

DISABILITY TRANSPORT SERVICES

The Hon. C.M. SCRIVEN (15:21): Supplementary: were any of the vehicles that were available for people living in share houses directly funded previously from state government in terms of being owned by state government—part of the SA fleet?

The Hon. J.M.A. LENSINK (Minister for Human Services) (15:21): I would have to check. She has used the term 'directly'. There may have been grants that have been provided through Grants SA. I understand that Grants SA funds various things like Variety Club and so forth. As to whether there was a specific grants program for transporting people with disabilities, I don't think that would be the case. I think they would have received funding under the block funding arrangement and then they would have made decisions as to whether they purchase vehicles and the like. But I would need to double-check. If that is not the case, I will bring back a response for the honourable member.

DISABILITY TRANSPORT SERVICES

The Hon. C.M. SCRIVEN (15:22): Further supplementary: just to clarify, no Fleet SA vehicles were made available to people with disabilities living in share houses; is that correct?

The Hon. J.M.A. LENSINK (Minister for Human Services) (15:22): That is not what I was asked.

DISABILITY TRANSPORT SERVICES

The Hon. C.M. SCRIVEN (15:22): Supplementary: firstly, I thought it was. Secondly, the supplementary asks you that, so why can you not answer that question?

The Hon. J.M.A. LENSINK (Minister for Human Services) (15:22): I am not the minister responsible for Fleet SA.

The PRESIDENT: The Hon. Mr Wortley, supplementary.

DISABILITY TRANSPORT SERVICES

The Hon. R.P. WORTLEY (15:22): The reality is that people in shared accommodation, group accommodation, had a shared vehicle that they could use. Now under the NDIS model they will have $2,742 or so, which is less than one return taxi ride a week. Since there is only enough for 50 taxi rides a year—less than one a week—which two weeks of the year will we be able to tell these people not to leave their homes?

The Hon. J.M.A. LENSINK (Minister for Human Services) (15:23): I am not sure whether the honourable member was listening to what I said in a previous response perhaps, I think, to his original question. The matters of ongoing transport have not been landed at a national level. It's a national matter. It is the ongoing discussion between the NDIA and senior officials within my agency. Minister Knoll and myself, obviously, are working towards a resolution of this. We are well aware that it has not yet been resolved, and we are working towards it.

In the meantime, the Hon. Stephan Knoll's department continues to fund taxi vouchers until 30 June so that people can obtain an additional book if they apply before 30 June, which will provide them with 80 vouchers which they can use as they need. So we are aware that this is one of those gaps, that it is ongoing, and we are working towards a resolution as quickly as possible.

SILICOSIS

The Hon. T.J. STEPHENS (15:24): My question is to the Treasurer regarding silicosis. Can you please inform the chamber what the government is doing about concerns that have been raised about silicosis and the impact it is having on workers in the engineered stone industry?

The Hon. R.I. LUCAS (Treasurer) (15:24): I thank the honourable member for his question. There has been, indeed, over a number of months now, particularly in other states, primarily in Queensland but more recently in New South Wales and Victoria, a considerable amount of publicity about the important issue of silicosis.

As I am sure you would know, silicosis is an incurable and, sadly, often fatal lung disease, and in recent years it has become an issue, not only in South Australia but nationally, in the engineered stone industry. For all members and families who have engineered stone products in their kitchens and bathroom vanities, some of those products, so I am told, contain as much as 93 per cent crystalline silica, and the workers who work in the industrial plants that manufacture it, and also to a degree those who work with it in installing, on a regular basis, engineered stone products in our homes, over a period of time place themselves at risk.

When these issues became more apparent publicly, as I said, as a result of mainly publicity coming out of Queensland, having made inquiries I realised that there were a significant number of government agencies that were actually involved in South Australia, with no single agency taking a leadership role in relation to the issue. SafeWork SA was involved; ReturnToWorkSA was obviously involved; MAQOHSC, otherwise known as the Mining and Quarrying Occupational Health and Safety Committee, and SA Health, of course, were principal agencies that were involved, at least in some part, in relation to this particular issue.

Some time in around about the third quarter—I think it was about September or October last year—I convened a meeting of representatives of all of those agencies, with the agreement of their respective ministers. Since then, I have had a series of three meetings with that group, who report back to me, and principally now to SafeWork SA, in relation to work that we are doing, and need to continue to do, in terms of worker safety in this particular area.

SafeWork SA has been conducting audits of worksites from, I think, around about February of this year. Over a number of months they have conducted a number of workshops in terms of trying to encourage safe work practices for industry. SafeWork SA had commissioned last year, I think it was, a study by the University of Adelaide, I think it was, and some others in relation to research results and best practice in this particular area.

I think it was in January of this year that I authorised the expenditure of $400,000 to be overseen by MAQOHSC for comprehensive health checks of workers within the industry. In the most recent report, MAQOHSC reported back to me that that program has now commenced in terms of health audits, which comprise quite expensive but comprehensive and necessary X-rays of affected workers, or potentially affected workers, as part of their response.

There is also work being undertaken at the national level. Safe Work Australia, I am told, I think it was in February of this year, published a draft workplace exposure standards, a new standard. Public comment is currently being sought, and comments on that new standard close at the end of this month, on 30 April 2019. I am advised that the draft is recommending reducing the current exposure limit for respirable crystalline silica by one-fifth of the current limit. I am also advised that my colleague the Minister for Health and his other colleagues at a recent meeting of ministers for health raised the issue of the creation of a national register for dust diseases, and some further work has been done in relation to that particular issue at a national level.

If I can conclude, there's a lot more I could say but time doesn't permit. There is much more that we, as a government representing various government departments and agencies, need to do in this important area in terms of work health and safety, and worker safety, in particular. I acknowledge the work that these various agencies and bodies are doing. As I said, I think for the first time they are now working together as a collective and there's a coordinated and collective response from government departments and agencies. But there is much more work that will need to be done at the national level as well, both through ministers for health and also with my hat on in relation to ministers responsible for work health and safety legislation as well.

Personal Explanation

PUBLIC HOUSING

The Hon. J.M.A. LENSINK (Minister for Human Services) (15:31): I seek leave to make a personal explanation.

Leave granted.

The Hon. J.M.A. LENSINK: I undertook to provide the number of evictions from Housing Authority properties. In 2017-18, it was 143.

Bills

STATUTES AMENDMENT AND REPEAL (SIMPLIFY) BILL

Second Reading

Adjourned debate on second reading.

(Continued from 26 February 2019.)

The Hon. R.I. LUCAS (Treasurer) (15:31): I am advised that no other members wish to speak, so I thank members who have made a contribution to this omnibus bill which covers a whole series of bits and pieces from a whole series of pieces of legislation. My office and I, having had discussions with members and their offices, note that there is one issue outstanding. Of course, there might be others raised at the committee stage, and I welcome that.

The Hon. Mr Parnell has raised some issues in relation to—and to quote him directly, I think—the 'accessibility of these particular notices on government websites'. In particular, he asked, 'What policies or protocols did the government have in place to guide public notification? Is there, in fact, any overall policy in this area?' A very hardworking member of my staff has spent hundreds of hours—and I say that with tongue in cheek—looking at the issues that the Hon. Mr Parnell has raised. On behalf of the government, and based on the work that not only the Hon. Mr Parnell must have done, I am sure, but that my staff member has done, I think there is merit in the claims that the honourable member has made in relation to the difficulty in terms of accessibility.

I do not believe with good faith that public servants are deliberately trying to bury the notices in the most obscure sections of their websites but I cannot guarantee that, of course. I do not believe

that is the case. I think it is a simple fact that sometimes the complexity of the way some of these websites have been constructed contributes to this.

For the benefit of members, my staff member has advised me that some websites do not have a clear allocated notice menu. On other websites you have to go through multiple submenus to access a page with notices. This staff member found that most menus have notices split up into different categories, separated by different submenus, i.e. notices to fishing would be under a fishing submenu and notices to primary industries would be under a submenu under a primary industries tab, rather than having one allocated in the department as a menu for notices. My staff member also stated, 'Each website had a different set of menus and submenus and lacking consistency to accessibility.' I will place some examples on the record. Of the DPTI website's notice for mariners, my staff member said:

> Navigation was not simple on this website. I was unable to find this page by using the menu and submenu links. After searching for several minutes, I did a search for notices to which I found this particular page [the notice for mariners]. For an individual who is not sure what to look for, locating this page and knowing what to look for would be difficult. The current publications and notices tab leads to the below which does not have notices on the page.

If you go to the subtab under publications and notices, it has freedom of information notices, annual reports, planning publications, transport publications, infrastructure publications—lots of important information, but not the notice for mariners.

Another search was for the Registrar-General's notice to lodging parties. My staff member said, 'This was very easy to access. I was able to find this page within two clicks and in under 30 seconds.' So it is not consistently difficult; it is just consistently inconsistent and variable in terms of accessibility. Another example was the EPA website, which I am sure the Hon. Mr Parnell would access frequently. My staff member said:

> I have been unable to locate their public notice of amendments page after spending over 10 minutes on the website.

The Hon. M.C. Parnell: I'll tell him where it is; I found it.

The Hon. R.I. LUCAS: One should not assume it is a 'him'.

The Hon. M.C. Parnell: I thought you said 'him', sorry.

The Hon. R.I. LUCAS: No, I said 'staff member'. I use non-gender specific, politically correct language, unlike the Greens, the Hon. Mr Parnell. In relation to the PIRSA website, my staff member said:

> There is no direct link to public notices for amendments. When you do a generic search within the website for notices this appears (3 clicks within the website to access from the home page). Only subject specific notices are available. The website is not easy to use.

There are a number of other examples but I will not waste the time of the council. The point I am making is that, on behalf of the government, I accept the point made by the Hon. Mr Parnell. On behalf of the government, I am happy to explore this further during the committee stage, but at the second reading I am prepared to give an undertaking.

I think there is someone who is prepared to come in and have a chat with the Hon. Mr Parnell and his staff on Friday, and the Hon. Mr Parnell can choose to take that up after I have made this statement, but I will leave that to him. On behalf of the government, I am prepared to say that we will have a look at what sort of generic instruction we can provide to departments and agencies in relation to accessibility of these notices on their website.

We can do that through what is known as a DPC circular, which is a common device that the government of the day can use to provide advice to departments and agencies, or some other device. We have a number of ways, through Premier's directions, DPC circulars and the Commissioner for Public Sector employment. There are a number of devices we can use, but probably the most likely would be a DPC circular. The intent would be to see whether we could, in simple language, talk about the ease of access.

I am sure the honourable member would not require us to have something so rigorous and standardised that it would require redesign and expenditure of some websites, which are quite

antiquated and outdated. Certainly, that ought to be a point of emphasis for any upgrade of websites that might occur in the future.

Nevertheless, given the range of websites that we have—some which are very easy to access, others which are more difficult—we will look at constructing either a directive or a letter to chief executives of departments and agencies indicating that we have given a commitment on behalf of the government, not just to the Hon. Mr Parnell but to the rest of the parliament.

We accept this is an issue. It is certainly not the intention of the government to hide these notices. The intention is for ease of access so that most people will be able to access them. We will look at ways of encouraging departments and agencies to respond to the valid commentary that the Hon. Mr Parnell has made during his second reading contribution. With that, I am happy to finish the second reading contribution and move into committee stage.

Bill read a second time.

Committee Stage

In committee.

Clause 1.

The Hon. M.C. PARNELL: First of all, I would like to thank the minister for his commitments at the close of the second reading. I am glad that my comments did not fall on completely barren ground and that the government does recognise that there is a lot of work to do when it comes to publication of information that citizens have a right to see. Obviously, the importance of this topic is because, whilst the simplify bill proposes some 98 separate amendments to 52 separate acts of parliament, the bulk of the amendments—not all of them but the bulk of them—do relate to the publication of government information and the inclusion of websites as a more modern means of communication to supplement the daily newspaper and the *Government Gazette*.

As I think I pointed out when I spoke on the second reading, we did have a fairly comprehensive briefing involving a great many public servants who could answer some but not all of the questions that I raised. They then took, I think, some eight questions on notice, and it took a couple of goes to get those answers, but ultimately they were all answered. As a consequence, I did tell the Treasurer that I did not require the bulk of the South Australian Public Service to be in the chamber today and that I was not going to ask specific questions about specific bills, but I will make a very brief observation.

First, the minister is correct, in that the Premier's office has reached out and offered to provide my staff and I with a briefing on Friday in relation to the overall questions of government policy when it comes to notification of information and government websites. I will take up that offer and I thank the Premier for that; it need not stand in the way of the passage of this bill today. The other point I make is that, as some members may have gathered over the last 13 years, I do get cranky when I miss important things that I wanted to know about but could not find.

Sometimes I will take responsibility for that but sometimes it is because they were so deeply hidden within newspapers, *Government Gazettes* or websites that it would have taken superhuman efforts to locate the information. My daughter has since told me that there is a name for it, and that I suffer from a condition called FOMO, which apparently stands for 'fear of missing out'. I do not accept that characterisation because the sort of information I am looking for is information about how to respond to government policy or to pending government decisions.

The point that I raised in my second reading, and the minister has alluded to it a little bit, is improvements that can be made. The minister has quite rightly referred to the fact that government websites vary in their design, in their age and in their usability. What I did raise in my second reading contribution, and I will raise with the Premier's staff when I meet with them on Friday, is that it is so much easier if we go to a push rather than a pull way of looking at information.

The minister used the example of notice to mariners. That is not something I am looking for regularly, but it would seem that, if I were a person with a boat who was out regularly and wanted to know whether there were things out on the sea that I might run into or areas that I should not go, subscribing to a service called 'notice to mariners' so that I got a direct notification every time there

was something I needed to know is a far better way of doing it than having to hunt through newspapers, the *Government Gazette* or websites to find information.

I appreciate that it is not a matter of legislation, necessarily. I think that legislation traditionally has set out the bare minimum that needs to be done in order to satisfy requirements. Governments can, nevertheless, do more than the minimum that is required.

With those brief observations on the record, I thank the minister for his response. I look forward to working with the Premier's office and with the minister. I expect this will not be the last we talk about access to information in this place; it is certainly something the Greens are keen to pursue in this current government, to improve the way citizens find out what is going on and to improve the way government agencies and departments tell citizens things they have a right to know. With that contribution on clause 1, I have no amendments and no further questions on any other clauses.

Clause passed.

Remaining clauses (2 to 102) and title passed.

Bill reported without amendment.

Third Reading

The Hon. R.I. LUCAS (Treasurer) (15:47): I move:

That this bill be now read a third time.

Bill read a third time and passed.

CRIMINAL LAW (HIGH RISK OFFENDERS) (PSYCHOLOGISTS) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 21 March 2018.)

The Hon. K.J. MAHER (Leader of the Opposition) (15:48): I rise today to speak to the bill before us, and indicate that Labor will be supporting the bill. However, we share some of the significant concerns that have been raised by stakeholders, including the Law Society. This bill makes amendments to the Criminal Law (High Risk Offenders) Act 2015 to expand the range of medical practitioners who are able to provide the reports required under the act.

The Attorney-General has stated that this proposal will help free up resources and reduce the delays being experienced in the provision of reports for high-risk offenders under the Sentencing Act 2017. I understand that there is only a small number of forensic psychologists who are able to provide these reports.

We note, as an opposition, like so many of the so-called reforms that the Attorney-General has put into the parliament, that they come about because of the previous inaction of the Attorney-General herself. This particular so-called reform comes after the Humphrys matter where the government tendered to the court that it was going to take a further six months for a report for the notorious paedophile Colin Humphrys, and there was much media attention around the fact that the government and the Attorney-General's inaction on this could have resulted in a dangerous paedophile being released. Once again, we have seen the Attorney-General forced into action because of her own shortcomings.

During the second reading explanation, the Attorney-General indicated that there were 40 reports prepared by the Forensic Mental Health Service in the period from October 2017 to November 2018. The Attorney-General also indicated that on average there are around 35 or 36 reports prepared each year. The Attorney-General advised that the proposed bill would likely impact on about 11 per cent of the reports, so about four reports a year will be impacted, which is a very small number indeed for what has been a big problem that the Attorney-General has failed to get under control.

There were a number of questions responded to during the opposition's briefing on this bill; however, many of those answers have created new questions. The Attorney-General has advised

that the new pay scale for writing reports would be a fee-for-service based on the WorkCover scale and that there was no fixed rate. I presume the Forensic Mental Health Service has a budget for reports and an estimate of what an average report would cost. I would appreciate it if the Treasurer was able to answer that question during the committee stage in relation to the estimate of what an average report would cost and what is the budget for these reports.

At the time of briefing being provided and in the Attorney's second reading explanation, we did not receive an answer as to the current size of the pool of experts who provide reports or how many additional FTEs are being allocated and what the increase is in the budget for the Forensic Mental Health Service. Again, I would appreciate the Treasurer, who will have the conduct of this bill, providing answers to those questions during the committee stage.

It is worth noting that this bill does not directly amend the Sentencing Act 2017, which was the cause of much public concern—and the lack of a report that the government initially said was going to take six months and almost had, on their inaction, the notorious paedophile Colin Humphrys being released under the Sentencing Act—regarding sexual offenders unwilling or unable to control their sexual instincts.

I note that the Law Society has provided some commentary querying whether lesser qualified persons are suitable to provide these reports. I am advised that others have raised similar concerns. The Attorney in her second reading explanation indicated that the bill is part of a range of measures designed to help reduce the waiting time for such reports. I am sure we will hear in due course if there are actually any other measures or if this is an actual suite of measures. I will conclude by saying that the Labor opposition will not seek to delay this bill from passing but we will certainly be monitoring the operation of this new regime and holding the government and the Attorney-General to account when she says this is but one of a suite of measures.

The Hon. J.A. DARLEY (15:53): I rise to speak on the Criminal Law (High Risk Offenders) (Psychologists) Amendment Bill. The Attorney-General was able to make application to the courts that certain prisoners are deemed high risk and are subject to an extended supervision order at the end of their sentence. This is typically where there are concerns that a person is likely to reoffend and it is only for serious sexual offenders, serious violent offenders and terrorists.

In order for an extended supervision order to be granted, two reports need to be provided to the courts from approved forensic psychiatrists. This bill will broaden this clause so that the approved forensic psychologists will also be able to provide reports. Upon initial examination of this bill I held some concerns that forensic psychologists may not have the expertise required. However, I understand that Dr Nambiar, the chief forensic mental health psychiatrist, will still be responsible for allocating cases to participating professionals and that complex cases will be handled by psychiatrists.

Late yesterday, I was advised that the government had filed amendments to outline the experience required by psychologists before they are eligible. These amendments were made on the recommendation of Dr Nambiar and I think they are sensible amendments. Although I have no doubt and there is no indication that Dr Nambiar would allocate files to a person without the necessary skills, it is good to have these requirements set out in the act. I am supportive of this bill and these measures. It will assist in alleviating the workload for forensic psychiatrists and expedite applications for extended supervision orders.

The Hon. C. BONAROS (15:55): I rise to speak in support of the bill inclusive of my amendments, albeit with some qualifications. SA-Best appreciates this bill is intended to alleviate the current backlog being experienced in the courts in regard to the provision of reports prepared under section 7 of the Criminal Law (High Risk Offenders) Act 2015, the Criminal Law Consolidation Act 1935 and, indirectly, the Sentencing Act 2017. But let us be in no doubt that this bill fails to address the underlying reasons behind that backlog and does not address the resourcing, investment and training issues that victims, the courts, the Law Society of South Australia, the DPP and the forensic psychiatrists have consistently identified and the government has failed to respond to.

It has taken a bid to have Colin Humphrys—a notorious child sex offender—released from gaol for want of a psychiatric report, which was going to take six months to complete, for the government to now take action. The bill addresses an immediate crisis but, again, let us not be

mistaken, it is a bandaid solution. There is an overwhelming amount of work in the court system to be undertaken by forensic psychiatrists and forensic psychologists, which is a direct result of not being sufficiently funded. These resourcing issues are for another day but I think it is a shameful situation that the Chief Justice, the Hon. Chris Kourakis, has felt compelled to go to the media to bring the current under-resourcing of the courts to the public's attention.

As the Law Society of South Australia has comprehensively pointed out, and cases such as Colin Humphrys bring into sharp focus, the implications of supervision orders being extended or revoked are very serious and of great concern to the community. It is critically important that these reports are completed by experts with the required and relevant experience and professional accreditation. As the highly respected Dr Loraine Lim said, and I quote, that psychiatrists and psychologists can work collaboratively to provide risk assessment reports for high-risk offenders but:

> …we need to be mindful of not creating an over-reliance on some of the lesser trained allied health professionals who may not have had the fundamental training in risk assessments or in the treatment of complex behaviours.

We do not want to compromise a criminal justice system that is already struggling with increasing workloads. Until now, the courts have relied upon a relatively small number of highly qualified and experienced forensic psychiatrists to produce these expert court reports—and, from the briefing I attended, I believe that is around six. If psychologists are to be permitted to undertake these types of assessments, then it is absolutely critical that there are safeguards as to their qualifications and experience.

The amendments I am proposing aim to install these essential protections into the bill so that when courts make decisions about high-risk offenders, including if they are going to release them back into the community, that they base those decisions on the highest quality assessments and reports prepared by accredited and recognised qualified forensic psychologists and medical practitioners. It is simply unacceptable for the courts, and indeed for the community, to rely on a psychologist who does not have the necessary skills, experience, qualifications, certification and admissions to produce reports that the courts, and ultimately the community, can rely upon and have confidence in.

The Attorney-General claims that it is difficult to attract suitably qualified people to forensic psychiatry and, if this is the case, then those training pathways need to be expanded. Our pool of forensic psychiatrists has been shrinking year by year and this is a threshold issue that needs to be addressed. In regard to forensic psychologists, it is a real concern that Dr Lim warns us that South Australia has not had a master of forensic psychologists program for the past 10 years and that a better long-term solution would be to better fund training pathways.

It is completely inadequate for the government to propose that, should the bill be passed, a part-time 0.5 FTE forensic psychologist will be employed by the Forensic Court Diversion and Assessment Service to prepare these reports. We do not accept the government's view that more training for more forensic psychologists has been considered, but due to the challenging nature of that work it is difficult to attract suitably qualified people to this niche area of the profession. The more competitive remuneration scale may assist in attracting more suitably qualified professions to complete these reports and by extension may attract more candidates to consider qualifications or training forensic psychiatry. But remuneration alone is not enough.

The bill, as tabled, is already an inadequate response to one aspect of the wider structural issues facing our courts and those issues are the ones that I have just touched on. The government's amendments to my amendment are a further attempt to water down the bill and they are not supported by SA-Best for that reason. I will give more reasons in relation to those amendments when we come to considering the amendments. With those words, I support the second reading of the bill.

The Hon. R.I. LUCAS (Treasurer) (16:01): I thank honourable members for their contributions to the second reading and I look forward to engaging in productive discussion in the committee.

Bill read a second time.

Committee Stage

In committee.

Clause 1.

The Hon. K.J. MAHER: I think clause 1 is probably the appropriate clause for a couple of general questions about the operation of the scheme. As the scheme currently operates, not taking into account the proposed changes the bill will make, I am wondering if the Treasurer can outline the classes of people who can provide reports for this act as the scheme currently operates, but also under the Sentencing Act and the Criminal Law Consolidation Act who can provide reports of this sort?

The Hon. R.I. LUCAS: I am advised that under this act it is just psychiatrists, and under the Criminal Law Consolidation Act it is psychiatrists and psychologists.

The Hon. K.J. MAHER: And under the Sentencing Act?

The Hon. R.I. LUCAS: Psychiatrists.

The Hon. K.J. MAHER: I am wondering if the Treasurer is able to give any advice on an estimate of the pool of people currently, under how the regime works, who are able to provide such reports; that is, how many psychiatrists are suitably qualified? What is the pool of people who can do that?

The Hon. R.I. LUCAS: I am advised there are six psychiatrists and five psychologists.

The Hon. K.J. MAHER: Just to be clear, under the Criminal Law (High Risk Offenders) Act at the moment, are there psychologists and psychiatrists who can provide reports?

The Hon. R.I. LUCAS: That was the honourable member's first question. The answer to the first question was psychiatrists, and psychiatrists and psychologists under the Criminal Law Consolidation Act. That was the answer to the first question. The second question was a number: there are six psychiatrists and there are five psychologists.

The Hon. K.J. MAHER: The pool that can provide reports under the Criminal Law (High Risk Offenders) Act, as it currently stands, is six people. Is that correct?

The Hon. R.I. LUCAS: Yes.

The Hon. K.J. MAHER: I take it that is in South Australia. Is there anything that precludes reports being done by interstate professionals?

The Hon. R.I. LUCAS: No.

The Hon. K.J. MAHER: Has South Australia ever utilised interstate professionals to provide reports, either under this act, the Sentencing Act or, indeed, the Criminal Law Consolidation Act?

The Hon. R.I. LUCAS: I am advised: not to the knowledge of the advisers that are here at the moment.

The Hon. K.J. MAHER: Is there a reason why that has never been considered?

The Hon. R.I. LUCAS: As I said by way of interjection across the chamber, in relation to what the former government did and the reasons, the Leader of the Opposition might be in a better position to know than me. But I am told the other option which is available are private sector psychiatrists in South Australia. It is likely that the people who make this decision, if they had to go beyond the public sector psychiatrists, would be more likely to choose a South Australian-based private sector psychiatrist as opposed to going interstate.

The Hon. K.J. MAHER: To be clear, the pool of people who can provide these reports—when the answer was six—is that just public sector people?

The Hon. R.I. LUCAS: Yes.

The Hon. K.J. MAHER: What would the pool be, if we expand that to the private sector and have private sector psychiatrists being utilised to provide these reports? My follow-up is going to be: if they have not, why not?

The Hon. R.I. LUCAS: I am afraid we do not have that information, but I understand that the decision is taken by the responsible person. The qualification is a psychiatrist, so I guess it is whatever number of psychiatrists is the potential pool, but then it is up to the particular responsible person making these decisions whom he or she selects from that pool, if they so choose.

So no, we do not know what the total number of private sector psychiatrists in the state is, but I assume it is a significant number, obviously, and I guess there must be a roll or a register somewhere that would have whatever that number is that would be available. In relation to why in the past it has not been utilised, we just do not have that information available to us at the moment.

The Hon. K.J. MAHER: I am gathering from that last answer that the answer to the question: have private sector psychiatrists been used for these reports, is we are not aware of any incidents where it has happened.

The Hon. R.I. LUCAS: The advisers I have with me today are not aware as to whether or not former governments and former administrations have taken up that option.

The Hon. K.J. MAHER: In the case of the Humphrys matter, when it was originally submitted to the court that the report would take six months but very quickly revised to a much shorter time, who provided that report in the end?

The Hon. R.I. LUCAS: It was provided, I am advised, by one of the psychiatrists within forensic mental health, but I am not aware of the actual name of the individual.

The Hon. K.J. MAHER: That is what I was trying to understand: was it within government, to which the answer has been yes. Was consideration given, rather than making the amendments that are before us now, to utilising private sector psychiatrists and/or interstate psychiatrists, rather than expanding the class of people who can provide reports?

The Hon. R.I. LUCAS: I am advised it was deemed to be appropriate that psychologists would be able to provide the nature of the reports that were going to be required under the act, and it was obviously a more cost-effective option than bringing people in from interstate, with obvious increased costs, or indeed going to the private sector for psychiatrists in terms of reports.

The Hon. K.J. MAHER: The Treasurer helpfully talks about the cost-effectiveness of this option rather than other options. How does the government respond to criticism that it is lowering the bar for the sake of cost rather than keeping it to psychiatrists only who provide the reports?

The Hon. R.I. LUCAS: Based on the advice for the answer to the last question, the government would say our advice was, firstly, as to the nature of the reports that were going to be required, they were suitable and capable of being undertaken by a psychologist. The experts in this particular area evidently gave that particular advice. The second issue was in relation to the cost-effectiveness of the option as opposed to the alternatives of importing experts from interstate or going to the private sector for private sector psychiatrists.

The Hon. K.J. MAHER: I think the Attorney-General has mentioned that this is one of a suite of remedies to the problem of being provided reports on time. What are the other elements that the government has in train or is doing or is contemplating doing? Is using the private sector part of that suite of options?

The Hon. R.I. LUCAS: I am advised in terms of the question the honourable member has asked about a suite of issues, since 4 March, just over a few weeks ago, the Forensic Court Diversion and Assessment Service was established. Staffing for that service is as follows: a consultant psychiatrist, a psychiatric registrar, two clinically trained registered nurses, a team leader, a part-time admin officer and two social workers.

I am advised that in this diversion process, referrals can be made to the diversion service, or the accused may be well-known to the Forensic Court Diversion and Assessment Service (FCDAS) due to previous offending. The mental health database will be used to crosscheck custody and court lists to flag whether a defendant has a mental health history or existing treatment plan.

Once identified through the custody list or via referral, nurses will undertake a basic mental health assessment for the accused and report to the court recommending a diversion from a formal assessment and referral to appropriate treatment services.

If these reports are accepted by the court, this will reduce the requirement to seek more costly forensic assessments by psychiatrists in the Forensic Mental Health Service (FMHS). It is predicted that this will divert approximately 40 per cent of psychiatric assessments under the Criminal Law Consolidation Act. For those matters not diverted, a forensic assessment is conducted by either a forensic psychologist or a forensic psychiatrist.

I am further advised that this diversion service is not applicable to matters under the Criminal Law (High Risk Offenders) Act or sections 57 to 59 of the Sentencing Act. I am advised we have also increased the remuneration payable to forensic psychiatrists doing these reports. That is an example within the suite of measures to which the Attorney is referring.

The Hon. C. BONAROS: Following on from that, in relation to the increase in the scale: to be clear, the psychologists that we are suggesting will now be captured will be paid a salary for their reports, as opposed to a fee? Is that correct? We will only go to psychologists externally when there is a conflict of interest, or if there is some other reason as to why we cannot use an internal psychologist to complete the report?

The Hon. R.I. LUCAS: I am advised that part of the answer to the honourable member's question is that there is a dedicated part-time forensic psychologist who will be paid a salary, but I will see if there is any further information.

The Hon. K.J. MAHER: In response to the previous question, the Treasurer said that reports under the Criminal Law Consolidation Act will decrease by 40 per cent. What is that 40 per cent of? What does that figure actually mean?

The Hon. R.I. LUCAS: Just while I am getting advice on that, I am further advised by my very well informed colleague the Minister for Health that there are certainly some experts in the area who are paid in accordance with a fee arrangement.

I can only share the information which I have been provided and my interpretation of the advice I have received. My advice says it is predicted that this will divert approximately 40 per cent of psychiatric assessments under the Criminal Law Consolidation Act. I am assuming that the natural reading of that advice is that it is 40 per cent of the number of psychiatric assessments under the Criminal Law Consolidation Act. That is the only information I have.

The Hon. K.J. Maher: You do not have the number of those?

The Hon. R.I. LUCAS: It is 40 per cent of whatever that number was. I am advised that we believe the number of assessments in 2017-18 under the Criminal Law Consolidation Act was 389.

The Hon. C. BONAROS: I just want to point to some of the advice provided by the Attorney's office. It indicates that where a psychologist is to be used, they will be paid a fixed rate of $757 to complete a report, and $989 for high-risk offenders. That has come from information provided by the Attorney's office, so I am gathering that will not be disputed.

Under the pay increase that is being proposed, the new remuneration scale will be that psychiatrists will be capped at $1,500 when those reports are ordered by the Magistrates Court, but where it involves a report under the Criminal Law Consolidation Act it will be $2,250 and a high-risk offender will be capped, I think, at $3,000, so there is an increase in the fees.

The point has just been made about weighing up the interests of costs versus outcomes. I suppose my question is: is it not the case that, in order to attract private sector psychologists or psychiatrists, the pay is in fact low compared to the output required of them? So the government is now saying that cost is actually not warranted. I appreciate that there is a scale and the price has gone up, but we are not attracting those individuals because they simply are not going to do it for the amount of money that is on offer.

The Hon. R.I. LUCAS: I am advised that Dr Nambiar believes that the current payment scale is uncompetitive but he believes that the new scale, to which the member has referred, is competitive.

The Hon. C. BONAROS: Can I confirm also that at the moment those able to provide reports for non-high-risk offenders—so we are not talking about the high-risk offenders that we are going to cover in this bill—does not include forensic psychologists? That is to say that, if it is a non-high-risk offender case, it is limited now to medical practitioners, including psychiatrists?

The Hon. R.I. LUCAS: I am advised that that comes back to the first question from the Leader of the Opposition, so I can only repeat the answer, and that is: under the Sentencing Act, it is limited to psychiatrists; under the Criminal Law Consolidation Act, it extends to psychiatrists and psychologists.

The Hon. C. BONAROS: I am just trying to think about this in the context that we are talking about a higher risk category of offenders, but we are opening that up to, effectively—I am not going to use the word 'lower', but the fact remains that they are not medical practitioners—psychologists as opposed to psychiatrists. However, we are dealing with individuals at the higher end of the scale in terms of their offending, potentially. So we are opening those offenders up to reports that can be obtained from individuals with lesser qualifications than what we currently have. Does that make sense?

The Hon. R.I. LUCAS: Again, I can really only come back to a response I gave earlier, and that is that Dr Nambiar in particular—I think I referred to him earlier as the responsible officer—will make the judgement that, if it is a particularly complex case that requires the expertise of a psychiatrist, he will make that professional judgement that a psychiatrist is required and needs to be used.

As I said earlier in response to a question from the Leader of the Opposition, there are a range of assessments that Dr Nambiar believes can be very adequately provided by psychologists. The honourable member is quite right to say that it is just a different qualification, and Dr Nambiar will make the professional judgement as to the ones that he believes are suitable and have to have an assessment by a psychiatrist, and he can make the judgement as to those which he believes can be more than adequately handled by an assessment by a psychologist.

The Hon. C. BONAROS: I just make that distinction because, by virtue of the long title of the bill, we are dealing with the Criminal Law (High Risk Offenders) (Psychologists) Amendment Bill. By definition, we are dealing with a group of offenders who, arguably, would fall at the higher end of the scale in terms of their offending. I accept the response that the Treasurer has given us that we will be relying on the professional opinion of Dr Nambiar in that regard.

Can I just ask—and I am not sure if this was canvassed; I apologise if it was—how many cases are pending awaiting reports, and how long are they taking at the moment?

The Hon. R.I. LUCAS: The officers I have here at the moment do not have that sort of information available.

The Hon. K.J. MAHER: The Treasurer spoke about Dr Nambiar as the individual who will be making the decisions about whether someone can provide these reports. What is Dr Nambiar's title within government, and ministerially to whom does Dr Nambiar report?

The Hon. S.G. WADE: If I may, my understanding is that Dr Nambiar is the director of the Forensic Mental Health Service, which is a division within the Northern Adelaide Local Health Network, even though it is a statewide service.

The Hon. K.J. MAHER: I thank the Minister for Health and Wellbeing for his contribution and answers in relation to this. While the minister is providing advice, did the minister or his office have any involvement in providing advice in relation to this bill, given the crossover it has between Attorney-General and health and the involvement of Dr Nambiar?

The Hon. S.G. WADE: I think my previous answer indicates the response, which is that Dr Nambiar, an officer of my department, was involved. While I am on my feet, if I could dare to inform the council in terms of psychology, particularly considering my close familial relationship with

a psychologist. It would be worth stressing to the council that forensic psychology in particular is a growing branch of the discipline of psychology, and it would not surprise me if Dr Nambiar made an allocation of an assessment based on a particular expertise of a forensic psychologist or a psychologist, and on the basis of the particular issues that were raised by the particular offender.

The Hon. K.J. MAHER: I thank the Minister for Health and Wellbeing for that answer. I wonder whether I could ask him a further question that I think was part of the question that I asked, but I might not have asked clearly. Given the crossover that this has with Dr Nambiar and the department of the Minister for Health and Wellbeing, was the minister or his office consulted or involved, not just in the preparation of this bill but in coming up with solutions to the problems of these types of reports being provided?

The Hon. S.G. WADE: It would be fair to say that the Attorney-General and I have had ongoing discussions about the direction of the forensic mental health system and the criminal justice system, and in that regard, in spite of years of neglect by the former government, it was this Attorney-General who led the way in the establishment of a court diversion service, which has had a positive impact on the movement of mental health patients. In terms of my involvement in the bill, obviously it was considered by cabinet, and my department would have been consulted in that regard. Obviously Dr Nambiar is involved in this process, but clearly this legislation is led by the Attorney-General.

The Hon. K.J. MAHER: Again, to the Minister for Health and Wellbeing: the minister said that there had been, I think, many discussions with the Attorney-General about forensic mental health. In addition to discussions, have there been any formal communications, notes of advice, briefings, emails or such?

The Hon. S.G. WADE: I am happy to take that on notice.

The Hon. C. BONAROS: Going back to the point just made about Dr Nambiar, effectively we are being told that that one doctor—and I am not criticising or questioning Dr Nambiar's abilities here—is having all this responsibility placed solely in their hands. It is not something we are going to enshrine in legislation: we are saying that this person will have the professional judgement to make those decisions.

I just wonder whether the government has thought about that in the context of the situation we would end up with. We have something like 520-odd registered psychologists nationally so we want to ensure that those psychologists that we actually use in this pool, dealing with high-risk offenders potentially, are going to be of a particular qualification level to ensure that we do not end up with somebody who does not have the appropriate level of qualification fulfilling these reports. The reason I raise that again is because it is not only the courts that are relying on these, it is the community that is relying on them in terms of providing that feedback to the courts.

The Hon. R.I. LUCAS: I know the honourable member says that she is not making criticism of Dr Nambiar and I accept that, but from the government's viewpoint we have confidence in his professional capacity to make these particular judgements. I am not sure what the alternative is—and the honourable member is a lawyer and has followed parliamentary debates in terms of bills—as to how you would actually craft, if her numbers are correct and there are 520 registered psychologists nationally, the particular level of expertise or further testing that might need to be done for them to be accepted into this particular regime or not.

I think other than relying on the professional expertise of someone whose capacity is accepted by all who need to make judgements about a person's professional capacity to undertake the task, I am not sure what the alternative is in terms of how you would actually draft anything more specific. Even if there is, this is the government's package of measures which we are seeking to put through.

If the honourable member, on further reflection, has further refinements that she wants to bounce off the Attorney-General and indeed the parliament, ultimately, as she would be aware, I am sure the Attorney-General is always open to having discussions and as a private member she always has the capacity to move further legislation if she was to so choose.

The Hon. C. BONAROS: I am happy that in this instance I will not need to move further legislation because we are indeed dealing with amendments which deal with that very issue, and perhaps I will leave my further comments until we get to those amendments. However, the point I am trying to make is that underlying anybody going in and doing this job we are saying that they should have a certain level of qualification. We often insert into legislation, and into bills in this chamber, minimum levels of qualifications that we expect professionals to hold.

I note that the Treasurer has indicated that there will be amendments to my amendments but I would see that as one alternative, so we have amendments that require minimum levels of qualification and we say we will not consider anybody eligible for that pool unless they fall—as a minimum that is the standard that we will accept. I am happy to speak further to that when we get to that provision.

Clause passed.

Clause 2 passed.

Progress reported; committee to sit again.

MOTOR VEHICLES (COMPULSORY THIRD PARTY INSURANCE) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 28 February 2019.)

The Hon. K.J. MAHER (Leader of the Opposition) (16:40): On behalf of the opposition, I rise to support the majority of this bill; however, the opposition will be seeking minor amendments. In 2016, the former Labor government approved four private insurers to underwrite the compulsory third party scheme and established an independent CTP regulator to oversee insurers and the scheme. Since 1 July 2016, motorists' CTP insurance policies have been automatically allocated to approved insurers. This autoallocation will no longer apply after the expiry of the transitional period on 30 June 2019, hence the need for this bill.

This bill enables the continuation of the autoallocation for new vehicle CTP policies after the commencement of the competition model, with the autoallocation to occur based on a scheme to be determined by the minister rather than enshrined in legislation or regulation. The proposed autoallocation scheme will allocate new vehicle policies according to approved insurer market share at the lowest premium price offered for the premium class by any of the approved insurers at the time of the allocation, with autoallocation not applying to the renewal of CTP policies.

Under the competitive CTP scheme, insurers may compete for customers through offering value-added goods and services, also known as inducements. The bill allows for insurers to offer direct policy holder benefits, that is inducements, as approved by the minister. Such inducements will be required to be approved by the minister to ensure they benefit motorists, which it appears will be done on a case-by-case basis instead of being prescribed in law.

Inducements that are offered in other Australian jurisdictions include at-fault driver protection policy, multipolicy discount, reward program membership and gift cards. The bill provides significant discretion for the minister to approve inducements rather than requiring inducements to be approved by regulation. The opposition is seeking amendments to be supported to require the inducements to be regulated in order to increase transparency and safeguards.

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

SENTENCING (SUSPENDED AND COMMUNITY BASED CUSTODIAL SENTENCES) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 28 February 2019.)

The Hon. D.G.E. HOOD (16:43): I rise in strong support of this bill, which is a result of the Marshall Liberal government's comprehensive review of current sentencing provisions in which numerous legislative deficiencies and inconsistencies have been identified. It is of utmost importance to this government that appropriate reform is initiated as required in order to maintain public confidence in our criminal justice system, and ultimately to keep the safety of the South Australian community and, importantly, the welfare of its victims as the highest priority.

In doing so, the right balance needs to be struck between removing loopholes that can potentially be exploited by serious offenders and ensuring the courts are afforded some discretion in the sentencing process. I believe this difficult balancing act, but objective, has been achieved to the best of the government's ability through the proposed amendments to the Sentencing Act 2017 and the Correctional Services Act 1982 in order to address the various concerns with respect to home detention orders (which I will refer to as HDOs from here on) and intensive correction orders (which I will refer to as ICOs) and suspended sentences.

As you would no doubt be aware, I have been a member who has spoken in this place on numerous occasions on these sorts of issues. I do think there is a concern in the community about the way some sentences are applied. I make no disparaging remarks about our judiciary; in fact, I place on the record my complete appreciation for just exactly how difficult the task would be in appropriately sentencing individuals. Every circumstance is, of course, individual. Every offender has their own individual circumstances. That is one impetus for the legislation that is before us today.

This is indeed a difficult area—I acknowledge that—but I also think that the government's attempt to address these matters is significant and is important because there is some disquiet in the community about what appears to be, in the eyes of some, some leniency or some inappropriate sentencing, particularly when it comes to the most serious of crimes.

The bill that we have before us is an attempt to address what has been, I think, a lengthy period of express concern, sometimes by only small sections of the community but other times by very substantial groups within the community. One thing this parliament can often be accused of—I think unfairly—is that it treats sentencing as a political football. I do not believe it does. The former Labor government, for example, when the then member for Ramsay the Hon. Mike Rann was premier, made somewhat of an identity from approaching these matters and did so often in the media, and his government became known for taking on these issues. I make no criticism of that; in fact, I was broadly supportive of that approach.

I think the Marshall Liberal government has been aware that it is an issue that holds significant concern within the community and therefore the government has chosen to respond. I support that. I think it is appropriate and it has resulted, to some degree at least, in the bill we have before us today, and, of course, in other pieces of legislation that members would be aware of, some of which is on the *Notice Paper* as we speak, some of which has already passed this place and some that is yet to come.

In response to recent events, it has been evident that the possibility of sexual offenders being permitted to serve imprisonment sentences on home detention in particular is of great concern to the community. Indeed, one only has to listen to talkback radio or read the letters to the editor or engage in other community forums, whether it be online or elsewhere, and I think the statement I have just made is backed up by ample evidence. The community is concerned about these sorts of issues and I think rightly so. There is a risk to the community for individuals to be on home detention in some circumstances, hence the bill before parliament today.

Members would be familiar with the case of Vivian Deboo, who pleaded guilty to four counts of indecent assault and two counts of gross indecency and was sentenced last December to some six years and seven months imprisonment, with a non-parole period of five years and three months. His offending against two young brothers, decades earlier, whom he had groomed through taking advantage of his position of trust, understandably devastated the lives of these men and their families.

Although 74-year-old Deboo's bid to serve his sentence on home detention was rejected by Judge Stretton—something which I applaud—due to his opinion that there was an appreciable risk of recidivism, I can only imagine the victims' further distress upon learning that Deboo would be

appealing that decision. This development is particularly disturbing, given Deboo is a known repeat offender and was previously gaoled for two years in the 1990s after being convicted for sexual abuse perpetrated against three other boys. That is a total of five people.

We are now awaiting the outcome of his appeal, so the swift consideration of these timely amendments is certainly warranted. That reinforces the point I make, that what we have here is a situation that has disturbed the community. There is great concern in the community that people convicted—in this case, Deboo—of really quite heinous crimes against very vulnerable victims would result in the potential for home detention. That is not, I think, broadly supported in the community. That is why the Marshall Liberal government has responded with the amendments to legislation in the form of the bill we see before the parliament. That is why I am a strong supporter of exactly that approach.

Members would be aware that I have spoken a number of times on similar issues over the past 13 years in this place, and I will be consistent on that. As I say, I am pleased to see that our government has decided to take a legislative response to this because, ultimately, it is the only thing that will deal with it adequately and restore and maintain public confidence in these sorts of cases.

The Deboo case is a worthy impetus for this bill, which seeks to clarify the restrictions on the ability for a sentencing court to permit sex offenders to serve imprisonment sentences pursuant to home detention orders. Wording under section 71 of the Sentencing Act will be adjusted, as outlined in the bill, to make it explicitly clear that a court must be satisfied that a defendant's advanced age or infirmity means they no longer pose an appreciable risk to the community and that the interests of the community would be better served by the defendant serving a sentence on home detention rather than in custody.

That is the crucial aspect of this proposed legislation in the form of the bill before us: the court needs to be satisfied that the individual in question no longer poses an appreciable risk to the community. It is a very high bar, and that is where it should be, in my view. That is why I strongly support the Marshall Liberal government's approach to this matter. We have a situation where community confidence in sentencing is critical, and questions have been raised. Setting the bar at this level—that is, that the court is satisfied that the individual, the defendant, the accused, no longer poses an appreciable risk to the community—is, I think, an appropriate place to set that bar.

Even further than that, the court also needs to be satisfied that the interests of the community would be better served by the defendant serving a sentence on home detention rather than in custody. Again, some might argue that that is a particularly high bar. I would agree with them and say rightly it should be; that is exactly as it should be. In the case of somebody who poses a risk to the community, there needs to be a very, very good reason why they should not serve a very long custodial sentence. This bill addresses that matter, I think, adequately and appropriately.

Just to reiterate, the two key criteria are that a court is satisfied that the individual does not pose an appreciable risk to the community and, furthermore, the interests of the community need to be better served by the defendant serving a sentence on home detention than in custody. I am very pleased to support a bill that poses those two measures.

At present, I am aware that there has been some ambiguity as to how the current provision should be interpreted in this section, which in theory could enable courts to permit sentences to be served on home detention by taking into account either one of these special reasons tests, as opposed to both being satisfied. That is the crucial point here. Following the passage of this bill into legislation, both of these criteria need to be satisfied, which, again, I firmly believe is appropriate. Frankly, the current situation is unacceptable in the sense that it does allow the possibility for only one of those criteria to be satisfied, which I think can lead to the undermining of public confidence.

I note that the opposition has introduced an amendment in the other place to prevent all convicted sexual offenders from being eligible to serve sentences on home detention. That was defeated in the other place, and I appreciate the Attorney-General's position that a blanket rule may cause significant issues to rise. To be frank, at an individual level, I am attracted to something as simple as that, but I think the Attorney's position is sound in that she has explained, I think quite rightly, that there are these so-called Romeo and Juliet cases, where an appropriate defence may apply.

As I understand it, the opposition amendment to our bill would make it very difficult for common sense to prevail in those so-called Romeo and Juliet cases. For members' information, Romeo and Juliet is, of course, a reference to the famous Shakespearean play, but it relates to the 18-year-old young man with a younger woman, typically—it does not have to be that way, but often that is the way—maybe 15 or 16 years old, genuinely in love, involved in sexual activity.

Members interjecting:

The Hon. D.G.E. HOOD: A few sniggers from the gallery. Under the amendment that is being proposed by the opposition, certainly as I understand it, it might tie the court's hands and commit the court to passing a custodial sentence on the so-called Romeo in that circumstance. I think most members here, if not all members, would agree that that is probably not ideal. That may not be the opposition's intention. Of course, they will speak for themselves when the time comes to move it.

The Hon. C. Bonaros: Or the Juliet.

The Hon. D.G.E. HOOD: Or the Juliet, of course; that is exactly right. I did say that. I said it is usually the way, but not always the way. That is right; it could indeed be the Juliet. I think that is quite right. That is our position on the amendment as it stands. We will make a final position when the opposition moves the amendment and cares to explain it.

That Romeo and Juliet situation—or Juliet and Romeo if we prefer, although I will go with Romeo and Juliet; that was Shakespeare's preferred way of putting it—is real. It is the real world out there; these things happen. I certainly would not be supporting anyone being incarcerated under those circumstances. I am sure the opposition would not neither. I am not suggesting that they would. That is a matter that we need to get exactly right before this bill passes this place.

There are some other minor matters in the bill that it is important to draw members' attention to. It will also remove inconsistencies in the specified precluding offences, as they are known, between home detention orders and the ICOs and suspended sentences, unless there is a policy basis for any exceptions. There is no logical reason in my mind for our legislation to enable courts to hand down a suspended sentence for a sexual offence but to prohibit home detention orders as punishment for the same crime, unless special reasons determine otherwise, or for home detention orders to preclude terrorist attacks where suspended sentences do not. This bill deals with a number of these matters and straightens them out, if you like.

Further, the amendments as proposed will ensure undertaking intervention programs is mandatory for offenders as part of the ICOs, given they are currently imposed at a court's discretion. This bill would make it mandatory. Operational issues in relation to the cumulative home detention orders and ICOs and their interaction with unexpired parole periods are also addressed, as are loopholes in relation to breaches of the home detention orders and ICOs.

Also worthy of note, I think, is that sections 31 to 35 of the Sentencing Act will be repealed with this bill, which the Labor government introduced previously to enable courts to take into account additional charged offences in the sentencing of a principal offence where the defendant escapes conviction and penalty for those other crimes. I agree with our Attorney-General that there is no justification for this, in our view, and that is our position.

I am of the belief that our parliament should be determined to ensure that laws dictating our state's sentencing regimes continue to reflect community sentiment, with the protection of our most vulnerable as the paramount concern whilst providing for the opportunity for the rehabilitation of certain offenders with very careful consideration on a case-by-case basis.

I trust the Attorney-General's assessment, following extensive consultation on this bill, that we must be prescriptive enough to provide adequate guidance to our judiciary, but not overly so—I think that is important as well—where it is unable to exercise any discretionary powers whatsoever when dealing with extraordinary circumstances. This is the nuance of sentencing, as we know. This is the fine line we walk, if I can put it that way.

I believe that the parliament should have a strong say in what the expectation is in the overwhelming majority of cases, but we should not tie the judiciary in all circumstances because

there are those nuances, if you like. There are those real-world situations, for example, the so-called Romeo and Juliet circumstances—or Juliet and Romeo, if you prefer—which require the court to have the scope for common sense in sentencing those matters. I think that is the right approach and I think this bill strikes the right balance in that regard.

I am pleased that the Marshall Liberal government is taking the necessary action without delay to both tighten and strengthen our sentencing status in the best interests of South Australians. I believe that in the passage of this bill South Australians will be safer, that perpetrators of these horrendous crimes will be dealt with appropriately in the main and that the passage of this bill will make it much more likely that people guilty of these offences will be dealt with as society would expect them to be dealt with.

I also believe it will create a situation where there will be fewer variances, if you like, fewer exceptions, fewer circumstances where individuals are perceived to have got off lightly. I am a strong supporter of the bill. It is one I am pleased to support in this place.

The Hon. T.J. STEPHENS (17:01): I certainly support the bill and commend the Hon. Dennis Hood for his remarks, many of which I strongly agree with. I recently spoke in this parliament about what I had experienced in having a person's sad, horrific experience brought to my attention. It is one of those rare cases where the victim has managed to put together what I would say is an exceptional life and it has caught me by complete surprise.

I was alerted to the trauma of this particular person—and it was regarding Mr Vivian Deboo, who is now incarcerated, thank goodness—and the reliving of the horrific events that happened. This is someone who has managed to get on with their life and do an outstanding job of rebuilding their life, who has had the trauma thrust upon them of having to go through years of inquisition by a defence team as to the veracity of their story, even though the perpetrator had been locked up prior for an incredibly short period of time for similar horrific offences.

So I have seen firsthand the trauma at the thought that this so-called now reformed citizen, who was trying to portray himself as a pillar of the community, was appealing for home detention. I went to some lengths to explain how this particular person has done an outstanding job of rebuilding his life, but we have become aware of some people this particular victim knew who could not get on with their life, who, sadly, have taken their own life.

How often do you think it would be the case, Mr President? These horrific, disgusting and violent crimes were perpetrated against innocent children who could not defend themselves and were not believed by people they loved and respected. How many of those people could not rebuild their lives? I suspect that our gaols have a number of victims who turned to drugs and crime because they had no support and will perhaps never rebuild their lives in any fashion.

Having seen the trauma firsthand, it is abhorrent to think that a disgusting perpetrator may be placed on home detention—eating home-cooked meals and living in a comfortable, warm environment with a supportive partner—while these people have had to deal with these issues throughout their lives. I am pleased that members in this place have shown that they are not prepared to accept the poor sentencing that these people are looking to achieve.

We have seen a number of recent reports in the media about similar instances where people in positions of trust have abused children. We have also seen the affect that it has had on those victims. Watching the victims when those sentences are handed down, I have seen the stress on their faces and the relief they felt at those custodial sentences. I still do not think those sentences are adequate but they at least, at a minimum, fit those horrendous, horrific crimes. I would personally like to see more severe sentencing for those crimes.

In the past, parliamentarians have failed to understand that these victims have not just washed away these crimes, they have lived with the abhorrent crimes committed against them for their whole lives, and they will continue to do so. At the very best, they may manage to deal with them in a way that helps them to get on with their lives, but we know that many will not. Many have not had the capacity to come forward and report these crimes.

As I said before, many of these victims have turned to drugs and crime. Many have failed to sustain any meaningful relationships because the spectre of what happened has hung over them.

To me, it is totally unacceptable that a disgusting paedophile may live out their life in the relative comfort of their own home on home detention, rather than in incarceration, all because the crime happened some time ago. I am sure that this council will support the intent of this particular bill.

Debate adjourned on motion of Hon. E.S. Bourke.

CRIMINAL LAW (HIGH RISK OFFENDERS) (PSYCHOLOGISTS) AMENDMENT BILL

Committee Stage

In committee (resumed on motion).

Clause 3.

The Hon. C. BONAROS: I move:

Amendment No 1 [Bonaros–1]—

Page 2, line 20 [clause 3(2), definition of *prescribed health professional*, (a)]—Before 'psychologist' insert:

qualifying

The amendment appears to be very similar to the government amendments filed at the very last minute this morning, but the SA-Best and the government amendments are quite different in very important ways, and I wish to outline that for the record. The government amendments filed today are an attempt to slip in, under the radar, I should say, a significant watering down of the amendments that I have proposed. Amendment No. 1 [Bonaros-1] to clause 3 inserts the word 'qualifying' before the word 'psychologist'.

When dealing with high-risk offenders, the courts have until now drawn upon a small number of highly qualified and experienced forensic psychiatrists, as we have heard. Under this bill, it is proposed that psychologists will be able to provide expert opinion, assessments and reports for the courts, pursuant to the CLCA and the high-risk offenders act. It is therefore very important that we do not have just anyone who calls themselves a psychologist being able to complete these assessments and reports for the courts.

We cannot have a psychologist who has only recently completed their studies or who has specialised in an entirely different field or doing different things doing these reports. The expert reports prepared by forensic psychiatrists and forensic psychologists are relied on not just by the courts but, ultimately, by us as a community to provide us with some certainty and confidence that the potential danger and risk that these offenders pose to their victims, the community and themselves has been properly assessed and, most importantly, has been determined by the court as able to safely manage.

If these reports are not up to scratch—that is, they are not completed by experts with relevant specialised knowledge, based on their training, study or experience—and their opinion is not based on that specific knowledge then the reports will likely be ruled by the court to be inadmissible, which of course will contribute to an even greater backlog than the current delays the legislation is designed to address.

The government amendment accepts and incorporates amendment No. 1 [Bonaros-1], in that it does not propose that it be deleted. In relation to amendment No. 2, after the definition of 'psychologist', the amendment that I am proposing inserts:

qualifying psychologist means a psychologist who—

(a) has at least 5 years experience as a psychologist; and

(b) has an endorsement from the Psychology Board of Australia as a forensic psychologist; and

(c) has, in the opinion of the prescribed authority, sufficient experience as a forensic psychologist to properly carry out functions as a prescribed health professional;

As a general comment on my amendment No. 2, I ask members to note that, importantly, this amendment has 'and' between all of the provisions. We see this as a safeguard and as essential rather than the either/or options. The government amendment [Treasurer-1] amends amendment No. 2 [Bonaros-1] in very significant ways.

Firstly, consistent with my amendment, it has been recommended by the experts working in this field, including psychiatrists, psychologists, the legal profession and the courts, that a qualifying psychologist should have at least five years' experience. So these are not my thoughts, these are recommendations that have been made by experts working in the field: by psychiatrists, by psychologists, the legal profession and, indeed, the courts.

Importantly, this clause has an 'and' at the end, indicating that all of the provisions of this amendment, (a), (b) and (c), are conditions that have to be met. The government amendment filed today leaves this provision (a) in place, and we think that is a very sensible decision. Similarly, a wide range of experts have advised us that a qualifying psychologist should be endorsed by the Psychology Board of Australia as a forensic psychologist. We see this professional recognition as essential. Importantly, this clause has an 'and' again at the end, indicating that all of the provisions following in this amendment are to be met, that is, (b) and (c).

The government amendment filed today retains this provision but it makes it optional to have either (b) or their amended (c) met; that is to say they do not need to meet all three requirements. We say that both (b) and (c) are the minimum acceptable protections we need to legislate.

There are two more important elements of subclause (c) of this amendment: first, as noted above, this provision is not optional, that is, it is added to and is an essential adjunct to (a) and (b). Secondly, a qualifying psychologist must have, in the opinion of the prescribed authority, sufficient experience as a forensic psychologist to carry out the functions as a prescribed health professional. We are not satisfied with this provision being optional: our amendment articulates that it must be met.

Just as significantly, we are not satisfied with the government amendment of the psychologist having to have only sufficient experience in the forensic mental health field. Our amendment requires them to have sufficient experience as a forensic psychologist. The mental health field is quite a different and generalised field and is not to the standard or level of expertise we require for this critical role.

We already have a range of allied health professionals, such as forensic nurses and mental health workers, in the Magistrates Court to try to divert and assist lower risk offenders with less complex cases, but their function is entirely different from that required of these assessments and reports relied upon by the higher courts in relation to, once again I will highlight, high-risk offenders.

If we are to accept having forensic psychologists who cannot, after all, prescribe medications or comment on their efficacy, particularly in regard to serious sex offenders, then we need to have appropriate safeguards in place. The government amendment seeks to water down these protections to an unacceptable level, in my view.

If, as the Treasurer has suggested, we are to provide a model that gives sole discretion to one person, Dr Nambiar, the very least we could do is give that one individual a suitable pool to choose from, a pool that is based on various levels of expertise. I do not think it is a big ask and I dare say that we have done it many times in this place, probably where the stakes have not been remotely as high as the one before us dealing with high-risk offenders.

The Hon. R.I. LUCAS: The government supports this amendment and thanks the Hon. Ms Bonaros for her interest and engagement with the objects of the bill. On behalf of the government, I will have more to say about what the member has talked about, which are subsequent aspects of her package of amendments, when the council turns to the next amendment in this set.

The Hon. K.J. MAHER: We support the amendment.

Amendment carried.

The Hon. C. BONAROS: I move:

Amendment No 2 [Bonaros–1]—

Page 2, after line 26 [clause 3(3)]—After the definition of *psychologist* insert:

qualifying psychologist means a psychologist who—

(a) has at least 5 years experience as a psychologist; and

(b) has an endorsement from the Psychology Board of Australia as a forensic psychologist; and

(c) has, in the opinion of the prescribed authority, sufficient experience as a forensic psychologist to properly carry out functions as a prescribed health professional;

I have effectively spoken to this amendment already. For the reasons I have just outlined, I am hoping that we could see fit to pass this amendment as printed.

The Hon. R.I. LUCAS: My advice is that we will be supporting this amendment, but we will then be moving our own amendment subsequently. Therefore, I move:

Amendment No 1 [Treasurer–1]—

Amendment to Amendment No 2 [Bonaros—1]—Clause 3, page 2, after line 26 [clause 3(3)]—Delete paragraphs (b) and (c) of the definition of *qualifying psychologist* and substitute:

(b) either—

(i) has an endorsement from the Psychology Board of Australia as a forensic psychologist; or

(ii) has, in the opinion of the prescribed authority, sufficient experience in the forensic mental health field to properly carry out functions as a prescribed health professional;

In so doing, I address the government's response to the Hon. Ms Bonaros' amendment but also, more importantly, why we believe the government's amendment as well needs to be supported. The government has no opposition in principle to a provision of the nature proposed by the Hon. Ms Bonaros. However, after consultation with the current clinical director of the Forensic Mental Health Service, South Australia, Dr Narain Nambiar, the government prefers a slightly reformulated set of criteria for a qualifying psychologist and has filed its own brief amendment to Ms Bonaros' amendment. On behalf of the government I give my reasons for preferring the government's amendments at this time, although I appreciate that if the council does not pass the first amendment of the Hon. Ms Bonaros then the government's own amendments are moot.

As members would know, the bill proposes to enable the prescribed authority to nominate registered psychologists to prepare reports for the Supreme Court under the high-risk offenders legislation thereby freeing registered medical practitioners who are psychiatrists to do the more complex reports under this and other legislation. The regulations provide that the prescribed authority is the person who holds the position of Clinical Director, Forensic Medical Health Service, South Australia.

Unlike the amendment of Ms Bonaros where a qualifying psychologist would have five years' experience as a psychologist and an endorsement from the Psychology Board as a forensic psychologist and sufficient experience as a forensic psychologist in the opinion of the prescribed authority, the government's preferred version would require a qualifying psychologist to have five years' experience as a psychologist and either an endorsement from the Psychology Board as a forensic psychologist or sufficient experience in the forensic mental health field in the opinion of the prescribed authority.

I should make it clear to members that the government's preferred version has been arrived at following advice from Dr Nambiar to the Attorney-General's Department as to the qualifications that he would look for in the psychologists that he would nominate to perform these functions. Dr Nambiar considers that he should have the discretion to nominate a psychologist who has sufficient experience in the forensic mental health field notwithstanding that they do not also have an endorsement from the Psychology Board as a forensic psychologist. Dr Nambiar has advised the department that it is not necessary in every case that a psychologist meets both of those criteria, as some very experienced forensic psychologists do not also hold an endorsement from the Psychology Board. That is the nub of the difference.

The government's position is based on the professional expertise and reputation of the Clinical Director, Forensic Mental Health Service, South Australia, and that is Dr Nambiar. He is saying that he believes, in his professional advice to the government, that it is not necessary in every case that a psychologist meets both of those criteria because there are some very experienced forensic psychologists who do not also hold an endorsement from the Psychology Board. His advice

to the government and through the government to the committee is that if the amendment of the Hon. Ms Bonaros was to hold sway some very capable people that he would want to appoint would be excluded from the pool.

The honourable member is saying, 'Hey, we should define a pool and you should only select from that pool.' He is saying that the definition of the pool that the Hon. Ms Bonaros is defining excludes a group of people who, in his professional expertise and experience, are extraordinarily capable people who he believes should be appointed.

The government regards the formulation of the Hon. Ms Bonaros as somewhat excessive. Any psychologist used to prepare reports would be selected by Dr Nambiar. This decision will be based on a range of factors, including the mental health history of the offender and the professional expertise of the pool of psychiatrists and psychologists available to Dr Nambiar. This provides an assurance that, if a psychologist is nominated rather than a psychiatrist in a particular case, the psychologist would have suitable expertise and knowledge regarding high-risk offenders.

It is important also for members to note that, after being nominated by the clinical director, the psychologist would be preparing those reports under the supervision of the clinical director. For these reasons there is very little real risk that a report from an inadequately experienced or qualified psychologist would be used in the court and result in the continuing supervision or detention of an offender without a proper evidentiary basis for doing so.

Also, as the Chief Justice wrote when consulted on the bill by the Attorney-General, the weight to be given to individual reports is quite properly a matter left to the court; therefore, as members will see, there are already sufficient checks and balances in the system to minimise the risk that inexperienced and unqualified psychologists would be preparing reports for the Supreme Court under this legislation.

The amendments of the Hon. Ms Bonaros could in fact be counterproductive by unnecessarily fettering the discretion of the prescribed authority—that is, Dr Nambiar—to select the best psychologists for the particular circumstances. That could adversely affect the quality of reports provided to the Supreme Court and could compromise the protection of the community from these dangerous offenders. I therefore urge honourable members to support Ms Bonaros's amendment but then also, importantly, to support the government's amendment of her amendment.

The Hon. K.J. MAHER: I thank the Hon. Ms Bonaros for bringing these amendments to us. I can indicate that we will be supporting her amendment, then, in order to support the government's amendment to the amendment.

The Hon. R.I. Lucas's amendment to the Hon. C. Bonaros's amendment carried.

The Hon. C. Bonaros's amendment as amended carried; clause as amended passed.

Remaining clauses (4 and 5) and title passed.

Bill reported with amendment.

Third Reading

The Hon. R.I. LUCAS (Treasurer) (17:28): I move:

That this bill be now read a third time.

Bill read a third time and passed.

STATUTES AMENDMENT (CHILD EXPLOITATION AND ENCRYPTED MATERIAL) BILL

Final Stages

The House of Assembly agreed to amendments Nos 2, 4 to 7, 14 to 19, 23, 24 and 27 to 29 made by the Legislative Council without any amendment; disagreed to amendments Nos 1, 8 to 11, 13, 20 to 22, 25 and 26; disagreed to amendment No. 3 and made an alternative amendment as indicated in the following schedule in lieu thereof; and made a consequential amendment as indicated in the following schedule:

Schedule of the Amendment made by the Legislative Council to which the House of Assembly has disagreed and an alternative Amendment made in lieu thereof

Legislative Council's Amendment

No. 3. Clause 11, page 7, lines 36 to 39 [inserted section 74NB, definition of *serious offence*]—Delete the definition of *serious offence*

House of Assembly's Alternative Amendment in lieu thereof

Clause 11, page 7, lines 36 to 39 [inserted section 74NB, definition of *serious offence*]—Delete the definition of *serious offence* and substitute:

serious offence means—

(a) an offence listed in Schedule 3; or

(b) an offence prescribed by the regulations for the purposes of this definition.

Schedule of the consequential Amendment made by the House of Assembly

New Clause, page 16, after line 17—After clause 11 insert:

12—Insertion of Schedule 3

After Schedule 2 insert:

Schedule 3—Serious offences (section 74BN(1))

1—Serious offences

For the purposes of the definition of *serious offence* in section 74BN(1), the following are serious offences:

(a) the following offences under this Act:

(i) an offence under section 26B, 26C, 26D or 26DA;

(ii) an offence under section 37;

(iii) an offence under section 44 or 44A;

(b) the following offences under the *Controlled Substances Act 1984*:

(i) an offence under section 32;

(ii) an offence under section 33F or 33G;

(iii) an offence under section 33GA, 33GB or 33H;

(c) the following offences under the Criminal Code set out in the Schedule to the *Criminal Code Act 1995* of the Commonwealth:

(i) an offence under Division 72 Subdivision A;

(ii) an offence under Part 5.3;

(iii) an offence under Part 5.5;

(d) the following offences under the *Criminal Law Consolidation Act 1935*:

(i) an offence under section 11, 12 or 12A;

(ii) an offence under section 19;

(iii) an offence under section 19AA;

(iv) an offence under section 20A;

(v) an offence under section 34A or 34B;

(vi) an offence under section 39 or 40;

(vii) an offence under section 48, 48A or 49;

(viii) an offence under section 50 or 51;

(ix) an offence under section 56;

(x) an offence under section 58, 59, 60 or 61;

(xi) an offence under section 63, 63A, 63AB or 63B;

(xii) an offence under section 66, 67 or 68;

(xiii) an offence under section 80;

(xiv) an offence under section 83CA;

(xv) an offence under section 83E;

(xvi) an offence under section 83GC, 83GD or 83GE;

(xvii) an offence under section 86E, 86F, 86G, 86H or 86I;

(xviii) an offence under section 138;

(xix) an offence under section 139A;

(xx) an offence under section 144C or 144D;

(xxi) an offence against a corresponding previous enactment substantially similar to an offence referred to in a preceding subparagraph;

(e) the following offences under the *Firearms Act 2015*:

(i) an offence under section 9;

(ii) an offence under section 10 or 11;

(iii) an offence under section 22;

(iv) an offence under section 37 or 38;

(v) an offence under section 39 or 40;

(vi) an offence under section 45;

(f) an offence under section 18 of the *Terrorism (Police Powers) Act 2005*.

At 17:30 the council adjourned until Wednesday 3 April 2019 at 14:15.

Answers to Questions

MINISTERIAL TRAVEL

127 The Hon. K.J. MAHER (Leader of the Opposition) (28 February 2019).

1. On what date did the Minister for Trade, Tourism and Investment meet with CEO of QBT and federal treasurer of the Liberal Party Andrew Burnes?

2. Has the minister ever met with the any other representative from QBT or HelloWorld?

3. What was discussed at any of the meetings the minister may have had, and did the minister inform the Premier of the content of those conversations?

4. Was a government probity officer present at any of those meetings, and did a government probity officer approve that any of those meetings occur?

5. Has the minister ever received any travel benefits, upgrades or airfares at no or reduced cost from either QBT or HelloWorld?

6. Has the Premier sought an assurance from the minister that he has never received any travel benefit, upgrade or airfare from either QBT or HelloWorld?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment): I spoke to Mr Andrew Burnes, CE of QBT, in passing as I was escorted around Australian Tourism Exchange held in Adelaide from 15-19 April 2018.

I have not met formally with Mr Andrew Burnes or any representative from either QBT/Helloworld or received any travel benefits, upgrades or airfares at no or reduced cost from them.

The Premier has not sought an assurance from myself.

MINISTERIAL STAFF TRAVEL

128 The Hon. K.J. MAHER (Leader of the Opposition) (28 February 2019).

1. Have any of the Minister for Trade, Tourism and Investment's Ministerial staff ever met with CEO of QBT and federal treasurer of the Liberal Party Andrew Burnes, or any other representative from either QBT or HelloWorld?

2. What was discussed at any of the meetings the minister's ministerial staff may have had, and did the minister's staff inform the Premier's office of the content of those conversations?

3. Was a government probity officer present at any of those meetings, and did a government probity officer approve that any of those meetings occur?

4. Have the minister's staff ever received any travel benefits, upgrades or airfares at no or reduced cost from either QBT or HelloWorld?

5. Has the Premier's office sought an assurance from the minister's staff that they have never received any travel benefit, upgrade or airfare from either QBT or HelloWorld?

6. Have any of the Minister for Trade, Tourism and Investment's staff ever met with CEO of QBT and federal treasurer of the Liberal Party Andrew Burnes, or any other representative from either QBT or HelloWorld?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment): None of my staffers have met with Mr Andrew Burnes or any representatives from either QBT/Helloworld or received any travel benefits, upgrades or airfares at no or reduced cost from them.

The Premier's office has not sought an assurance from my staff.

MINISTERIAL STAFF TRAVEL

129 The Hon. K.J. MAHER (Leader of the Opposition) (28 February 2019).

1. Has any officer from either SATC or the Department for Trade, Tourism and Investment ever met with CEO of QBT and federal treasurer of the Liberal Party Andrew Burnes, or any other representative from either QBT or HelloWorld?

2. What was discussed at any of the meetings the departmental staff may have had, and did the departmental staff inform DTF or DPC of the content of those conversations?

3. Was a government probity officer present at any of those meetings, and did a government probity officer approve that any of those meetings occur?

4. Have departmental officers ever received any travel benefit, upgrade or airfare at no or reduced cost from either QBT or HelloWorld?

5. Have DPC or DTF sought an assurance from departmental officers that they have never received any travel benefit, upgrade or airfare from either QBT or HelloWorld?

6. Have any officers from either SATC or the Department for Trade, Tourism and Investment ever met with CEO of QBT and federal treasurer of the Liberal Party Andrew Burnes, or any other representative from either QBT or HelloWorld?

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

1. DTTI:

The senior procurement officer, Department for Trade, Tourism and Investment (DTTI), has held one face to face meeting and two conference calls with the lead implementation coordinator of QBT.

SATC:

Members of the South Australian Tourism Commission (SATC) marketing team have held face to face meetings and conference calls with the marketing team at HelloWorld to discuss joint cooperative marketing campaigns, which promote South Australia as a holiday destination.

The SATC's Finance Unit have also held two conference calls with the customer implementation coordinator of QBT.

The chief executive (CE) of SATC, Mr Rodney Harrex, attended and presented at the three-day HelloWorld Travel Owners Managers Conference in May 2018 where he spoke to the CE of QBT, Mr Andrew Burnes, as part of this conference.

2. DTTI:

The purpose of these meetings was to provide information on the set up of DTTI as a client under the new travel management services contract with the South Australian government

SATC:

The purpose of the marketing meetings was to discuss cooperative marketing campaigns which the SATC and HelloWorld are jointly undertaking. The SATC and HelloWorld have had an ongoing relationship and have met on numerous occasions since the HelloWorld brand was launched in 2013.

The purpose of the conference calls was to discuss the practical implementation of the online travel booking system. The initial meeting was arranged by the senior procurement adviser of the Department of Treasury and Finance.

The CE of the SATC spoke to Mr Burnes in passing at the HelloWorld Travel Owners Managers Conference. There was no formal meeting.

3. A government probity officer is only required when there are potential probity issues identified during the procurement process (ie acquisition planning, market approach, evaluation and recommendation). This is to ensure the procurement decisions are fair and transparent.

A government probity officer was not required to be present as the meetings were to discuss cooperative marketing activities and the practical implementation of the online travel booking system respectively.

4. No departmental officers have received any travel benefits, upgrade or airfare at no or reduced cost from either QBT or HelloWorld.

5. Government services within the Department of Treasury and Finance (DTF) (previously part of the Department of the Premier and Cabinet) is responsible for the across government travel management services contract.

All staff involved in the procurement process, which resulted in QBT being appointed as the new provider, were required to sign declarations that they had no conflicts of interest relating to any of the bidders. No conflicts were declared at the time or subsequently.

An independent probity advisor was engaged to oversee the procurement process. The view of the probity advisor is that the evaluation of bids followed its documented plan, was fair and equitable to all bidders and that confidentiality was maintained throughout the process.

More generally, consistent with the public sector code of conduct and the Office of the Commissioner for Public Sector Employment Gifts and Benefits Guideline, a departmental officer must disclose any gifts or benefits received in the course of their employment through agency-specific registers. There is nothing recorded on the registers for DTF or DPC to suggest that any departmental officer has received a travel benefit, upgrade, airfare, or any other benefit from QBT or HelloWorld.

6. Refer to response 1.

FLINDERS MEDICAL CENTRE

In reply to **the Hon. R.P. WORTLEY** (16 October 2018).

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

No instruction has been issued to staff about speaking publicly on the risk of norovirus outbreak.

ROYAL ADELAIDE HOSPITAL

In reply to **the Hon. K.J. MAHER (Leader of the Opposition)** (23 October 2018).

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

No.

KORDAMENTHA

In reply to **the Hon. E.S. BOURKE** (24 October 2018).

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

I refer the honourable member to the SA Tenders and Contracts website.

FLINDERS MEDICAL CENTRE FOOD CONTAMINATION

In reply to **the Hon. K.J. MAHER (Leader of the Opposition)** (8 November 2018).

The Hon. S.G. WADE (Minister for Health and Wellbeing): I can advise:

A member of my staff advised me on Tuesday 6 November 2018.

FLINDERS MEDICAL CENTRE FOOD CONTAMINATION

In reply to **the Hon. C.M. SCRIVEN** (8 November 2018).

The Hon. S.G. WADE (Minister for Health and Wellbeing): I can advise:

A member of my staff advised me on Tuesday 6 November 2018.

FLINDERS MEDICAL CENTRE FOOD CONTAMINATION

In reply to **the Hon. I.K. HUNTER** (8 November 2018).

The Hon. S.G. WADE (Minister for Health and Wellbeing): I can advise:

A member of my staff advised me on Tuesday 6 November 2018.

AUDITOR-GENERAL'S REPORT

In reply to **the Hon. K.J. MAHER (Leader of the Opposition)** (13 November 2018).

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

The expression of interest process seeking governing board members closed at 5pm on Friday 2 November 2018. The advertisement in *The Advertiser* on 10 November seeking governing board members was an administrative error.

AUDITOR-GENERAL'S REPORT

In reply to **the Hon. K.J. MAHER (Leader of the Opposition)** (13 November 2018).

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

The savings were achieved through the modern digitisation of hotel services for task and meal allocation.

The task and meal allocation will be provided through a contemporary digital control system which will maximise the vendor's internal operational efficiency in delivering the service in SA Health hospitals.

As part of the procurement detailed acquisition planning process, there are times when high complex and/or high value procurements may require independent probity advice and/or a probity report. The determination of a probity advisor or probity report is assessed on a case by case basis and approved by the relevant delegate.

The hotel services procurement was a high spend therefore procurement and supply chain management, SA Health, contracted an independent probity advisor from O'Connor Marsden Associates to oversee and provide probity advice throughout the entire procurement process.

No probity issues were identified before, during or after the procurement process and/or prior to the 'awarding' of the contracts. The final hotel services probity report was completed in August 2018, which advised that no probity concerns were identified with the hotel services end-to-end procurement process.

AUDITOR-GENERAL'S REPORT

In reply to **the Hon. K.J. MAHER (Leader of the Opposition)** (13 November 2018).

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

Yes.

HEALTH WORKFORCE

In reply to **the Hon. C. BONAROS** (15 November 2018).

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

There is no scheme, outside workers compensation, providing for financial payments or compensation to nurses or health workers for injuries sustained in the workplace.

KORDAMENTHA REPORT

In reply to **the Hon. C.M. SCRIVEN** (27 November 2018).

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

As stated in parliament on 27 November 2018, the reference in the KordaMentha diagnostic report was to an interim strategy in place prior to KordaMentha's engagement.

CENTRAL ADELAIDE LOCAL HEALTH NETWORK WHISTLEBLOWER HOTLINE

In reply to **the Hon. C.M. SCRIVEN** (29 November 2018).

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

The cost of the 24/7 hotline for the first six months is $6,850, which will be followed by an evaluation of the service to determine its ongoing value to the network.

The procurement was undertaken via purchase order, as per SA Health's procurement guidelines.

KORDAMENTHA

In reply to **the Hon. K.J. MAHER (Leader of the Opposition)** (4 December 2018).

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

1. Central Adelaide Local Health Network temporarily engaged two experienced business managers from KordaMentha to review the current roles of the business operations manager and team structure and to recommend changes to directorate business management within the critical care and surgery directorates.

2. This was a short-term engagement for a total period of 10 weeks to 30 November 2018. The business managers were engaged as contractors for that period.

3. Both positions were vacated in September 2018 and it was determined that prior to formal recruitment of these positions, a short-term review should be undertaken. Formal recruitment has now been completed.

4. There was no requirement under the KordaMentha contract that the business manager positions be filled by KordaMentha employees.

KORDAMENTHA

In reply to **the Hon. K.J. MAHER (Leader of the Opposition)** (6 December 2018).

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

1. Central Adelaide Local Health Network temporarily engaged two experienced business managers from KordaMentha to review the current roles of the business operations manager and team structure and to recommend changes to directorate business management within the critical care and surgery directorates.

2. This was a short-term engagement for a total period of 10 weeks to 30 November 2018. The business managers were engaged as contractors for that period.

3. Both positions were vacated in September 2018 and it was determined that prior to formal recruitment of these positions, a short-term review should be undertaken. Formal recruitment has now been completed.

4. There was no requirement under the KordaMentha contract that the business manager positions be filled by KordaMentha employees.

CENTRAL ADELAIDE LOCAL HEALTH NETWORK

In reply to **the Hon. C.M. SCRIVEN** (13 February 2019).

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

Any official complaint made against a Central Adelaide Local Health Network staff member is subject to a rigorous, impartial investigative process that is led and undertaken by the people and culture directorate. It is SA Health policy to maintain confidentiality of the matter and to inform the person about the content of issues raised against them subject to legislative requirements.

KORDAMENTHA

In reply to **the Hon. T.T. NGO** (13 February 2019).

The Hon. S.G. WADE (Minister for Health and Wellbeing):

KordaMentha staff are subject to the confidentiality requirements under the implementation contract and when required, view relevant extracts of staff records as necessary for the discharge of their duties and working in conjunction with the CALHN people and culture team.

CRYPTOCURRENCIES

In reply to **the Hon. J.E. HANSON** (28 February 2019).

The Hon. R.I. LUCAS (Treasurer): Further to my previous response to the honourable member I can confirm that I have received advice from all ministers confirming that government departments within their portfolios have not used or invested in cryptocurrency.