LEGISLATIVE COUNCIL

Wednesday, 9 September 2015

The PRESIDENT (Hon. R.P. Wortley) took the chair at 14:18 and read prayers.

Parliamentary Committees

LEGISLATIVE REVIEW COMMITTEE

The Hon. G.A. KANDELAARS (14:19): I bring up the 12th report of the committee.

Report received.

Parliamentary Procedure

PAPERS

The following papers were laid on the table:

By the Minister for Sustainability, Environment and Conservation (Hon. I.K. Hunter)—

Dame Roma Mitchell Trust Fund for Children and Young People—Report, 2014-15
South Australian Public Sector Code of Ethics

Ministerial Statement

INDIA TRADE

The Hon. K.J. MAHER (Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Aboriginal Affairs and Reconciliation) (14:19): I table a copy of a ministerial statement, relating to an India trade mission in August 2015, made in the other place by the very effective and able Minister for Investment and Trade.

SHANDONG-SOUTH AUSTRALIA ACTION PLAN

The Hon. G.E. GAGO (Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy, Minister for the Status of Women, Minister for Business Services and Consumers) (14:20): I table a copy of a ministerial statement made earlier today in another place by my colleague the Premier, the Hon. Jay Weatherill, relating to the Shandong delegation to South Australia.

SA/NT FIRST MINISTERS' FORUM

The Hon. G.E. GAGO (Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy, Minister for the Status of Women, Minister for Business Services and Consumers) (14:20): I table a copy of a ministerial statement made earlier today in another place by my colleague the Premier, the Hon. Jay Weatherill, relating to the SA/NT First Ministers' Forum.

CLIMATE CHANGE STRATEGY

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (14:20): I seek leave to make a ministerial statement on the new climate strategy for South Australia.

Leave granted.

The Hon. I.K. HUNTER: There are certain challenges that have the capacity to bring societies together through a common goal. Climate change is such a challenge. Tackling climate change will allow us to build a strong and prosperous state, a state that is resilient and able to adapt to future climatic and environmental challenges but also a state that is able to harness fully the opportunities offered by transitioning to a low-carbon economy.

Our trading partners and competitors, including China, India, the United States and Europe, have increased their efforts in this transition that is estimated to create some 700,000 jobs in Europe and around five million jobs over the next 10 years in the US. South Australia has acted swiftly and decisively, and as a result we have reduced our carbon pollution by 9 per cent since 1990 while growing our state's economy by 60 per cent.

While South Australia has benefited greatly from beginning this transition early, attracting over $6 billion in investment in renewables and creating thousands of jobs for our state, the projections around the world illustrate just how great this economic potential is. Tackling climate change will require us to work together. Today, with the Premier and minister Koutsantonis, I released a series of consultation papers to encourage the community and business to work with us in developing a new climate change strategy for South Australia.

In addition, we will be seeking expert economic advice from a panel of eminent Australians about the role our state can play in helping prevent the worst impacts of climate change while also growing the economy. The panel comprises Dr John Hewson, Dr Frank Jotzo and Ms Anna Skarbek. We want to engage with industry to help create jobs, drive clean technology innovation and boost the economy. This includes finalising a low-carbon investment plan designed to help attract $10 billion investment in your carbon technologies.

I encourage all South Australians to get involved and provide their thoughts on this new climate change strategy. The consultation paper is available on yoursay.sa.gov.au. Submissions close on 18 October 2015. Climate change is a challenge that we all share, and we are all set to gain enormously by working together in rising to that challenge.

Question Time

ENVIRONMENT, WATER AND NATURAL RESOURCES DEPARTMENT FIRE MANAGEMENT

The Hon. D.W. RIDGWAY (Leader of the Opposition) (14:24): My question is to the Minister for Sustainability, Environment and Conservation. Minister, does the CFS provide training to DEWNR employees and, if so, how much does DEWNR pay the CFS for that training?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (14:25): I thank the honourable member for his most important question. As I have advised in this chamber previously, DEWNR is the largest CFS brigade in the state. We are funded to provide services not just for state-owned land but also in relation to firefighting services more generally.

The Department of Environment, Water and Natural Resources is responsible for fire management activities to help minimise the impact of bushfires on public lands under my care and control. These lands cover over 23 per cent of the state, but we also play, as I said, a major role in supporting the South Australian Country Fire Service in response to bushfire emergencies right across the state.

The key component of DEWNR's fire management activities is the delivery of an annual rolling program of prescribed burning to reduce fuels in strategic locations on public lands in an attempt to reduce the impact of bushfires on life, property and the environment, and the importance of prescribed burning was reinforced during the Sampson Flat bushfire in January 2015 with post-fire analysis showing that prescribed burning played a pivotal role in containing the spread of the bushfire.

In fact, I think I might have mentioned previously in this place I had a discussion with the incident controller who pointed out to me on the map previous DEWNR burns over the last several years and said that, in his opinion at least, had those burns not been put in place over those last five or seven years, there would have been no way of stopping the Sampson Flat bushfire from progressing further towards populated areas of the ranges. So, at least in the incident controller's opinion, those historic burns were very important, and we know from other analyses that they play an important role.

DEWNR's fire management operating budget for 2015-16 is, I am advised, $10.304 million. This funding employs 127 specialist fire management staff. This includes 76 seasonal project

firefighters who are employed for nine months of the year over the fire season to assist in prescribed burning and bushfire response activities.

Of these, 27 are employed under a memorandum of understanding between DEWNR, SA Water and ForestrySA. DEWNR forms the largest brigade of the Country Fire Service with 496 brigade members including 347 firefighters who can be called on at any time to attend bushfire incidents both on and off public land, as far as I have been advised, as well as being able to conduct prescribed burning.

The budget also supports DEWNR's fleet of 84 firefighting appliances comprising, I am advised, 53 quick-response four-wheel drive vehicles with a 400 litre water capacity, or fire retardant capacity; 19 large trucks with 1,000 to 3,500 litre capacity; and 12 bulk water carriers. I am further advised that the fire intensity mapping and analysis undertaking follow the Bangor bushfire of 2014 and the recent Sampson Flat bushfire of January 2015 provides evidence of prescribed burns, modified bushfire behaviour and spread.

These fuel-reduced areas provide buffers for firefighters to gain a tactical advantage during a bushfire event while also providing refuge for wildlife both during a bushfire and in the period of recovery after the fire. DEWNR also plays a lead role in delivering fire management activities on other public lands. An interagency agreement has been in place with SA Water since 2005 for DEWNR to deliver fire management activities on SA Water managed lands. A similar arrangement is in place with ForestrySA to assist in the delivery of fire management activities in the Mid North region.

The collaborative and cooperative spirit that these agencies have demonstrated, including the Country Fire Service, is aiding the state to meet an increasing bushfire threat, through the effective and efficient use of resources. These arrangements have been formalised through a heads of agencies agreement and the development of a code of practice for fire management on public lands in South Australia.

In 2014-15 DEWNR responded to provide support to the CFS at 44 bushfire incidents, I am advised, burning 46,458 hectares, with the Sampson Flat bushfire being the most notable event. I am advised that DEWNR staff contributed in excess of 11,000 hours at Sampson Flat alone.

Support provided by DEWNR included firefighters, incident management personnel and specialist roles involved enhanced mapping support, air operations, portable automatic weather station operators, ground observers, and bushfire prediction and fire behaviour specialists. DEWNR also played a key role in supporting private landowners in recovery efforts following the Sampson Flat bushfire through the provision of technical advice and resources to landholders.

DEWNR has staff and vehicles dedicated to firefighting, as I have outlined. DEWNR's firefighting resources are available for response across the state, interstate and also internationally. The task of prescribed burns in national parks will not be affected by any other involvement. Of course, this is one of the primary responsibilities of the DEWNR crews. I am happy to say that we work incredibly closely with the Country Fire Service, and I understand that they are very pleased with DEWNR's capability and ability to be mobilised at short notice.

MARINE PARKS

The Hon. J.M.A. LENSINK (14:30): I seek leave to make a brief explanation before directing questions to the Minister for Sustainability, Environment and Conservation about marine parks regional impact statements.

Leave granted.

The Hon. J.M.A. LENSINK: During his contribution on the opposition's marine parks bill last year, the member for Frome and Minister for Regional Development, the Hon. Mr Brock, as part of his decision to support the government on that bill, on 18 September last year in the House of Assembly stated:

> …I have made clear that I want to see more investigation into the economic and social impacts of sanctuary zones over the next 12 months…if these assessments identify areas of…immediate economic concern, then these will be addressed as soon as they are identified, rather than waiting for the completion of the review.

These comments were reiterated by this minister himself in his media release of 20 November when he said:

> Information will be considered as it becomes available and if areas of concern are identified the government will address them immediately rather than waiting until the end of the assessment process.

I understand that the Marine Fishers Association has recently written to the minister in relation to regional impact statements and I understand that the Hon. Geoff Brock will also convey to the minister soon, if he has not already, similar concerns. My questions for the minister are:

1. Is he aware of any concerns that have come up since the commencement of the regional impact statements?

2. Will he consider commissioning an interim report and then continuing the study research collection for the full 12 months which would take it through to the end of this month rather than having ceased collecting data?

3. Is he aware whether the member for Frome and the minister, Mr Geoff Brock, have written to him on this issue as yet?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (14:32): I thank the honourable member for her most important question. On 18 September 2014 the government committed to preparing Regional Impact Assessment Statements for Port Wakefield, Ceduna and Kangaroo Island to assess the implementation of marine park sanctuary zones. The RIAS, I can report, are on track to be completed by 1 October 2015, as was the undertaking.

This work is being conducted through the support of the Goyder Institute for Water Research Partners, and particularly the South Australian Centre for Economic Studies (SACES) and the South Australian Research and Development Institute (SARDI). SACES is assessing social and economic impacts and SARDI provided SACES with an analysis of commercial fishing data to inform this work.

SACES' work includes consideration of broad positive and negative impacts, including flow-on effects, positive and negative impacts on employment, impacts on population numbers and demographics, lifestyle and recreation impacts, environmental impacts, equity across regions, solutions to manage negative impacts and incentives to maximise positive impacts.

The government also committed that if any areas of urgent concern were identified, as the regional impact assessment statements (RIAS) were being prepared, the government would immediately consider the best means to address them. However, I am advised that no such concerns have been so far identified. The RIAS will also investigate positive opportunities that might arise from marine parks, such as marine-related businesses and other land-based regional initiatives.

In addition, SACES and the Department of Environment, Water and Natural Resources officers met with key regional stakeholders to provide them with general information about the RIAS and to seek their contributions. Members of the public were able to make submissions to contribute to the process up to 31 July of this year, and I am advised that six submissions were received. The government recognises the importance of striking the right balance between supporting regional businesses and protecting our marine environment, and this work will help us assess how well we have achieved that balance. The results of the RIAS will be used to inform the ongoing marine parks monitoring, evaluation and reporting program and the future review of the marine park management plans as required by the Marine Parks Act 2007.

I am sure that all members will understand the importance this government places on Kangaroo Island, not just for its highly valued natural beauty assets and abundance of wildlife but also for the contribution it makes towards economic development in the state. Marine park sanctuary zones have now been implemented to help protect iconic sites around Kangaroo Island, including Cape du Couedic, Seal Bay, the Pages Islands, Bay of Shoals, Pelican Lagoon and deep-sea sponge gardens in Backstairs Passage.

When the public consultation provided specific concern about abalone and rock lobster fishing at Cape du Couedic, the sanctuary zone there was significantly reduced in size, which decreased the estimated impact on commercial fishing in the Western Kangaroo Island Marine Park

by approximately 60 per cent, I am advised, while still maintaining an excellent conservation outcome for this iconic biodiversity and tourism hotspot. Kangaroo Island is fortunate to have examples of some of the most beautiful and rich marine environments in Australia and, through the implementation of marine parks with sanctuary zones, we can help to keep it that way into the future.

I understand there have been concerns expressed in relation to sanctuary zones also in the Upper Gulf St Vincent Marine Park. It is important to understand just how the Upper Gulf St Vincent Marine Park protects critical marine habitats. Upper Gulf St Vincent is a rare inverse estuary. Inverse estuaries occur in dry climates where evaporation greatly exceeds the inflow of freshwater. As you move up an inverse estuary, the water becomes saltier in comparison to a freshwater estuary, where the water becomes less salty.

The upper gulf is a major nursery area for a range of fish species, important to recreational and commercial fishers, such as garfish, King George whiting, yellowfin whiting and prawns. It is a spawning area for garfish and snapper, and its extensive tidal channels are important habitats for fish, crustaceans and birdlife. The area is of international importance for shorebirds and home to 38 species of waterbirds, some threatened, and 11 listed under international treaties.

The area is a significant contributor to the productivity and resilience of the gulf ecosystems and resources. The significance of this area to the ecosystem of the gulf should not be underestimated, and the government is very pleased that much of the top of Gulf St Vincent is protected by a marine park sanctuary zone.

There were changes made to the draft management plan for this park to accommodate popular recreational fishing near Port Wakefield. In addition, a special purpose area for recreational fishing at Port Arthur was provided. Some important changes were also made to the draft zoning in Nuyts Archipelago Marine Park, located adjacent to Ceduna, to support local fishing and aquaculture.

Changes to sanctuary zones (Lound Island and Barlows Beach) were made to support compliance by simplifying the boundaries. Amendments were also made at Lound Island to change a habitat protection zone to a general managed use zone to accommodate the West Coast prawn fishery. The sanctuary at Davenport Creek was amended to better provide for recreational fishing, as suggested by marine park local advisory group members, the District Council of Ceduna and RecFish SA.

A small sanctuary zone at Smoky Bay was removed to accommodate the local cockle fishery. A habitat protection zone at Cape D'Estrees and Smoky Bay was amended to become a general managed use zone to accommodate existing oyster aquaculture. I put that on the record to highlight the fact that there was wide consultation on these boundaries. There were changes made as a result of those consultations and we have made a sanctuary zone and marine park system that is going to be the envy of the nation into the future.

It will see that we are set up for sustainable fisheries into the future and sustainable biodiversity zones. This is what we need in the face of advancing climate change, where we know there are going to be problems in the marine environment, where we know acidification of the water is going to create great challenges for all marine animals and plants. We have to act, and this government has—unlike the federal government who, unfortunately, whilst they have marine parks on paper, have failed to put in place any of the regulations that would bring them into effect anywhere in the country.

The Hon. J.M.A. LENSINK: Supplementary, Mr President.

The PRESIDENT: Supplementary, the Hon. Ms Lensink.

MARINE PARKS

The Hon. J.M.A. LENSINK (14:38): Is the minister aware that without taking data for the full 12 months—that is, until the end of this month—the government is actually not fulfilling the commitment Mr Brock made to the parliament? Secondly, if minister Brock makes a submission to the minister, will he consider it and extend the collection of data for that period of time?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (14:39): I can say to the

honourable member, 'Good try,' but in fact the premise of your question is entirely wrong. It is entirely wrong, but that is no surprise from the Liberals, who oppose marine parks and sanctuary zones. These are people who absolutely have no respect for our local environments, no respect at all. It is only a Labor government that will deliver two things—that is, continued protection of our environment as well as economic development in the regions.

Members interjecting:

The PRESIDENT: Order! The Hon. Mr Wade has the floor.

TAFE SA LEASES

The Hon. S.G. WADE (14:39): I seek leave to ask a question of the Minister for Employment, Higher Education and Skills in relation to the leasing of TAFE SA buildings.

Leave granted.

The Hon. S.G. WADE: My question to the minister is: does the minister support TAFE SA colleges generating revenue through the leasing out of parts of their campuses to third parties?

The Hon. G.E. GAGO (Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy, Minister for the Status of Women, Minister for Business Services and Consumers) (14:40): Yes.

The PRESIDENT: A supplementary, the Hon. Mr Wade.

TAFE SA LEASES

The Hon. S.G. WADE (14:40): Could the minister advise how many such leases have been signed over the last 12 months, what is the duration of those leases and how much income are those leases expected to generate?

The Hon. G.E. GAGO (Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy, Minister for the Status of Women, Minister for Business Services and Consumers) (14:40): I don't have that level of detail with me today, but I am happy to take that on notice and bring that back to the chamber. But it's not surprising—the structure of training and the infrastructure needed around that continues to change over time and so, too, you would expect TAFE, which has an oversupply of buildings, to do the responsible thing with those public assets and lease them out where possible to services in local areas that require that sort of infrastructure.

Over the years, we have seen less reliance on physical classrooms, and we know that there was an abundance of campus-style classrooms, or a heavy reliance on classroom structures, built right around the state. Much of that structure is just simply no longer needed as we have increased IT activity and decreased the reliance on person-to-person classrooms. That's not to say that person-to-person classroom contact isn't still needed, particularly in relation to some types of subjects, but there has been a decreasing reliance on classroom activity over the years.

We have seen TAFE in particular, and other private RTOs for that matter, move to more blended models of training. For instance, higher levels of training are now taken out of the classroom and out into the field, so we see more training activity being conducted actually out on farms and those sorts of locations. I think they are really positive developments and should be embraced but, as a result of that, there has been a significant decrease in reliance on physical classroom infrastructure, and it's not surprising that that has resulted in leasing activity around South Australia.

The PRESIDENT: The Hon. Mr Wade has a supplementary.

TAFE SA LEASES

The Hon. S.G. WADE (14:43): Can the minister assure the council that none of these leases are negatively impacting on TAFE's ability to deliver quality training, and how does she ensure that?

The Hon. G.E. GAGO (Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy, Minister for the Status of Women, Minister for Business Services and Consumers) (14:43): TAFE, as honourable members know, is a statutory

corporation and is run independently through its own board. It makes its decisions in terms of what training activity it will conduct, and it also makes assessments of what they require, both in terms of lecturers and infrastructure and other resources, to provide that training. They enter into a contractual relationship with the government, and they have indicated that they are fully capable of meeting all of the training commitments that they have given to undertake in the next 12 months.

The PRESIDENT: A supplementary from the Hon. Mr Wade.

TAFE SA LEASES

The Hon. S.G. WADE (14:44): If the matter is an operational matter, then why does the minister have to sign all the leases?

The Hon. G.E. GAGO (Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy, Minister for the Status of Women, Minister for Business Services and Consumers) (14:44): Because I own the infrastructure.

SOUTH AUSTRALIA-SOUTH EAST ASIA ENGAGEMENT STRATEGY

The Hon. J.M. GAZZOLA (14:44): I seek leave to make a brief explanation before—

Members interjecting:

The PRESIDENT: Order! The Hon. Mr Gazzola has the floor.

Members interjecting:

The PRESIDENT: Order!

The Hon. J.M. GAZZOLA: I seek leave to make a brief explanation before asking the Minister for Employment, Higher Education and Skills a question about international education.

Leave granted.

The Hon. J.M. GAZZOLA: Our proximity to South-East Asia and our longstanding cultural and business relationships provide us with natural advantages to increase the number of international students from the region. Can the minister provide an outline of the government's recent mission to South-East Asia?

The Hon. G.E. GAGO (Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy, Minister for the Status of Women, Minister for Business Services and Consumers) (14:45): I thank the honourable member for his most important question. Southeast Asia, with its rapidly increasing population and rising incomes, is obviously an extremely important region to our state, and that is why we have developed the South Australia-South East Asia Engagement Strategy. It is also why we have committed to both inbound and outbound missions to promote further education in the region.

Last month, I was pleased to accompany the Premier and minister Hamilton-Smith on the largest South Australian delegation to visit the region, the first Australian business mission to visit Singapore post the signing of the comprehensive strategic partnership between Australia and Singapore and the largest ever Australian state business delegation to visit Thailand.

Members interjecting:

The PRESIDENT: Order!

The Hon. G.E. GAGO: In 2014, Malaysia, Singapore and Thailand were our third, 10th and 15th source markets for international students respectively. Not only have our universities educated thousands of students from these three countries since the introduction of the new Colombo Plan, but we have had many notable alumni, including President Tony Tan, the President of Singapore, and many senior government officials including ministers from both Singapore and Malaysian governments.

The mission to South-East Asia brought together a powerful group to start a genuine dialogue within country counterparts against the ambitions expressed in our South Australia-Southeast Asia Engagement Strategy. I was very pleased that Vice Chancellors Colin Stirling from Flinders,

Professor David Lloyd from University of South Australia, Professor Warren Bebbington from Adelaide University and Chancellor Dr Ian Gould of the University of South Australia—

Members interjecting:

The PRESIDENT: Will the honourable Leader of the Opposition please refrain from talking during the minister's answer?

The Hon. D.W. Ridgway: What about minister Maher?

The Hon. G.E. GAGO: —and Robin Murt, CE of TAFE South Australia could also join me on the mission.

The PRESIDENT: Minister, just one second. The fact is that minister Maher—I was going to go to you next. But minister Maher seems to be able to whisper. Unfortunately, the Leader of the Opposition has a much deeper voice, a little bit like the Hon. Mr Brokenshire. The minister has the right and I think you should have that respect and that right to answer the question in silence. So, minister, can you please get up and answer the question?

The Hon. D.W. Ridgway interjecting:

The PRESIDENT: Well, you do, so contain yourself.

The Hon. G.E. GAGO: He did a wonderful job on that trade mission, I have to say. The quality of his work was quite spectacular and I have to say he was a real pleasure to work with, I have to say. I very much enjoy working with him. I find him to be a man of very high integrity and significant work ethic.

Members interjecting:

The PRESIDENT: Order!

The Hon. G.E. GAGO: A number of people were able to join me on the mission. Some of the highlights included attending the Singapore-South Australia Gala Dinner, a celebration of the 50th anniversary of both Singapore's independence and South Australia's diplomatic relationship with Singapore. The guest of honour was President Tony Tan who is an alumnus of the University of Adelaide. It was great that we were able to honour President Tan with a scholarship program named in his honour for students commencing a postgraduate research program at Adelaide University in either science or maths.

I also held a number of meetings looking at how we can further support our start-ups with venture capital support and discussed collaboration opportunities for South Australian researchers. I was pleased to witness the signing of an MOU between UniSA and Embry-Riddle Aeronautical University, a US university with a campus in Singapore, which would facilitate staff and student exchange as well as research collaboration. While in Malaysia I launched South Australia's Destination Adelaide Plan, which will guide the state's investment of $9.9 million over four years in promoting Adelaide's education capabilities to international students.

I also witnessed the signing of a collaborative agreement between Flinders University and HELP University, which will facilitate the continuation of the joint Bachelor of Psychological Science and Bachelor of Psychological Science (Honours) program. It was in fact expanding that program. I joined TAFE SA in meeting with the SG Academy regarding future commercial opportunities for TAFE SA to develop training partnerships and offering TAFE SA diplomas to Malaysian students.

In Thailand, I presented a letter to the Royal Thai Government expressing South Australia's intent to form closer links with Thailand, particularly in regard to vocational education and training, and both governments will now look to explore new opportunities for student exchanges, study tours (including professional development for teachers and lecturers) and also scholarships. At this same meeting I discussed a commercial opportunity for TAFE SA with the Secretary-General of the Office of the Vocational Education Commission, which would see TAFE SA provide vocational courses and English-language courses to Thai students. They recently put out an expression of interest and were able to speak very strongly to our application.

I also witnessed the signing of an MOU between Torrens University and Thailand's Stamford University to facilitate an exchange of students between the universities, and that exchange will start

in 2016. Other examples of immediate opportunities for South Australia that were as a direct result of the mission included:

- a significant new partnership, which was secured between South Australia's Thomas Foods and Thailand's CP Group;
- an agreement between Penang's George Town Festival and Adelaide's OzAsia Festival was signed; and
- a $175 million 30-floor hotel and residential apartment development has been proposed for a prime Adelaide city address.

As I have indicated, South-East Asia provides great opportunities for South Australia and I am looking forward to engaging in this region to progress these and other mutually beneficial outcomes.

SA HEALTH STAFF

The Hon. K.L. VINCENT (14:52): I seek leave to make a brief explanation before asking the minister representing the Minister for Health questions about the employment of SA Health staff.

Leave granted.

The Hon. K.L. VINCENT: I understand that in July a number of long-serving SA Health employees were issued with a letter from the Central Adelaide Local Health Network advising them that their positions have been identified as non-clinical support service positions and, as such, these positions will be provided by a company called Spotless at the location of the new Royal Adelaide Hospital. In one section of SA Pathology there are three workers, I understand, who identify as having a disability. I understand that all three of them were targeted and received this letter while, from the looks of it, none of their colleagues without disabilities received it. My questions to the minister are:

1. What provision has been made for people with disabilities to be employed through Spotless at the new Royal Adelaide Hospital?

2. Will SA Health employees have their employment benefits carried over to the new employer?

3. During the recent South Australian government 90-day campaign to employ more people with disabilities, how many were employed within SA Health?

4. Is there any agreement in place with Spotless to ensure workers from disadvantaged backgrounds, such as those who are long-term unemployed, those from a non-English-speaking background, Aboriginal South Australians and people with disabilities are employed at the new hospital?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (14:53): I thank the honourable member for her most important question in relation to SA Health staff. I undertake to take that question to the Minister for Health in the other place and seek a response on her behalf.

MINISTERIAL TRAVEL

The Hon. R.I. LUCAS (14:54): My question is directed to the Leader of the Government. Given that ministers have access to both ministerial office budgets and a parliamentary travel allowance for overseas trips, are there currently any cabinet guidelines for ministers travelling overseas which govern how and whether they should use their parliamentary travel allowance?

The Hon. G.E. GAGO (Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy, Minister for the Status of Women, Minister for Business Services and Consumers) (14:54): I thank the honourable member for his question. In relation to the travel requirements, ministers are required to provide a travel report to cabinet within a certain period of time of returning. And, of course, with our parliamentary allowances, and use of the travel allowance, there is a requirement that we provide a report to parliament within a certain period of time as well.

MINISTERIAL TRAVEL

The Hon. R.I. LUCAS (14:55): Supplementary question: my question to the minister was about whether there were cabinet guidelines in relation to whether ministers should access their ministerial office budget for overseas travel or their parliamentary travel entitlement, and whether there were any restrictions at all in terms of ministers accessing either their office budget or their parliamentary travel allowance.

The Hon. G.E. GAGO (Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy, Minister for the Status of Women, Minister for Business Services and Consumers) (14:55): Not that I am aware of, but I am happy to look into that and bring back a detailed response if there is information that is relevant to this.

MINISTERIAL TRAVEL

The Hon. R.I. LUCAS (14:55): Supplementary question, then, given the minister's response: can the minister ascertain what are the current guidelines for ministers in relation to spouses or partners traveling with them on overseas trips which are funded out of the ministerial office budget?

The Hon. G.E. GAGO (Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy, Minister for the Status of Women, Minister for Business Services and Consumers) (14:55): I am happy to take that on notice.

WATER PRICING

The Hon. T.T. NGO (14:56): My question is to the Minister for Water and the River Murray. Will the minister tell the house about how the state government is working to lower South Australian water bills?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (14:56): Thank you, Mr President, and what a fantastic question from a fantastic member. Preparations for the next price determination for SA Water under regulation by the Essential Services Commission of South Australia has begun. Members may be aware of an article that appeared apparently in *The Advertiser* on 1 September that stated:

> Householders will receive cuts averaging $51 a year in their SA Water bills under a formal proposal from the utility.

This is a proposed reduction, I am advised, of 3.9 per cent in 2016-17, with increases capped at inflation for the following three years of the regulatory period. It comes on the back of SA Water's first price determination announced by ESCOSA in May 2013 that enabled the government to announce a decrease in prices of 6.4 per cent in 2013-14 and again limit the subsequent increases to CPI.

This is fantastic news for SA Water customers, and demonstrates the corporation's ongoing commitment to finding further efficiencies and affordability. And yet, the opposition continues to mislead the public into thinking that SA Water has the highest water prices in the nation. This is despite clear evidence to the contrary.

As I have outlined in this place numerous times, the latest ranking from the latest National Performance Report (NPR) released by the Bureau of Meteorology on 7 May 2015 found that four other water utilities ranked above SA Water in this nation. The report compares cost based on water consumption of 200 kilolitres per customer per annum. The NPR also shows SA Water was one of only two utilities in the country to significantly reduce combined water and sewerage bills between 2012-13 and 2013-14 for customers using 200 kilolitres of water per year.

This reflects SA Water's strong drive for efficiencies in the first regulatory period, but if this evidence is not enough for the opposition, perhaps they will listen to ESCOSA who, on 3 August 2015, confirmed in evidence to the South Australian parliament's Budget and Finance Committee that SA Water does not have the highest prices in the country. It is clear that the opposition has either failed to do its homework or is unwilling to listen to the truth. This is despite the

fact that the state government introduced the economic regulation of SA Water by ESCOSA to ensure greater transparency and accountability around water pricing.

While the opposition remains dazed and confused, as they always are, the state government is acting to address South Australia's concerns about the cost of living. In addition to lowering prices, SA Water has a number of initiatives to assist with water prices.

Members interjecting:

The PRESIDENT: Order!

The Hon. I.K. HUNTER: These include a series of concessions to eligible South Australians on low or fixed incomes to assist with the cost of water and sewerage, introducing more flexible ways for customers to manage their water bill usage and payments, and investigating ways to reduce water and wastewater costs for sporting clubs, schools and council ovals and grounds.

In a recent specific example, it was identified that a change in the Valuer-General's policy for assessing independent living units would have a negative price impact on roughly 9,500 residents living in retirement villages. The state government intervened to ensure that those residents most in need would not be negatively impacted.

We know that ensuring our state's water security has come at a cost. That was always going to be the case. Our relatively small and dispersed population means there will always be significant costs associated with the supply of water and base water, particularly in a state that has none of the natural advantages that they have in, say, Victoria and New South Wales in terms of the high-quality catchment zones that are separated from agricultural areas and centres of population.

The cost would have been much higher, so much higher in the long run, had we not made the decision to invest in water security and infrastructure for the future. We now have an insurance policy for our water supplies and a continued focus on affordability from SA Water. We will work together with all customers to ensure that they are receiving the best service possible at reasonable prices.

I sincerely encourage the opposition to finally change their erroneous record of statements about affordability of water in South Australia. That speech that they have been using time and again in public and on radio land is so outdated, is so last century. Get with the times, get the facts and start telling the people of South Australia the truth.

WATER LEVIES

The Hon. R.L. BROKENSHIRE (15:00): I seek leave to make a brief explanation before asking the Minister for Sustainability, Environment and Conservation and the Minister for Climate Change some questions regarding cost shifting of what I thought were dedicated levies.

Leave granted.

The Hon. R.L. BROKENSHIRE: Many irrigators in South Australia are furious about the fact that they are now facing an annual water levy charge for irrigation, but what has infuriated them more is a memo that went out to staff from the minister's department via the new chief executive officer, which confirms that this financial year $2.4 million will be taken from the water levies of irrigators to go into the department's general budget running operations. Further to that, it shows that in 2016-17, that figure will go to $6.8 million.

Notwithstanding the fact that irrigators are rightly outraged, can the minister explain how from a so-called dedicated levy from irrigators the department is going to rip millions of dollars out of it to prop up the cuts during the budget from a mismanaged government and Treasury?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (15:02): I thank the honourable member for his important question, although it does go to demonstrate the old adage that a little bit of knowledge is a dangerous thing—particularly in the hands of the Hon. Mr Brokenshire. Let me just put a few facts on the record. The 2010-11 state budget established significant cost recovery targets for planning and management activities from 2011 and

2012 onwards. This was in line with the government's commitment to user-pays principles and supported South Australia's commitments under the National Water Initiative.

In South Australia these costs include supporting the water management requirements of the Natural Resources Management Act 2004, including through management of the water licensing system, monitoring and assessment of water resources for the purposes of developing water allocation plans, and compliance activities in relation to water management.

These costs underpin the management of water resources under the NRM Act. Since 2011, the Department of Environment, Water and Natural Resources has negotiated temporary budget relief against those cost recovery targets, but from 2015-16 this relief will no longer be provided. Recognising that NRM boards have a limited ability to meet the additional costs from revenue sources in 2015-16, and given that the 2015-16 business plan processes are finalised for that year only, DEWNR negotiated a range of once-off measures to reduce the amount to be recovered for NRM water levy revenue, which Treasury has accepted in lieu of direct cost recovery.

In 2015-16, this means a total of $3.5 million dollars is to be recovered from NRM boards, with $6.8 million to be recovered in 2016-17, which the honourable member mentioned in his question to me. I note that this amounts to only partial recovery of the full cost borne by government in relation to supporting water planning and management. In addition, the government made a decision that $1 million of costs, as has been ventilated previously, will be associated with operations and maintenance of the Patawalonga lake system and will be recovered from the Adelaide and Mount Lofty Ranges NRM Board. This measure will not be funded from water levies. Let me make it quite clear: this measure will not be funded from water levies.

In 2015-16, $0.3 million of costs associated with administering the NRM land levy and outside council area levies will also be collected ongoing from boards, and this cost-recovery measure applies across all boards. From 2016-17, $0.6 million of costs will be covered by extending the NRM water levy to the extraction of co-produced water by the gas and petroleum industry in the Far North Prescribed Wells area, South Australian Arid Lands region.

All these measures were detailed in the budgetary processes; all these measures were communicated very, very broadly. We understand that these changes will have significant impacts on NRM board programs, particularly in 2015-16, and that's why we have taken the steps we have to abate that. In order to allow regional NRM boards to consider how to allocate these changes, I have discussed the measures with presiding members and asked them to come back to me with a mechanism to actually see that through and, if necessary, I am open to suggestions of adjusting business plans.

It's very important to understand—very important to understand—that water levies have been charged in this state for a number of years, and the water levies are being charged for very, very important reasons—that is, to manage the sustainability of agriculture and farming in this state into the long term. What the honourable member seems to be grandstanding about is the fact that someone—but not him and not other people who are benefiting from these resources and these materials and this research—should be paying for this and of course, as I said, the taxpayer is paying for this because these jobs and functions are not being fully cost recovered.

But it is a position that this state, other states, the federal government, states of all political persuasions—Labor and Liberal—have been prosecuting in the past, that is, supporting the beneficiary pays or the user-pays system when passing on costs associated with maintenance of water supplies, research into the aquifer status, research into groundwater, research into dams, research into how many users are accessing particular water resources and how those resources can be shared most equitably through the users and the environment.

It is no surprise that costs money. It is no surprise that all states and territories have agreed to a user-pays approach to apportioning some of that money—

The Hon. R.L. Brokenshire: I'm not interested in other states and territories.

The Hon. I.K. HUNTER: No, the honourable member is not interested in hearing the answer either because he's already made up his mind. He doesn't care about the facts, he doesn't care about

rational decision-making processes. All he cares about is grandstanding on radio to try and increase his vote.

WATER LEVIES

The Hon. R.L. BROKENSHIRE (15:07): A supplementary: I actually do care more than the minister, but what I want the minister to tell us is in relation to the $3.5 million for 2015-16 and the $6.8 million for 2016-17. Does the minister stand comfortably by his government happy for that money to be ripped out of irrigators, food producers and offsetting budget mismanagement in DEWNR and the government with the cuts that have been put there because they were doing this work before this levy and now all of a sudden they are taking this money?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (15:07): How do you try and turn around this sort of lunacy? The honourable member doesn't even want to listen to the facts that I have put on the table about national and state governments around this country talking through the National Water Initiative saying we need to put some of the costs—some of the costs, not all of it—back to the users and the beneficiaries of the system.

Just to give him some comfort I might read into the *Hansard* some information that has been provided to me from members of the community who have been commenting on some of the ridiculous assertions made in the media potentially by the honourable member—I don't know, I don't really follow him very much when he goes on the radio because, frankly, his submissions are incoherent.

The Hon. J.M.A. Lensink: You obviously do.

The Hon. I.K. HUNTER: No, I have people do that for me now, the Hon. Michelle Lensink. I can't be bothered listening to what the Hon. Mr Brokenshire has got to say on these issues because he is incoherent. He doesn't understand the basic premise of the system. But let me just put on record some statements made from members of the public in relation to some of these issues that have appeared in the media, and I will read them. On, 'Water not owned by farmers':

> I am concerned by the narrowness of vision and understanding of those opposed to the management of water resources in the Western Mount Lofty Ranges, in particular the Fleurieu Peninsula, and contributing to the management cost. In July this year a water resource management arrangement was put in place to manage and oversee the Western Mount Lofty Ranges resource. Those of us who are existing established users have been given allocations based on our past use, the volume of which has been guaranteed.
>
> The water that falls on my property is not owned by me, it is a national-owned resource which includes environmental requirements. The available water has to be managed under regulation and allocations made for domestic and stock and agricultural requirements according to the capacity of the water catchments. The levy which has been introduced is to cover the cost of managing the water resource. As a beneficiary, I believe it is totally appropriate that I contribute to the management cost of the water resource. Further, I emphasise that those of us who are existing approved users have been given allocations which are protected by the arrangement. Domestic and stock requirements are exempt from the levy. The levy, which is costed at $6 per megalitre—

and I think that is a reduction, from memory, from $10. I stand to be corrected about that, but I think that's a reduction from $10 to $6—

> is not expensive and claims that it will affect the viability of agricultural producers and farms is questionable. That is in the adjoining area of the easterns but we are talking about the westerns here.

That is from a local community member in Hindmarsh Valley. There is one other appearing in the newspaper, *The Times* at Victor Harbor, SA, general news, which states:

> I am surprised by the out of date attitude of several of last week's letter writers on the NRM water levy.

The Hon. Mr Brokenshire might have been one of these out-of-date people, I don't know. It continues:

> They seem to believe that they have exclusive right to all rainfalls on their properties. They seem to be unaware that they have a responsibility to share that water. What about their neighbours' need for stock and domestic water? Where will the water to fill our reservoirs and underground aquifers come from? What about the flood irrigators of Langhorne Creek? Do we want even less or no flow in our rivers and creeks? What about the Murray, the Lakes and the Coorong? These farmers are commercial water licence holders being charged just $6 a megalitre of water while mains water users pay around $3,360 per megalitre. The self-interested attitudes being displayed in these letters are the reason why the NRM board is needed to manage our water resources for all.

That was from a member of the community at Goolwa. I've got to say that the blatant ignorance on display in this place and in the media when the honourable member gets up to ask these questions really is an insult to this chamber. He would do very well to read up and understand why it is necessary that we put resources into water management planning, why it is absolutely necessary for the continuance in the long term of agriculture and productive use of water in the state, and if he doesn't get it he should hang up his shingle and go out into private practice because he does no good in here.

Members interjecting:

The PRESIDENT: Order!

AUTOMOTIVE SUPPLIER DIVERSIFICATION PROGRAM

The Hon. A.L. McLACHLAN (15:12): My question is to the Minister for Automotive Transformation. Did the government-funded review costing $29,000 for the Edinburgh Park based business ZF Lemforder recommend the method by which the company now plans to diversify?

The Hon. K.J. MAHER (Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Aboriginal Affairs and Reconciliation) (15:12): I am happy to take that question on notice, and I will need to seek from the member more details of which review he is talking about. There are many reviews and many ways in which the government has helped out many companies looking to diversify. I am happy to get further details from the member about which particular one he means and bring back an answer.

APY LANDS

The Hon. G.A. KANDELAARS (15:12): My question is to the Minister for Aboriginal Affairs and Reconciliation. Can the minister advise the council of his most recent visit to the APY lands?

The Hon. K.J. MAHER (Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Aboriginal Affairs and Reconciliation) (15:13): Like the last question, that is a very good question, but I will not be found as wanting as I was when the Hon. Andrew McLachlan asked the last question. I thank the honourable member for his question.

I have only recently returned from a 10-day trip to the APY lands. Over the last decade or so, I have been to the APY lands quite a few times. This is my second visit as Minister for Aboriginal Affairs and Reconciliation and it has also been the longest amount of time I have been fortunate enough to spend on the lands at one time.

On this occasion, I took the opportunity to drive from Adelaide, through Coober Pedy, Marla, Umuwa, and then on to Pipalyatjara for my first stop. For members who are not familiar with Pipalyatjara, it is a community about 200 kilometres south-west of Uluru, set amongst the Musgrave, Mann and Tomkinson mountain ranges. It is an exceptionally picturesque community that is only about 15 kilometres from Surveyor-General's Corner, where the borders of SA, NT and WA meet.

In Pipalyatjara, I enjoyed a welcome to the community by the children from the school on the first morning and was taken on a tour of the school facilities, which are undergoing some landscaping and upgrading, and I am sure it will look very smart once it is completed. I thank the principal, Ngaire Benfell, for her hospitality and showing me what the school is doing.

I then had a look and visited the newly completed TAFE facilities in Pipalyatjara and it was great to hear from the lecturer, Janet Ashby, about how pleased she and the community are with the new building and some of the successful programs they are running at the TAFE such as the learner driver education, family wellbeing, first aid, and a variety of certificate and diplomas, being delivered right across the APY lands, like conservation and land management, kitchen operations, aged care and interpreting.

The following day we visited Maku Valley, which is near Kalka, accompanied by members of the APY Land Management Group. They showed us some of their pest controls and warru (rock wallaby) conservation projects. I must admit that rock hopping through that valley was not easy and I cannot imagine climbing to the top of some of those mountains in the middle of summer weighed down with glycosphate tanks for weed control or feral cat traps would be at all easy, so I pay tribute to the members of that land management team who do that.

I also had the opportunity later on the trip to see the warru conservation project near Pukatja, and it is clearly something that is taken very seriously on the APY lands. My congratulations go out to people like Ethan Dagg and other members like Nina and Catherine from the land management conservation team for the work that they do.

I visited Kalka, which is just around the mountains from Pipalyatjara, about a 15-minute car ride, and I was fortunate enough to have my first opportunity to taste maku, which is witchetty grub. I kind of thank Josephine Mick for cooking the witchetty grub and presenting it to me in front of the whole arts centre and giving me no option at all but to eat it. It was not as bad as I thought it might be—a bit like smoky scrambled eggs.

An honourable member: It wasn't live?

The Hon. K.J. MAHER: No, it wasn't live, it was cooked, I am very pleased to report.

The Hon. G.E. Gago: Well done?

The Hon. K.J. MAHER: Medium well done. Whilst in Kalka I also spent some time with Mrs Paddy, who continues to grow in her role as the first female to be elected chair of the APY Executive. Also in Pipalyatjara I attended the service providers meeting, ably chaired by Nugget Ngatai, which gave me the chance to hear firsthand from many of those dedicated workers on the ground, both government and NGOs, as well as senior Anangu, to listen to current and ongoing opportunities and some of the challenges that are faced by those who provide services to communities on the APY lands, and how those service providers are helping each other to achieve some of the best outcomes.

That evening there was a community barbecue in Pipalyatjara which was a good opportunity to meet many of the community members that I had not had a chance to meet yet, and I think I met every single person. Making the hamburgers at the end, everyone was my best friend for that night as I was handing out the hamburgers. On Wednesday of that week, we hit the road and left Pipalyatjara to visit a number of small communities on the way to Pukatja. At Kanpi I met with the chair of the Kanpi Aboriginal Community Council and APY Executive member Anton Baker.

Also on the way from Pipalyatjara to Umuwa, I toured the Tjungu Palya Arts Centre in Nyapari, which is at the base of the Mann Ranges. Tjungu Palya translates to 'good together' and is an Aboriginal owned and operated enterprise which supports artists from Kanpi and Waturru and other small communities. From there I travelled towards Amata and had the privilege of visiting Owen Burton's homeland, who is also a member of the APY Executive and a former chair of the APY Executive.

Then on to Umuwa and Pukatja. I have been to Pukatja a number of times and it was good again to have the opportunity to see firsthand some of the cultural, anthropological, pastoral and land management activities happening in the area. This included seeing the newly constructed road from Pukatja to the Pukatja airstrip and the road making process. This important road project is a joint initiative from the commonwealth and state government, a $106 million investment to improve road infrastructure in the APY lands, going right from the highway through to Pukatja.

During the morning I spent looking at different elements of the new road building project, I was impressed by what I saw and by the anthropologists obviously having a great deal of respect for the elders they work with. It was interesting to watch firsthand some of the discussions about important sites and how those sites are being respected with the construction of the new road. I have to say the portion of the new road out near the airstrip was very smooth and very impressive. The thing I was probably most impressed about was I am told that the 30 per cent Anangu employment target is easily being met at the moment.

Once again, I enjoyed in Umuwa a community barbecue which also included members of the APY staff. A highlight of that night was a rendition of *Waltzing Matilda* sung in Pitjantjatjara by famed country music artist and APY Executive member Trevor Adamson. I know the Hon. Rob Lucas isn't here, but one of the things that I was most impressed with was, as *Waltzing Matilda* was being sung, one of the kids in the crowd had some new lyrics for *Waltzing Matilda*. I overheard someone singing 'Waltzing Matilda, I hate St Kilda,' which was an interesting take on that song.

I visited Ernabella Arts Centre, as I have done numerous times, and was exceptionally privileged to spend some time with Gordon Ingkatji at the arts centre, then, the next afternoon, spend quite a bit of time at his homeland at David's Well. Gordon is one of the most senior men on the APY lands. Now about 85 years old, he has an exceptional memory of what happened in his childhood. Gordon was eight years old when he and his family first encountered whitefellas. He remembers helping build the Ernabella mission as a very, very young person, constructing the mud bricks that built the mission, and so many things that have happened since then.

The Hon. J.S.L. DAWKINS: Point of order, Mr President. As interesting as the travelogue is, the minister has been on his feet for over eight minutes and is restricting the opportunity for other members to have questions.

The PRESIDENT: Look, the minister was asked a question about his recent trip to the APY lands, and he is giving an extensive review so, minister, go ahead.

Members interjecting:

The PRESIDENT: Just concentrate on the speech. Go on.

Members interjecting:

The PRESIDENT: Order!

The Hon. K.J. MAHER: Thank you. One of the highlights was attending—

The Hon. G.E. Gago: Start again.

The Hon. K.J. MAHER: I can start again if it's required. One of the highlights was attending the Far North West Sports League presentation night, including a barbecue and presenting awards for the minor around of the Far North West Sports League softball and football competitions, which are played across the APY lands.

I see the Hon. John Dawkins is very interested in my answer, so I will make sure I keep it interesting. I had a bit of a kick with some of the kids, and I didn't last long having a kick because, when you are outmarked and outkicked by six year olds, you sit down pretty quickly.

The Hon. J.S.L. Dawkins: With bare feet?

The Hon. K.J. MAHER: I certainly wasn't, but—

Members interjecting:

The Hon. K.J. MAHER: Yes, I had to have my witchetty grubs cooked and I couldn't play without shoes on. But I did note one of the kids earlier in the trip having quite a large nail removed from his foot which kind of scared me off playing football with bare feet.

The next day, though, I was even more fortunate to attend the first round of the football and softball finals, and I have got to say, in this community, football is not the main thing when their finals are on, it's the only thing that happens in the community. Both football and softball are taken very, very seriously.

On the Saturday, there were a couple of matches. The first final was a battle of the east. The Mimili Blues just got up over the Indulkana Tigers in a very spirited and fast and furious performance where, every time the ball went up, there was a lot of high marking and very long kicking. It was followed by the western derby: the Pipalyatjara Lions versus the Amata Bombers.

On my final visit on my way leaving the lands, I spent time with Yami Lester at Wallatinna in his homeland and spoke about many things affecting Anangu living on the lands and, of course, particularly about football and his beloved Melbourne Demons. I would like to take this opportunity to thank the many Anangu and other people for their always warm welcome, their generosity and time.

Taking this longer trip allowed me to visit some of the communities that I hadn't been to before, which was a great privilege. I also came back with a whole list of things that we need to look at and that people want us to have a look at. I look forward to visiting the APY lands again soon. I

would like to acknowledge many people, both living in the lands and others, who made the trip so smooth and organised.

APY LANDS

The Hon. T.A. FRANKS (15:24): A supplementary arising from the answer: the minister mentioned that the 30 per cent Anangu employment target was being met and exceeded. Can the minister outline what the FTE of that employment target is over the period of the project?

The Hon. K.J. MAHER (Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for Aboriginal Affairs and Reconciliation) (15:25): I will certainly take that part on notice. I do not have in front of me what it is over the whole life of the project. The project is in many stages. It is in the initial stages, and the first stage that we saw was from the Pukatja town to the Pukatja air strip, and they have well and truly met those targets. As to the 30 per cent employment target, I am very optimistic that that will continue to be met. No-one had any thoughts, other than it will be met, and some of the other facets of the project are very impressive and well on track.

Most of the metals and rocks that are used for the upgrades of the roads are being mined and crushed on site, and in a lot of those areas there is a lot of rehabilitation that is occurring. In areas where water is needed to be extracted, they are looking at ways that water cannot just be used for the mines project but where new bores are sunk whether there are any other benefits that sinking the bores might have.

As I have said, one of the exceptionally impressive aspects of the projects was the respect being given to culture. I spent a morning in the back of a Toyota Landcruiser Troop Carrier with a number of elders and an anthropologist driving it and what struck me was how much the anthropologist was listening to the elders. They showed me a number of areas where the layout and the design of the road is specifically being altered or moved to take into account the wishes of what some of the elders wanted and what they did not want.

It was interesting, too, to note in areas where there were trees that were stopping the road, as it is currently aligned, from being straight. Some of the elders did point out that that is not a significant area, or that tree is not significant and it would be better to straighten the road than to leave that there, or that tree is a dangerous tree, but in other areas it was pointed out that this is a site of significance and that was being respected.

So, I will certainly take on notice and find out. If it is known, which I am not entirely sure it will necessarily be known exactly what the full FTEs will be over the whole life of the project, given that not all of it has been tendered or come back. If it is known, to the extent that it is known, I will bring back an answer for the honourable member.

Matters of Interest

SYRIAN HUMANITARIAN CRISIS

The Hon. T.T. NGO (15:27): As a former refugee, I rise to speak about the Syrian civil war. The Syrian uprising began in March 2011 as a broad based non-violent uprising against President Bashar al-Assad's corrupt, sectarian and authoritarian regime. The Assad regime responded to these demonstrations by slaughtering protestors in the street. Eventually, perhaps naturally, they took up arms to defend themselves. By the beginning of 2012, the uprising had become a civil war.

To make matters worse, in the last couple of years DAESH, or ISIS, has taken large swathes of Syria and forced the people who live under their rule to abide by its horrific system of extremist Islamic governance. Since the war broke out, four million Syrians have fled the country (one-fifth of the population), 12.1 million are in need of assistance, 1.93 million Syrian refugees are stranded in Turkey and 1.1 million in Lebanon, and 250,000 people have died in the conflict itself. Until very recently, both Greece and Italy have almost exclusively been forced to deal with the refugee outbreak.

The UN refugee agency, the UNHCR, said that 366,402 migrants had crossed the Mediterranean to Europe this year. With the influx of 10,000 Syrians to European countries each day, it is estimated that Germany expects to receive 800,000 asylum applications this year alone.

In recent years, Australia's total migration intake has been about 200,000. Of those, about 13,750 are humanitarian refugees, which is less than 5 per cent. There are claims by Mr Abbott that we take more refugees per head of the Australian population than any nation in the world. According to the Refugee Council of Australia, Australia is not the world's most generous country when it comes to accepting refugees. It does not even rank in the top 20 countries.

The UNHCR Global Trends Report 2010 shows that Australia took one refugee per 1,000 of the population and ranked 69th in the world for per capita refugee intake. The 2012 UNHCR figures for absolute refugee intake show that Australia took nearly 30,000 refugees and ranked 49th in the world.

When we talk about resettlement programs, Australia often ranks in the top three in the world, with about 5,000 per year. The US tops the list, with about 50,000 refugees being resettled. Resettlement refers to the act of transferring refugees from the country in which they sought refuge to a third country that has agreed to accept them. Prime Minister Abbott had initially announced that his government would take more Syrian refugees than previously but that the overall intake would still remain at 13,750. This would have meant no increase at all in our humanitarian intake in response to this crisis.

History has seen numerous examples of civil war outbreaks, resulting in millions of people being displaced from their homes. At the end of World War II more than 40 million refugees were in Europe alone. In the 1950s and 1960s, the Soviet forces moved into Hungary and Prague, resulting in hundreds of thousands of refugees. The Vietnam War resulted in more than two million Vietnamese refugees fleeing, mainly by boat, and I was one of them. The Balkans conflict saw 2.7 million people fleeing. Rwanda and Sudan also saw millions of people living in refugee camps. The Iraq war and the Colombian conflict saw at least four million people flee from each of those countries as well.

Our refugee intake is quite low when compared with per head of population or actual numbers. Millions of people are currently living in refugee camps and many are waiting for years for a home to go to. In his initial response to the Syrian conflict, the PM said:

> As a result of the government's success in stopping illegal boat arrivals to Australia, we are now in a position to take more refugees from offshore refugee camps.

Australia has a proud history when it comes to taking in refugees. We are known around the world to be kind and generous. Refugees, in return, have not forgotten this generosity. They remain loyal and repay this country in many ways.

I was going to call on our Prime Minister to use this opportunity to take on Syrian refugees and not disadvantage other refugees living in camps around the world—

The PRESIDENT: The Hon. Mr Ngo, I have given you a lot of leeway. The Hon. Ms Lee.

The Hon. T.T. NGO: I am happy that the Prime Minister has—

The PRESIDENT: Order!

The Hon. T.T. NGO: Just one more. I am happy that the Prime Minister has just announced in the last couple of hours that the commonwealth government will permanently resettle 12,000 refugees from Syria and $40 million in funding. This will be on top of the current—

The PRESIDENT: The Hon. Mr Ngo, sit down.

The Hon. T.T. NGO: I take this opportunity to thank the Prime Minister—

The PRESIDENT: I think you have to get your speechwriter to make sure that your speech is within five minutes. I gave you a bit of leeway but you took advantage. Five minutes. The Hon. Ms Lee.

ASIA IN SA

The Hon. J.S. LEE (15:33): Thank you, Mr President. I am delighted to rise today to speak about a new organisation and its very successful inaugural event called Asia in SA. As a member of parliament with a rich Asian heritage, I have given my full support for the establishment of Asia in SA

right from the beginning. I would like to congratulate the co-founders, two very successful business exporters, Mrs Susan Lee, who is the Director of Soniclean, and Gerald Lipman, the Chief Executive of the International College of Hotel Management. Both business leaders have brought together a dynamic team of volunteers to organise the inaugural Asia in SA event. I have known Susan Lee and Gerald Lipman for a long time and would like to acknowledge their strong commitment to fostering strong relationships, trade links and business opportunities between South Australia and Asia.

The inaugural gala event was actually held on the eighth day of the eighth month (August) of this year, with eight renowned chefs. So, it has the trifecta of eights, if you like. If anybody knows Asian people well, we really like the number eight because it is associated with money and prosperity, so I think that makes the theme very interesting. We were invited to attend the gala event on 8 August, together with the Leader of the Liberal Party, Steven Marshall. I would also like to acknowledge that the minister, the Hon. Gail Gago, was also present.

I would like to put on the public record the names of the eight chefs who were involved with the event. These renowned chefs came from across Australia and around the world: chef Jeffrey Tan, chef Alvin Leung, chef Ikuei Arakane, chef Adam D'Sylva, chef Mark Normoyle, chef Pierrick Boyer, chef Tony Hart, and chef Cheong Liew, who is our very own renowned South Australian chef.

In addition to the gala dinner, I also hosted a parliamentary afternoon tea for the chefs and the organising committee. They had such a fun time because they had never been in parliament before, so it was a bit of a different routine for them, coming from the kitchen into parliament. We had very intellectual debates and conversations, and they were very impressed by the fact that we also have a formal dining room, which I explained is used to host international dignitaries when they visit South Australia.

In addition to the chefs, we also had sommelier Masahiko Iga. The other team members I would also like to acknowledge are Daniel Lim and Roslyn Foo. Daniel is a very bright young man. During the Parliament House tour and afternoon tea, we had the pleasure of making him the newest Paul Harris Fellow by Rotary International, together with chef Jeffrey Tan, for his community work—

The Hon. J.S.L. Dawkins: Only good people are Paul Harris Fellows.

The Hon. J.S. LEE: Correct. For those who want to understand what being a Paul Harris Fellow means in the Rotary International scene, only somebody of a high calibre receives that fellowship. I would also like to once again congratulate the cofounders of Asia in SA. I think this sort of event is used as a platform to acknowledge and honour the outstanding contributions of Asian migrants in South Australia, while at the same time recognising South Australian businesses achieving great success in Asia.

Australia has experienced 23 years of economic growth. Over the past decade, the value of our exports has risen fourfold. The rapid rise of Asia has witnessed a major power shift from the west to the east of the international system. Asia, being the most populous region in the world, is home to 3.8 billion people. This shows that over half of the world's population is in Asia. We must recognise that Asia is the engine room of global growth.

Having Asia in SA as a platform to strengthen South Australia's competitiveness is the key to our future prosperity, and I am sure that we will position ourselves really well, particularly with the Australian free trade agreement signed between China, Japan and Korea in recent days. I am really proud to say that those involved with the gala event have worked continuously, and I would once again like to congratulate the organisers.

DAY, MR DAVID JOHN 'DAISY'

The Hon. J.M. GAZZOLA (15:39): It is with great sadness that I note the pasting of David John 'Daisy' Day in May of this year after a long battle with genetic kidney disease. David was a much loved radio personality, entertainer, and dedicated husband and father to Jason, Sally, Gary, Mitchel and Lachlan. David was a man grateful for a life that others could only dream of.

Born in Coraki, New South Wales, David was educated in Lismore and Moree, New South Wales, and started working in radio at 2LM Lismore while still at school. He moved to Victoria for a full-time job in radio, where he met Gloria and fathered children, Jason and Sally.

Whilst on air at 3NE Wangaratta, he was discovered by 5KA program director Bill Page for a job in Adelaide, and it was during this exciting era that 5KA was then considered to be one of the most progressive radio stations in Australia. David soon became 'king of the kids', going to air as David Monday, David Tuesday, etc., and through his hard work won four King of Pop, most popular radio announcer, Logies from 1975 to 1978.

David made it his mission to promote Australian music and helped promote many bands from their inception, including Cold Chisel, The Angels, Skyhawks, Sherbert and Dragon, as he believed our Australian talent pool was exceptional and could see many bands flirting with international fame. Not only did he promote their music but he made many lifelong friendships.

Indeed, I first met David while competing in the final of the SAFM Battle of the Bands, alongside Temper Temper and No Fixed Address. He also played Adelaide independent band Screaming Believers, who were one of the new wave of bands coming through at the time, on commercial Radio Adelaide. Paul Thompson started putting together Adelaide's first FM radio station, SSA-FM, and David was called in to be a part of this exciting new venture.

His on-air success at SAFM saw him attain a ratings share of 61 per cent of 18 to 39 year olds and 52 per cent of 25 to 39 year olds. David worked both on and off air at Austereo, where he created competitions, trained staff, voiced many commercials and helped put together Triple M. During this time, David's son Gary was born, to second wife, Alison. At SAFM, David petitioned the government for the Adelaide Entertainment Centre to be built and, along with Phil Dowse, put on the inaugural concert there. In 1992 he ran away to Spain with Annette, to marry at the Australian embassy, and later fathered sons, Mitchel and Lachlan.

David wrote articles for the *Adelaide News*, hosted the first music video clip show in Adelaide, *Nightshift*, and co-hosted *Countdown* with Molly Meldrum. In 1988, he co-wrote the still sought-after book, *SA great it's our music* with the late Tim Parker and self-published his autobiography, *Rock Jock*, in 2012. David dined with Prince Charles and Lady Diana, drove in the celebrity race of the Adelaide Grand Prix and was the compere of countless concerts. He interviewed many of the world's greatest artists, including Sir Paul McCartney. David was a prolific writer, the brainchild behind many of radio's most outstanding promotions, and this creativity saw another outlet in his love of painting.

David served as a board member of the Adelaide Tattoo, SA Music House, served as a Glenelg ward councillor for two terms, and he was a Justice of the Peace and offered his services to the then Spastic Centre and many other charities over the years. Australian AirCheck Services was a business he started to help many young people in regional and remote areas improve their skills as an on-air personality. He co-founded the Broadcast Academy with Mark Aiston and Kevin Mulcahy, and finally headed up the Australian Radio School, where he trained some of our well-known personalities and found them jobs all over the country.

Whilst he had a reputation as a wild man of rock, David's health problems from a genetic kidney disease started in 1992. Throughout his many years of illness, he continued to support and mentor others at every opportunity. David pushed the development of the music industry and lobbied relentlessly, assisted by John Schumann, who, I think, worked for the arts minister Di Laidlaw at the time, and was also supported by the Hon. Angus Redford. The treasurer at the time was the Hon. R.I. Lucas, and I am advised that many robust debates took place. The debates continue, and it is pleasing that Premier Weatherill and cabinet recognise the live music entertainment and hospitality industry as an economic pillar of this state.

David started and chaired the South Australian chapter of Support Act Limited, the musicians' benevolent fund. His work with this great organisation also includes a monthly networking lunch club, the Debonairs. David got to see his dream of the South Australian Music Hall of Fame come to life, with the hope that it would grow and become something all South Australians can be proud of. One of David's greatest character strengths was his celebration of the success of others.

David's dream was that everyone should see their own dreams fulfilled. Vale, David Day, and thank you. You will be greatly missed. My sincere condolences go out to Annette and the family for their loss.

MINISTERIAL TRAVEL

The Hon. R.I. LUCAS (15:44): Over recent months, there has been considerable community concern about the issue of MPs and travel entitlements. As members would be aware, Premier Weatherill has introduced a package of what he refers to as 'integrity measures', which will ultimately be debated in this chamber, as in another chamber as well.

The concern in South Australia's circumstances has been best encapsulated by a continuing series of issues raised about minister Leon Bignell's travel and travel entitlements. As you will know, there are many Labor MPs walking the corridors of Parliament House openly critical of minister Bignell and what those Labor MPs and many others are saying has been his abuse of the system, and what is clearly seen by many people as being unreasonable use of travel entitlements.

Can I say at the outset, the Liberal Party's position has been, and continues to be, that we support reasonable travel by ministers and members of parliament and reasonable use of travel expenses for such overseas trips. But clearly minister Bignell has breached the expectations in relation to travel on many occasions.

In yesterday's *The Australian*, Michael Owen, with his exclusive story about Premier Weatherill's then impending package quotes one Labor MP and stated:

> One government MP yesterday told *The Australian* that caucus was resigned to the fact 'something had to be done (about members of parliament' entitlements) and they accepted it'.
>
> 'Bronwyn Bishop didn't do us any favours, and Leon (Bignell) hasn't helped us much either'…

That was a Labor MP speaking to a journalist, openly critical of Leon Bignell. Premier Weatherill is quoted in today's *The Australian* where he said:

> This package of MP integrity reforms is about building trust in our political process—trust that has been damaged over the years by limited transparency and the perceived abuse of entitlements.

Whilst the Premier has not referred by name to Mr Bignell, clearly, all of the recent publicity in South Australia has related to minister Bignell and his use of entitlements.

There are many unanswered questions still in relation to minister Bignell's use of travel entitlements. For example, he has still not answered the question why, if he and his ministerial adviser were going to Glasgow to the Commonwealth Games, they had to stop over for a weekend in Frankfurt on the way to Glasgow, and what government business did they undertake together in Frankfurt for that particular weekend? Why are there still no invoices revealed for the costs of two nights' accommodation in Glasgow in July 2014? Why are there no invoices revealed for the costs of three nights' accommodation when the minister and his then Chief of Staff went to Hong Kong in March 2015?

More recently, there have been further concerns in relation to the minister's political adviser's use of the ministerial credit card. As you would be aware, Treasurer's Instruction 13 made it quite clear in 2013 and 2014 that ministerial staff were not allowed to use government-issued credit cards to pay for ministerial travel expenses within South Australia. They were entitled to use it, firstly, overseas and then interstate but, upon return to Adelaide, section 13.9 of the Treasurer's Instruction says, 'The purchase card must be surrendered immediately on return to Adelaide.'

There are a number of invoices which indicate that Mr Bignell's ministerial staffer, Kerry Treuel, paid for a series of ministerial expenses on 10 July 2014 in the South-East for $1,101. Again, on the same day in the South-East at Sole projects, $881, and a series of other claims in the South-East and in the Mid North, clearly in contravention of the Treasurer's Instruction.

Quietly, in January of this year, Treasurer Koutsantonis changed the Treasurer's Instruction to allow use of the credit card by ministerial staffers within South Australia. These questions have been raised publicly and there has been no response from minister Bignell and the issues have now been raised with the Auditor-General in relation to the claims of abuse of the Treasurer's Instructions in relation to, clearly, minister Bignell not wanting to pay for the expenses himself but asking his ministerial adviser, Ms Treuel, to pay for the expenses, when it clearly was in contravention to the Treasurer's instruction.

MCLAREN DISTRICTS LIONS CLUB

The Hon. R.L. BROKENSHIRE (15:49): I rise as my matter of interest today to place on the public record my appreciation for the great work that the McLaren Districts Lions Club does for the Fleurieu Peninsula, particularly in the McLaren Vale and McLaren Flat area. This was a special year and I want to put on the record my appreciation as a member of parliament for all the good work that this club does. In the past year it was led by Brian Rayner, who was the president and the club again had a very successful year.

The important thing this year was that the McLaren Districts Lions Club celebrated its silver anniversary earlier in the year. I have been privileged to attend—probably for 20 years of its 25 years—the handovers and other special functions that this Lions International Club has held. For a club that is now growing it augurs well for the future of volunteerism and Lions in the district. It is, in fact, not the only Lions Club in our district that is growing and there is other good work being done up at Willunga. Between the two clubs thousands of dollars a year are raised by, in real terms, a small number of very committed people.

Of those thousands of dollars, money is distributed right across the community supporting the local McLaren Vale hospital, the Youth of the Year Competition, some of the school projects and other general community projects in the district. Some of this money is raised through hard work with raffles and other new initiatives that Lions come up with each year to be able to generate that money. Of course, being in a wine region, they can always get hold of some of the world's best wines to assist in raffle fundraising and the like.

This year we have President Ian Tonkin taking over. He is also going to be a very good president for that club. It is good to see both husbands and wives, as well as individuals, joining the club and increasing the growth of the club. Ian will do a very good job, as I have said, when it comes to the presidency this year. I will expect the club to again raise thousands of dollars to put back into the community.

I think the important thing that government and parliament needs to look at is how we continue to foster and encourage the growth of volunteering in South Australia. It is becoming more and more of a challenge. We still have a better percentage rate of volunteering than most other states in Australia but recent Australian Bureau of Statistics information indicated that there had been quite a significant drop of 3 per cent to 4 per cent in volunteering across Australia, and South Australia dropped about 1.6 per cent.

That can be swung around fairly quickly but we do need to see how we are going to get future generations to join service clubs such as the Lions, how we are going to get them into lots of other sporting clubs and other community clubs and community organisations. We all know that it would cost the state billions of dollars a year if volunteers were not providing a lot of the services that we have become so used in South Australia.

I would encourage young people to look at serving their community, whether it is in sporting, service clubs or other organisations. These days service clubs are getting more and more involved with younger people and there is an opportunity for those young people to become actively involved in the service clubs. With those few words, I commend the work that the McLaren Districts Lions Club is doing. I trust that they will have a successful year again this year; I know they will.

I look forward to seeing continued growth and development of Lions International through the Lions Club of McLaren Districts, and other Lions Clubs, and look forward to seeing some resurgence of all service clubs, particularly on the Fleurieu Peninsula where there is much need for particular projects and opportunities to be delivered. These volunteers know that they cannot rely on the government and councils to deliver all those projects. I commend them for their work.

ALLIANCE FOR RESEARCH IN EXERCISE NUTRITION AND ACTIVITY

The Hon. G.A. KANDELAARS (15:54): Recently, I had the pleasure of attending the launch of the University of South Australia Alliance for Research in Exercise Nutrition and Activity (ARENA). The event was opened by Professor Jon Buckley, who is the director of ARENA and with us today. The official launch of ARENA was undertaken by Professor Robert Vink, Pro-Vice Chancellor of the health sciences division at the University of South Australia.

ARENA brings together what were previously three research groups at the university into one larger entity: the Nutritional Physiology Research Centre, the Health and Use of Time Research Group and the Exercise for Health and Human Performance Research Group. These groups were all engaged in research looking at the effects of diet, exercise and lifestyle activities on health and sport performance.

Based on data from the Australian Research Council, the research activities in which ARENA is engaged, and its level of performance, place the University of South Australia as one of the top five institutions in the country regarding both nutrition and dietetic research, and human movement and sports and science research. It is the leader in South Australia in such research. Clearly, this is great for South Australia.

An example of the research work undertaken by ARENA is the tracking of fatigue in athletes to determine optimal performance regimes so that they can perform at their best in competition. To this end, ARENA is working with a firm to take to market a device that can track fatigue. Patents for intellectual property have been issued in the US and are pending in Australia and Europe.

Another research initiative is looking at the effect of continuous dieting versus intermittent dieting. Results today indicate that intermittent dieting can be just as effective as continuous dieting; that is, a week on the diet plan and one week off can be as effective as continuous dieting. Yet another research initiative is on web-based intervention, encouraging people to maintain active and healthy lifestyles. This research is looking at the impact of social media and other web-based applications on motivating people to keep active and healthy.

Another area ARENA is involved in is the Active Healthy Kids Australia Physical Activity Report Card, an initiative to try to address the growing level of obesity occurring amongst young Australians; another is the verification and granting of health claims for cocoa flavanols improving blood flow for the European Food Safety Authority. Another area is omega-3 fatty acids improving heart health for Food Standards Australia and New Zealand, and another again is the National Health and Medical Research Council approved 'Evidence-based guidelines for the assessment and management of polycystic ovary syndrome'.

ARENA is also an arbiter for the Australian Food and Grocery Council's Responsible Children's Marketing and Quick-Service Restaurant initiatives. These initiatives are aimed at reducing the advertising of unhealthy foods to children. This is particularly relevant in trying to address childhood obesity. ARENA is playing a critical role in investigating the role of exercise, nutrition and other lifestyle activities for health and performance. Clearly, the research and other activities carried out by ARENA have important implications for governments, both state and federal, particularly in relation to public health.

One of the state government's 10 strategic priorities is to be 'a global leader in health research and ageing'. SAHMRI is a critical part of that strategy and at the heart of our health and biomedical precinct, and it is and will be significantly increasing the state's capacity for leading research. The University of South Australia is playing an important role in that facility, and ARENA is also playing a critical role in enhancing our state's health research.

ARENA is collaborating with researchers at SAHMRI. I wish the newly formed ARENA all the best in its endeavours, and I am sure it will continue to be at the forefront of leading-edge research in this state, which is critical for the state's future.

ABACK, MR K.

The Hon. J.A. DARLEY (15:59): In recent weeks, the world has been shocked and shaken by the images of a small three-year-old Syrian boy who had washed up on a Turkish shore after drowning at sea. The boy, Aylan Kurdi, and his family highlighted that when refugees and asylum seekers are spoken about we are really speaking about human beings, families and children who are merely trying to make a better life for themselves because of the turmoil they face in their own home countries. Whilst little Aylan's story is tragic and one we should all take heed of, I wish to speak today about a much happier and successful story.

I recently met a young man, Mr Keyvan Aback, who fled from persecution in Iran and came to this country alone, on a boat, at the tender age of 15. Keyvan and his family are Mandaean, which

is a small religious minority in Iran. Mandaeans, and indeed all other non-Muslim religions, have been denounced by the Iranian authorities, with fatwas issued against Mandaeans characterising them as filthy infidels who contaminate all they come in contact with. Needless to say, Keyvan and his family were not safe in Iran, and in 2000 Keyvan fled for Australia.

He spent two years in Woomera Detention Centre and a further two years in community detention before finally being granted refugee status. Despite his harrowing ordeal, he has gone on to achieve extraordinary things. After completing high school in record time, Keyvan completed a Bachelor of Social Work and a Master's in Mediation and Conflict Management. At present, Keyvan is in the process of completing his PhD whilst at the same time working as a senior practitioner with Uniting Communities and helping some of our most vulnerable members of the community.

Far from being an immigrant who depended upon welfare from the government, Keyvan had previously held down as many as three jobs simultaneously to support not only himself but also his family abroad, some of whom still continue to struggle with their plight for freedom. Keyvan's strength and determination to make a life for himself here and to be the best person he can possibly be is extremely moving.

This young man, who is still only just 30 years of age, has never asked for anything other than to be free from the violent and oppressive regime that destroyed his childhood and saw his family torn apart. After such traumatic experiences, you could expect that a person would be broken and want to give up; however, Keyvan continues in his efforts to assist members of his family to gain refugee status whilst also providing support and assistance to vulnerable people in the local community.

Keyvan's story is just one from the many hundreds and thousands who have escaped turmoil and resettled in Australia. His story is not dissimilar to many others who came to Australia many years ago seeking a better life and whose family are now second and third generation Australian. Multiculturalism and acceptance is one of the foundations of Australia, and I eagerly wait to see what other great things Keyvan and his peers will achieve.

Parliamentary Committees

SOCIAL DEVELOPMENT COMMITTEE: COMORBIDITY

The Hon. G.A. KANDELAARS (16:04): I move:

That the report of the committee, on comorbidity, be noted.

In June 2014, on a motion from the Hon. Kelly Vincent, the Social Development Committee resolved that the inquiry into comorbidity should commence. The terms of reference for the inquiry were advertised on 5 July 2014. In addition, the committee wrote directly to a number of individuals and organisations with expertise and interest in the subject matter, inviting them to provide evidence. Twenty-three written submissions were received and 15 witnesses gave oral evidence. The committee commenced its hearings on 15 September 2014 and concluded on 9 February 2015.

Comorbidity is essentially a clinical term that refers to the co-occurrence of two or more medical issues or more than one physical or psychological issue in the same person. A large number of people in the community experience comorbidity. They have increased rates of severe physical and mental illness, hospital admissions, mental health sectioning and increased rates of non-compliance with treatment orders. They have fewer social supports, use more public services and are more dependent on welfare benefits. They are at a greater risk of homelessness, incarceration, suicide and have a significant decrease in quality of life.

The committee heard from a number of witnesses that the current system fails to appropriately meet dual or multiple needs and that people with comorbidity do not receive appropriate treatment for a range of their conditions. Instead, more often than not, they receive treatment for the primary presenting issue. This could, and often does, lead to circumstances where they are shuffled between services or fall through the gaps.

Many of the barriers to optimal service provision for people with comorbidities can be linked to the separation of health, mental health, disability, alcohol and other drug sectors and their different institutional cultures. The committee believes that there is a need for greater coordination between

these sectors. In a system constrained by availability of resources, improved coordination and the ability to treat people with comorbidity holistically would result in overall system savings. The committee believes that the introduction of consistent terminology and shared frameworks will lay the groundwork for consistency in policymaking, service provision and research leading to improved service provision and treatment efficacy.

It is essential that people with comorbidity experience an integrated treatment and service system that has a 'no wrong door' approach where they receive timely and appropriate screening and assessment and are assisted with all of their treatment and service needs. To guarantee that desired outcomes are met for people with comorbidity, funding and service agreements need to have outcomes that are clearly articulated and measured against performance.

The committee heard evidence that people with mental illness are significantly over-represented in the criminal justice system. Evidence-based research suggests that mentally ill people are two to three times more prevalent in prison populations than in the general community. The committee was concerned to hear that there are a significant number of forensic clients with comorbidity who are incarcerated, even though they have not been formally charged with an offence because of their inability to plead due to mental impairment.

Evidence shows that silos and overlaps are a consequence of different laws that may be invoked in response to a person with comorbidity. There is an overlap between the Mental Health Act, the Guardian Administration Act and the Criminal Law Consolidation Act. Individuals may also be subject to the provisions of the Public Intoxication Act.

The committee heard that multiple orders may be in place with compounding restrictions. For example, a person may be placed under a Mental Health Act order when the criteria for an inpatient treatment order or a community treatment order are met. The same person may also have a guardian or an administrator appointed under the Guardianship Administration Act. Should their behaviour lead to the involvement of the criminal justice system:

- a person may be found guilty and sentenced; or
- if the person is found by the court to be unfit to plead, or considered not guilty by reason of mental impairment, a limiting term may be set under the provisions of the Criminal Law Consolidation Act.

Other relevant legislation includes the Disability Services Act, which determines the funding and provision of disability services in South Australia, and the Supported Residential Facilities Act, which provides for the care of people living in this form of accommodation. Committee members are concerned that the application and potential overlap of these laws is often problematic for people with comorbidity.

The committee heard that the number of available forensic beds does not currently meet demand, even with the recent release of new beds at James Nash House. This means that there is an unknown number of forensic clients within the prison population. Committee members are concerned that timely and appropriate responses may not be readily available within the criminal justice system to provide for the specific needs of people with comorbidity. The committee believes that this is clearly an unacceptable outcome and has made recommendations in an attempt to rectify this situation.

The ability to respond effectively to comorbidity is linked to the availability of professional staff with expertise to assess and manage appropriate treatments and service responses. The committee heard that there is currently a lack of formal comorbidity training for professionals. Education and training is critical in repositioning the way in which services are managed for people with comorbidity.

The committee believes that there is a need to develop capacity within the disability, health, mental health and alcohol and other drug sectors to treat people and provide support for people with comorbidity. To avoid the use of restrictive practices, including restraints and seclusion, comorbidity education and training is imperative when managing challenging behaviours and episodes of care. The committee considers that mandatory training requirements for comorbidity should be written into appropriate legislation and further considers that measures should be introduced to improve

comorbidity training and increase skills and knowledge in the area of assessing and treating comorbidity.

The committee noted that there was a lack of quantitative data in the evidence received in the course of this inquiry. The committee is aware that there is a need to collect more rigorous statistical data to better understand the level of need that exists with people with comorbidity.

In recognition of the key roles that family, paid disability support workers and others in the community play in supporting people with comorbidity, the committee endorses the need for access to relevant information and resources to aid this support. It is only through informed choices that individuals with comorbidity, their family and paid carers can ensure that they have the opportunity for a positive life experience.

Yesterday the Social Development Committee tabled the comorbidity inquiry report before this council. The report contains 40 recommendations intended to improve the service system for people with comorbidity, their family carers and paid workers, and for forensic clients with comorbidity in the justice system, including recommendations for legislative amendments.

Finally, I would like to take the opportunity to thank members from the other place who provided valuable input into the inquiry. I would like to thank Ms Katrine Hildyard, who was a member of the committee up until February 2015; Ms Nat Cook, who was appointed to the committee in February 2015; Ms Dana Wortley; and Mr Adrian Pederick. From this chamber, I would like to thank the Hon. Kelly Vincent and the Hon. Jing Lee.

Inquiries of this nature would not be possible without the valuable contribution of many individuals and organisations who gave up their time to come forward and give information. I would like to thank all those who presented evidence to the inquiry, either in writing or appearing before the committee. I should also mention the hardworking secretariat staff of the committee who provided valuable support to committee members during the course of this inquiry.

Debate adjourned on motion of Hon. J.S. Lee.

Motions

SARAWAK RAINFOREST

The Hon. M.C. PARNELL (16:16): I move:

1. That this council notes—

   (a) the ongoing international concern over the destruction of 90 per cent of Sarawak's primary rainforest over the last three decades in what former United Kingdom prime minister Gordon Brown described as 'probably the biggest environmental crime of our times';

   (b) the central role of the Governor and former chief minister of Sarawak, Taib Mahmud, in that destruction;

   (c) the links between Taib Mahmud and South Australia, including—

      (i) the awarding to him of an honorary doctorate by the University of Adelaide and naming part of the university's North Terrace campus in his honour as the 'Taib Mahmud, Chief Minister of Sarawak Court' in response to significant donations to the university;

      (ii) the ownership of the Adelaide Hilton Hotel by members of Taib Mahmud's family;

2. That this council calls on the South Australian government to—

   (a) investigate alleged money laundering activity in South Australia as identified in the report entitled 'The Adelaide Hilton case: how a Malaysian politician's family laundered $30 million in South Australia', produced by a Swiss-based environmental organisation, the Bruno Manser Fund, and launched in Adelaide on 9 September 2015;

   (b) freeze all assets owned by Taib family members in South Australia, consistent with South Australia's unexplained wealth legislation, where no credible explanation for the lawful origin of that wealth can be given, with a view to providing restitution to the people of Sarawak;

   (c) refer this matter to appropriate federal government and law enforcement agencies; and

3. That this council calls on the University of Adelaide to—

(a) fully disclose all donations received from Taib Mahmud or his family and all contractual obligations arising from those donations;

(b) rename the 'Taib Mahmud, Chief Minister of Sarawak Court' and bestow naming honours on a more appropriate and worthy university alumnus.

Twenty-five years ago, in 1990, whilst working for the Wilderness Society, I received an invitation to attend a briefing in Adelaide by a group of Penan tribespeople from the Malaysian state of Sarawak on the island of Borneo. The briefing was part of a world tour organised by conservation groups to expose the massive level of destruction that was underway in the primary tropical rainforests of South-East Asia. I understand that this world tour visited 25 cities in 13 countries in 1990.

I have to say that at that time I knew very little about Sarawak. I knew where it was and I knew a little about the dynastic reign of the White Rajahs, because in our treasure box at home we have an old medal which was awarded by Charles Viner Brooke to my uncle during the Second World War. So, we knew a little about Sarawak.

Back in 1990, it was the days before PowerPoint presentations, so it was an old-fashioned slide show. I have to say that the beauty and diversity of this primary tropical rainforest was remarkable. In fact, I understand that one hectare of Sarawak rainforest has a similar number of tree species to the entire continent of Europe.

The slides also showed the growing destruction of that rainforest by timber companies. The impact of that destruction was homelessness, loss of livelihood, and a loss of the traditional way of life of the Penan people. I do recall thinking at the time that it was a good thing that the local people and their international environmental supporters had got onto this issue in good time, because there was still time to turn the situation around and to protect these magnificent forests. The reality, however, was that it was to get a whole lot worse.

Let us fast-forward 25 years to today. We now have a new generation of human rights and environmental campaigners taking up the challenge of raising awareness and seeking justice for the rainforest and the people who call it home. At this point, I would like to acknowledge and congratulate Mr Lukas Straumann, Executive Director of the Bruno Manser Fund—a Swiss-based human rights and environmental organisation. Lukas is also the author of a new book, entitled *Money Logging: on the Trail of the Asian Timber Mafia*.

I acknowledge the presence of Lukas Straumann in the gallery today. He has come from Europe, via Malaysia, to bring this issue to the attention of South Australia. I welcome him to our state and our parliament, and I wish him a productive trip as he travels to other states and territories.

If any member would like a copy of the book *Money Logging: on the Trail of the Asian Timber Mafia*, my commitment to you is I will buy you a copy today and I will arrange for Mr Straumann to sign it before he leaves Adelaide tonight. It is often said that the best way to guarantee book sales is for a book to be banned. Whilst this book has not quite been banned, this year in May the home ministry in Malaysia seized copies of the book during the Kuala Lumpur International Book Fair, but I am offering to buy one today for any member who wants one.

Secondly, I wish to acknowledge the advocacy on this issue by my former colleague and federal Greens parliamentary leader, Bob Brown. In his busy retirement, Bob has established the Bob Brown Foundation, which vows to use ecological reality and optimism to promote real environmental wins. The Bob Brown Foundation aims to help campaigns and activists who show real pluck and intelligence in protecting ecosystems, species, and wild and scenic heritage. I am delighted that the Bob Brown Foundation is represented here in the gallery today by its campaign manager, Jenny Weber from Tasmania.

That brings me to the first part of the motion: that this council notes the ongoing international concern over the destruction of 90 per cent of Sarawak's primary rainforest over the last three decades, in what former UK prime minister Gordon Brown described as 'probably the biggest environmental crime of our times'.

It is clearly a crime against the planet, what has happened to the rainforests of South-East Asia and Sarawak in particular. It is a crime against humanity as well, but more particularly, and at a

practical level, it is a crime against international, national and even South Australian state law. It is the criminal nature of this destruction that I will refer to shortly, but it is firstly important to identify the key players, which brings me to the second part of the motion: that this council notes the central role of the Governor and former chief minister of Sarawak, Taib Mahmud, in that destruction.

Abdul Taib Mahmud was born on 21 May 1936 in Sarawak. He was appointed governor of Sarawak in 2014, but before this he was chief minister of Sarawak from 1981 to 2014. Taib Mahmud entered politics in Malaysia in 1963, becoming a minister in the first cabinet of the Malaysian state of Sarawak, largely thanks to his uncle Rahman Ya'kub, whom he would later succeed as chief minister.

Leaked documents suggest that Mr Taib and his family amassed enormous amounts of land at a fraction of their market value, while authorising the destruction of hundreds of thousands of hectares of rainforest. Much of that rainforest has now been clear felled for palm oil plantation.

Taib Mahmud has denied allegations of corruption. He says that he has been framed by human rights organisations. British investigative journalist Clare Rewcastle-Brown, who has spent years following Sarawak politics, said there is evidence Mr Mahmud privatised large chunks of state businesses into CMS Berhad, a company whose largest shareholders are his family, including his late wife.

The Malaysian Anti-Corruption Commission opened an investigation into allegations of corruption in June 2011, but in February 2014 the Malaysian Anti-Corruption Commission declared, just before Taib Mahmud assumed the office of governor, that they were unable to find evidence of corruption. This is despite the British NGO Global Witness compelling expose a year earlier which used an undercover investigator to identify the mechanisms used by Taib Mahmud and his family and his cronies to sell off native lands worth millions of dollars to foreign investors and to avoid tax. I understand that new inquiries in Malaysia are now underway.

One of his many ministerial roles included heading up the ministry of resource planning and environment, which controls all land classification, timber and plantation licensing in the state. Leaked Sarawak land registry documents suggest that members of Taib's family have interests in companies holding land leases totalling nearly 200,000 hectares, conservatively valued at over $US0.5 billion.

During his 30 years in power, much of the primary rainforest in Sarawak has been cleared for logging and, as I said, much of it has been replaced now with palm oil plantations. This deforestation has marginalised the wildlife, such as the now endangered orangutan, and destroyed traditional lifestyles of the indigenous people who live in the forest. Sarawak's indigenous population depends upon access to farmland and healthy forests for their livelihood, and their rights are protected, ostensibly, under Malaysian law. However, these rights have been systematically ignored by the Sarawak government, resulting in widespread environmental degradation, social disenfranchisement and economic deprivation.

What is the relevance of a corrupt South-East Asian politician to South Australia? That brings me to the third part of the motion, that this council notes:

(c) The links between Taib Mahmud and South Australia, including—

(i) the awarding to him of an honorary doctorate by the University of Adelaide and naming part of the university's North Terrace campus in his honour as the 'Taib Mahmud, Chief Minister of Sarawak Court' in response to significant donations to the university;

In 1958, Taib Mahmud was awarded the Malaysian Colombo Plan Scholarship allowing him to study at the University of Adelaide. He graduated with a Bachelor of Laws from Adelaide University in 1961, and after graduation he was appointed as an associate to then Justice of the Supreme Court of South Australia, Sir Herbert Mayo, before returning to Malaysia the next year. He was the first lawyer of Asian descent to be admitted to practise by the Supreme Court of South Australia.

However, despite his moral banditry, and because Taib Mahmud has given generous donations—we do not know exactly how much, but estimate up to $7 million—over the years to the University of Adelaide, they have named what I call a plaza outside the Law School after him, and they did that in 2008. The Taib Mahmud, Chief Minister of Sarawak Court is on North Terrace outside

the Law School and in front of the Napier building and it was named after him after a multimillion-dollar donation.

The University of Adelaide also awarded him an honorary doctorate in 1994. However, Adelaide University is not the only Australian institution to have honoured this corrupt, environmental vandal. In December 2001, he was appointed an Honorary Officer of the Order of Australia 'for service to Australian-Malaysian bilateral relations'. The second link between Taib Mahmud and South Australia set out in the motion is the ownership of the Adelaide Hilton Hotel by members of Taib Mahmud's family.

I will go into a little detail about this shortly, but the Adelaide Hilton is by no means the only piece of real estate owned by Taib Mahmud and his family. They have stakes in over 400 companies in 25 countries around the world, and in fact they even count the Federal Bureau of Investigation (the FBI) in the United States as one of their tenants. Sulaiman Taib, one of Taib Mahmud's sons, is the owner of the current premises of the FBI's north-west headquarters, the Abraham Lincoln Building, in the centre of Seattle.

The motion before us notes these things and then goes on to call for action to address them. The motion calls on the South Australian government to:

> (a) investigate alleged money laundering activity in South Australia as identified in the report, entitled 'The Adelaide Hilton Case: how a Malaysian politician's family laundered $30 million in South Australia', produced by Swiss-based environmental organisation, the Bruno Manser Fund, and launched in Adelaide on 9 September 2015;

In fact, the report was launched in the Hilton Hotel today. The Bruno Manser Fund and the Bob Brown Foundation booked a room in the Hilton Hotel and invited the media along to launch this report. I would also refer members to today's copy of the *Sydney Morning Herald.* There is quite an extensive article about this report in the business pages, and I recommend it to honourable members. It is a good summary, and it is available online as well.

I will refer at some little length to the words of the report itself. This report investigates the finances of Sitehost Pty Ltd, which is an Australian company controlled by what are known as politically exposed persons (PEPs) from Malaysia, and the best-known asset of Sitehost Pty Ltd is the Adelaide Hilton Hotel. Sitehost was founded by the family of Malaysian business tycoon, Ting Pek Khiing, in November 1993.

Today, Sitehost is owned and directed by the family of Taib Mahmud—as I said, the Governor today and formerly the chief minister of the Malaysian state of Sarawak. Taib Mahmud's deceased wife and their four children became major shareholders of Sitehost when they acquired shares worth $A9.5 million on 31 January 1994. At the time, Taib Mahmud was chief minister of Sarawak and earning a moderate salary of around $A209,000 per year. It is unclear how Taib Mahmud's closest family members could have legally earned the money needed to purchase their Sitehost shares.

On 23 February 1994, when Sitehost Pty Ltd acquired the property of the Hilton Hotel, the company also took up an unsecured loan of $A20.75 million from a non-bank lender whose identity remained undisclosed for over 10 years. The fact that no security was given for the loan suggests a co-equivalence of interest and ownership between the lender and the shareholders of Sitehost Pty Ltd—the Taib family. You only have to ask yourself: does anyone lend unsecured $20 million other than to themselves or to people closely related to them?

In 2007, Sitehost finally disclosed its lender—a company called Golborne Pty Ltd, which is based in Victoria and known as Golborne Australia. Golborne Australia was then named as a related party, although it remains unclear how Golborne Australia is exactly related to Sitehost. In around 2011, the loan was transferred to another proprietary company in Queensland; this time the company was Fordland Pty Ltd, known as Fordland Australia.

There is strong circumstantial evidence, including a shadow structure on the Isle of Man, that Golborne Australia and Fordland Australia represent the same beneficial owners—that is, that they are also controlled by the Taib family. When I refer to 'shadow structures on the Isle of Man', there are companies with the same names in that tax haven jurisdiction.

A comparison of Sitehost's financial statements with AUSTRAC's recently published indicators for money laundering shows that seven AUSTRAC indicators for money laundering are met, including transactions involving large unexplained amounts of money and the use of offshore trusts by PEPs from a country with poor governance. Just to remind members, AUSTRAC is the Australian Transaction Reports and Analysis Centre: it is our money-laundering watchdog. In particular, it is noteworthy that Sarawak Governor, Taib Mahmud, the strongman of the Taib family, was being investigated, and I think investigations are being renewed by the Malaysian Anti-Corruption Commission.

The Bruno Manser Fund alleges that Sitehost, as well as Golborne Australia, Fordland Australia and related companies on the Isle of Man and the British Virgin Islands, have been used by the Taib family and their Australian business partners as vehicles for laundering the proceeds of corruption from Sarawak, Malaysia. The facts laid out in this report amount to prima facie evidence of money laundering and should suffice to trigger criminal proceedings in Australia and other official investigations against the corporate entities and the individuals named in the report.

The second call on the South Australian government in the motion before us is as follows: consistent with South Australia's unexplained wealth legislation, that the government freeze all assets owned by Taib family members in South Australia, where no credible explanation for the lawful origin of that wealth can be given, with a view to providing restitution to the people of Sarawak.

I remind members that in this state we have laws, very clearly, that cover the proceeds of crime or the proceeds of corruption. However, we go further: we also have laws in relation to unexplained wealth, where the origin of the wealth cannot be explained by credible means. Under our laws, that money can be taken from the holder as part of criminal proceedings. In fact, we are even going further in this parliament and we are even taking lawfully acquired assets in relation to certain offences, and that is a bill that is currently before us.

The motion also calls on the government to refer this matter to appropriate federal government and law enforcement agencies. In relation to the University of Adelaide, the motion calls for two things: it first of all calls on the University of Adelaide to fully disclose all donations received from Taib Mahmud, or his family, and all contractual obligations arising from those donations.

As I have said, the best estimate that I have seen is that Taib Mahmud has given around $7 million to the University of Adelaide, but we do not know for sure. The university has never come clean with the records of donations. They also have not come clean with any contractual or other obligations that relate to that money, and that relates to the second call on the University of Adelaide which is to rename the 'Taib Mahmud, Chief Minister of Sarawak Court', and to bestow naming honours on a more appropriate and worthy university alumnus.

What we do not know is whether part of the deal of the donations was the naming and whether that naming is for a period of years or in perpetuity. My advice to the University of Adelaide is that they should undertake a naming competition and that they should invite students and staff, and past students and staff, to nominate a former student or staff member of the university who they believe is more worthy of having this key part of the campus named in their honour.

In conclusion, I go back to our money-laundering watchdog AUSTRAC and it shows that of all the indicators that are provided for money laundering—indicators of the potential for money laundering—then at least seven of these are met in the case of Sitehost, and that means that there are very reasonable grounds for suspecting that Sitehost has been used by the Taib family as a vehicle for laundering the proceeds of corruption from Sarawak.

I maintain that the facts laid out in this report amount to prima facie evidence of money laundering and it should be enough to trigger an official investigation. The report concludes that the Bruno Manser Fund calls on Australian authorities to take action, open criminal proceedings against Sitehost and freeze Taib family assets in Australia for later restitution to Sarawak.

I think it is time to end the embarrassment and to do the right thing by the planet and the right thing by the people of Sarawak. I table the report.

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

Bills

FISHERIES MANAGEMENT (FISH PROCESSORS) AMENDMENT BILL

Introduction and First Reading

The Hon. J.A. DARLEY (16:38): Obtained leave and introduced a bill for an act to amend the Fisheries Management Act 2007. Read a first time.

Second Reading

The Hon. J.A. DARLEY (16:39): I move:

That this bill be now read a second time.

The object of this bill is simple. It requires outlets that prepare fish as a meal for sale to provide details as to whether that fish is local or imported. This is achieved by altering the definition of processing to include the preparation of fish whether cooked or uncooked as a meal.

The amendments would require all food outlets that sell fish as a meal to be registered as fish processors and therefore subject to the conditions of registration, which would require outlets to provide details as to whether the fish is local or imported. The requirement to provide country of origin details will remain optional. The amendments would extend to restaurants, takeaway shops and the like that sell fish products in their meals.

Registration as a processor will be about the process by which we will ensure that food outlets provide relevant information as to the source of the fish that they sell. Whilst this process will result in some additional regulatory requirement, given that we are only talking about processors who sell fish as a meal, it certainly is not intended to result in the imposition of all the additional regulatory processes that apply to other fish processors under the Fisheries Management Act. This is certainly something that I think we can discuss further during the committee stage debate and may result in some additional exemptions in respect of this category of food processing.

What is extremely important to note is that food outlets will not be charged a fee for registering as a processor for the purposes of the preparation of fish for sale as a meal. I will be the first to admit that this process may sound overly complicated and cumbersome; however, the reason the bill has been drafted the way it has is because constitutional barriers prevent us from mandating country of origin food labelling laws in this jurisdiction.

Despite repeated efforts over many months to overcome these hurdles, this appears to be the only model that we can adopt that does not interfere with the interjurisdictional trade agreements and the like. It is based broadly on the Northern Territory model which has been operating successfully in that jurisdiction for some four years.

Over time, in order to increase yield and meet public expectations with regard to the physical appearance of food, practices have changed to include a variety of additives and chemicals. However, community attitudes are changing again and individuals are becoming increasingly aware and concerned about where their food comes from and what process has been undertaken during production.

Recently, the alarming scare with potentially contaminated frozen berries which had been processed in China really brought the issue of food labelling to the front of people's minds. Many found that determining where products were from was more difficult than they thought. It was not as easy as turning the packet over and reading the information on the back.

Similarly, awareness has been raised with regard to fish which has been imported from overseas. When tested against local fish, imported products have shown to be higher in PCBs—that is, polychlorinated biphenyl—dioxins and mercury. It seems now, and excuse the pun, that the tide is turning when it comes to people's choices about fish.

As I mentioned earlier, the Northern Territory introduced similar legislation in 2011. It has been operating successfully in that jurisdiction for four years. Two Senate committees were established to look at seafood labelling, and evidence provided to these committees outlined that there was no significant impost to businesses. In many cases, the country of origin labelling allowed

businesses to charge a premium for the local product. Australia is known to produce some of the best seafood in the world, and people are often happy to pay a premium price.

This bill is about empowering consumers to make choices about food they purchase. It does not outlaw imported fish: it is intended simply to provide consumers with information so that they can make an informed decision about their purchases. I look forward to hearing from other honourable members on this very important issue.

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

Motions

BUDGET AND FINANCE COMMITTEE

The Hon. R.L. BROKENSHIRE (16:44): I move:

That the Budget and Finance Committee, as a matter of priority—

1. Calls as witnesses the chief executive officers of major government departments and seeks information as to why government departments owe business $1 billion in unpaid accounts; and

2. Ascertains whether such nonpayment is government policy or results from mismanagement, incompetence or budget reductions.

It is a fairly straightforward motion. Members would be aware that in the last week there has been a front page story in the print media where right at the moment the government is overdue to the tune of $1 billion—$1,000 million. Now, $1 billion is a lot of money, and they are overdue in those payments to small businesses mainly in South Australia.

This matter has gone on for a very long time. Business is hurting. The truth is that the economy in this state is probably at one of the lowest points that it has been over the last 30 years, if not longer, and businesses need to have contracts honoured by government. Just the same as business needs to honour its commitment to government, government has to honour its commitment to business.

Going right back to when the Hon. Michael O'Brien was the minister for finance, he recognised that, after Family First and other parties and colleagues in the parliament had raised the issue of concern on behalf of businesses that there was a serious problem and there was a commitment to fix it. But clearly now, several years down the track, that commitment has not been honoured.

Business deserves better and the easiest way to find out whether or not there is deliberate instruction or policy from government to delay payments or whether it is simply mismanagement of government departments where ministers should be challenging them, we need to find the answers to this. That is one of the other reasons why the Budget and Finance Committee has such an important role in this place because without them we would struggle to get a lot of answers from government and/or their departments.

I will leave with this on this motion, because I know a lot of members want to speak about another matter that is probably going to grab the rest of the time of private members' business today, but if the government is able to withhold $1 billion from payments that are due under contract terms and/or agreements, arrangements and so on, even at 5 per cent, that equates to $1 million a day. That is $1 million a day that the government is saving but it is $1 million a day that business, in particular small business, has to carry.

Business is not the banker for the government and they should be paid on time, so I ask members to support this motion. I advise them that I will be putting it up for a vote within the next couple of sitting weeks so that the Budget and Finance Committee can see whether or not it has support to really question in absolute detail the CEOs as they come before the committee. I, therefore, commend the motion to the house.

Debate adjourned on motion of Hon. G.A. Kandelaars.

Bills

STATUTES AMENDMENT (DECRIMINALISATION OF SEX WORK) BILL

Second Reading

Adjourned debate on second reading.

(Continued from 29 July 2015.)

The Hon. G.E. GAGO (Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy, Minister for the Status of Women, Minister for Business Services and Consumers) (16:49): I am delighted to support the decriminalisation of the sex work industry in South Australia. I have a brief second reading contribution to make today and that is because I have spoken on this issue a number of times in this place and my views are well and truly documented.

The bill I am speaking on today is a bill that was introduced by the Hon. Michelle Lensink in this place on 1 July this year. The bill is designed to amend a number of pieces of legislation in order to give effect to the Statutes Amendment (Sex Work Reform) Bill. I would also like to commend the Hon. Stephanie Key (a member in another place) for the tireless crusade she has undertaken for this cause over many, many years. She has played an integral role in putting this particular piece of legislation together. I know that she has dedicated many hours to this particular issue and to this particular bill and has spoken and consulted with a large range of people and organisations over a very long period of time.

As members may be aware, there are a number of different models that operate in the sex industry, both globally and locally, particularly in Australia. Depending on the country or jurisdiction, sex work can be criminalised, legalised or decriminalised. Advice from workers, sex worker organisations, relevant organisations and research undertaken for and by the Hon. Steph Key has led to the decision to support the decriminalisation model for South Australia.

The current South Australian laws are quite simply unworkable. History tells us that South Australia's sex work industry is clearly not going to go away. It has been part of our society since recorded time and we know that it is not going anywhere, that it will continue to be part of our society into the future.

At present we are simply wasting policing resources on what is really a transaction between consenting adults. The arguments for decriminalisation, as I see them, are compelling. There are powerful arguments that the criminalisation of commercial and consensual sexual activity is not only unnecessary, but it actually undermines sex workers' access to justice, weakens their ability to maintain health, denies the protection of labour laws and limits their options and legitimises discrimination.

Decriminalising sex workers, I believe, is the right answer to ensuring that sex workers have access to the same rights and protections as every other citizen. In effect, the current law appears to act as a kind of legislative carpet under which things can be too conveniently swept out of sight, and I believe that it is time we change our approach. I have long been committed to seeing a change in the way sex work is viewed, and I am most concerned that workers in the industry are treated fairly and respected as workers, as is any other worker.

In the case of New South Wales, since 1995 sex service premises have been able to operate like other businesses and they have also been limited by local government planning laws. Individual sex workers are able to operate, escort agencies and are not subject to regulation and street-based prostitution is allowed in some areas. The New Zealand model is a decriminalised one, and I am advised that recent data suggests that the decriminalisation of the New Zealand sex industry has resulted in safer and healthier sex workers. There is compelling evidence that decriminalisation has achieved the aim of addressing sex workers' human rights and has a positive effect on their health and safety.

On reading the New Zealand speeches from 2002, when their current legislation was before the parliament, it is clear that the same familiar vociferous arguments and public panic that we hear now were advanced then. Despite this, common sense was triumphant and the legislation was

passed, and subsequently disaster has not reigned, nor has the sky fallen in. The result is a sex industry where lives are less at risk and personal rights and freedoms have been enhanced and protected. I know that many members like myself are keen to see sex workers have the same rights and responsibilities as other workers. Those wavering or as yet undecided about this bill would do well to consider the perspective of those women working in the sex industry. They are only asking that there be fair protection of work-related laws and that those laws be extended to their occupation.

In considering industrial issues in the development of this bill, the Hon. Steph Key has advised that many different sources, particularly people who work in the area of workers rehabilitation and compensation, have given their advice. The bill extends the protection under the Workers Rehabilitation and Compensation Act 1986 to sex workers. It is imperative that sex workers are given the same rights and protections as other workers; it is their basic right and one which I believe is long overdue for this industry.

Importantly, the bill provides amendments to the Equal Opportunity Act, and it is vital that those working in the sex industry are not discriminated against in the course of doing their job. We can achieve this legislatively by adding sex work and many other grounds which make discrimination illegal. Those working in the sex industry deserve to be afforded the ability to work freely in the industry they choose without prejudice, particularly those who also undertake work outside of sex work or who may wish to exit the industry. Importantly, the bill also addresses the issue of spent convictions. An amendment in this bill will enable people who have a particular conviction to seek redress under the Spent Convictions Act.

I understand it is likely that amendments are going to be proposed to send this bill off to a select or standing committee. I think that simply delays something that is long overdue for sex workers. We have seen that tactic used before when trying to progress legislation—I think that it was the Social Development Committee and that it might have been the Hon. Caroline Schaefer, if I remember. The Hon. Mick Atkinson also conducted a very extensive review, if I recall. I acknowledge that was done some time ago, but it is interesting. I remember the outcome of the Hon. Mick Atkinson's review, and it ended up with almost as many reports as there were members of the committee.

Sending these matters off to committees does not resolve the basic differences in views that exist in our parliament and in our community. What tends to happen is that people simply use the committee reports as an extension of their views and value system when it comes to sex work. That is what we have seen in the past, and I believe that is what will happen again.

I suggest that if honourable members wish to have more information about the different models, how they apply, and the pros and cons, and if they wish to inform themselves about how to progress this issue, we are able to set up briefings and forums to provide that information to individual members. I believe that sending it off to a committee is a complete waste of time and is only going to delay the process. These matters will be considered and debated further during the second reading debate, and that will be a matter for others.

Mr Speaker, I have been incredibly impressed by the many women's organisations who have rallied to support the sex workers in their—

The Hon. J.S.L. Dawkins: You've been downgraded from President to Speaker.

The Hon. G.E. GAGO: Did I say 'Speaker'? I do apologise profusely. Talking about the Hon. Mick Atkinson, I have defaulted, and I do apologise, sir—

The PRESIDENT: Your apology is accepted.

The Hon. G.E. GAGO: —for that dreadful demotion that I accidentally afforded you, Mr President.

The PRESIDENT: It is a shadow over this whole council.

The Hon. G.E. GAGO: As I said, I have also been very impressed by the many women's organisations which have really rallied to support sex workers in their cause. They come from a broad spectrum of woman's business organisations, the Soroptimists International to the YWCA, many different organisations. As Minister for the Status of Women, I have certainly worked with all these

organisations and have always been impressed by their integrity and their commitment to making the world a better, safer and fairer place. Their support should not be dismissed lightly.

The patience of sex workers fighting for recognition of the reality of their working lives must be tested, and I think it is time to test it now. Should this legislation be put aside, I think that would be a real travesty of justice. I believe that it is time to consider this legislation and to pass these reforms. I commend the bill to the house in its current form. Let's progress this matter to support a decriminalised model that is fairer and affords basic rights and protections to sex workers.

The Hon. T.T. NGO (17:01): I will re-promote you, Mr President. I rise to speak against this bill. This is the first time this type of bill has come to this chamber since my election to this place. I would like to express some of my concerns with this particular bill and the reason I will be voting against it. First of all, I would like to acknowledge the Hon. Dennis Hood for his comprehensive speech on this matter. Whilst I will be covering a lot of the same ground as the Hon. Mr Hood, I do so with the opportunity to provide further examples of the concerns that he has already and adequately addressed.

Obviously, this bill is seeking to decriminalise prostitution, as is the case in New Zealand and in New South Wales. I think this is a much more irresponsible model to adopt than a legalisation model. The legalisation model has been adopted in Queensland and Victoria. Even in Queensland and Victoria, laws have not been implemented properly to ensure appropriate oversight of all aspects, both legal and illegal, of the sex industry.

With the decriminalisation model, a local council will simply not have the expertise nor, it could definitely be argued, any of the necessary powers to address many of the issues within the industry that, quite frankly, are not addressed in this bill. I say this because, while I am not necessarily supporting this bill, it does not mean that I am not open to other ways of reforming this industry. There are many unintended consequences that I believe exist in this bill, particularly with regard to providing protection for sex workers in the industry, which, I understand, is the Hon. Ms Lensink's primary intention.

I think the Hon. Mr Hood described this best when he said that this is a laissez-faire approach. This bill effectively lets the sex work market in this state flourish without the necessary oversights required. I have three main concerns with this bill, the first being that this bill allows for sex workers to publicly solicit, seemingly at any place that they want, with local councils forced to regulate it in response to pressure from local residents without the necessary power to do so.

While the establishment of brothels can be regulated through council as a planning authority under the changes, how do proponents of this bill expect council to effectively monitor public soliciting? Having been a councillor for more than 18 years, I am well aware that local government has enough problems on their plate without having to deal with all the social problems that will arise if this bill is passed. For example, when opening a restaurant, council health inspectors regularly check for food hygiene. Council can close a restaurant down if it breaches the Public Health Act.

Some Asian grocers were threatened with fines and some were forced to close because of poor hygiene, and I had to deal with many of these issues and assist those residents in many cases when I was a councillor. My question to the proponents of this bill is do they really believe this is fair game, that sex workers should be allowed to solicit wherever and whenever they wish? I am keen to hear supporters of this bill addressing this particular issue further.

In the very area I represent along parts of Hanson Road, Grand Junction Road and Churchill Road, the issue of street prostitution was constantly raised with me by local residents. I can assure honourable members that the prevalence of street prostitution is a genuine concern to many people of the western suburbs. These are good, decent, working-class people who used to flood me with complaints about these issues, and I found it very difficult to assist them. As a local councillor, I would have to get in contact with the local police. This would see the problem reduce for a few weeks and then start up again.

My personal experience shows me that the current laws are not really working, but replacing them with this bill would leave street prostitution completely unregulated making the problem even worse. There has only been one conviction for public soliciting in South Australia as indicated by the

Hon. Mr Hood. Surely, it shows that the law as it currently stands at the very least sets a standard to prevent the explosion of public soliciting. I think the Hon. Mr Hood mentioned that 83 per cent of Queenslanders were against the practice of street prostitution, and I believe if you repeat this survey in South Australia that a healthy majority would also be against the practice.

If this bill is passed, I am confident this type of activity will thrive in the poorer western suburbs where I have been living. The residents of the western suburbs will have to bear the image of social issues that come with the practice while their locally-elected representatives will have no power to act. These concerns are practical, not moral ones, but I do raise these issues on my belief that the public expect a certain community standard to be upheld, and while people may not have issues with the people privately engaging in the sex trade itself, may do have issues with the potential for its greater exposure in our suburban communities.

The very public nature of advertising these services in decriminalised jurisdictions comes to my mind. I have already discussed public soliciting, and the Hon. Mr Hood already went through examples of the turf wars that occur which, ultimately, affect local residents. The honourable member provided many examples from the New Zealand Prostitution Law Review Committee as well as a New Zealand Ministry of Justice report which reviews street-based prostitution in Manukau City.

The second concern I have with this bill is the negative effect this will cause in how this particular bill will allow brothel owners to apply to councils to set up brothels. It will create tension between councils and their local residents. It is not hard to find stories of these in New South Wales, for example, just by doing simple Google searches. This is one of the many reasons New South Wales is currently reviewing its prostitution laws. The inquiry is exploring the licensing of New South Wales brothels, debating items such as closing and penalising illegal ones, brothel locations, the nature of the industry, the current regulations and the protection of sex workers. This was an election promise by Premier Mike Baird to look into state law on brothels. The inquiry's chairperson, Alastair Henskens, said when explaining the necessity of the inquiry:

> Hornsby council failed in its bid to close down a massage parlour in Hornsby that was engaging in the provision of sexual services without appropriate permission.

I believe in his contribution the Hon. Mr Hood has detailed the history of the Hornsby council matter. New South Wales decriminalised prostitution in the 1990s. In 2007, the then premier Morris Iemma passed laws which he stated would give local councils the power to close down illegal brothels through courts.

Using the new powers, the Hornsby council tried to close down an illegal brothel operating metres away from a school and next door to a children's centre, but they were unable to do so. The brothel was operating without planning approval from Hornsby council so the council decided to take the brothel owner to court. I would envisage that this action was brought on after a significant amount of pressure from the local community.

The judge in the case found in favour of the brothel owner, stating that he required more proof that there was more than one sex worker engaged at that premises. This was obviously how the judge in this case was interpreting the inadequate definitions that the New South Wales parliament had provided as to what constitutes a brothel.

Hornsby council went so far as paying a private investigator to obtain evidence by having sex with a sex worker on site. The council wasted up to $100,000 of ratepayers' money taking the case to court only to lose. The Hornsby council ruling has effectively meant that New South Wales councils would need to fund multiple visits to parlours before they could take illegal brother-owners to court. Councillor Nick Berman from Hornsby council confirmed that the council spent up to $100,000 in 'trying to do the right thing—and lost'. He continued:

> To have to invest ratepayers' money to pay private investigators to have sex with prostitutes is, in itself, ludicrous. But to now have to send two, three or even four men in is bordering on the unbelievable.

New South Wales has a very confused way of determining what constitutes a brothel but at least it seems that there is some form of definition even though it is still highly inadequate as demonstrated in the Hornsby council case.

My reading of this bill suggests to me that its passage into law could see South Australia's local councils unable to close down brothels operating without planning approval and in an even more perverse manner. This bill completely removes part 6 of the Summary Offences Act which provides a definition of what constitutes a brothel.

Whilst the Criminal Law Consolidation Act contains a definition of what constitutes commercial sexual services, this bill is completely silent in outlining what constitutes a brothel or place where commercial sexual services are provided. Surely there needs to be a framework in place so that if cases are brought to court then judges are able to consider whether owners are operating premises as brothels contrary to a planning approval which, at that time, may only simply allow for a massage parlour to be in operation.

My reading of this bill—and I am happy to stand corrected if this is wrong—is that it is basically saying that any brothel operating within the parameters of this bill is fair game so there is no need to define what a brothel actually is. I have concerns that local councils in South Australia may encounter even more difficulties than those found in New South Wales in trying to assist and represent their local communities in attempting to close down brothels that operate without planning approval.

I am keen to hear from supporters of this bill as to how they believe that local councils will be able to prove that a brothel is operating illegally—that is, without any planning approval. I am interested to know how courts will be assisted by this bill, if it becomes law, in making a distinction between an actual massage parlour and a brothel. Is there any guidance for the courts in this bill to assist them in determining what a brothel actually is?

With the legalisation of the sex industry, advertising such as billboards, which also require approval through councils, as well as legalising public soliciting and the establishment of brothels, this parliament needs to understand that we are going to stretch already strained local councils. Local councils and the Local Government Association should be consulted about this bill, given that the cost will be so heavily borne by them.

I have spoken to the mayors of Port Adelaide Enfield council, Salisbury council and Charles Sturt council, the three biggest councils, representing over 300,000 residents living in the western suburbs, and no-one has consulted them about this bill. They all have similar concerns about whether the local council will have to bear the brunt of the backlash of social issues arising from the potential passage of this bill.

My third major concern is the evidence which shows how the sex slave trade flourishes in jurisdictions where decriminalisation or a loose legalisation model is adopted. No-one in the sex community wants to see laws enacted which unintentionally make it easier for women to be coerced into the industry. We always hear stories across the globe, and sometimes in Australia, of how legitimate industries employ illegal migrants in slave labour. In fact, the state government announced a parliamentary inquiry into the labour hire industry in response to allegations of slave labour here in South Australia.

An SBS report from 4 April 2015 explained the experience of a man from India on a working 457 visa who was tricked into working at a restaurant in Australia which he thought would pay well. On his arrival, he was forced to work in horrendous conditions, with the threat of 'debt bondage' over his head. He was forced to work until he paid off that supposed debt. The man was illiterate and could not speak English. He eventually mustered up the courage to inform the Australian Federal Police, with the assistance of a co-worker, even though he risked being deported. Obviously, the experiences of this poor man and others in slave labour would be horrific. We also have heard recently of allegations that 7-Eleven staff are being forced to work more than 40 hours a week but only being paid for 20 hours.

These are the same types of examples that are occurring in the sex industry, but I would have thought that particularly women engaging in this debate would give special consideration to the particular type of slave labour that is forced upon a woman in these circumstances. These are young women who are being forced into the sex industry without choice. That is why we as legislators must be extremely cautious when addressing this particular issue because the unintended consequences are just as profound.

Other than the particularly gruesome type of slave labour in the sex industry, the only other difference with the restaurant and the 7-Eleven slave labour cases I spoke about earlier is the heavy involvement of criminal organisations in the sex industry. Women coerced into the sex industry simply would not have the courage and the opportunity that people in other industries have to inform authorities, certainly not at least without severe consequences that come with involvement of organised crime.

This country has strict labour laws, but things still slip through the cracks. Passing this bill, in my view, will make it easier for the transnational sex slave trade to explode in South Australia, as has been the case in the Eastern States. Supporters of this bill assert that there is nothing to worry about because sections 65A, 66, 67 and 68 of the Criminal Law Consolidation Act address the issue of sexual servitude, deceptive recruitment and child labour, amongst other issues.

One of the issues that exists currently in the sex industry is that existing laws are not working because they are not or cannot be enforced properly. This could similarly be the case with the sections identified in the Criminal Law Consolidation Act: you can have laws, but you obviously need to ensure that they are enforceable.

I have had it confirmed by the parliamentary library that other jurisdictions, like New South Wales and Victoria, also have sexual servitude or child labour laws. Admittedly, they did not seem to be as good in their hardline approach as those sections I have identified within South Australia's Criminal Law Consolidation Act. In any case, with the existence of such laws, there has still been an explosion in the number of sex slaves lured into the sex industry in New South Wales and Victoria.

At this point, I would like to lead people to a special joint investigation by *Four Corners* and *The Age* by reporter Sally Neighbour more than four years ago. Honourable members would be best advised to watch this report if they have not done so already. The report revealed the worst excesses of human trafficking and the transnational sex trade. Criminal gangs are luring women to Australia and forcing them to work as sex slaves, humiliating them with 'debt bondage' and forcing them to have unprotected sex with hundreds of men. The program, almost in its entirety, deals with cases in New South Wales and Victoria where prostitution has been decriminalised or legalised inadequately.

This *Four Corners* report demonstrates that organised crime only expands the transnational sex trade further when working under a decriminalised model with slack or non-existent regulation as seen in New South Wales and Victoria. I will quote two parts of the program that make this exact point; the first comes from the reporter herself who said, and I quote:

> Like any business, the trade in flesh thrives on consumer demand. Sex trafficking and sexual slavery exists because customers want Asian women who are reputed to be more compliant to their needs.

I can assure you that feeding this demand with inadequate legislation will make it more attractive for the transnational sex slave trade to proliferate in this state, as has been seen in other states and countries. At the end of the program, the most important point that I believe should be considered in this debate was made by Kathleen Maltzahn. She is a former councillor for the City of Yarra. She was also the Greens candidate for the state seat of Richmond in the 2010 Victorian state election and was again the candidate for Richmond at the 2014 state election in Victoria.

Ms Maltzahn is also an avid opponent of the sex industry, and her book *Trafficked* was short-listed for the Literature Non-Fiction Award of the Australian Human Rights Commission's 2008 Human Rights Awards. She laments, and I quote:

> I don't understand how you can have crimes going on in brothels, in a state like Victoria where we were told that legislation was about getting the crime out of the industry, and then not have any action. Everybody knows this, the Council knows, the State government knows, Victoria Police know, the Australian Federal Police know, Consumer Affairs knows. How come they can continue?

Clause 22 of the bill removes police right of entry, allowing slaves to be hidden, as I assume that any visits by council officers (as there is no delegated authority authorised by this bill) will have to be planned well in advance.

The question I would like answered is: how does this serve to protect the interests of sex slaves? South Australia will need sophisticated intelligence gathering and the occasional violent raids that have occurred in the eastern states by the Australian Federal Police to attempt to weed out illegal elements of this industry. If supporters of this bill want to see the removal of the police right to

enter, then they will need to provide a solution on what authority may be designated or established to regulate activities inside individual brothels.

One of the interesting quirks of this bill is that even though the Criminal Law Consolidation Act specifically prohibits the activity of minors within the sex industry, it is completely silent on whether minors are banned from actually entering brothels, regardless of whether or not they are engaging in the service provided. If you are under 18, you cannot even enter a casino in Australia but under this bill you can, so where is the logic? I cannot support this bill in its current state and I believe further discussion needs to take place on what best course of action there is on reform in this area of public policy. The Hon. Stephen Wade's intention to move this matter to a select committee, I believe, allows us to do this. I would like to put my hand up to be on the committee if and when it is established.

I would like to put on the record that I do not oppose prostitution. I do not have a problem with adult people paying for sex, but we do need to get it right. A model with the acceptance of police, local councils and the general public needs to be considered. I therefore oppose this bill.

The Hon. J.S.L. DAWKINS (17:27): I rise to support the second reading of this bill. I have raised a number of issues which I will elaborate on in relation to the bill with my colleague the Hon. Michelle Lensink. I commend her for her sincere work in an area that, like many of us, she sees as quite a bizarre situation that we have here in South Australia; I think that minister Gago referred to it as unworkable. There are many other views I think in the community about the fact that we have this sector of our community, and it will always be with us.

It is my view that I commend people who are sincerely trying to improve the way that we deal with a sector that will always be here. Having said that, I also commend the long work of the member for Ashford, the Hon. Steph Key in another place, who has a sincere attitude to many issues, some of which I agree with and some which I do not necessarily agree with, but many of them remain emphasised in the sincerity to improve the situations that are not as good as they could be.

Like other members, I have become aware that the New South Wales Minister for Innovation and Better Regulation, the Hon. Victor Dominello, has launched an inquiry into the current New South Wales prostitution legislation and the relationship between state and local government bodies under that current law. This inquiry is due to report later this year and I believe it would be prudent to assess the outcomes of this report and how they may be utilised in relation to the bill that is before us.

When I was recently in New Zealand I spent some time in discussions with a New South Wales Liberal colleague, Ms Melanie Gibbons, who is actually a member of that committee. I know they are working very seriously along the lines of trying to improve what they currently have. However, to say that the fact that they are having a review means that the system is all broken and not working I think is a nonsense.

Any system that is put in place will always need some review and some improvement. This, among other reasons, is why I will be supporting the contingent notice of motion, as suggested by the Hon. Mr Wade, if this bill is successful through its second reading. I think it will be a good thing for a select committee to examine the New South Wales report as well as a number of other pieces of information in relation to improving the current bill.

While I will be supporting the second reading of this bill, there are a number of issues that I have raised with the Hon. Michelle Lensink. I have flagged, I suppose, the possibility of bringing some amendments in, but I certainly intend to put them on the record. In the likelihood that there is a select committee, they are the sorts of things that I would hope would be looked at by the committee.

I have concerns about clause 21, which will in effect repeal section 25 of the Summary Offences Act 1953, namely the offence of soliciting prostitution in a public place. I am concerned that by repealing this offence there will no longer be any restrictions on solicitation for the purpose of prostitution in a public place, which could allow for what commonly may be referred to as street walkers to be active and picking up clients wherever and whenever they choose. I am concerned about what effect this will have on local communities and what kind of culture this will build in the

industry. I would suggest that this offence be retained so that if prostitution is decriminalised in South Australia it would be limited to consensual sexual activity taking place in brothels or private premises.

The bill before us proposes to repeal the entire part 6 of the Summary Offences Act 1953, which ultimately currently outlaws the operation and usage of brothels. While this will be necessary to decriminalise prostitution in South Australia, I do not agree that all offences relating to the operation and usage of brothels can be repealed without a comprehensive legal framework being put in its place to ultimately regulate an acceptable standard of how, when and where prostitution may be carried out.

I would suggest that rather than the wholesale repeal of offences relating to brothels, further development of additional clauses in the bill be developed to take into consideration the following matters. First, a detailed framework for the safe establishment and operation of brothels which directs what body shall have the power to enforce the said framework. This framework could include:

- Firstly, the expected health and safety standards for the premises operating as a brothel, the workers within the brothel and those wishing to procure sex; the mandatory use of condoms; the display of appropriate literature around the premises promoting safe sexual conduct; regular health checks for workers within the brothel and perhaps random drug and alcohol testing like other workplaces; and the mandatory installation of panic buttons in areas of a brothel being used for sexual intercourse.
- Secondly, where a brothel may be located, providing for planning guidelines for local government and in which kind of zoning brothels may be approved by a council and be able to operate.
- Thirdly, the requirements for individuals who may work and/or enter a brothel, such as ensuring that individuals who work within and/or are on the premises of a brothel are over the age of 18, ensuring that individuals who work within a brothel are willing participants in the industry and are in good health, and ensuring that those entering a brothel for the purpose of procuring sexual services are over the age of 18, and perhaps not subject to domestic violence orders or have been found guilty of other assault-related offences.
- Fourthly, which individuals or groups may own a brothel, and whether it is pertinent to include a requirement for these individuals or groups to be of good and reputable character or other criteria, and how many brothels an individual or groups may own at any point in time.
- Fifthly, a set of criteria or restrictions regarding how many prostitutes may be working on a premises being used as a brothel at any point in time. Similar restrictions and/or criteria have been implemented by interstate jurisdictions.
- Sixthly, a set of criteria or restrictions on what can and/or cannot occur on the premises being used as a brothel—for example, restricting alcohol consumption, usage of drugs and the service of food.

These are a few issues that I believe may be necessary to be considered in developing a framework to replace the repealing of brothel-related offences in this bill, and I would hope that these issues could be further explored.

In relation to clause 22, with the repeal of section 32 of the Summary Offences Act 1953 relating to the power of police to enter suspected brothels, I believe it is essential to retain some kind of power for the police to enter and inspect brothels. The bill before us proposes to repeal this power and does not provide for any other kind of mechanism to allow police to inspect these premises, much like they already inspect nightclubs to ensure compliance with applicable laws.

My concern is that, if such a provision is not included, the only authority which would have the ability to inspect a premises being used as a brothel is the relevant local government body, which would simply inspect the premise for compliance with health, safety and building codes. I do not believe local councils are equipped to essentially enforce any kind of restrictions this parliament may

place on prostitution other than those standards and codes councils already enforce for other businesses.

There are also several aspects of the practical operation of the bill that I might question, and I believe these matters warrant some further examination, and they are, namely, the Return to Work Act and Workers Rehabilitation and Compensation Act 1986. Obligations under this bill appear unclear, and due to the contracting nature of the sex work industry, I am personally unsure as to who the responsibility for the provision of certain safe work practices would fall upon, and if SafeWork SA inspect the workplaces of sex workers to ensure a safe workplace is being maintained.

Another aspect is whether the Spent Convictions Act 2009 amendments proposed by this bill totally wipe prostitution-related offences from an individual's record. I am aware that Families SA clearances still take into consideration spent convictions and therefore any conviction may still follow an individual in certain industries.

The Equal Opportunity Act 1984 amendments will make it illegal to discriminate against someone on the basis that they were once a prostitute; however, I am unsure whether, if a religious institution or school did not want to employ an individual based on their previous sex-working past because perhaps it is not in line with the beliefs of that organisation, this bill will remove this as a basis to not employ or engage that person.

Briefly, there has been mention of the decriminalisation of the sex industry in New Zealand. Having recently been at a Commonwealth Parliamentary Association conference on human rights in Wellington, New Zealand, and having had other discussions with members of parliament and other people in the community following that, I did raise this matter, and yes, there are some people in New Zealand who are not happy with the situation under that bill, but I did come across a lot of other people who believe that it is not perfect but that it has improved the situation in some of the major communities in New Zealand.

I think it is dangerous for people to stand up and selectively say that things in New South Wales are terrible, things in New Zealand are terrible, things in other places where they have taken some action are necessarily terrible, because in many instances I think there are a lot of people in those communities who do believe that the situation, while not perfect, is better than it had been. I think that is the main reason why I am prepared to support this bill going to the second reading, because I believe that we can do far better in this situation than we currently have.

Once again, I would like to commend the Hon. Michelle Lensink for her integrity in bringing this forward, and for her sincerity and courage, I think, in doing so, because she is intending to improve the current situation. She knows that the concerns that I have raised today have been raised with her and are sincerely held as things that I believe can be examined and could be used to improve the bill.

I personally know the experience and benefit I have gained when moving a private member's bill. You are on your own. We all know how many staff we get, and it is a lonely existence, despite the fact that some people may wish to help you. I know the experience and benefit that I have gained previously in moving private members' legislation in firstly having a committee examination of a bill. Members would remember that my first surrogacy bill was examined quite thoroughly by the Social Development Committee under the able chairmanship of the current Minister for the Environment. I hope that this examination is not quite as long as that; it certainly did bring back some improvements to that first bill.

Secondly, I would say that even in the case of my most recent bill, the questions, queries and suggested improvements that I got from colleagues and community members allowed me to address a number of aspects of that which ultimately meant that the bill, I think, was improved and passed this chamber and the other one without division. I do not, perhaps, dream that a bill on this subject is going to pass without a division, but I think there is the opportunity to take up a number of the issues that have been raised and to assist the Hon. Michelle Lensink in that bill coming back in an advanced state and certainly one that will benefit South Australian community and the sex work sector.

Let's not pretend that this is ever going to go away. It is a sector that has been in the community since day one. We need to do the very best we can to make sure that as a legislature we are treating that sector as something that is legitimate. It is there and we need to do much better than we are doing currently. I am pleased to support the second reading.

The Hon. T.J. STEPHENS (17:44): I rise today to speak to the Statutes Amendment (Decriminalisation of Sex Work) Bill. This bill is a matter of conscience for Liberal members of this place. Indeed, it has been introduced into this place by my colleague the Hon. Michelle Lensink, in tandem with the honourable member for Ashford in the other place who has attempted to pass similar legislation in the other place to no avail.

I indicate from the outset that I will be opposing this bill for a number of reasons, but fundamentally because of the moral and social implications of legitimising and endorsing such a vocation for the sons and daughters of South Australia. I commend the Hon. Mr Hood for his comprehensive contribution on this bill. Whilst my contribution will not be as long as his, I believe he did raise a number of good points. I do not wish to rehash those, but I will comment on what I see are other problems not only with decriminalising sex work but also with this bill specifically.

One of the justifications for law reform around sex work is that it is apparently one of the oldest professions in the world and that it will continue to be part of societies of all types. Many say that it is as old as the human condition itself. However, sex work has rarely, if ever, been an open, legitimate profession in society, and for good reason. No parent would want their children choosing prostitution as a career, and why is this?

Social stigma aside, it is an industry which is marginalised because of both the clientele it attracts and the desperate souls who have been drawn to or coerced into this kind of work. It is a dangerous profession both physically and mentally. However, there is no escaping that in decriminalising this activity we are saying that we as a parliament are happy for South Australians to pursue this. It is legitimising this profession.

If honourable members in this place are happy for this bill to pass on that basis and are using the argument that this legislation is necessary to protect prostitutes from violence and other associated risks with this line of work, I want to say to them: where are their protections? Why is there no regulation of brothels and of solicitation when and where it can occur? All this bill does is prevent sex workers from being arrested which, from my understanding, occurs rarely anyway.

Prostitutes and brothel owners refusing to call police out to an incident for fear of retribution or arrest is counterintuitive and the decriminalising of one illegal and demeaning behaviour to reduce the occurrence of another is completely illogical. We have heard from the Hon. Mr Hood that similar legislative changes in New South Wales have not actually reduced incidents of violence against prostitutes, but what it has done is actually proliferate the number of sex workers and the number of brothels in New South Wales. There can be no doubt that this line of work brings with it more illegal activity.

Prostitution will always remain within the seedy underbelly of society. Drugs and violence go hand in hand with sex work. Why then would we want to exacerbate the problem in South Australia? We have major problems with unemployment in South Australia, especially in the north of Adelaide. If this line of work is decriminalised, how many more desperate people will turn to it as a result? Is this really the path we want to go down here in this state?

I have received a lot of correspondence on this issue, and it is unanimous in its opposition to decriminalisation. There are concerns that there will be no enforcement on public solicitation, no laws on when and where a brothel can operate, as well as the concern that I have already mentioned—that this will not lead to a reduction in violence or a safer environment for prostitutes. These concerns are valid, given what we have heard occurs on a daily basis in both New South Wales and New Zealand, whose laws are more stringent than what is being proposed here.

Almost all these concerned citizens have suggested adopting the Swedish model, which actually makes the purchasing of sexual services illegal rather than the selling of services legal. This may be worth exploring, as it has the positive effect of drying up demand, destroying the business model of pimps, and giving prostitutes a chance to leave this soul-destroying occupation, whilst also

preventing the exploitation of some for the gratification of others. However, I have not seen the detail of this so-called Swedish model, and a debate on its merits is for another day.

The voting down of this bill will send a clear message to all South Australians that prostitution is not acceptable in civilised society, and I implore all members in this place to do so. Given that I have a strong opposition to this particular bill, I will not be supporting a select committee.

The Hon. J.M. GAZZOLA (17:48): It should come as no surprise that I rise to support the Statutes Amendment (Decriminalisation of Sex Work) Bill as put forward by the Hon. Michelle Lensink. As always, my contribution will be brief and simple. This also is a conscience vote for government members. There has been much debate, discussion and analysis of various bills dealing with the decriminalisation of sex work, not just in South Australia but in many jurisdictions globally.

I wish to acknowledge the work of the Hon. Tammy Franks, the Hon. Kelly Vincent, the Hon. Michelle Lensink, and, of course, the member for Ashford, Steph Key, and many other members of parliament for their input. I also acknowledge the many past members of parliament who dealt with similar bills and served on various committees of the parliament, scrutinising and dealing with sex worker issues.

I have heard of and know of many examples of harassment, discrimination and abuse of sex workers. In the last 30 years I have, as a union member and member of the Labor Party, supported workers to overcome discrimination and to be free from harassment, abuse and bullying in the workplace. For these reasons, as I said earlier, I will support the bill.

I thank those who have contributed to the bill and I also thank those few hundred who have emailed my office to oppose the bill. Like my leader, I do not support the bill being sent to a select committee; however, if it is the will of the Legislative Council to assist the passage of the bill and, as I do not serve on any committees in this place, I am available to serve on this committee.

The Hon. J.A. DARLEY (17:50): I rise to very briefly contribute to this debate. We are all very familiar with the arguments for and against decriminalising prostitution and there is absolutely no question that this continues to be a divisive issue. Those who are against it will argue that prostitution exploits women and that by decriminalising it we would be condoning the abuse of women, contributing to an increase in human trafficking and encouraging more women to enter the industry which will only lead to a higher incidence of female exploitation.

Those who are supportive of decriminalising sex work argue that individuals, predominantly women, will engage in the activity whether it is legal or not and, as such, should be given legislative protection to ensure that they have a safe working environment. They should be able to demand that certain conditions are met and, if not, they should feel confident that they will be supported if they report the matter to authorities. Similarly, clients should be able to report wrongdoings by sex workers to the authorities.

Then there are complexities with regard to what model should be adopted if prostitution were to be decriminalised or legalised. Some believe it is best to decriminalise the practice and allow the industry to self-regulate whereas others prefer to legalise prostitution and put in place a framework by which the industry must operate. The legislation differs dramatically around the world from mandatory visual health checks, the most obvious requirement for safe sex, and the controversial Swedish model of legalising prostitution but prohibiting and punishing those who pay for sex.

In 2013 I travelled to New Zealand and met with a number of stakeholders, including government agencies, local councils and sex worker representative groups to discuss their experiences since prostitution was legalised in 2003. What struck me most during my visit to New Zealand was the difference in attitudes between stakeholders in Auckland and Wellington. My summation was that Auckland was certainly the more conservative of the two cities and stakeholders there expressed more concerns around the implementation of the legislation. It was certainly noted that amendments to the legislation were being flagged around the need to provide increased powers to better police home-based prostitution and to respond to complaints from neighbouring properties.

Whilst the feedback overall was actually quite positive, my trip to New Zealand certainly made it overwhelmingly clear to me that if changes are to be considered in our own jurisdiction then we need to consider all of the pros and cons and examine this issue in the light of best practice

around the world and to weigh this up with any negatives. As such, I certainly will be supporting the Hon. Stephen Wade's proposal to establish a select committee to inquire into this matter.

The Hon. R.L. BROKENSHIRE (17:54): I rise to speak to the proposition that the Hon. Ms Michelle Lensink has put up about the decriminalisation of sex work and, at the outset, I advise that I will not be supporting the second reading or the bill in any way, shape or form.

I, personally, was actually surprised that this bill is being pushed quickly because the Hon. Steph Key in another place has been working for several years on legislation to support decriminalisation, and I put on the public record and note that this particular bill was introduced on 1 July. I think that was the last sitting week before the winter recess.

The Hon. J.M.A. Lensink: It wasn't.

The Hon. R.L. BROKENSHIRE: Well, it was certainly close to the last sitting week. It was certainly the second to last sitting week, and here we are in the first sitting week when we get back and there is an expectation that this chamber should actually look at this bill and debate it today. It is the right, as the Hon. John Dawkins said, for any honourable member in this house to put a private member's bill forward, as indeed it is the right of any member, particularly this one with a conscience vote, to vote the way that they believe they should vote.

I must say that I was surprised that the Hon. Michelle Lensink put this bill up because I always understood that there was a rule in the Liberal Party that, particularly the leadership of the Liberal Party in opposition, did not put these sorts of controversial bills forward but that is for the opinion—

The Hon. J.M.A. Lensink: It is a long time since you've been in our party.

The Hon. R.L. BROKENSHIRE: Maybe things have changed but that is what used to be the case. It was always that you would leave the government to do these sorts of bills and get on with the focus of the main job: the economy, jobs, government mismanagement, the sad state of South Australia as it is at the moment, and how we are going to start to drive the economy forward.

But, nevertheless, I just put that on the public record because I have had hundreds of emails, and I am not exaggerating, and I note that a lot of those emails are from people I know within the Liberal Party, and they are very much opposed to decriminalisation of prostitution. In fact I have only had three letters or emails of support for this particular bill.

What concerns me first and foremost with this bill is that it is actually not a well-drafted bill and it is only an eight-page bill that puts up one proposition but actually misses so much of what needs to be done to support those people who we should be supporting to get out—

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

The PRESIDENT: Order! No debating. The Hon. Mr Brokenshire has the call.

The Hon. R.L. BROKENSHIRE: Mr President, I will certainly come to that with the Hon. Mr Dawkins in time, and that is why I put on the public record the issue of concern about how this seems to be being rushed through. The point is that it is an eight-page bill that is going to decriminalise prostitution in this state and actually say to young women, and young men, 'Here is a legal opportunity for you to go and potentially (as I assess it) ruin your life and become a prostitute and it will be legal.'

Back in 1999-2000, the government of the day, rightly so, and I had carriage of it through cabinet, put up four bills to both houses of parliament and those bills were detailed bills. Those bills, I suggest, were actually very, very carefully considered by the team of people who were working behind the scenes to get those bills drafted. In fact, hundreds of thousands of dollars of taxpayers' money was spent to come up with those proposals.

All of that information is still available today and all of that information is still relevant today. Those four bills were detailed bills from strengthening the criminalisation of prostitution on the one hand to the decriminalisation of prostitution, and in between a regulatory and a licensing model.

It came up at a similar time to when Victoria had just gone down the regulatory cum licensing structure when it came to prostitution. On that, I find it interesting to actually do some homework

because I hear members saying that what is going to occur is that, if we decriminalise this industry, it is going to fix the problems.

Sitting suspended from 18:00 to 19:46.

The PRESIDENT: Before we start this debate, as with all conscience votes very often people have passionate views. I expect everyone here to respect the views of people who are speaking tonight and allow them to speak their mind in peace and silence.

The Hon. R.L. BROKENSHIRE: To carry on from before the dinner break, hundreds of thousands of dollars, lots of work and four models were put up here when I had the privilege of being police minister. Even with four models, and all the thorough detailed work, the parliament could not agree on a model. Now, in three sitting weeks, we are being asked to vote on a second reading speech, an eight-page piece of legislation that is very flimsy on detail, lacks proper regulatory processes through the drafting of the legislation and would forever change the situation in this state when it comes to prostitution, depending on where you actually sit—and from my point of view it would change it for the worse.

As a parent myself, and now as a grandparent, I could never consider making legal something which is as damaging as you could ever see occur for individuals and communities and which says to my children, 'You can go and become a prostitute because this state parliament has given you the legal pathway to that.' That pathway does not even give consideration to an exit to help those people who are trapped in prostitution.

During all the time that I spent, through cabinet direction, working on this back then to now, the principles have not changed. I ask colleagues: have you spoken to the police about the work they do and their experience? Have you spoken to the police about the organised crime and the drug cartels and syndicates that control these brothels? Do not think it is going to change simply because you decriminalise it, because it will not. I will come to that in a little while.

Have you gone to see someone like Linda Watson, who runs Linda's House of Hope? She was one of the highest-rolling prostitutes in Australia and dealt with some of the wealthiest clients in Australia—international fly-in visitors, business people and some of the richest and wealthiest people in this nation who engaged her services.

Have you talked to people like Linda Watson? Have you asked her why she had a wardrobe that was about 20 feet by 10 feet full of brand-new shoes she never wore? Have you asked her why she said she always felt dirty? Have you asked her how she felt about the people she tried to help to get out of the industry, and have you asked her what happened when she started to become more proactive in that area and her home was bombed by outlaw motorcycle gangs in Perth?

These are the sorts of things we need to be doing if we are going to make a decision on whether we criminalise properly or decriminalise or go for a regulatory or licensing model. This is very important stuff that we are talking about here now, and I say to my colleagues: to rush into this, for whatever reason, right now would be in the wrong interests, I believe, of the future generations of this state.

Earlier, a point was put forward about, 'Well, what are you putting up, Robert? What is your alternative?' First of all, I want to say that with the hundreds of people who have emailed me now, with the 20 years that I have been in parliament, with the 13 years I had in the lower house, very few constituents—in fact, I cannot remember any—came to me saying, 'We've got a problem with prostitution, and the way out of it, Robert, is to decriminalise it.' I have had none, with the tens of thousands of constituents I have dealt with; I have had none, other than a couple of emails from the Sex Industry Network and recently a couple of letters, one from a group of businesswomen indicating that they were asked to put in a letter supporting this.

But when you go out into the electorates, and when a father comes into your office in tears because his daughter is trapped in prostitution and has become a full-on drug addict—full-on to the point where every time she had enough energy to do a job, the brothel owner gave her enough money to go out and get another fix and that was where she was at—and you tell me that by tonight, supporting this second reading speech, we are going to fix that, I say 'No, you won't fix it that way.'

I understand that a Liberal member of parliament in the Legislative Assembly, the member for Southern River, Peter Abetz, has probably written to most people now. He sent a letter to me way back on 11 November 2014, way before this particular bill that we are being asked to make a decision on in just three weeks. This person worked with prostitutes when he was in Victoria, and he is now a member of parliament in Western Australia. He has also been over and had a close look at this internationally, in Germany, France, New Zealand, Finland, South Korea, Russia and Sweden. This man has done his homework, and in this particular paper he points out the reasons why, in his opinion, it would be a real risk to go down this track at this point in time.

I just want to pull out a couple of the points he has raised here about prostitution, and he talks not only about prostitution but about the human trafficking elements of that which do not go away when you decriminalise it. In fact, there is evidence to say that it gets worse: 70 per cent of women involved in prostitution for more than two years suffer post-traumatic stress disorder and over 90 per cent of prostitutes use drugs to cope with their physical pain. Where do they get the drugs from? Most women leaving prostitution never re-enter the full-time workforce because of mental health issues, and rehabilitation of prostitutes takes up to six years because of the social, emotional and spiritual damage prostitution causes.

And yet, in this little eight-page bill here that we have to vote on tonight, this little-eight page bill with very little detail in it, there is nothing that talks about how this bill is going to help to rehabilitate these prostitutes, which could take on average up to six years. If you do not believe me, adjourn the debate and go and talk to people like Linda Watson and do some real homework—some real homework—or give evidence to this chamber that by decriminalising it we are going to fix prostitution.

All of those dedicated bureaucrats back in 1999 put together volumes —and I am not exaggerating. When they delivered them to my office, after we had met regularly for a year and they had done the homework, the volumes and detail of documentation were 1½ to two feet (imperial) high; this is not happening here now. This is just a rush. I have seen in my years in the parliament that, when you rush decisions like this, you end up with a mass of unintended consequences and it is hard to go back.

What is interesting is that 95 per cent of women in prostitution say they would exit the industry if they could—of course they would. Let's focus on how we help them to exit the industry. Just on the Victorian experience, I can remember a former colleague, the member for Colton at the time, Steve Condous. A few years before the lead-up to that period when we were doing all that detailed work for the parliament, they went down a regulatory licensing model in Victoria.

Steve Condous actually went over there and had a look at the apartment block that was the managed, supervised, protective, health protection, proactive, decriminalisation model, and he was amazed at what he saw. If you do not believe me, give Steve Condous a ring and have a talk to him. Since that happened, Victoria has experienced a 20 to 40-fold increase in the size of their sex industry. The size of their industry has grown 20 to 40-fold since it was legalised.

Currently, there are approximately 100 legal brothels and 400 illegal brothels, not to mention escort solo operators or street prostitution. Each week in Victoria now, 60,000 men buy women's bodies in prostitution. Do you know why it has grown? Because there is no deterrent there at all anymore. It is simply legal. It is about, 'Let's just make lifestyle choices and then try to pick up the pieces.' I am not going to support that sort of lifestyle choice.

I just want to put a few other points forward. If you talk to the Victorian police, they will tell you that they now have more backyard brothels than ever before. Those mums, women and, in some cases, men are not protected. They do not have health workers supervising them, they do not have bouncers or people like that there, but they are actually there growing a business next door to where you live. If you have talked to constituents who live next to a home where there are drug traffickers and asked them about the disruption that they go through day in, day out, the same thing will happen if you allow the opportunity, through legalisation, to expand the brothel industry.

I want to touch on a few other points; one is that I received today, as I am sure other members did, a letter dated 9 September 2015, from the chief executive officer, Mr John Moyle of the City of Tea Tree Gully council. The council says that, at its meeting last night, it considered the Lensink

Statutes Amendment (Decriminalisation of Sex Work) Bill and, after considerable debate, the following resolution was passed, and I want to put this on the public record:

That Council writes to all State MPs outlining its opposition to the Statutes Amendment (Decriminalisation of Sex Work) Bill, moved by the Hon Michelle Lensink MLC, for the following reasons. The Bill would place pressure on councils to:

- Effectively become the regulator of brothels and street prostitution, given that decriminalisation is the proposed model
- Allocate resources to ensure compliance in an area which has traditionally been the responsibility of the police
- Assume responsibility for brothels even though councils do not have power to regulate any illegal activity within those brothels (beyond planning regulations and approvals)

That is the only issue legally that the councils can deal with: planning regulations and approvals.

- Regulate public soliciting by prostitutes (street prostitution, which the bill allows for in an unfettered manner)
- Regulate approval of brothels (with council decisions having to be made purely on planning matters, potentially disregarding concerns of local residents)
- Fight legal battles at ratepayers' cost against brothel owners who do not respect conditions placed on any planning application.

Accordingly on behalf of the City of Tea Tree Gully I strongly urge you to oppose this Statutes Amendment (Decriminalisation of Sex Work) Bill in its current format.

I also have an email on my phone from the Port Adelaide Enfield council. We all know that the Port Adelaide Enfield council probably has more of a challenge with prostitution and street workers than any other council. In fact, I am told that at one particular service station down there, which is a busy transit area for loading and offloading of freight, you only have to put a towel on the bullbar of your truck and there will be a prostitute there within a few minutes. That is the code that the driver needs a prostitute in the sleeper cab, and the Port Adelaide Enfield council has to try to manage all that.

Last night, or in recent nights—I stand to be corrected because I only received the email today—the Port Adelaide Enfield council also discussed this bill and they oppose it. Without spending too much time in the chamber here now, they oppose it for basically the same reasons as the Tea Tree Gully council oppose it. Can I also say that, from my best recollection, having read those emails, basically all but one councillor on both occasions supported them contacting us to say, 'Please, don't support this bill.' So it was close to unanimous that the councillors do not want this responsibility.

I wonder what the author of this legislation has done when it comes to talking to the councils about their concerns. I wonder—and I am putting these thoughts on notice for the author—whether or not the author has actually visited the areas in Melbourne and whether she has visited some of the areas in the world where there is decriminalisation. Has the author talked to people like Linda Watson, or has the author mainly talked to people in the sex work industry network who obviously want to have this decriminalised?

If you are working in an activity like this, particularly if you are in a controlling area of this activity, then you would want a green flag to say that it was quite legal to do it. To me, it is not a matter of whether or not it is legal, it is a matter of whether it is right or wrong and whether the parliament should be putting flags in place that wave green 'go' signs to an industry sector that is not going to be improved simply by making it legal for it to happen.

If you drive down the South Road right now, not far from where the churches are—in fact, only two shops from where the churches are and not far from where the Catholic school is—you will see an old Ford with a banner on the front saying that they want people to do massage work, and there are a couple of chairs in front of this old shop. There is not a lot of massage work going on there, I would suggest, but the reason I am raising that point is that, if this bill is passed, it does not have any protection about where these particular brothels can be located.

I will come to another point that was raised earlier by one of my colleagues. They said, 'Well, what are you doing about it?' My colleague the Hon. Dennis Hood is going over to Norway next month (October) to have a look at the Nordic model, because the Nordic model is not a model that

we put up to the parliament when the other four options were put up in the late 1990s. There are a lot of people who are saying that the Nordic model may be the best possible option and way through this. So we are, as a party, having a look at the Nordic model, but we would like time to have a look at the Nordic model and then look at what sort of report my colleague brings into this parliament.

Also, in a couple of months the New South Wales parliament will report on its findings into the effects of decriminalisation of prostitution in New South Wales. I ask the chamber: if that is the case, why are we rushing this through? Why are we not waiting to see what happens with that report? There are lots of allegations that decriminalisation of prostitution in New South Wales has not been anything other than an abject failure I will wait, like others, to see the report, but the parliament has decided to investigate because of the problems that have occurred as result of this.

My key point, or question, to my colleagues tonight is: given what we are facing at the moment—which is the highest unemployment in Australia, a manufacturing exodus from the state, youth unemployment as a real concern, high debt and an economy that needs some very careful and strategic bipartisan support to grow at the moment—why are we putting so much energy and effort into this to push it through right now? No-one has given me an answer. Perhaps the author could give me the answer to that tonight.

Finally, I say again that some people have absolutely set views, and some would say that I have absolutely set views. I do have absolutely set views, but what I have also done, over a very long period of time, is my homework, and my homework says that to decriminalise prostitution will not fix the problem. If we accept that there is prostitution—and we all do, as has been said by quite a few tonight—I cannot understand why we are not focused on trying to help people out of prostitution.

Why are we not focused on putting the resources forward so that the authorities can assist those people who are trapped in that industry—and I would like to meet the women who say they are very happy in there and that they can come in and out when they want to and it will not have an effect as a result—and on putting resources into properly going after the organised syndicates, the pimps and brothel owners, and all the other illegal activity that occurs within that framework?

It will not go away simply with an eight-page decriminalisation bill. I urge members to strongly consider what we are doing here tonight, and to at least hold back on supporting this going any further until we do some real work on options.

The Hon. R.I. LUCAS (20:07): This issue, in terms of the frequency with which it seems to reappear before the parliament, is very similar to the voluntary euthanasia debate. Every year or so the parliament—and generally it appears to be the Legislative Council more so than the House of Assembly—is asked to consider attempts to change the law in relation to this issue.

As many have already outlined, the proponents of the bill are arguing for a model of regulation or model of amendment broadly based, as we understand it, on the laws that currently exist in New South Wales and New Zealand. The member for Ashford, in interviews she did towards the end of last year, was quoted in *The Advertiser* as summarising her bill in the following words.

> She said the new bill will decriminalise all forms of sex work, including at home, in brothels, through escort services and street work.

When asked questions about the lack of recommended controls in terms of street workers, in particular, the member for Ashford said:

> I can understand why people don't like people operating from the street…but you can't only decriminalise part of the industry.

She then went on to further outline other aspects of the legislation.

When the member for Ashford introduced legislation virtually identical to the one we are being asked to consider this evening—again, late last year—the member outlined in detail the provisions of the legislation, and then quoted Catherine Healy from the New Zealand Prostitutes Collective and Scarlet Alliance in support of the direction of the legislation we are being asked to consider. Let me read that particular quote:

A decriminalised framework removes police as regulators of the sex industry, repeals criminal laws specific to the sex industry, regulates sex industry businesses through standard business, planning and industrial codes, and does not single out sex workers for specific legislation.

Favourable experience of decriminalisation in New Zealand and New South Wales demonstrates that decriminalisation supports sex workers' self-determination, maximises compliance, increases transparency, reduces police corruption and minimises discrimination.

Broadly, the proponents of the legislation have made similar claims during both the public debate and the parliamentary debate stages about this particular model for regulating the prostitution industry.

At this stage, I want to place on the record another very strong supporter of deregulating prostitution in South Australia and that is the current member for Colton, Mr Caica. Let me quote his very strong support for legislation of this type because I think that his constituents in the western suburbs will be interested to know the member for Colton's (their local member) attitude towards deregulating prostitution in the suburbs that constitute the electorate of Colton. This was only at the end of last year. Mr Caica, the member for Colton, said:

I rise in support of the member for Ashford's Statutes Amendment (Decriminalisation of Sex Work) Bill which seeks to enhance the working terms and conditions and subsequent standing in the community by recognising that this work should be afforded the protection that most of us in the community enjoy in our daily working lives. I commend the member for Ashford for again bringing this bill to the house.

Further on the member for Colton says:

Through decriminalisation, laws that prohibit, criminalise or restrict the act of prostitution are repealed so that sex work is seen as being equivalent to all other work; that is, we recognise that sex work has been and continues to be an inevitable part of our society. The objectives of specific regulation are to minimise harm to those involved in the industry.

It is time that the sex industry is recognised. I would say it is well past the time here in South Australia for sex industry workers and the sex industry to be recognised as a legitimate business and, as such, come under conventional employment and health regulations and be subject to standard local council business. Those involved in the industry will thereby have the same rights and responsibilities as other workers.

I put the member for Colton's passionate support for repealing laws on the public record because, as I said, I think it is important that his constituents are aware of his particular attitudes and views. In the contribution I want to make this evening I want to raise, as some other members have raised, the interests of local communities in terms of this particular debate, that is, those who might be impacted in some way by a proliferation of prostitution or the sex work industry here in South Australia.

The member for Colton and others are talking about those who work within the industry, and of course they have a genuine involvement and interest and stake in this issue, but there seems to be no consideration from the member for Colton and others about the communities, the people who live in the houses nearby where this industry might proliferate, the communities that might be impacted in many ways by the legislative changes that we are being asked to support in South Australia. Someone needs to speak up on behalf of his constituents because, clearly, in his contributions and his approach, in my view, he is not speaking up on behalf of the majority of constituents within his community.

In putting on the record the quote that the member for Ashford had from Catherine Healy, the New Zealand Prostitutes' Collective and Scarlet Alliance, about the potential impact of these proposed changes, I suspect that the proponents of the legislation are looking at the impacts through rose-coloured glasses or perhaps scarlet-coloured glasses when they look at the evidence of what has occurred in New South Wales and New Zealand.

I want to refer to a paper produced by the parliamentary library, which was available to all members, on the various models of regulation of prostitution, entitled 'Different approaches to prostitution regulation: a comparative analysis', which was done back when the last broad-based attempt to change the laws in South Australia was made in 2012. To be fair, they look at a whole range of different models and, again, to be fair they quote Barbara Sullivan—I am not quite sure who Barbara Sullivan is—in relation to positive aspects Barbara Sullivan saw in relation to some of the changes that occurred in New South Wales and as it compared with Queensland. On page 7 of that paper, the library research paper states:

> However, despite the decriminalisation of the sex industry in NSW, there is still a rampant illegal industry. For example, in 2007, the Adult Business Association NSW reported that there were 775 illegal brothels operating in New South Wales. This revelation prompted a change in the law to allow local courts 'to order that gas and water supplies be cut off' so that councils could shut down these illegal brothels. The continued existence of an unregulated industry ensures that crime and corruption is still present in the sex industry in NSW.

Further on, the paper states:

> There are also newspaper reports that sex workers are being regularly pressed to perform unsafe sex acts due to the lack of safe-sex regulations (such as mandatory use of condoms) in the Act.

The reason I quote from the parliamentary research report and other areas is that, as I said, in my view and in the view of some in the community, the claimed benefits that proponents of this legislation believe will be achieved have not been achieved in New South Wales and in New Zealand, and in fact an objective consideration of the evidence indicates that in a number of areas they have created even further problems for communities in particular as a result of the legislative change that has been introduced. I think as other members have indicated, there is a review or an inquiry being conducted in New South Wales by the appropriate minister and other members in New South Wales at the moment as a result of the concerns that have been raised in the New South Wales jurisdiction.

There have been many concerns raised in this particular debate and they have been highlighted by the Hon. Mr Hood and the Hon. Tung Ngo and others, and I clearly will not repeat all the concerns that the Hon. Mr Hood raised in his contribution. But there are a handful I do want to put on the record, even though they have been mentioned by the Hon. Mr Hood and the Hon. Mr Ngo in part at least.

The first one is in relation to the provisions in this legislation which seek to amend the spent convictions legislation. In the summary of the clauses, there is an amendment of the Spent Convictions Act 2009. This clause inserts a new section 16A into the Spent Convictions Act 2009. The new section provides that convictions for prescribed sex work offences which are listed in new section 16A(2) are taken to be spent for the purposes of that act as soon as the new section commences. Looking at the actual provisions in the bill that we have before us, new clause 18 provides:

> Certain convictions in relation to sex work taken to be spent
>
> (1) Despite any other provision of this Act, a conviction of a person for a prescribed sex work offence will be taken to be spent on the commencement of this section (including, to avoid doubt, a conviction occurring after the commencement of this section).

Subclause (2) defines prescribed sex work offences and looks at various offences outlined under section 270(1)(b) of the Criminal Law Consolidation Act: an offence against section 21 of the Summary Offences Act, offences against sections 25, 25A and 26 or part 6 of the Summary Offences Act, and a common law offence relating to prostitution.

For all of those, the proposed bill before us is in essence saying that, if there are offences that have been committed at any stage prior to the commencement of this particular legislation, then they will be spent convictions; that is, they will be wiped from the record. When you look at some of those particular offences, which are obviously quite serious in terms of not only operating as a prostitute but also, in essence, if you are a brothel owner and you are living off the proceeds of prostitution, it would appear that those offences under this particular legislation are going to be treated as spent convictions.

We are being asked to support legislation which is essentially saying that someone who has been a prostitute or someone who has been living off the proceeds of prostitution (a brothel owner or an owner of a series of brothels, for example) who has been convicted of that, when this legislation is passed, that will be obliterated from their record. Of course, that means that those people can present themselves for employment at a school, at a childcare centre or at any place of employment and validly present a record that indicates that they have no record in relation to either working in the prostitution industry for 30 years or living off the proceeds of prostitution for 30 years, or whatever it might happen to be. They will be able to present and validly say, evidently, that they do not have any record in relation to that.

Given the serious nature of child protection controversies, discussions and debate over the last two or three years in South Australia, if that is to be the import of this particular piece of legislation, that we are going to accept people with a particular background being able to work with children in childcare centres or schools, or in any other sporting and recreational pursuit where children happen to congregate, and say that that is fine, there is no problem in relation to child protection issues, then in my humble view there will be a lot of people in the communities, such as the communities I talked about in the electorate of Colton, and communities broadly, that would say, 'Well, I don't like that. I don't think that's a good law. I've got some concerns about that. Why wasn't that explained to me by somebody prior to this particular debate?' I think these are the sorts of issues that need to be teased out and considered; that is, there needs to be discussion and consideration of the potential implications of the change in law.

It is a complex area. Whilst I did not agree with everything the Hon. Mr Brokenshire outlined in his contribution, the point upon which we share agreement is that this is a complicated area. I think he outlined the attempts of the former Liberal government to look at various options because it was so complicated at the time. Whilst I was not an active participant in the early stages of that, as only one member of the chamber I obviously had to address all of the bills that were being presented; but it is a complicated area of the law. It is not black and white, and I accept that. People of genuine intent can hold genuinely strong views completely and diametrically opposed to each other.

All I argue, and I am sure many others will argue, is that before we lock ourselves into something let's at least understand what it is that we do, and it may well be that we accept that. I am sure there will be some who argue that there is nothing wrong with having spent 30 years living off the proceeds of prostitution or having engaged as a prostitute for 30 years.

I have seen some documentation from various scarlet alliances arguing that there are no concerns in relation to child protection from moving from one industry through to the other industry. That does not appear to be the general direction our whole child protection debate has been going in the last two to three years in terms of who should be working with children in particular, but people can hold a different view to that and can challenge whatever the current expectations might be. That is one area that I think merits closer consideration in terms of the full impact of the changes.

The second broad area that has been canvassed by a number of members, is this area of no restrictions on where, for example, soliciting and street prostitution can occur, no restrictions at all in relation to the location of brothels. Various previous attempts at regulating have placed boundaries of 100 metres, or 200 metres, or something, away from a childcare centre or a school. Others have raised issues about churches and other places where children might congregate. This particular piece of legislation is essentially saying, 'Look, treat this industry the same as anyone else'—if you can have a retail electrical outlet right next door to a school, you should be able to have a brothel right next door to a school. Essentially, it is going to be left to planning decisions made by councils.

With the greatest respect to our friends in local government, the variety of views that we will see in South Australia in relation to planning, as it relates to prostitution, I suspect will go right across the spectrum from being hard-line opposed to hard-line supporting in terms of the proponents of this particular legislation to say it should be treated as any other industry, and if it is good enough to have an electrical outlet next to a school, well, then, it is good enough to have a brothel next to a school as well.

Those issues have certainly been raised by others and also the issue as it relates to residential areas. I think in some of the communities within the electorate of Colton and many other areas there will be concern that they will be subject to this legislation and then planning decisions taken by the local council in relation to the location of legalised brothels, in essence, or decriminalised prostitution within their local communities with all the inherent problems that other members have highlighted about controlling any illegal or unlawful or noncomplying (the preferred term as I understand from supporters of the legislation) brothels operating in residential areas.

In relation to the local government opposition, the Hon. Mr Ngo and the Hon. Mr Brokenshire have highlighted some of the recent decisions that have been taken by a couple of our more prominent councils. All of us received a letter from the City of Tea Tree Gully and that has been read

onto the record by the Hon. Mr Brokenshire, so I will not do that again. I have also been advised, as has the Hon. Mr Brokenshire, in relation to the Port Adelaide Enfield council. Again, the information provided to me—and it has only just been passed on—is that they voted 15:1 to oppose the legislation. The Tea Tree Gully council voted 10-1 to oppose the legislation.

I am not sure why on this particular Monday two big councils considered the issue and others have not, whether the LGA has asked them or whether this was self-generating by councillors within those councils. I have no knowledge or background as to why those particular councils raised the issue and others have not yet, but I think there will be, now that this debate has commenced, other councils that will want to express a view to members of parliament as well prior to us signing off on any legislation which might impact on those particular council areas. It would be useful for members of parliament to be aware of those particular views from local government prior to any final decision in relation to these issues.

In terms of looking at the impact on local government, I think all of us were probably sent a copy of an article written by Marie Sansom on 3 September this year. *Crime, Health & Social Services, Law, Local* I think is the name of the journal. The title of the article is 'Policing sex work a nightmare: NSW councils'. I quote from that article:

> Council officers are spending a disproportionate amount of time and money busting dodgy massage parlours and responding to complaints about sex workers operating out of motels, Airbnb properties and tourist accommodation, NSW councils have told a parliamentary inquiry…
>
> The biggest headache for metropolitan councils is dealing with massage parlours providing illegal sex services. Many councils complained that the burden of proof required to shut down a massage parlour operating illegally was too high and that cessation and closure orders were costly and time consuming to obtain.
>
> As well, they noted that massage parlours could be established in existing premises as an exempt or complying development, without councils knowing their real business.

I think this paragraph has been referred to by other members:

> Hornsby Council lost a bitter, year-long, legal battle to shut down a massage parlour it said was operating as an illegal brothel at a March 2015 Land and Environment Court (LEC) hearing. This judgement has reinforced to councils that trying to close down these illegal establishments may not be worth the hassle.
>
> During its investigation, Hornsby Council paid a private investigator to visit a massage parlour, which was near a primary tutorial centre and a high school, and have sex with a prostitute but the judge was not satisfied there was enough proof the premises was being used as a brothel because the investigator only had sex with one prostitute.

The article goes on in some great detail and then states:

> No wonder Hornsby Council spent more than $100,000 to try and shut down a massage parlour and failed.

Further on, there is reference to:

> Willoughby City Council on Sydney's north shore has served 41 Brothel Closure Orders on 34 separate premises since May 2009 and fought five LEC [Land Environment Court] cases. The council estimated that each LEC case took around six months to investigate and cost $20,000 in legal expenses.

There are a number of other examples in that article of councils battling to close down illegal, unlawful or noncomplying brothels or massage parlours operating in those particular council areas.

All of those submissions raise the essential problem of the inability or the lack of power of councils and council officers to actually do something other than, I think as other members have highlighted, in relation to planning-related issues.

The Hon. Mr Hood referred in his contribution to the New Zealand experience on this particular issue, and let me quote it:

> What is extremely important to remember is that the police asked the New Zealand Prostitution Law Review Committee to review their right of entry into the premises, as monitoring underage prosecution and other policing matters were extremely difficult under the model presented—similar to the model presented here. They noted they had no right of entry into brothels, as this bill affords as well, nor could they ask for age identification papers for those whom they suspected were underage. If for no other reason, we should take note of what has come out of New Zealand and not remove the police from monitoring this industry. Police should have a right of entry at the very least.

That is the end of the quote from the Hon. Mr Hood's contribution to this bill. What it highlights is what a number of people have highlighted and that is that local government is restricted in terms of

what powers it has. It certainly does not have the same powers that the police have in terms of entering premises or getting information or gathering evidence, or whatever it is. Clearly, if, as in the New South Wales case, you are having to resort to paying private investigators to have sex with prostitutes to try to get enough evidence to close them down, there is something seriously wrong with the regulatory model in terms of how it operates.

Again, if there is time, there needs to be some sort of consideration of, if local government is going to be ultimately the policing body, and I use that phrase advisedly, how on earth they get the power and the resources to be able to police a whole new and complex issue such as this. There is an ongoing debate between state and local government about state governments handing over powers and responsibilities to local government without handing over the resources commensurate with those additional tasks, and that will be an issue if this legislation is passed.

The next issue is the issue, as some members have raised, in relation to advertising. This bill proposes to remove section 25A of the Summary Offences Act, which provides:

> (1) A person must not engage in procurement for prostitution…
>
> (2) A person engages in procurement for prostitution if the person—
>
> (a) procures another to become a prostitute; or
>
> (b) publishes an advertisement to the effect that the person (or some other person) is willing to employ or engage a prostitute; or
>
> (c) approaches another person with a view to persuading the other person to accept employment or an engagement as a prostitute.
>
> (3) In this section—
>
> advertisement includes a notice exhibited in, or so that it is visible from, a public place.

This bill is removing that provision, and opponents of the proposed bill are arguing—and, on the surface of it, there would appear to be at least some justification—that this opens the door, particularly, I guess, if we are saying through this legislation that this is a legal industry and no different from any other industry so why should it not be able to advertise itself in exactly the same way as every other industry does?

The Hon. Mr Hood raised issues about billboards and leaflets being handed out, but I guess there are interesting issues in relation to advertising across the internet and through social media, and there are federal laws that are obviously involved here as well relating to radio and television. I do not profess to have done the work to know whether or not there are restrictions in commonwealth laws that would prevent that and what the laws are in relation to social media and internet advertising, for example, that many young people and others would see but, clearly, there are issues like billboards and handing out leaflets, etc., and, I guess, advertising on public transport shelters and maybe even trains. Trams may well be able to carry government-accepted advertisements on their sides, as we see currently these days. Again, the issue of advertising is an issue that will need to be resolved, in my view, prior to the parliament agreeing to the legislation.

The final area I raise, which was hinted at by the Hon. Mr Dawkins and I think the Hon. Mr Hood and others, is this difficult and complex area of workers compensation and the new return-to-work legislation as it relates to work health and safety laws. Those who endured the tortuous debates in relation to work health and safety legislation will remember that a whole new legal concept of a PCBU was introduced—a person conducting a business or undertaking. The interesting question is: who is the PCBU in the context of the brothel industry or the brothel business if this legislation passes?

The issue of the contract for services has been raised by other members. Who are, under the terms of that legislation, officers in terms of responsibility for work health and safety practices within the industry? Again, if, as it would appear likely, it gets to a select committee, SafeWork SA and ReturnToWorkSA ought to be asked to give evidence in relation to some of these issues to see whether not something might need to be clarified as to who has responsibility for whom and who can be held responsible, and therefore are able to be prosecuted, under the terms of the onerous provisions of the work health and safety legislation. That will be an issue that, if this legislation

passes, I guess ultimately a court of law will have to determine—who is responsible and who is able to be prosecuted as a result of it.

Let me conclude by saying that I will oppose the second reading and I will oppose the third reading. My understanding is that there is a reasonable prospect that the second reading will pass because there are some members who, whilst they are more likely than not to vote against the legislation, ultimately, if it was to be voted on today are prepared to support the second reading and to support a select committee to investigate some of these issues.

I want to flag at this stage that some of the members I have heard speak along those lines, both privately and on the record, have indicated they wanted to look at not just this model but various other models. In having a quick look at the contingent notice of motion the Hon. Mr Wade is going to move, it simply refers just this bill to a select committee.

I will flag at this stage that between now and whenever that motion is moved I might have drafted an amendment which will actually allow the select committee to consider this particular bill and something like any other related matter or other proposed models of regulation of the prostitution industry in South Australia, which would allow, for example, the consideration of the various other models that have been flagged in this house.

It would seem that if it was just, as a select committee, to consider this particular model, then it may well be that that is too restrictive for some members in terms of what they would hope to achieve from a reference to a select committee. I think it would be almost impossible anyway in practice, that when people come before the select committee they are likely to give evidence that says, 'We don't like this model; we think the legalisation model or the Nordic model, or whatever other model it is, is the best one.' I doubt very much whether the select committee would rule them out of order. It is within the prerogative of the select committee to do that if it so chose.

I just thought I would flag at this stage, anyway, that between now and when that motion is moved members might need to consider an amendment which is moved to the Hon. Mr Wade's motion. I understand that it may well be that the Hon. Mr Wade is moving his motion in a different form to the one previously outlined so members will need to be aware that it might be in a slightly different form to the Hon. Mr Wade's and that will need to be outlined and, as I said, possibly an amendment from me as well.

The Hon. S.G. WADE (20:44): I rise to support the second reading of the bill. In doing so I am restating the position I put down in this council on 14 November 2012 in relation to another bill proposing to reform prostitution law. This bill is a conscience vote for both the Liberal Party and the Labor Party and, I presume, for other parties. I have had growing concerns with the way that conscience vote matters are managed by this council. First, I have concerns about the scrutiny of conscience vote matters before they reach the council floor. My party, the Liberal Party, affirms the right of every member of the party to vote according to their conscience on any issue before the parliament, even when the party has come to a contrary collective position.

However, when a bill is deemed by the party to be a conscience bill, the party not only steps back from forming a collective view but the matter is not subjected to the normal scrutiny afforded to bills by shadow ministers, party committees or the party room itself. Shadow ministers or other members of the party may provide information to members of the Liberal Party room to assist them in their individual consideration of the issues but this is not always the case.

If conscience votes are private members' bills, as they often are and as this one is, the bills have not gone through the cabinet process, including consultation with government agencies. I argue that conscience vote matters accordingly generally receive less scrutiny than other bills and motions. While individual members tend to be diligent in preparing for and considering conscience votes, in net terms the scrutiny is less.

Secondly, I am concerned that conscience votes go through the council without being subjected to the normal coordination mechanisms which protect timely consideration and fairness in the parliamentary process. In conscience votes the party whips do not coordinate the debate as they do with other bills and motions. As a result, bills and motions are more likely to progress without regard to the conventions and practices, such as whether all members who wish to speak have

spoken, whether an amendment has been laid on the table for long enough for due consideration, and whether members are ready and available for a vote.

I was very disturbed at the way that a recent private member's bill was handled. The council did not adjourn for dinner in the normal way and kept sitting until a key vote was taken at 6.40pm. I am concerned that three members of this council who I understood opposed the bill had dinner commitments and missed a vote which they had no reason to anticipate would have been taken during what should have been the dinner break. I do not know if there was a deliberate attempt to exclude members, but that was the effect.

I am also concerned about late amendments. If an amendment is filed in relation to a bill which is the subject of a party vote, members and parties can seek the deferral of a matter until the amendment can be considered by their party room. However, with a private member's bill the sponsors of the bill will usually be eager to progress to a vote that they have notified. I am concerned that corners tend to be cut and amendments not given due consideration. In my view, the use of select committees to give consideration to significant reforms proposed through private members' bills is one way to address some of the issues that arise with conscience votes brought forward by those bills.

I will move a contingent motion to achieve that outcome in relation to this bill. The select committee can take evidence on a bill from stakeholders, including public sector agencies such as the police. If there are alternative models of reform, alternative bills could be referred to the committee. I note that Family First is looking at the Nordic model of prostitution regulation and I hope that the committee and the parliament will have that option put forward so that we can test what the best option is for our state. At this stage there are no other models on the table.

The Hon. Robert Lucas is certainly correct; my understanding is that my motion would constrain the committee to a certain extent to look at the current bill, but I am yet to be persuaded by his alternative by adding any other relevant matter. I think it is unreasonable for the proponents of the decriminalised model to have gone to the effort, if you like. They have shown enough confidence in their model to allow it to be turned into legislation and put before this parliament and allow proponents of other models to merely be able to put forward an idea. Every model will rise or fail by the detail, not by the general principle.

I would certainly hope that proponents of the Nordic model would go to the effort on turning their idea into legislation. I have already discussed with the Clerk and my understanding is that my proposal for a select committee would fully entitle the council to refer any subsequent bill to that committee by way of instruction. That is the approach I would prefer. I will not be supporting any attempt to add any other relevant matter. If people do not have the confidence in their proposals to test them in the floor of the parliament, I do not think they should use a vague idea as a distraction from what is being put forward as a serious reform.

The option of a select committee beyond the models can also give the committee an opportunity to consider possible amendments. This addresses my concern about late amendments. If the council is attracted to the option of a select committee, I would make it clear to any future movers of amendments that I would be very sceptical of amendments which are brought forward to this council which have not been flagged to the select committee.

As I said, I am very concerned about the way this council is at risk of not being able to effectively discharge its legislative duty through private members' bills that are not properly considered. So, for those reasons, it is my view that this is a bill that would benefit from select committee consideration. Personally, I would make it clear that I accept that the current prostitution laws need reform. I understand from advice given by police in the past that the policing of brothel-based prostitution is problematic in South Australia due to the current legislation and precedent set by Australian courts.

I am not aware of any recent events that have removed those problems. The question is whether this bill would be better than the current law and whether another model may be better than both. A select committee could address these issues. I seek the support of the council for a select committee on the bill. I have had indications from seven members that they would be willing to serve on a select committee if one were to be formed and, as the Hon. Robert Lucas highlighted, I do intend

to move my contingent motion in amended form simply to expand the committee to seven rather than five and to allow for a quorum of three, but I certainly am not attracted to, if you like, an open-ended committee.

I urge members to support the second reading to allow this model and any other models to be properly explored, and I would hope this council would see the value of my proposal that a select committee be formed to consider the bill.

The Hon. D.W. RIDGWAY (Leader of the Opposition) (20:53): I rise obviously to speak to the bill before us this evening, proposed by my colleague the Hon. Michelle Lensink. It is always somewhat convenient when you are the last speaker on the list of a very long list—

The Hon. J.S.L. Dawkins: You're not the last; there are a couple more.

The Hon. D.W. RIDGWAY: Okay, well on the list I have I am the last, and of course contributions were made in previous weeks, and nearly all the issues that I wanted to cover have been covered. I will indicate very early in my very brief contribution that I will be supporting the second reading of this bill but only on the basis that I support my colleague the Hon. Stephen Wade's proposal for a select committee. If it was forced to a vote this evening on the third reading, I can indicate I would not be supporting the bill.

I think when we look at the issue, and I recall my very good friends in this place when I was first elected, the Hon. Caroline Schaefer and the Hon. Angus Redford, but especially the Hon. Angus Redford, and the view that any private member who proposes a bill deserves the right to have a full and thorough examination of that bill. Even the Hon. Angus Redford said that, even on a bill he would never support, he was always happy to support it at the second reading stage just so it could have that examination.

Of course, I am reminded that it was some 20-odd years ago, I think, as the Hon. Robert Brokenshire indicated, when he was police minister, and the Hon. Robert Lucas referred to that. There were a number of models proposed, and it is my recollection that it was either a select committee or a referral to the Social Development Committee that had quite a significant look at this particular issue. It may have been a select committee.

I keep referring to former colleagues, although the Hon. Legh Davis was not a colleague, he preceded me. I inherited his office, and he left behind what he called his 'prostitution file'. It was not actually a file on prostitution but all of the evidence and material that was gathered through that select committee process and that is still, I believe, in storage. It is not easy to access in my office but it is somewhere in storage on the second floor.

I think it is 20-odd years since this parliament, through a committee process, has had a look at this issue, and I actually support the broadening of the select committee. We have a model before us, but other members have proposed other models and there has been a whole wide range of views about what the right model is for this activity. In some senses, people would describe it as an industry, legal or illegal; nonetheless, it is an activity that takes place in our community.

Members should look at some of the discussion that has occurred and some of the comments. My colleague the Hon. Robert Lucas talked about what has happened in New South Wales, and now we have some 730, I think it is, illegal brothels in New South Wales. Clearly, if that is the model that we are to adopt, there is a large level of illegality going on and illegal behaviour in New South Wales.

I recall many years ago talking to a real estate agent who was concerned about activities and thought it needed to be better regulated and better policed because people would rent a property from him and provide sex worker services. There were drugs involved, there was extortion, there were bikies, there was damage to the property and, in the end, the landlord was left with the damages.

We have an opportunity to look at this particular issue in much more detail, but I am also concerned that, if we look at the models that have a much greater role for police and a much more strictly controlled environment, I am reminded of the drugs summit that premier Rann had in 2002. We were going to have a new approach to community welfare, community safety and protecting our children from drugs.

I am really saddened that, on advice I received the other day, 2.2 per cent of our state's population, some 35,000 people, will try ice in the next 12 months, yet we had a drugs summit from a premier 13 years ago that said we were going to protect the community and find a decent way forward. Clearly, our police and our system fails the society on drugs today and so, given the track record of what has happened with drugs, we have no hope if we are going to expect to have a much more strictly policed model around prostitution.

Interestingly, when Isobel Redmond was leader of our party, we had a number of community safety forums. We had one in the north-west of the city, and there was some discussion about prostitution. A police officer who attended that forum came up to me afterwards and said, 'At least we don't have any child prostitution out here.' We have got rid of that, but we are still accepting of the level of prostitution that was being undertaken out in that part of the world.

I think the Hon. Robert Lucas made the point that there are different models and there is no simple black or white view of what is the correct way to go. We all know it is an activity or an industry that has been around since civilisation, so it is about trying to work out how we can best manage it.

The Hon. Stephen Wade's view is to refer this bill to a select committee. As I said, I actually think it is an opportunity for this chamber to establish a select committee that should canvass all the possible options and not be constrained with just this bill. It is probably once every 20 years that we get a chance to look at it. I will be supporting, as I said, the second reading for the purpose of exploring all of the options.

If the Hon. Robert Lucas moves an amendment to the Hon. Stephen Wade's select committee, I will be supporting it, and I would encourage, as the Hon. Stephen Wade said, if there are others who have different models, to bring them to the table for the select committee. I do not believe the select committee should be constrained in where it travels or what it looks at.

I guess my colleague the Hon. Michelle Lensink would say there is a degree of urgency and we need to deal with this issue, but it is a practice, an activity or an industry that has been happening since the beginning of civilisation, so I do not think we actually have to rush. We need to have a look at all the issues and try to come up with some sort of model, if that is possible, that provides a level of protection and comfort for all aspects of our community and not just one at the expense of the others. With those few words, I indicate I will be supporting the second reading and probably the select committee.

The Hon. T.A. FRANKS (21:00): I rise on behalf of the Greens to speak to this bill, the Statutes Amendment (Decriminalisation of Sex Work) Bill, introduced by the Hon. Michelle Lensink into this place. As has been noted before, it reflects a bill brought into the other place by the member for Ashford (Hon. Steph Key) prior to the most recent prorogation of our parliament. The difference between that bill and previous bills, I believe, is that this bill before us and that last bill introduced by the member for Ashford actually has the support of sex workers in this state. There are indeed some 2,000 or so sex workers in this state who are probably pretty interested in what we have to say. They are not going anywhere. They are not going away.

This is an industry that has existed for a very long time and, while people have a whole variety of moral interpretations of sex work, the issue will remain. We have not had law reform in this state on this issue for some decades, I think to our shame, because we have seen this always as too difficult and there have been too many options. I think we have a bill here before us that, as I say, is supported by Scarlet Alliance, the Sex Industry Network and SWAGGERR, let alone supported by the YWCA, the Working Women's Centre, Business and Professional Women, Zonta International and other groups that have indicated their support for this decriminalisation model and specifically this bill.

More broadly than that, we have seen quite a groundbreaking announcement last month by Amnesty International, which has recommended and which will further their policy to support a policy that supports the full decriminalisation of sex work as a way forward to protect human rights and to protect women's rights. In that work that they have done, which was quite extensive, I note that they have rejected what has been referred to here as variously the Swedish model or the Nordic model.

I draw members' attention to the policy passed at the Amnesty International Dublin International Council meeting of 11 August 2015, which is outlined and headed 'Policy on state obligations to respect, protect and fulfil the human rights of sex workers (International Board)'. I think that is what this parliament should be charged to do: to respect, protect and fulfil the human rights of sex workers here tonight. We can do that with this bill. We can do that by listening to sex workers themselves and by having a reality check regarding our moral position.

I certainly would place on record that the transaction of sexual activity or favours for money is not something that I think should be a crime, but I understand that there are members of this place who believe that it should be a crime. Regardless of our opinions one way or another on that, we should be listening to those in the industry themselves, women's leadership groups and Amnesty International, a leading human rights body that has put a lot of work and a lot of time, has done a lot of research and has come up with a recommendation that, in fact, decriminalisation is the model that will support human rights.

I welcome the debate and accept the reality that a select committee will help to ensure that this bill is the best bill that it can be, but I reject calls from unusual sources who never seem to have any interest in talking to sex workers or listening to sex work advocacy groups, yet come here and at the last minute propose countermodels but have no legislation on the table. I would ask them, under their model which criminalises the purchase of sex and purports to support women, whether they will support it when children are taken from sex workers, removed from homes because their parents are engaged in sex work—which is what has happened under the Nordic model overseas.

I ask them to answer my question: if I am propositioned on a street and asked if I am selling sex (which has happened in my lifetime), do I have the right to charge that carload of men who shouted that at me? Will that be the case under the legislation that those opposed to this bill are putting forward? It is a question I would like to see answered, because if they are proposing to criminalise a man, in particular (although it could be a woman), propositioning someone, offering them payment for sex, then they need to police every nightclub in this state every Friday and Saturday night. I think they will be rounding up a lot of people and I think that will be very much against the culture of this state.

The bill before us has been well researched and is supported by the groups I noted before. It safeguards the human rights of sex workers, it protects sex workers from exploitation, it promotes their welfare and safety and health, and it creates an environment that will be conducive to public health. I will not labour the point too much tonight because we are going to have a lot of time to have this discussion in the select committee, should that get up, but I certainly have many things I would like to put on record which I believe have been raised as Trojan horses in this debate.

I point out that sex in a public place will still remain illegal. Sex with a child, who is not consenting or who purports to be a sex worker, will still remain illegal. Being a public nuisance, loitering, will still remain illegal. Of course, most serious of all, trafficking and sexual servitude will still remain illegal. They do not actually have to be addressed in this bill before us because they are illegal and they will remain illegal. This bill does not make any of those acts somehow legal.

I also point to those who raise the Equal Opportunity Act and raise concerns that sex workers might have to be treated favourably, particularly by religious schools and organisations, that those schools and organisations would not be able to discriminate against those people who are either current sex workers or previous sex workers. I point out that in this state we have already ensured that religious schools are able to discriminate against people on the basis of their sexuality. They are able to sack them for no other reason than their sexuality, and that is under the current Equal Opportunity Act. So I am pretty sure that this parliament will protect those particular institutions in this case, should this bill become law.

Most grievous of all, those religious schools are, in fact, able to hire staff without telling them that they will discriminate on the basis of their sexuality and then, of course, dismiss them for no reason other than their sexual preference. I find that grievous indeed, but I am yet to see people in this place clamouring to change that one in the name of justice and human rights.

I believe many of the contributions made by the Hon. Dennis Hood were spurious, and I asked the New Zealand Prostitutes' Collective to provide me with some feedback that I will now share with members. In the second reading contribution, Hon. Dennis Hood stated:

> Of course, some may argue that decriminalisation will not affect the comfort and quiet enjoyment of one's home; however, this has not been the case in places such as New South Wales and New Zealand, both of which have decriminalised models of prostitution similar to what this bill seeks to enact.

The New Zealand Prostitutes' Collective points out the vast majority of brothels, including home-based brothels, which allow for one or two sex workers to operate from and govern their own sex work, have quietly coexisted in central business, industrial and residential areas and have not created controversy. As any council in New Zealand would confirm, the number of complaints have been extremely low, if at all.

The Hon. Dennis Hood went on to say:

> In New Zealand, several councils have had to actually take steps towards combating the social change due to street-based prostitution.

The New Zealand Prostitutes' Collective points out that recently 109 out of 120 MPs voted against zoning for street-based sex work. There were comments in that debate at the time that this debate had been going on for 10 years, that it had wasted parliament's time for 10 years and that councils already had enough legislation to deal with the issues raised and did not need further legislation.

I point members to the fact that we are about to undergo planning reform in this state that will remove some of the onerous burden from councils to deal with these issues, should it be passed by this parliament. I also note that New South Wales has developed quite extensive protocols and policies to support councils in going about what is, indeed, their business of ensuring that all businesses, regardless of their nature, have to be approved appropriately and that you abide by planning laws and good practice. The Hon. Dennis Hood stated in his contribution:

> Manukau City Council has noted in the New Zealand Ministry of Justice report on the review of street-based prostitution in Manukau City in 2009:
>
> 'Reported significant issues. Having to install and monitor CCTV cameras in trouble areas. Implement crime prevention guidelines and increase street lighting and cleaning.'

He went on to say:

> After reviewing these measures, the council reported having to increase the number of public rubbish bins, having to keep public toilets open 24 hours a day, having to further increase lighting and to make available disposable needle kits. Notably, the council reports that their environmental cleaning contractors had to attend to waste up to three times per day in the areas that street prostitution is most prevalent.
>
> Of course, these increased services will come at a hefty increase in rates for the ordinary ratepayers of the area. South Australians already feel a significant tax burden.

In contrast to this, the New Zealand Prostitutes' Collective pointed out that the 2009 Ministry of Justice report noted deficiencies in the local council's infrastructure, that there was no evidence that the rubbish was caused by only sex workers and the recommendations regarding bins, CCTV cameras, etc., were actually made to enhance the safety of all residents, including those leaving from bars in the area. The Ministry of Justice also found that it was not just sex workers at fault, and to quote them:

> It is clear that the actions of both the PROS group in Hunters Corner, and the local sex workers, have inflamed tension. Mediation to resolve tension should be undertaken immediately. There is a collective onus on all parties to act differently (and more cooperatively) because the current problems cannot be addressed unless the parties can work together.

So, like any industry, there will be tensions but they will be mediated and resolved. During the select committee process on the 2010 bill, the select committee found that council had made little attempt to follow the Ministry of Justice recommendations, and that was in a statement by the chair of the committee to council representatives. Most of the city councils in New Zealand are installing and monitoring CCTV throughout city centres, and that was already underway in Manukau City prior to the 2004 bill.

Most city councils also have public toilets open 24 hours. Indeed, Auckland council does have public toilets open 24 hours. It is also pointed out that sex workers are also ratepayers, either through their rates bill or through the rent they pay. There were pubs and clubs in the vicinity and much of the noise was actually associated with these venues. It is also noted that property values in Auckland and Manukau have continued to rise.

I note the sky has not fallen in in New Zealand, the sky has not fallen in in New South Wales, the sky will not fall in here. What we will see is an end to behaviours like those on Hanson Road where, to our shame, on the ANZAC Day long weekend of 2010 we saw a Facebook group set up and that Facebook group was dubbed, 'The ANZAC Day long weekend hooker catch and release game.' It had 241 group members. The point of that Facebook group in this state was to taunt and harass street workers in the inner western suburbs of Adelaide.

The game was created and promoted by the founder of another sex worker hate site called 'Hooker spotting on Hanson Road'. That site had almost 1,000 members. These street workers in this time were abused; they had eggs, rocks and beer bottles thrown at them. One member of the game even posted that he claimed he had squirted chilli sauce in the face of a sex worker. They were awarded points and dollar amounts for the acts of violence they claimed to have perpetuated in our western suburbs. Of course, that Facebook page was quite rightly shut down, and I never heard of any prosecutions following. I do know that in that time sex workers reported being badly bruised and hit by marbles thrown from cars, by full beer bottles and also by eggs. I would say that this is a demonstration on why supporting decriminalisation is so important.

We know that sex workers are the most vulnerable in our community because what they do has been criminalised. We know that where people are that vulnerable, they are attractive to groups such as organised criminal groups to take advantage of. We know by shining a light and decriminalising sex work we will see those groups not as interested and not able to infiltrate this activity and not able to make an enormous amount of money.

I am always reminded of the fact that when I went to New Zealand and spoke to sex workers about their experience of decriminalisation, they actually said that they used to make a lot more money before the days of decrim because once you have an industry that is regulated it is not as attractive to the criminal elements, and indeed it was simply a business. Yes, a business where they traded sexual acts but a business like any other that was not as lucrative for criminal elements, therefore the amounts of money that were exchanging hands and the ability to launder money and to exploit and traffic people was less.

I have many more points to make and I am happy to take them up in the select committee should that eventuate should we progress this debate, but the final point I wanted to address is that members have said today, and the Hon. Tung Ngo noted, that you simply have to google to see a lot of this stuff. Well, Google only gets you so far. The Hon. Dennis Hood shared an email with us earlier this week and he pointed us to a range of articles which are easily accessible via Google. One of them was that a German woman faces cuts to her unemployment benefits for refusing a job in prostitution after prostitution was legalised.

My colleague the Hon. Mark Parnell did not just google, he snoped. He went to the Snopes website which, of course, found this story to be false. It is like *Mythbusters* for Google. So, I advise members when they see these stories, and sensational stories about people having sex on your lawn which would be frightening to anyone, that having sex in a public place will continue to be illegal. You will be able to have people charged if they are having sex on your front lawn regardless of the passage of this bill. But I would say that particular Snopes mythbusting story pointed out that this was very much an urban myth online, and I urge members to digest the information that they are presented with in this debate with some caution and not just using Google.

We have an opportunity here to make real reform that will support the human rights of the most vulnerable in our community. We have the opportunity here to change the lives of those who wish to exit an industry that many people have said they do not wish to see continue. I say the reality check is that this industry will continue but, if you want to really support people to exit this industry, then you will support legislation like this and you will support the removal of that criminal element so that when they go for another job they will not have this come up in their police check and they will be able to transition from this industry if that is what you truly support.

With those few words, as I say, with some hesitation I will support the select committee process into the bill because I think it will help members to digest without the sensationalist arguments the real facts and the real implications of this bill. I urge members to pay heed to organisations such as Amnesty International but also the World Health Organisation and the Secretary-General of the United Nations, Ban Ki-moon, and so many other international human rights organisations who have recommended a decriminalisation model.

I commend the Hon. Michelle Lensink for putting this before us. We say that we have all the time in the world to debate this, but the reality is that we are far away from an election now and once we get further into this election cycle even the least cynical of us here will admit that this will not see a full and proper debate. So, I say get on with the select committee, bring back this bill with urgency but with due diligence, and let's actually move forward for human rights in this state.

The Hon. K.L. VINCENT (21:19): I take the floor to speak to the Hon. Michelle Lensink's bill, the Statutes Amendment (Decriminalisation of Sex Work) Bill. Given that it seems to be the will of the chamber to refer this bill to a select committee, despite the fact that I think many of us in this chamber would argue that we have already had several committees inquire into this very issue, I accept that this is the will of the chamber. There are some new members in this place since those committees reported so I accept that this will be referred to a committee and therefore I will not speak at length because I look forward to seeing what the committee comes up with. However, I would like to put a few points on the record.

As has been pointed out, sex work has existed for as long as commerce has, and to somehow assert that decriminalising it now in 2015 will instantly result in an amoral society and the collapse of the institution of marriage, amongst other things, is, I believe, inaccurate. Western countries and states of Australia which have decriminalised sex work have no greater rate of marriage breakdowns or divorce than those in which it remains illegal. As for an amoral society, to me, the signifier of a just, fair and ethical society is one that acknowledges the difference and diversity amongst us and protects those who need protection. What consenting adults choose to do in the privacy of their own homes or other premises, wherever it is legal and safe, is, frankly, of little consequence to me.

That some people in our community may choose to engage the services of a sex worker seems of no more great significance than someone seeking other forms of physical, emotional or psychological support. I am far more concerned about the morality of this country if we remain unmoved or unfeeling in the face of an image of a lifeless body of a young boy on a beach in Europe, a victim of a bloody, senseless struggle that we were lucky enough not to be born in the midst of ourselves. How we respond to millions of refugees seeking refuge somewhere safe, and other major issues, should be the major discussion that we have around the morality of our nation, not one about people of age engaging in a consenting transaction.

I would like to thank the many organisations and individuals who have written to me about this issue. In particular I would like to thank the work of three peer-led industry organisations specifically working to advocate for and on behalf of sex workers: SWAGGERR, sex workers gaining empowerment rights and recognition; SA SIN, the South Australian Sex Industry Network; and the Scarlet Alliance. These organisations have continued to fearlessly and honestly advocate on behalf of workers.

I would like to thank and acknowledge in particular the work of a New South Wales based organisation, Touching Base, an industry that trains sex workers to work with people who have a disability. I hasten to add though, of course, that this is not a huge part of the industry, but to mention it perhaps does highlight the stereotypes that currently exist. I am keen to put this particular issue on the record because I feel that it has been blown out of proportion in the last few years.

Whenever we talk about this issue, despite the fact that I see it as an industrial relations issue and a workers rights issue, I am often asked about the disability angle, if I may call it that, because, of course, how could Kelly Vincent have any view on any issue other than disability? My response is this: the decriminalisation of sex work will have the same implications for people with disabilities as it will for any other population, that is, creating a society in which the diverse needs

and interests of different people are respected and autonomous adults have the right and the freedom to go about living their lives and meeting their needs in the way of their choosing.

I have certainly been contacted by constituents with a disability who may use a sex worker, particularly people who have acquired disabilities—either they have a degenerative disability or maybe acquired a disability through a car accident—who may engage the services of a sex worker to perhaps learn about what is now physically possible for them post accident or post acquisition of the disability.

From my liaising with these constituents, this has not stopped them from going on to other relationships or maintaining other relationships. Therefore, I do not buy into the idea that just because one or two people with disabilities may happen to choose to use the services of sex workers this somehow sends a degrading message about all people with disabilities. I think the true degrading message is telling people with disabilities that we cannot do something just because other people with disabilities are afraid of how it might make them look.

I came into this place to ensure choice and control for people with disabilities in all aspects of their lives, and I will continue to do that. What has not been reported so much in the media, though, in recent years, because it is not so easy to cover in a headline, is the fact that to me the issue of people with disabilities engaging sex workers is a mere drop in the ocean of the actual issues I am concerned about. People who have actually followed my work over the years would know that I am gravely concerned about the broad societal infantilisation of people with disabilities, the denial of freedom of choice, and the denial of basic rights and knowledge that other people in our community take for granted.

A great example of this is the denial of access to sex education in schools. Anecdotally, it would appear to me from my contact with constituents that many people with disabilities miss out on sex education in schools, which other students take for granted, for a variety of reasons. I myself was one of them, because in my school, as I believe is still often is the case, sex education was part of the physical education or PE curriculum in which I did not participate because it was too physically inaccessible to me.

The denial of opportunity to engage in this education is of concern, but what is also of concern to me is that, even when we do get access to this information, when our right to this information is on some level respected, it is still often not presented in a way that may be accessible to us. For example, it may be targeted to an audience with a presumed level of literacy or it may presume a level of prior knowledge, which is not true of everyone. This could be because of a disability or because of other reasons. There are cultural considerations that people do not learn the same things at the same time, for example, so there are very significant considerations.

The crux of the issue is the fact that when we talk about denying people with disabilities the right and the freedom to express ourselves sexually in the manner of our choosing—and that could be choosing no sex; there is as broad a spectrum of sexuality in the disability community as any other—when society denies us these opportunities, this knowledge, this education, I think this is often done under the false pretence that this keeps us safe, that the options are either to keep us uneducated or we are out rampantly engaging in unsafe sex every night of the week. But it is my very unfortunate observation, both personally and through my work, that the opposite is true.

Denying people this education and this freedom to explore experiences that many other people would take for granted as a natural part of their lives does not keep us safe because nothing about denying us that education, knowledge and right will take away our need and desire to enter into these situations, that is, sexual and/or intimate relationships or other friendships, if that is what we desire.

All it does is minimise our ability to negotiate these relationships safely. So I will continue to speak out about the need for a broader discussion around the diversity that exists in the disability community in terms of needs relating to sexuality, and I will continue to make the point that access to sex work is a very small part of that discussion but, nonetheless, a valid one. In any event, I am perhaps getting off the topic just a little.

This evening, a dinner was hosted in Parliament House where representatives from sex worker advocacy organisations came to present some of the issues they are facing, and I am pleased

to say we had a pretty broad representation from a variety of parties who were very interested in engaging with the relevant issues with the people who are most affected by them. They gave us some facts during this briefing. It is certainly not the first time, I am sure, that these will be put on the record, but I would like to do so now. These points have to do with the composition of the sex worker industry in the state of South Australia specifically.

As has been said by previous speakers, about 2,000 sex workers in any one year are working in South Australia, but not all work year-round. About 90 per cent of sex workers are women and about 5 per cent are male and I understand that that percentage is increasing. Of the 2,000 sex workers statewide, there are 16—that is right, 16—who regularly engage in street work and there are 10 brothels. So decriminalising sex work will not mean that suddenly we find a thousand brothels popping up next to every school. Sex workers, like every other form of commerce or business, operate where they can successfully and respectfully conduct business.

As there should be, and has already been mentioned by previous speakers, there are strict international human trafficking laws in relation to all industries in Australia already in place and that is why they are not specifically dealt with in this bill, just the same as the idea of a minor engaged in sex work is not dealt with in this bill because that is already illegal. Sex with a minor is already illegal and therefore does not need to be specifically dealt with again in this bill.

It is my understanding from my research and discussions that there has never been one single conviction under these laws in relation to sex workers being trafficked in this country. Of course, trafficking is a very serious issue and we should have the mechanisms to deal with that and we do. We already have strict international human trafficking laws in relation to all industries in this nation. I hasten to make the point too that decriminalisation does not mean no regulation.

The argument has been made tonight that this will take away all the ability of the police, for example, to investigate brothels or to take any action for the health, safety and wellbeing of sex workers. That is absolutely untrue because laws protecting workers still exist and the police still have the ability to enter into discussions with workers if there is concern about a breach of law, such as any violence or sexual offences, things that are already unlawful under the laws of this nation, and rightly so. The ability for sex workers to seek out the support of police and other mechanisms if they need to will very much still be there.

Additionally, I would note the submissions and views of a number of progressive human rights and women's rights organisations, many of which are staffed by women and advocate fearlessly and independently on behalf of women on a large variety of issues, one of which is sex worker rights. The submissions in support of decriminalisation include those from Amnesty International, Soroptimist International of Australia, YWCA, Zonta, Business and Professional Women and the Working Women's Centre.

I would also note the submission of organisations like FamilyVoice, representing a voice for family, faith and freedom, and of a number of individuals who have contacted my office urging me to vote against this bill. I have certainly read the emails and correspondence and appreciate very much that they have taken time to express to me their views. But, on this issue, I have to disagree with their perspective.

With respect, I would suggest that there are few or no well-researched statistics or evidence put forward to me that can convince me that we do not need reform of this industry in this state. I understand that there are moral objections and there are moral considerations for many people, but I feel I cannot, as a member of this parliament who takes their job very seriously, put the discomfort of some before the health, safety and wellbeing of workers—all workers—in this state.

This is essentially an issue of workers' rights. To keep these workers safe, we need to decriminalise. If we decriminalise sex work, a worker need not be afraid to report incidents such as rape to the police, which I understand is currently the case because workers understand that if they reveal their profession they face risking conviction rather than protection.

If we decriminalise sex work, we ensure that devices such as condoms are used for safe sex rather than as evidence by police in a court against sex workers to demonstrate they are engaging in illegal work. That is right: sex workers already use condoms as a normal part of their duties and,

when they do that, they are penalised for trying to engage in their work safely because these condoms, under criminalisation, can be used as evidence that the person is engaging in sex work.

So here we are with many detractors of this bill asking that we request workers to engage in work safely, to engage in safe sex, which they are already doing, I understand, at higher rates than the general population, yet, at the same time, we want to take away those devices that do keep them safe and use them as evidence against workers.

If we decriminalise sex work, we can ensure that if it ever were to happen in this state, a person trafficked from overseas in servitude, forced to be a sex worker, could report this to police without fear of prosecution. At present, it is my belief that none of these measures can work effectively in South Australia while sex work is illegal.

I would also argue that we should take note of the well-researched, credentialled reports that have appeared in *The Lancet* and that are endorsed by international bodies such as the United Nations, and they call for the decriminalisation of sex work. An unprecedented study, called 'Sex work and the law', issued less than three years ago by the UN Development Programme (UNPD), the UN Population Fund (UNFPA) and the joint United Nations Programme on HIV/AIDS (UNAIDS) stated:

> Criminalisation increases vulnerability to HIV by fuelling stigma and discrimination, limits access to sexual health services and condoms. Removing legal penalties from sex work allows HIV prevention and treatment programs to reach sex workers and their clients more effectively.

The report clearly distinguishes between adult consensual sex work and human trafficking for sexual exploitation. Where sex work has been decriminalised, this report suggests that there is a greater chance for safer sex practices through the occupational health and safety standards across the industry, and furthermore there is no evidence that decriminalisation has increased the number of people participating in sex work as workers.

I said I would be brief this evening, as I respect that this bill will be referred to a committee. While I may have some views on whether that is the right way to go, I look forward to the report of that committee and to this parliament making the right decision to protect all workers.

The Hon. G.A. KANDELAARS (21:42): I rise to support this bill and indicate that I would, in its current form, support its third reading as well. My personal position is quite simple and it is: live and let live. I do not believe that we should set moral codes for activity between consenting adults. I draw people's attention to society's attitudes 40 years ago, when homosexuality was seen as a crime. Society moved on. Well, it is time to move on in terms of prostitution.

Quite frankly, the bill does not do what quite a few of those opponents have suggested. It does not legalise sex slavery trade. It does not legalise underage sex. It does do some very favourable things: it covers people in terms of occupational health and safety and it brings people within the domain of the law that they are frightened to use today. In fact, in its current form, the current law is quite unworkable; in fact, I would suggest it actually encourages corruption in many ways.

There are many laws that apply today that look after things such as sex slavery. The Australian law in this regard is very strong indeed, and it is administered through the Federal Police and state agencies. That is a bit of a nonsense. In terms of other things—and I do remember going with Steph Key and talking to people in planning here—planning law does allow some significant control of where people place their business. Today, to suggest that all of a sudden no laws apply here is absolute nonsense.

I also note that the bill is supported by quite a number of feminist organisations, business and professional women, Soroptimist, the YWCA and a number of others. What did disappoint me in some of the debate tonight is that the Hon. Rob Lucas could not help himself but make this a party political thing in terms of naming the Hon. Paul Caica. I am sure Paul Caica stands by what he said previously and has no problem, but if you won a point one side out in terms of their position then let's be a bit even. I am sure people on both sides have both positive and negative positions in relation to this bill.

I must say that one of the areas that people have not really gone into very thoroughly, particularly the opponents, is those who say that this bill does not provide an exit path—wrong, absolutely wrong. The spent conviction provisions here do allow people a far easier way of removing themselves from the sex industry than in the past because that stigma of having convictions on your record is a significant inhibitor to people who want to leave the industry.

You cannot have it every which way and say, 'We don't, in terms of this bill, indicate a path away from the industry,' and then on the other hand say, 'No, we've got to retain the convictions; you can't use spent convictions.' What nonsense, what absolute nonsense—because that is the greatest inhibitor in terms of people removing themselves from the industry.

As I said, my personal moral view is that I do not wish to impose on other people a moral code, particularly when all this bill does is legalise sex, albeit paid sex, between consenting adults. As I indicated, I will support the second reading of this bill.

The Hon. B.V. FINNIGAN (21:47): The advocates of decriminalising or legalising prostitution—

An honourable member interjecting:

The Hon. B.V. FINNIGAN: That is what I said—'or'. The advocates of decriminalising or legalising prostitution tend to paint a compelling picture of the model brothel: it is licensed; it is approved by a council and planning authorities; it has no connection to organised crime; it is compliant with work and safety laws and health and safety laws; the employees who work there have chosen to enter into the industry of prostitution and they are free to leave whenever they like; they have regular health checks; they always use condoms; they have a right of refusal for customers who they do not wish to engage in services with; there is a zero tolerance of violence; they pay taxes; and there are regular inspections to ensure that all relevant laws are complied with.

The question we have to ask ourselves with this legislation is simple: does this bill deliver that? On any rational analysis the answer has to be no. First of all, it is a minimalist model and does not provide for regulation and licensing. Like a lot of these issues, the more you get into the detail the more difficult it is to achieve consensus and so the minimalist approach, which tinkers at the edges by adjusting the criminal law and some work and safety and discrimination law is what is being proposed here.

If brothels do not comply with this legislation, what happens? We have the model brothel but what about the brothel across the street? It is not licensed and it does not follow any of these desirable characteristics. We are told that that will not happen because brothels will be able to comply with this law and will not have to fear prosecution anymore. So the argument is that the current penalty for running a brothel illegally is criminal prosecution, potentially going to prison.

Yet that law is broken constantly and frequently, and yet when we have a licensed and regulated system, people are going to be more compliant with that system with far fewer penalties. How does it follow that those who may be taking part in this industry at the moment, who often have connections with organised crime, when they are facing the threat of criminal prosecution, they still flout the law, they will become more law-abiding and more compliant by the passage of this bill? That is an extraordinary proposition to accept.

There is the issue that a number of honourable members have touched on which is related to the previous point that, where prostitution is legalised or regulated, there is strong evidence to suggest that a number and possibly a majority of brothels remain outside the law. There are widely varying statistics and reports about that matter and it would depend in some measure—

The Hon. J.M.A. Lensink: Where are they?

The Hon. B.V. FINNIGAN: Try Google. There are reports, quite a number, some of which indicate that even 80 per cent of brothels operate outside a legalised and regulated system, and there are others that do not, that suggest a lower number. That is one of the issues that I think we really need to get to the bottom of.

People have said consistently that for those who engage in prostitution, their rights as workers are paramount, and I agree, and so we do have to consider who becomes a prostitute. We

have been presented with this notion again and again that this is just about consenting adults; it is about people freely choosing to enter into an industry that ought to be like anything else and that to ask questions about who is it that enters the industry of prostitution and in what circumstances is an irrelevance.

Are we seriously suggesting that there are dozens or hundreds of women in the eastern suburbs considering trading in the Range Rover and giving up their career as a surgeon or a barrister to become a prostitute? We know that it is women and men from lower socioeconomic groups who have often been victims of violence or abused in the past and who have lacked other opportunities or education in many instances.

That is not all of them of course by any measure, but let us not accept the myth that is so often put about that prostitutes are all medical students paying their way through uni. We know that that is not the case and we know that a lot of them have been trafficked or are in some sort of sexual servitude. Those are the sorts of issues, as well as planning and local government issues that some honourable members have touched on, which have not been addressed in my view by this bill. I am not satisfied that the issues that need to be considered have been adequately addressed in this legislation and I oppose the bill.

In relation to the select committee that has been proposed, I think that that is, on balance, a worthwhile proposition. When the Social Development Committee, did an inquiry in the nineties, there was an interim report in 1995, and then a report in 1996, so that was a long time ago and a lot has happened since then. I would agree with what some honourable members have touched on with the need for reform in our committee system, and perhaps with what the Premier has announced in relation to committee payments, this could be an opportune time to consider the whole system.

We have a system of standing committees and yet we are constantly creating select committees, here in the upper house in particular, so I think we need to ask ourselves how the standing committee system can work better and ensure that select committees in the upper house are better resourced, even if that means taking or sharing resources from the standing committees that currently exist.

I do not want to detain us this evening by talking on that subject but, in the circumstances where this is the proposition that is before us that there be a select committee, I think that is worthy of support because, as I have indicated, I believe that a whole range of issues, questions and matters need to be considered. I do think there need to be broader terms. I do not see that this legislation can be examined in isolation.

There is a whole range of issues that honourable members have brought up in their contributions, a lot of which are based on assertion, and we need to know some of the details and some of the sort of documented evidence about the number of people prosecuted, about discrimination and about a whole range of other matters that have been raised.

There have been assertions baldly made on both sides. It is disappointing to me that, as so often happens when we debate social issues, those who are opposed to change are accused of ill will, malice and misrepresentation in everything they say because they are actually pursuing some sort of hidden moral agenda. The reality is that a lot of people, a lot of honourable members and a lot of other persons engaged in the debate have made very strong assertions about this, that or the other that have not been backed up by evidence.

I think a whole range of things needs to be considered more thoroughly, including the issues that I have brought up tonight. I have not brought all the sort of evidence and documents to hand in this contribution; that is the exact sort of thing that needs to happen through a committee process, if that is the way the council decides to go. I conclude my contribution.

The Hon. J.M.A. LENSINK (21:56): I will try to be as brief as possible, given the hour, and thank honourable members for their contributions. There have been quite a number, so I will not name you all but do thank you for putting your remarks on the record. It has been a very diverse and very worthwhile debate.

I said in my second reading that the motivation for this bill is to address a legal framework which does not work from a policing perspective or from the workers' perspective. Since the

campaign for reform began in this batch earlier this decade, I have heard people in the industry speak many times about the discrimination that they face. The most disturbing cases are the ones in which they have been subject to violence and criminal acts but are too afraid to go to the police. This bill is a decriminalised model, as I went through in my second reading. Perhaps it has not been adequately articulated, but it certainly does not mean no regulation.

At the risk of repeating a few of the comments that have been made in relation to a few issues, in relation to trafficking, as has been said, there are federal laws which are managed by the Australian Federal Police and also SAPOL, but there are also very strict laws at a state level which came in when the Hon. Trevor Griffin was the attorney-general. Trafficking, sexual servitude and all those issues, deceptive recruiting for commercial services, use of children in commercial sexual services and so on are under division 12 of the Criminal Law Consolidation Act, and I would urge honourable members to examine those for the detail of the imprisonment terms to which people could be subject if they engage in those practices, but they clearly already exist.

Local government seems to be one area that has also been raised. I would have to concur in many ways with a number of the comments of the Hon. Stephen Wade about this process and also the Hon. Mr Dawkins who said that, in his experience as a private member, advocating for private members' bills which are conscience votes can be I think the word he used was a 'lonely' process. Certainly, in opposition you do not always have access to all the agencies that one might like so, for that reason among others, I think it will be useful to have a select committee which will have the authority to be able to call witnesses from various government agencies, which I have not necessarily had the authority to do.

On the issue of local government, the Hon. Steph Key has received a reply from the Local Government Association in which they have raised two specific issues: one was the location of sex work premises in residential areas, the second being the regulation of soliciting. In public comments I have indicated that these are certainly areas that we would consider further in potential amendments to the bill.

However, I think there has been some alarm spread via certain people who are elected members in local councils. If I point the finger anywhere, it is at the right of the Labor Party. Some of the issues that have been raised in local councils, quite frankly, are quite spurious. Port Adelaide Enfield, in particular, has raised a number of issues and they conveniently ignore the fact that there continues to be regulation via a number of sections within existing legislation, which is not being proposed to be amended.

For instance, on the issue of sex work and allegations of illegal activity, they may avail themselves of part 3B of the Criminal Law Consolidation Act; with street work, they could avail themselves of an offence against public order under part 3 of the Summary Offences Act; and, in relation to brothels, there are a number of sections within existing legislation that they could also avail themselves of.

I think it has also been put about in the local government sector that somehow this piece of legislation is transferring responsibility to local government, which is not the case. I find local government sometimes a curious creature. I had the experience in previous private members' legislation, particularly the shacks bill, which was to provide that those shacks which are on crown land would be effectively transferred to the care, control and management of their local council areas, because we had two councils that had asked for that particular thing, and it was going to be an optional thing.

I specifically wrote to those councils which had crown leases in their areas and was quite shocked and amazed at some of the responses I got back. I think it is fair to say that sometimes these things are considered by councils without proper legal advice. The argument was a little bit similar to the one that has come on this. You cannot tell sometimes with local government whether they want more power or less power, because in this instance, in relation to this bill before us, they are saying they want less power because it is going to be more resources for them to police, even though it is hard for them to point to a specific statute somewhere where you can say that that is now their responsibility.

In relation to the shacks, I had one council write back to me and say, 'We don't want this because people might actually ask for it,' so in other words, 'It's all too hard.' Quite frankly, they cannot have it both ways: they want more powers and they do not want more powers when it does not suit them. We certainly hope to engage with councils to have those discussions with them.

Returning to these comments, decriminalisation is favoured by the industry, as has been said. Amnesty International, South Australian women's advocacy organisations, which are part of significant global organisations, the YWCA, Soroptimist, BPW and Zonta are all very well regarded and they have articulated their position, which relates to this legislation.

Like other honourable members, I have received opposition to this bill from people who believe that it will increase the incidence of sex work in South Australia. I do not agree with that premise and I do not believe any research supports it. Others have raised the fact that elements of a legalised model are not contained in the bill. I think there is a fair amount of muddying the waters by pointing at various aspects of things which certain people say are omitted and therefore the bill is unacceptable.

One of these is, for instance, whether safe sex practices are mandated. There are a whole suite of things that come through legalised models. A lot of those suggestions come from a misunderstanding of the industry and the way that sex industry workers work. I think they are often well intentioned, but are often quite paternalistic.

I think this bill is fairly well considered, and I reject the comments made by the Hon. Mr Brokenshire that this has been rushed. This bill has, in various forms, been advocated by the Hon. Steph Key in the last three or four years and we had a version of it before us in 2012. Clearly, the Hon. Mr Brokenshire has had the advantage of having examined a range of models.

I brought this to a second reading because I thought it was important that the Legislative Council consider it, but was not going to pursue the committee stage on the same day because I think there are a number of issues we do need to examine in more detail, and I think the committee will adequately do that.

So we have been presented with it, as a group of people. I did actually take the initiative of contacting some members of this place who I thought might feel a bit rushed, whether they were new members or people who might be unsure. They were across different parties, but they all indicated that they were accepting of doing second readings on this day. I have attempted not to rush people, and I reject that criticism. I am also not quite sure what on earth the Hon. Mr Brokenshire was referring to when he said that there was some rule in our party room that might prevent me from introducing it. That is a mystery to all of us on this side of the chamber.

I do think this is a fairly well-considered bill. I acknowledge that there may be some unintended consequences but, like others, I do not think the sky will fall in if this is passed in its amended form. There is certainly a range of issues I think we should consider in some detail, and I would hope that all members of parliament—members of the House of Assembly as well as MLCs—will avail themselves of the hearings that take place, assuming this committee goes ahead, as it progresses with the taking of evidence. I commend the bill to the house.

The council divided on the second reading:

Ayes 13
Noes..... 6
Majority..... 7

AYES

Darley, J.A.	Dawkins, J.S.L.	Franks, T.A.
Gazzola, J.M.	Hunter, I.K.	Kandelaars, G.A.
Lensink, J.M.A. (teller)	Maher, K.J.	McLachlan, A.L.
Parnell, M.C.	Ridgway, D.W.	Vincent, K.L.
Wade, S.G.		

NOES

Brokenshire, R.L.	Hood, D.G.E.	Lee, J.S.
Lucas, R.I.	Ngo, T.T.	Stephens, T.J. (teller)

PAIRS

Gago, G.E.	Finnigan, B.V.

Second reading thus carried.

Referred to Select Committee

The Hon. S.G. WADE (22:12): I seek leave to move contingent notice of motion No. 2 in an amended form.

Leave granted.

The Hon. S.G. WADE: I move:

1. That the bill be referred to a select committee of the Legislative Council for inquiry and report.
2. That the select committee consist of seven members and that the quorum of members necessary to be present at all meetings of the committee be fixed at three members and that standing order 389 be so far suspended as to enable the chairperson of the committee to have a deliberative vote only.
3. That this council permits the select committee to authorise the disclosure of publication, as it sees fit, of any evidence or documents presented to the committee prior to such evidence being presented to the council.
4. That standing order 396 be suspended to enable strangers to be admitted when the select committee is examining witnesses unless the committee otherwise resolves, but they shall be excluded when the committee is deliberating.

I would like to highlight to the council the key elements of the motion in the amended form. The elements in which the motion differs from the *Notice Paper* are simply that the new motion proposes that the select committee consist of seven members and that the quorum of members be fixed at three. I invited honourable members to indicate whether they wished to serve on the committee and as a result of offers and further discussions with members I will be proposing that there are seven members willing to serve if the council supports the establishment of a committee.

As I indicated in my second reading comments, I believe that a select committee provides the Legislative Council with an opportunity to give due consideration to this bill, scrutiny which is not as great with government bills. The select committee offers the opportunity to allow the bill to have issues addressed and resolved. I believe it gives the opportunity for stakeholders to be engaged, for alternative models to be considered and to suggest ways that the bill can be improved. Ultimately, of course, the select committee could recommend to this house that the bill not proceed.

The Hon. Robert Lucas has done the house the courtesy of foreshadowing that he may well move an amendment of words to the effect of 'any other relevant matter'. I would stress to members that this select committee like any select committee does not consider a bill or an option in isolation. Of course, the committee focuses on the bill referred to it but the committee can consider the bill with reference to both the current law and alternative approaches that are in place and in other jurisdictions or for that matter fresh ideas.

To understand the pros and cons of the bill, any competent committee would need to compare and contrast it but, as I understand the parliamentary process, if only this bill is referred to the committee, the committee would be constrained to focus on the bill referred. Adding words such as 'any other relevant matter' would not detract from that fundamental responsibility. Ultimately, the committee may recommend that the bill not proceed and that a bill based on an alternative model be drafted, but what is not open to the committee is to develop a set of amendments which would produce a fundamentally different bill.

In my view, if the Hon. Robert Lucas and other members would like to see an alternative bill based on the Nordic model, I believe the best approach would be for such a bill to be developed. I assure the honourable members—the Hon. Robert Lucas and any other members—that if there was an alternative bill on the table, I would be very supportive of the referral of the other bill to the committee. My understanding is that that is not what is proposed.

His amendment, as I understand it, would seek to add an open question, and I prefer my motion unamended for two reasons. First of all, I believe that full and fair comparison of models is best achieved by embodying ideas in draft legislation. We need to be able to see what the ideas would look like in practice. If we want an open question on the issue of prostitution law in South Australia or sex work law reform, whatever your preferred title is, then let's do an open question, let's do a referral to the Legislative Review Committee or a select committee with an open question. But I do not think it is fundamentally fair, I do not think it is fundamentally efficient, for one bill to be put forward as a detailed proposal subject to detailed scrutiny and for another idea to float with, shall we say, the protection of generality.

Perhaps more fundamentally, I am concerned that adding an open question rather than referring a bill would significantly increase the likelihood that this issue would not be dealt with within the life of this parliament. I reiterate what I said in my second reading speech, and that is that the current law needs to change. I understand from discussions with the police in relation to a previous bill that the enforcement of the current law is problematic. I am very much looking forward, if this select committee is established, for the police to be able to come before a select committee and inform the parliament on that matter.

If you support prostitution law reform as it currently stands, then we have a duty to strengthen the law or replace it. I would urge members to support a select committee so that we can have the best law for the people of South Australia, and I believe that the best way to achieve that is to consider alternative bills. The only bill on the table at the moment is the bill that we have before us tonight.

The Hon. R.I. LUCAS (22:19): I move to amend the motion, as follows:

1. That the bill and any other related matter be referred to a select committee of the Legislative Council for inquiry and report.

2. That the select committee consist of seven members and that the quorum of members necessary to be present at all meetings of the committee be fixed at four members and that standing order 389 be so far suspended as to enable the chairperson of the committee to have a deliberative vote only.

3. That this council permits the select committee to authorise the disclosure or publication, as it sees fit, of any evidence or documents presented to the committee prior to such evidence being presented to the council.

4. That standing order 396 be suspended to enable strangers to be admitted when the select committee is examining witnesses unless the committee otherwise resolves, but they shall be excluded when the committee is deliberating.

I move this amendment in two parts to the motion that has been moved by the Hon. Mr Wade, and that is that after the word 'bill' add that 'any other related matter' (as opposed to relevant matter) 'be referred to a select committee'. Secondly, I think the member has now included in his amended notice of motion, if I recall what he said, a quorum of three, which seems extraordinary with a committee of seven. Therefore, I have moved that the quorum be four members.

I must admit that in all my experience quorums for committees or bodies are generally 50 per cent plus one of the committee. To have a situation, particularly of the make-up of this committee, where less than an actual majority of the committee would constitute a quorum would seem to be an unusual set of circumstances. That provision is not actually in the contingent notice of motion that the Hon. Mr Wade moved originally and is in the *Notice Paper.*

It may well be that there is a particular reason for it. I have not had the opportunity to discuss it with the Hon. Mr Wade; I only just noticed it when he stood up and indicated that he was moving the motion in an amended form. I would certainly urge members in this chamber that the normal procedure is that a quorum should be, in essence, as close to 50 per cent plus one, which will be four members out of seven. I am not sure which particular subclause of the amended motion that is, but whatever paragraph it is—

The Hon. S.G. Wade: Two.

The Hon. R.I. LUCAS: Two, is it? The Hon. Mr Wade indicates that it is paragraph 2, so I just propose that in paragraph 2, the number 'three' be replaced by the number 'four'. It is completely up to you, Mr President, as to how this is approached. They are two separate issues, I would have thought, so it would seem sensible to address each issue separately.

In relation to the first one, with the greatest respect to the Hon. Mr Wade, I think it is much ado about nothing. Frankly, I am not particularly fussed in the end as to whether this amendment passes or not. I will be intrigued if it is not passed because in most other references to a select committee we generally put in the words 'and any other relevant matter'. It is just a coverall phrase that we use in relation to particular issues.

It is certainly not intended to do anything other than cover what I suspect will be the case anyway. I do not intend to serve on the committee so ultimately it will be a decision for the chair of the committee and the majority of the committee to determine what submissions they accept and what evidence they take. But I would be amazed if there were not a considerable number of submissions that would actually traverse this particular model, in particular the Victorian and Queensland-type models; that is, the licensing or registration model that a number of members have talked about.

Certainly in the brief amount of work that I have done, a number of the submissions have canvassed all of those and have either recommended for or against a particular model. So, if this is not there then the committee will need to determine whether it will take evidence from someone who turns up and says that they want to talk about an alternative model, and ultimately that will be a decision for the committee. As I said, I am not going to be a member of the committee. Ultimately, the issue of 'any other related matter' is an issue that has to be determined by the chair and the majority of the committee at any particular point in time.

I will test the numbers in the chamber on the issue, but ultimately I suspect that whether the words are in there or not, the proper operation of the committee will mean that all of these particular issues will be explored in a good number of submissions anyway. Mr President, do you need anything more? I have moved those two particular amendments.

The PRESIDENT: No, I am happy. Are there any contributions?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (22:23): I am in a position to advise the chamber that government members will be supporting the Hon. Mr Wade's motion and not supporting the amendments proposed by the Hon. Mr Lucas.

The Hon. T.A. FRANKS (22:24): I indicate that the Greens will be supporting the Hon. Mr Wade's motion and not supporting the amendments. We note that one of the members of the committee will actually be taking maternity leave. In my discussions with the Clerk, a quorum of three was seen as appropriate, not least because one of the members will be out of action for some of the period of this inquiry, but also to ensure that this is not seen as yet another stalling mechanism, that it is really an inquiry into this piece of legislation that we have before us and not a way of railroading the debate yet again.

If other members have other bills, I am sure that we can look at those in an inquiry and put those under scrutiny, but the bill we have before us is the bill that the Greens wish to see investigated and brought back. You will call it the committee of the part if you like rather than doing this debate in the committee of the whole now.

The Hon. D.G.E. HOOD (22:25): Just very briefly, I indicate that Family First will not be supporting the Hon. Mr Wade's motion for a committee as it stands. However, if the Hon. Mr Lucas's amendments were to succeed, we would be more inclined to do so. I think, particularly with respect to a quorum, I have never been on a committee, whether it be in this parliament or any other committee outside of the parliament, where a quorum is less than half the members. I am not saying that it is impossible, but it is certainly irregular. I think it is not unreasonable to have a quorum of more than 50 per cent of the number of members on the committee. For those reasons, that is our position.

The Hon. J.M.A. LENSINK (22:25): As the person who has moved the bill, I will be supporting the substantive motion of the Hon. Mr Wade. My understanding of select committees in relation to bills is that generally there is a membership of five. Today, we have had indications of additional interest, and the membership has been expanded to seven. I understand that for the normal standing orders for a committee of this nature three would have been adequate as a quorum. Clearly, it is fairly physically obvious that I will be otherwise engaged for a period of time in the near future and do not wish for the business of the committee to be delayed unduly.

The PRESIDENT: I would just like to draw the attention of the council the fact that a quorum of this council is 10, so it is not an absolute majority of the council. The Hon. Mr Ridgway.

The Hon. D.W. RIDGWAY (Leader of the Opposition) (22:26): I declare early in the debate that I will be supporting the Hon. Mr Wade's motion for a select committee, and I also indicate that I will be supporting the Hon. Rob Lucas, but I would like a little bit of clarification from the Hon. Ian Hunter. When he stood up, did he speak on behalf of the government or himself when he said that they would be supporting it?

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (22:27): Again, we see evidence of the Hon. Mr Ridgway not listening to government members. I said that I was in a position to indicate that all government members will be supporting the Hon. Mr Wade's motion.

The PRESIDENT: There are no further speakers. There are two amendments by the Hon. Mr Lucas. The first one is that the bill and any other related matters be referred. Would that be correct?

The Hon. R.I. LUCAS: Yes.

The council divided on the amendment:

Ayes 6
Noes..... 13
Majority..... 7

AYES

Brokenshire, R.L.	Hood, D.G.E.	Lee, J.S.
Lucas, R.I. (teller)	Ridgway, D.W.	Stephens, T.J.

NOES

Darley, J.A.	Dawkins, J.S.L.	Franks, T.A.
Gazzola, J.M.	Hunter, I.K.	Kandelaars, G.A.
Lensink, J.M.A.	Maher, K.J.	McLachlan, A.L.
Ngo, T.T.	Parnell, M.C.	Vincent, K.L.
Wade, S.G. (teller)		

PAIRS

Finnigan, B.V.	Gago, G.E.

Amendment thus negatived.

The PRESIDENT: We will now put the second amendment moving the quorum from three to four.

The council divided on the amendment:

Ayes 8
Noes..... 11
Majority..... 3

AYES

Brokenshire, R.L.	Darley, J.A.	Hood, D.G.E.
Lee, J.S.	Lucas, R.I. (teller)	Ngo, T.T.
Ridgway, D.W.	Stephens, T.J.	

NOES

Dawkins, J.S.L.	Franks, T.A.	Gazzola, J.M.
Hunter, I.K.	Kandelaars, G.A.	Lensink, J.M.A.
Maher, K.J.	McLachlan, A.L.	Parnell, M.C.
Vincent, K.L.	Wade, S.G. (teller)	

PAIRS

Finnigan, B.V.	Gago, G.E.

Amendment thus negatived.

The council divided on the motion:

Ayes.....16
Noes 4
Majority 12

AYES

Darley, J.A.	Dawkins, J.S.L.	Finnigan, B.V.
Franks, T.A.	Gazzola, J.M.	Hunter, I.K.
Kandelaars, G.A.	Lensink, J.M.A.	Lucas, R.I.
Maher, K.J.	McLachlan, A.L.	Ngo, T.T.
Parnell, M.C.	Ridgway, D.W.	Vincent, K.L.
Wade, S.G. (teller)		

NOES

Brokenshire, R.L.	Hood, D.G.E.	Lee, J.S.
Stephens, T.J. (teller)		

Motion thus carried.

The Hon. S.G. WADE (22:41): I move:

That the select committee consist of the Hon. Robert Brokenshire, the Hon. John Darley, the Hon. Tammy Franks, the Hon. John Gazzola, the Hon. Michelle Lensink, the Hon. Andrew McLachlan and the Hon. Tung Ngo.

Motion carried.

The Hon. S.G. WADE: I move:

That the select committee have power to send for persons, papers and records, to adjourn from place to place and to report on 18 November 2015.

Motion carried.

Motions

MOTOR VEHICLE ACCIDENT INJURY SCHEMES

Adjourned debate on motion of Hon. J.A. Darley:

That the Social Development Committee inquire into and report on the impact of the Lifetime Care and Support Scheme and the Compulsory Third Party Insurance Scheme on persons injured in motor vehicle accidents and any other relevant matters including, but not limited to, consideration of other schemes in operation around the country.

(Continued from 17 June 2015.)

The Hon. T.T. NGO (22:43): As the Hon. Mr Darley correctly pointed out, the Motor Vehicle Accidents (Lifetime Support Scheme) Act 2013 requires that the act be reviewed as soon as practicably possible, three years after its commencement. The act clearly sets out the requirements for the review. The review must assess whether the Lifetime Support Scheme has provided an effective and fair way to assist people who have been left with lifelong disabilities as a result of a motor vehicle accident in South Australia.

The review must also assess the changes that were made to the Civil Liability Act. This will include the changes to the assessment and award of damages for non-economic loss involving a motor vehicle accident. It must particularly look into whether the removal of non-economic loss damages for injuries that do not exceed 10 on the injury value scale have resulted in substantial hardship. It will also consider the caps made to various types of damages and the effect that the amendments to the Motor Vehicles Act enacted by the act have had on the handling and settlement of claims under part 4 of the Motor Vehicles Act.

The review must also consider whether the scheme provides reasonable compensation for persons with multiple injuries. It will also consider whether the scheme has changed how injured persons claim compensation and if this has or could lead to an increase in third-party insurance premiums payable under part 4 of the Motor Vehicle Act 1959.

It is important to note that this review may also include any other matter that the committee designated—the Social Development Committee of parliament or another committee if designated by both houses of parliament—to carry out the review considers to be relevant. As the Hon. Mr Darley has correctly identified, the provisions are comprehensive and were implemented after they were originally proposed by the Hon. Tammy Franks on 15 May 2013.

The government was fully supportive of these amendments at the time and continues to be supportive. I would like to take this opportunity to acknowledge the work that was done by the Hon. Tammy Franks in getting this scheme through. I know about this personally as I was working as an adviser to the then minister Jack Snelling. I appreciate her work very much.

This lifetime support scheme is based on the New South Wales Lifetime Care and Support Scheme which has been in operation for over eight years. The government believes that the terms of reference for the review prescribed by the Motor Vehicle Accidents (Lifetime Support Scheme) Act 2013 are wideranging. The Motor Vehicle Accidents (Lifetime Support Scheme) Act 2013 has been in operation for two years. It has an inbuilt requirement for an extensive review to occur as soon as practicable after three years of operation.

The act will have been in operation for three years on 1 July 2016. The review can be conducted after this date and the government will be in a strong position to determine whether any changes need to be made to the act. Currently, it is still too early to undertake an extensive review. It is important for members to remember why the scheme was introduced in the first place—that is, to support those in our community who are catastrophically injured in a motor vehicle accident, especially those who would not have received assistance prior to the scheme.

Under the old motor accident compensation provision, if an adult was catastrophically injured in a motor vehicle accident where either no-one was at fault or they were at fault, they would not receive any compensation. I recall last year on the *7.30 Report* there was an interview with then 40-year-old Craig Clarke, who was in a motor vehicle accident on a country road when he was 17 years old. He drove off a verge and was left a quadriplegic.

As the accident was his fault, he did not receive any compensation. At the time of his accident he had to rely on the support of his parents who had to remortgage their home. He now spends a large portion of his full-time income on injury-related expenses. When I saw this report, just before the scheme began, I thought about the positive impacts that it would have on those in a similar position.

The new lifetime support scheme has only been in operation since July 2014, just over 12 months. During its first 12 months, the scheme has provided assistance to 43 people; approximately half of whom would not have received assistance if their accidents had occurred before the scheme came into operation. Not only does the scheme help those who would not have received support under the previous CTP scheme, it has also ensured that those who receive support for severe injuries under the lifetime support scheme get better support than they would have under the previous CTP scheme.

This better support includes allowing participants and their families to choose the long-term care and support services they need. The scheme also provides home-based care to enable those who are injured to return home sooner. In May this year, a participant of the scheme, Alexey Vasilev, who sustained a brain injury after a serious motor vehicle accident in January, recounted his experience with the scheme so far at a press conference. Alexey said:

> Thanks to the participation in the scheme, I have been able to continue my treatment at home which is much better for me.

I understand that some opponents of the 2013 changes to compulsory third-party insurance have been supportive of the lifetime care scheme. They often state that they should simply have both the old compulsory third party insurance and the lifetime care scheme. Unfortunately, we do not have an endless supply of resources. We do, however, have an obligation to keep premiums low for all South Australian motorists whilst providing support to those who need it most.

Mr Morry Bailes from the Law Society has advocated that persons injured in a motor vehicle accident should receive the same compensation through CTP as persons injured in the workplace through ReturnToWork. In its submission to the Statutory Authorities Review Committee's Motor Accident Commission inquiry, the Law Society stated that 'both statutory schemes are subject to premiums paid'. This is to compare two completely different funds. ReturnToWork insurance is paid by employers and premiums depend on a number of factors, including prior performance and the number of employees etc., whereas CTP insurance is a flat rate paid by every South Australian who has a motor vehicle registration.

Even under the previous motor accident scheme and previous WorkCover scheme, people who sustained the same injuries received different compensation. Does Mr Bailes believe that those who have been in motor accidents should be charged more for compulsory insurance or households with more cars be charged more as ReturnToWork does if you have more employees? The act already requires an extensive review to be carried out as soon as reasonably practicable after 1 July 2016.

The government is supportive of this review occurring at this time. As the act has only been in operation for two years and the scheme only for 12 months, it is too early for such an extensive review to be conducted. I therefore ask members not to support this motion to review the lifetime support scheme at this stage and wait for a few months when the full review is underway as outlined in the act.

The Hon. R.I. LUCAS (22:53): For the reasons that the Hon. Mr Darley outlined quite eloquently in his contribution, the Liberal Party party room position is that we will be supporting the motion. We wish the Social Development Committee well in its difficult task. There was some initial discussion that perhaps this might have been referred to a select committee and we think that the reference to the Social Development Committee makes more sense and we are pleased to support the motion.

The Hon. K.L. VINCENT (22:53): Just very briefly, I do not think it will come as any surprise that Dignity for Disability supports the motion, given that we joined the Hon. Mr Darley in calling for it. We have long-held concerns about this scheme and about the changes to compulsory third-party insurance which, as we see it based on the advice we have received, will result over time in less coverage for injured workers. I will not go into all those issues as I am already on the record as having stated them, but we look very much forward to this important review and commend the motion.

The Hon. T.A. FRANKS (22:54): For the sake of the lack of divisions, I indicate the Greens will be supporting the Hon. John Darley's motion.

Motion carried.

FRASER, HON. J.M.

Adjourned debate on motion of Hon. T.T. Ngo:

That this council—

1. Acknowledges the positive contribution to Australian society that former Prime Minister Malcolm Fraser has made;

2. Acknowledges Malcolm Fraser's policy in promoting multiculturalism and acceptance of refugees that has laid the groundwork for a peaceful and diverse Australia of today; and

3. Notes, in particular, the leadership former Prime Minister Malcolm Fraser demonstrated in dealing with the resettlement of about 200,000 Asian and Middle Eastern migrants and refugees, especially more than 50,000 displaced Vietnamese, during and after the Vietnam War.

(Continued from 6 May 2015.)

The Hon. K.L. VINCENT (22:55): I commend the motion.

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

Bills

EMERGENCY MANAGEMENT (AUSTRALIAN SIGN LANGUAGE INTERPRETER) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 25 March 2015.)

The Hon. K.L. VINCENT (22:56): I move:

That this order of the day be discharged.

Motion carried; order of the day discharged.

The Hon. K.L. VINCENT: I move:

That the bill be withdrawn.

Motion carried; bill withdrawn.

CLASSIFICATION (PUBLICATIONS, FILMS AND COMPUTER GAMES) (MISCELLANEOUS) AMENDMENT BILL

Second Reading

The Hon. I.K. HUNTER (Minister for Sustainability, Environment and Conservation, Minister for Water and the River Murray, Minister for Climate Change) (22:57): I move:

That this bill be now read a second time.

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

Leave granted.

This Bill amends the *Classification (Publications, Films and Computer Games) Act 1995* to reflect Commonwealth amendments made in response to recommendations by the Australian Law Reform Commission for reform of the national classification scheme.

The national classification scheme was reviewed by the Australian Law Reform Commission in 2011. Its final report, containing 57 recommendations, was published in 2012. In consideration of the technological changes since inception of the scheme in 1991, this review was crucial in determining how the scheme could continue to address community expectations while addressing the rapid and continuing changes to technology and challenges of media convergence.

Ministers agreed that the reforms should initially address matters that could be incorporated into the existing legislation. The first phase of the agreed reforms was implemented through the *Commonwealth Classification*

(Publications, Films and Computer Games) Amendment (Classification Tools and Other Measures) Act 2014. The reforms will:

- expand the exemptions to the modification rules so that films and computer games what are subject to certain types of modifications do not require classification again;
- broaden the scope of existing exempt film categories and streamlining exemption arrangements for festivals and cultural institutions;
- enable certain content to be classified using classification tools such as online questionnaires that deliver automated decisions;
- create an explicit requirement in the Commonwealth classification act to display classification markings on all classified content; and
- enable the Attorney-General's Department to notify law enforcement authorities of potential Refused Classification content without having the content classified first, to help expedite the removal of extremely offensive or illegal content from distribution.

The reforms will have a staggered commencement. Amendments relating to certificates for exempt films and computer games, amendment relating to determined markings and consumer advice and amendments in relation to modifications have commenced. Conditional cultural exemption reforms will commence later this year.

This Bill makes minor amendments consequential upon the Commonwealth amendments.

Previously, section 21 of the Commonwealth Classification Act provided that, subject to some very limited exceptions, if a classified film or classified computer game was modified, it became unclassified. The requirement to reclassify where content has not changed, for example, each time a caption is added or removed from a film, is costly, time consuming and unnecessary. The Bill amends the Classification Act to reflect the amendments to section 21 of the Commonwealth Act, which now allows modifications of a kind prescribed in a legislative instrument made by the Minister to occur without re-classification, and allows a format change from 2D to 3D without re-classification where the format change is not likely to cause the film or game to be given a different classification.

Section 5B of the Commonwealth Act has been amended to expand the definition and scope of exempt film categories. Where it was required that a film must 'wholly comprise' particular content in order for it to be exempt from classification requirements, the categories have been expanded to include films that 'mainly comprise' particular content and two new categories, social sciences and natural history, have been added. This will accommodate a range of documentary-style content that it is appropriate to exempt. These films must not contain content that would be likely to be classified M or higher. In other words, content that is up to and including the PG level of classification.

The reforms will also simplify exemption arrangements for festivals by removing the requirement to apply to the director of the Classification Board for formal exemption and replacing it with a , deregulated, self-assessment exemption process. The Act sets out clearly who may be eligible to exhibit or demonstrate unclassified content and safeguards similar to those currently in place for festivals will ensure that protection for the public is retained. For example, exemption conditions include restrictions on the screening, exhibition or demonstration of unclassified content to particular age groups if it is strong or high impact and patrons will be provided with warnings about the content. Screening or demonstration of material that is likely to be classified X18+ or RC is prohibited. Training and registration facilities will be established by the Commonwealth to support the Classification Liaison Officers, who will continue to monitor the operation of the arrangements as part of the routine compliance and educational activities. This reform is also a response to the Australian Law Reform Commission recommendations and is aimed at reducing the administrative and regulatory burden on industry and individuals, providing more flexibility to the scheme and support for the arts and cultural sector.

Part 8 of the Classification Act deals with exemptions. Under Part 8 an application made the Minister is taken to be made to the director of the Classification Board. As a consequence of the introduction of a new exemption scheme, the Bill will repeal Part 8 of the Classification Act.

Another important reform introduced by the Commonwealth, but not requiring consequential amendment to the Classification Act is the introduction of classification tools, such as online questionnaires that might be developed by government, industry or other classification bodies overseas. These tools are a way of classifying the significant volume of unclassified online and mobile computer games available in the market today. Enabling the use of such instruments will support and complement the work of the Classification Board, provide certainty to industry and increase compliance with Australian classification laws. Significantly it will mean that the public has access to more classification information that is available under the current system. The tools can only be implemented following approval by the Minister and in deciding whether to approve a particular tool the minister must consider whether it delivers decisions that are consistent with Australian classification requirements. The Classification Board will have the power to override a classification if it deems it necessary. Further, approval for a classification tool may be suspended or revoked at any time.

These national reforms are the first step in streamlining the classification scheme and dealing with the rapid and ongoing changes in technology. I am pleased to present this Bill in support of these long-awaited reforms and look forward to assisting in the implementation of further improvements to the national scheme.

I commend the Bill to Members.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

3—Amendment provisions

These clauses are formal.

Part 2—Amendment of *Classification (Publications, Films and Computer Games) Act 1995*

4—Amendment of section 6—Application of Act

This clause proposes to amend section 6 of the *Classification (Publications, Films and Computer Games) Act 1995* so that the Act does not apply to a publication, film or computer game that is subject to a conditional cultural exemption (within the meaning of the Commonwealth Act).

5—Amendment of section 23—Declassification of classified films or computer games

This clause proposes to amend section 23 of the *Classification (Publications, Films and Computer Games) Act 1995* to provide that section 23(1) (which provides that a classified film or computer game becomes unclassified when it is modified) does not apply to a modification of a kind referred to in section 21(3) of the Commonwealth Act.

6—Amendment of section 28—Exhibition of film in public place

This clause proposes to amend section 28 of the *Classification (Publications, Films and Computer Games) Act 1995* to provide that section 28(1) (which creates an offence of exhibiting a classified film that has been altered or added to in a public place) does not apply where the alteration or addition is a modification of a kind referred to in section 21(3) of the Commonwealth Act.

7—Amendment of section 37—Sale of films

This clause proposes to amend section 37 of the *Classification (Publications, Films and Computer Games) Act 1995* to provide that section 37(1) (which creates an offence of selling a classified film that has been altered or added to) does not apply where the alteration or addition is a modification of a kind referred to in section 21(3) of the Commonwealth Act.

8—Amendment of section 54—Sale or demonstration of computer game in public place

This clause proposes to amend section 54 of the *Classification (Publications, Films and Computer Games) Act 1995* to provide that the offence in that section is not contravened by the sale, or demonstration in a public place, of a classified computer game where an alteration of or addition to the classified computer game is a modification of a kind referred to in section 21(2) or (3) of the Commonwealth Act.

9—Repeal of Part 8

This clause proposes to repeal Part 8 of the *Classification (Publications, Films and Computer Games) Act 1995*.

Schedule 1—Transitional provisions

1—Exemptions

This clause provides transitional provisions for exemptions granted under Part 8 of the *Classification (Publications, Films and Computer Games) Act 1995* before the commencement of section 9 of this Act to continue according to their terms. The clause also provides that an application under Part 8 that hasn't been determined before the commencement of section 5 of this Act is taken not to have been made and any fee paid in respect of the application must be refunded to the person who made the application.

Debate adjourned on motion of Hon. D.W. Ridgway.

BIRTHS, DEATHS AND MARRIAGES REGISTRATION (CHANGE OF NAME) AMENDMENT BILL

Introduction and First Reading

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

LOBBYISTS BILL

Introduction and First Reading

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

PARLIAMENTARY REMUNERATION (DETERMINATION OF REMUNERATION) AMENDMENT BILL

Introduction and First Reading

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

At 22:59 the council adjourned until Thursday 10 September 2015 at 14:15.

Answers to Questions

SOUTH AUSTRALIAN STRATEGIC PLAN AUDIT COMMITTEE

In reply to **the Hon. M.C. PARNELL** (5 May 2015).

The Hon. G.E. GAGO (Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy, Minister for the Status of Women, Minister for Business Services and Consumers): The Premier has advised the following—

The publication of a stand-alone progress report for South Australia's Strategic Plan (SASP) has been discontinued. Instead, the latest available data will be regularly published on the SASP website (saplan.org.au).

From November 2014 to May 2015, the Department of the Premier and Cabinet progressively published the latest available data for the key measures of each target on the SASP website. Data generally consists of a graph and explanatory comments, with disaggregated and supplementary data also being presented for a number of targets.

Publishing updates on the SASP website progresses the realisation of the 'Digital by Default Declaration' and allows the community and business sector to remain engaged with our shared vision of the state's future.

The vision that SASP outlines has been shaped by thousands of South Australians who share a collective commitment to making our state the best it can be. South Australian's are best placed to assess the progress of achieving our shared vision.

INDUSTRY LEADERS GROUPS

In reply to **the Hon. J.S.L. DAWKINS** (13 May 2015).

The Hon. G.E. GAGO (Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy, Minister for the Status of Women, Minister for Business Services and Consumers): I have been advised the following—

1. Industry Leaders Groups cover each of the 12 State Government Regions. Some regions have more than one group. There are three groups in the Yorke and Mid North State Government Region, two groups in the Murraylands and Riverland State Government Region and two groups in the Eyre and Western State Government Region.

2. Industry Leaders Group members and Chairs are selected by the Department of State Development's Regional Managers in partnership with Regional Development Australia in the regions and Northern Futures, Western Futures, City of Onkaparinga and North East Development Agency in metropolitan Adelaide, and Regional Managers of the Department of State Development helping to identify key representatives in each area.

3. Industry Leaders Groups meet four times a year and membership is voluntary.

4. Industry Leaders Groups are not considered a government board or committee. Industry Leaders Groups are community driven meetings which provide the opportunity for local businesses to inform state government investment in training and skills and link activity to local job opportunities.

ABORIGINAL MUSIC STUDIES

In reply to **the Hon. T.A. FRANKS** (14 May 2015).

The Hon. G.E. GAGO (Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy, Minister for the Status of Women, Minister for Business Services and Consumers): I am advised the following—

The state government previously offered Skills for All subsidy to vocational education providers to help cover the costs of certain vocational courses, including the Certificate III, Certificate IV and Diploma of Music.

The University of Adelaide's Elder Conservatorium received this subsidy for their vocational music courses, and for an interim period, the government also provided additional funding to assist the university in delivering these courses.

In mid-2014, the University of Adelaide made a business decision not to offer vocational music courses in 2015.

With regard to the three Aboriginal music courses listed on the University of Adelaide's website, I have been advised that these qualifications are university accredited courses and are not registered with the vocational education regulator, ASQA. These courses are therefore not eligible for vocational education funding, and therefore have not previously been funded under Skills for All.