

LEGISLATIVE COUNCIL

Wednesday, 5 December 2018

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

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

Parliamentary Committees

PARLIAMENTARY COMMITTEE ON OCCUPATIONAL SAFETY, REHABILITATION AND COMPENSATION

The Hon. J.S.L. DAWKINS (14:16): I bring up the 2017-18 annual report of the committee. Report received.

Ministerial Statement

COOBER PEDY DISTRICT COUNCIL

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:17): I table a copy of a ministerial statement relating to the District Council of Coober Pedy Auditor-General's Report and Ombudsman's report made earlier today in another place by my colleague the Hon. Stephan Knoll, the Minister for Transport, Infrastructure and Local Government.

Parliamentary Procedure

ANSWERS TABLED

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

Question Time

HOUSING TRUST RENT

The Hon. K.J. MAHER (Leader of the Opposition) (14:18): I seek leave to make a brief explanation before asking a question of the Minister for Human Services regarding the Housing Trust.

Leave granted.

The Hon. K.J. MAHER: As we have heard a number of times in this chamber, the minister made a decision to target some of our most vulnerable South Australians with a substantial spike in the rent of some Housing Trust tenants. Can the minister confirm that her decision remains the policy of the Marshall government and that this unfair rent increase has taken effect from November, just in time for Christmas?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:19): I thank the honourable member for his questions. These decisions were announced as part of the September budget. They are very similar in nature to the increases that the former Labor government instituted in, I think it was, their 2011 budget, effective immediately. Our response has been to institute them in a staged way, following the budget, to advise tenants about their increase and do so in a gradual fashion so that people would have time to adjust.

The Hon. C.M. Scriven interjecting:

The Hon. J.M.A. LENSINK: Can I just repeat that these changes are very similar to the ones that were instituted by Labor in 2011. If I could just respond to the disorderly interjection about its being just before Christmas, I am assuming that the Labor Party would have preferred that the increases to rent would have taken place immediately. If so, that would be a very interesting message for us to communicate to tenants.

Members interjecting:

The PRESIDENT: Order! Allow the minister to answer.

The Hon. J.M.A. LENSINK: The opposition doesn't like hearing things, so they do protest a fair bit when they are reminded of their own record, but they instituted changes—they did so immediately. Perhaps that is the policy of the Labor Party, that if there are any tenant increases they should happen forthwith, that they would be the full amount rather than the Liberal Party's amount, which has been a staged amount. I note that, in a supplementary question, I think from the Hon. Ian Hunter some weeks ago now, he announced by stealth that the Labor Party's policy was that they would charge tenants based on the size of their property rather than on their capacity to pay.

Members interjecting:

The PRESIDENT: Order! Allow the minister to complete her answer.

The Hon. J.M.A. LENSINK: I do find the behaviour of the Labor opposition utterly breathtaking. To ask them about a matter that assists us to make sure that housing is sustainable—

The Hon. I.K. Hunter interjecting:

The PRESIDENT: Order! The Hon. Mr Hunter, please restrain yourself.

The Hon. J.M.A. LENSINK: —when we inherited a basket case of a public housing system, I also find breathtaking, but I suppose that is the place that we are: they do one thing in government and in another they don't respect the fact that they were an abominable manager of these tenants.

HOUSING TRUST RENT

The Hon. K.J. MAHER (Leader of the Opposition) (14:22): Supplementary: the minister claims that these increases in Housing Trust rents are being instituted in a staged and stepped manner. Can the minister please inform the chamber how many tenants have been given notice so far, and how long before are they given notice of these rent increases occurring?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:23): In relation to the cottage flats, on 5 September letters were sent to affected public housing tenants. These increases will occur in stages of 1.5 per cent, or 1 per cent over three years, until they reach 25 per cent of assessable income, which is identical to all other existing tenants. The first stage, a 1.5 per cent increase, took effect from 17 November, affecting approximately 3,000 households.

HOUSING TRUST RENT

The Hon. K.J. MAHER (Leader of the Opposition) (14:23): Further supplementary: can the minister inform the chamber whether her department has done any modelling on the effect this will have on clients, and the likelihood that this policy will push people into financial hardship?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:24): I answered these questions months ago. I have been asked identical questions about this months ago.

Members interjecting:

The PRESIDENT: Order! I cannot hear the minister.

The Hon. J.M.A. LENSINK: If the Labor Party is too lazy to check the record, then that is their problem; they can go and do their research.

HOUSING TRUST RENT

The Hon. K.J. MAHER (Leader of the Opposition) (14:24): Supplementary arising from the original answer: since the minister made her decision to increase these rents, has her department done any modelling on the likelihood of this policy pushing people into financial hardship?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:24): I can only refer to my previous answer. I urge the Labor opposition to stop asking questions that they previously asked and had answers to.

NATIONAL DISABILITY INSURANCE SCHEME

The Hon. C.M. SCRIVEN (14:24): I seek leave to make a brief explanation before asking a question of the Minister for Human Services regarding the NDIS.

Leave granted.

The Hon. C.M. SCRIVEN: On 8 November, the Minister for Human Services said, in response to a question concerning Anglicare job losses, and I quote, 'I am not the minister responsible for the National Disability Insurance Scheme.' I also refer the minister to her response to a question concerning the belated announcement of a disability advocate on 28 November, when she said, quote:

My office has certainly had a 'no wrong door' approach for some time in terms of the people who come to us with individual NDIS queries and we are more than happy to follow that up with them.

If the Hon. Mr Wortley doesn't enjoy constituent work he can ring my office at any time and refer any NDIS matters to our office and we will manage them for him.

Given that the minister is both all too happy to help with individual NDIS queries but also is not the minister responsible for the NDIS, can the minister confirm to the house who the actual minister for disabilities is?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:25): I am the minister responsible for disabilities in South Australia. There are two ministers responsible for the National Disability Insurance Scheme, and I think the title of that agency should be a dead giveaway: it's a national disability insurance scheme. The two ministers responsible for the NDIS are the Hon. Paul Fletcher and the Hon. Sarah Henderson.

NATIONAL DISABILITY INSURANCE SCHEME

The Hon. C.M. SCRIVEN (14:26): Supplementary: the Disability Reform Council provides a mechanism for states and territories, together with the federal government and the national disability insurance authority, to work collaboratively together for the success of transitional arrangements to the NDIS. Who is the responsible South Australian minister to the Disability Reform Council?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:26): I thank the honourable member for her supplementary question. I will be attending the national Disability Reform Council meeting on Monday next week in Sydney and meeting with other jurisdictions. I have talked about the importance in the past of the Disability Reform Council as we transition to full scheme in South Australia, which, as we all know now, has been running late—it was due to be in by 30 June. We have, as a state government, provided secondment of our staff from Disability SA to the National Disability Insurance Agency to assist them in prosecuting those transitions. We will also have a range of discussions on transition issues as we move forward and I look forward to progressing those matters.

NATIONAL DISABILITY INSURANCE SCHEME

The Hon. C.M. SCRIVEN (14:27): Further supplementary for clarity: I note that the minister says she is attending the meeting. Does that mean she is the minister responsible to the Disability Reform Council?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:27): I thank the honourable member for her supplementary. I think the Labor Party, when they don't really have questions of substance to ask, try to go to matters of semantics.

Members interjecting:

The PRESIDENT: Minister, please don't debate the question.

The Hon. J.M.A. LENSINK: I am not quite sure what the honourable member's point is. I have talked about these matters on numerous occasions. If the honourable members have a matter in relation to Anglicare, that was the organisation's decision itself. Can I remind them that Anglicare brought this matter to their attention prior to the election. They believed that the pricing was not

adequate for that particular service. Anglicare did not raise that matter with me, so I was not able to advocate on their behalf and now they have made that decision. I know that the federal minister is well aware of that.

Members interjecting:

The PRESIDENT: Members, you have had the opportunity to ask questions.

The Hon. J.M.A. LENSINK: Mr President, I know it's disorderly for members to interject and it's probably disorderly for me to respond, but I am not responsible for the pricing decisions of the National Disability Insurance Scheme. That is the matter. I am not quite sure what difficulty members of the Labor Party have in understanding that a national organisation falls under the purview of the national parliament and therefore a national minister.

NATIONAL DISABILITY INSURANCE SCHEME

The Hon. C.M. SCRIVEN (14:29): A further supplementary: can the minister advise the council what is on the agenda of the Disability Reform Council?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:29): I'm not sure that it's appropriate for me to discuss those matters in detail, but I think that, broadly speaking, we can talk about that there will be interface issues in relation to which level of government pays for which. There will be matters to do with health, going forward, which is an ongoing matter which has received some attention, as it should rightly do. There are also matters to do with transport and a range of other interface matters, ensuring that the pathways for people who are entering the scheme are as friendly, for want of a better word, and appropriate and timely as they can possibly be.

1000 HOMES IN 1000 DAYS

The Hon. E.S. BOURKE (14:30): My question is for the Minister for Human Services. Will the minister confirm the findings of the former Housing SA board who, in April this year, determined the 1000 Homes in 1000 Days program, in conjunction with other programs, including Renewing Our Streets and Suburbs, to be on time and on budget. Given the minister's public commitments in recent days, can she update the house as to how the 1000 Homes in 1000 Days program has come unstuck in just eight months?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:31): I thank the honourable member for her question. The quote that the shadow minister for housing gave to *The Advertiser*, I understand, was that it was her understanding that—I can provide a direct quote from Sunday's *Sunday Mail*:

Labor human services spokeswoman Nat Cook said the program was on schedule before the March state election, with 527 homes 'already completed or under construction and tenders awarded for the remaining homes'.

I can advise the chamber that under that same measure that figure is now 964. The 40 remaining homes, there are some complexities, because it is part of a particular complex which is taking longer to get those approvals, and that is a matter beyond our control.

This program, let's face it, was a slogan of the former government. I think anybody who knows anything about construction of properties and demolitions would have recognised that. It was announced in the Mid-Year Budget Review in December 2015. It was not to actually build 1,000 additional homes; it was to replace homes, and in fact it resulted in a net loss to the system of properties in the public system.

It has never been on track, according to the now Labor opposition's own measures. It was an unrealistic time frame. It underestimated the extent and number of houses required to be demolished in particular. There were matters in relation to approvals for internal financing.

The Hon. C.M. Scriven: The board said it was on time and on budget. On time and on budget.

The Hon. J.M.A. LENSINK: The second matter is that there were additional builders who were brought onstream, because it was confused between being an economic stimulus and an improvement of housing program, so the new builders weren't used to the processes, and not all of them performed to time. Anybody would tell you that it was unrealistic, and if I can once again—I am

sorry, Mr President—respond to a disorderly interjection, I am not sure if the Deputy Leader of the Opposition is hard of hearing, but according to the measure that they have applied, which is 527 homes, at the March state election, already completed or under construction and tenders awarded for the remaining homes, under this government that measure—already completed or under construction and tenders awarded for the remaining homes—is at 964.

I know that the Labor Party opposition is both innumerate and lacks any capacity to understand governance arrangements, but they are simply wrong. It is an increase of 433 from the state election, according to their own measure.

HOT WEATHER PREPAREDNESS

The Hon. J.S.L. DAWKINS (14:34): My question is directed to the Minister for Human Services. Will the minister indicate ways in which South Australians, particularly those who are vulnerable and/or isolated, can prepare for periods of extreme hot weather?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:34): I thank the honourable member for his question and for his interest in this area. As we know, we are starting to experience an increase in the temperatures, which is welcomed by many, but a number of vulnerable people need to take care by drinking water, staying cool and so forth. As a state government, we are urging all vulnerable South Australians to register with a potentially life-saving free phone service to provide checks at regular intervals during hot weather.

I was very pleased to attend a home with one of the registered people with the Red Cross Telecross REDi service. This lady has been a client of the Red Cross Telecross service since 2010. This is a service where trained Red Cross volunteers contact vulnerable members of the community. They can sometimes call up to three times a day and check on them and encourage them to take measures that will assist them. It could literally be a life saver for people in our community. In talking to the manager of the Red Cross today, he advised that it has been reported back to them that the Ambulance Service has sometimes attended and said that it has literally made the difference between people potentially living and dying.

These are people who live alone with a disability or mental illness, who don't have family to check on them personally. They may be housebound, frail, aged, or recovering from an illness or an accident. Vulnerable people, or their representative, can register by phoning 1800 188 071 or (08) 8100 4510, or they can also email telecrossredi@redcross.org.au. There are some 700 people who are currently registered with that service. We expect those numbers to increase over summer. It is a very valuable service. We particularly thank the volunteers and the Red Cross for administering this very important service to people in South Australia.

ADELAIDE METRO

The Hon. J.A. DARLEY (14:37): I seek leave to make a brief explanation before asking the Minister for Trade, Tourism and Investment, representing the Minister for Transport, a question about the Adelaide Metro service.

Leave granted.

The Hon. J.A. DARLEY: When a consumer pays for a service, there is an expectation that the service will be delivered as promised. In cases where the service is different to what was described, there is an expectation that the consumer would be entitled to a refund or a discount. However, this is not the case with Adelaide Metro, where consumers are required to pay full price for substandard services. For example, the train network is currently offering replacement services by bus, which makes the trip much longer and the regular bus services are often late and unreliable, yet Adelaide Metro customers are required to pay their full fares. Can the minister advise if there are any remedies available to Adelaide Metro customers in the form of a reduced or refunded fare if the service they have paid for is not delivered as promised?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:38): I thank the honourable member for his question and his ongoing interest in public transport in South Australia. I will refer that very important question to the Hon. Stephan Knoll, Minister for Transport in the other place, and bring back a reply.

STRATHMONT POOL

The Hon. R.P. WORTLEY (14:38): I seek leave to make a brief explanation before asking a question of the Minister for Human Services regarding the Strathmont Pool.

Leave granted.

The Hon. R.P. WORTLEY: The minister is on record regarding her commitment to close the Strathmont pool in January 2019, which is only next month. I am very grateful to the many family members, friends and clients of the Strathmont pool for making themselves available today in the chamber.

The closure of the pool will see some 1,500 swimmers forced to cease swimming or relocate, including about 700 children living with a disability. Parents of children with a disability have confirmed that, due to the increased costs and travel time to alternative pools, many of these children living with disabilities who use swimming lessons for socialisation, relaxation and therapy will now only have access on a severely restricted basis. Can the minister update the house as to what measures she has taken to ensure that children living with disability, for whom the Strathmont pool is a critical asset, are properly catered for once she has closed the pool?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:39): I thank the honourable member for his question. The Strathmont pool was originally built in the 1970s as part of the Strathmont Centre's recreational facilities, catering for hundreds of institutionalised residents. As successive state governments have supported integrating people with disability into the broader community, resident numbers declined and other groups were allocated access to the pool.

Since 2014, in light of the Strathmont Centre's planned closure, six-monthly user agreements were put in place for private, non-government and government organisations to use the pool. Those short terms, given the limited life of the ageing pool, were to encourage forward planning for alternative arrangements and to avoid leaving people stranded should pool facilities fail due to unpredictable longevity of parts and equipment.

During July, user groups were given the final six-monthly notice period that they had previously requested. The Department of Human Services staff have supported user groups to relocate to alternative facilities that suit their needs, and I think many users have been grateful for the period of time that the pool has been able to be kept open. The pool could fail at any time and the government is not in a position to provide an extension indefinitely. The pool was closed already in April earlier this year due to certain problems. The advice from my department is that the pool cannot continue to remain open because it will continue to fail and needs to be closed.

The Strathmont site is located in an area of particularly reactive soils. There are a number of buildings on that site that have had to be closed over the years and there are a number of very significant structures around and in the pool, which mean that it is going to continue to be a problem, so any works—and there were some quite recently. In October, there was a gas leak which had to be managed as well.

There are a range of problems with the pool that mean that it could fail at any time. For instance, they include the pool water heater which is now over 10 years old and could fail. The pumps are not turning over the required volume of water and they also require replacing. The scum gutters were recently sealed and repainted as an interim solution. They will fail over time and a long-term replacement is estimated to cost about \$200,000. It has been recommended that the pool be lined with a PVC liner instead of retiling. The budget estimate for this is \$40,000. There are several cracked PVC pipes—

The Hon. C.M. SCRIVEN: Point of order, Mr President: the question was about alternative provisions for children with disability, so my point of order is relevance.

The PRESIDENT: Minister, please attempt to answer the question but you have some latitude.

The Hon. J.M.A. LENSINK: Mr President, I have actually responded to that in the sense that the department has been working through these matters with each of the user groups to find

alternatives. There are four user groups. They have a number of people within their organisation who use the pool, so those alternatives that the department has found are where their clients will be going.

If I could just continue, several cracked PVC pipes underneath the pool have recently caused major water loss. This is going to require replacement of the underground pipework. The electrical distribution board, which is original from when the centre was built in the late 1960s, needs to be upgraded.

The Hon. C.M. SCRIVEN: Point of order, Mr President.

The PRESIDENT: Is this on relevance?

The Hon. C.M. SCRIVEN: It is on relevance.

The PRESIDENT: Minister, you are getting to a point where I don't think the council wants to hear a full litany of repairs to this pool. Is there anything else you wish to add in response to the honourable member's questions?

The Hon. J.M.A. LENSINK: I would just like to add that it is important that those user groups work with the Department of Human Services which, in good faith, has been assisting them to find alternatives. My understanding is that, as recently as yesterday, each of the organisations who provide services to individuals in the community has been provided with those alternatives. I think it is very disappointing that the Labor Party, having known that this pool is due to close—it was planned to close while they were in government—now is trying to—

Members interjecting:

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

The Hon. D.W. Ridgway: You ran the pool like you ran the state's economy.

The PRESIDENT: The Hon. Mr Ridgway, have you finished?

The Hon. D.W. Ridgway: Only partially, but I'll sit and wait.

The PRESIDENT: It's your minister trying to speak. I can't hear your minister with you screaming.

The Hon. J.M.A. LENSINK: The Labor opposition is trying to give people false hope that this pool can be kept open. The pool will continue—

Members interjecting:

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

The Hon. J.M.A. LENSINK: Mr President, I assume that, should the pool heater fail, which is a definite possibility, it means that we can't continue to heat the pool and therefore provide the chemical protection that participants need, something that the Labor Party supports. They believe that it is appropriate that a pool which is potentially unsafe is something that we should—

Members interjecting:

The PRESIDENT: Order! The Hon. Mr Hunter, please stop engaging in a conversation with the Hon. Mr Lucas.

The Hon. J.M.A. LENSINK: I'm assuming that is the Labor Party's position, that a pool which could become unsafe through the list of matters that I have raised is an appropriate place for us to continue to provide services to children and other users with disabilities. My department has worked through each of those user groups. It is their advice that each of them has worked on and worked towards an alternative. So all the hundreds of people who are using that pool will have another place to go.

I am very disappointed in the local member and I'm very disappointed in the shadow minister for human services, who have not explained this in a calm way to the families who are affected. It is inappropriate. They should have been encouraging all of the user groups to continue to engage with my department so that we would not reach a point where people would be disappointed that they

would not have a pool to go to. Those alternatives have been provided, is the advice from my department.

The Hon. I.K. Hunter interjecting:

The Hon. R.P. WORTLEY: Supplementary.

The PRESIDENT: The Hon. Mr Hunter, you're showing disrespect to the Hon. Mr Wortley.

The Hon. R.P. WORTLEY: Due to the fact that—

The PRESIDENT: I haven't given you permission to speak yet.

Members interjecting:

The PRESIDENT: Can the government benches—

The Hon. R.P. Wortley: See, it's a big joke, across the aisle, about these poor kids.

The PRESIDENT: This is not an engagement, the Hon. Mr Wortley.

Members interjecting:

The PRESIDENT: Can the government benches please stay calm. The Hon. Mr Wortley, let's hear your supplementary.

STRATHMONT POOL

The Hon. R.P. WORTLEY (14:47): Can the minister, given the fact that this pool is closing next month, name the alternative options that she has given for the site that they have allocated to these kids?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:48): I met with the member for Torrens about this some time ago. Following that, I organised a briefing for the member for Torrens with my department, so if the honourable member would like to confer with his Labor colleague, I am sure that she has all those answers.

STRATHMONT POOL

The Hon. K.J. MAHER (Leader of the Opposition) (14:48): Supplementary arising from the original answer: the minister said there are alternatives being explored. What—

The Hon. J.M.A. Lensink: No, they are not explored; they have been sorted out.

The Hon. K.J. MAHER: The minister says there are alternatives that have been found. Can she inform the chamber and all those people who rely on these services exactly what are these so-called alternatives?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:48): They are written on my brief in a 'for ministers only' section, so I'm not going to be revealing them.

Members interjecting:

The Hon. J.M.A. LENSINK: This is an issue which is going to come up time and time again. When I start naming organisations, the Labor Party is going to go to them and start trying to pick scabs, pick fights and be pretty dishonest. I have every confidence in my department. I know they have been working on this matter for a long time. They have worked, they have sat down and they have had conversations on at least a weekly basis with a whole range of people trying to sort out these matters. It is inappropriate and it is irresponsible for Labor members to be undermining the work of my department in finding alternatives. It is a matter that this pool needs to close. It was the plan of the previous government to close it, because in time these matters—

Members interjecting:

The PRESIDENT: Order!

The Hon. J.M.A. LENSINK: —may jeopardise the safety of people using the pool.

STRATHMONT POOL

The Hon. R.P. WORTLEY (14:50): A further supplementary arising out of the answer. Am I permitted to ask the question?

The PRESIDENT: Proceed.

The Hon. R.P. WORTLEY: The minister has made two statements here: one of them that this pool was—

The PRESIDENT: No, it is not an opportunity for a diatribe. A simple question, the Hon. Mr Wortley.

The Hon. R.P. WORTLEY: Simple question: the minister is saying that \$300,000 is required to keep this pool going for a further 12 months. When you consider for the 1,500 children—

The PRESIDENT: The Hon. Mr Wortley, just ask a simple question.

The Hon. R.P. WORTLEY: Why won't the government spend a mere \$300,000 on a pool which provides such important—

The PRESIDENT: That's it. That's a good question.

The Hon. R.P. WORTLEY: Good question.

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:50): Mr President, I am always delighted to answer questions from the Hon. Mr Wortley. The simple answer is because the Liberal Party cares about the safety of people; I am not sure if the Labor Party does.

The Hon. K.J. Maher: You won't spend money fixing something up.

The Hon. J.M.A. LENSINK: It's not going to be safe.

The PRESIDENT: A further supplementary?

STRATHMONT POOL

The Hon. R.P. WORTLEY (14:51): You have made statements that the previous government was going to close that pool. What evidence have you got of that, because not only did the previous government—

The PRESIDENT: That's it, that's the question. Minister.

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:51): Again, I think we are relying on the word of the member for Torrens. The member for Torrens expressed to me that there had been some commitment to provide other facilities which—I went back to my department and I said, 'Really? What was going on here?' We looked and we actually looked really hard and this has been the consistent position. I mean, this is why the user groups have only had six-monthly contracts because the pool could fail at any time. I understand that it is disappointing.

Members interjecting:

The PRESIDENT: Order! The Hon. Mr Wortley, please don't interject on your own question.

The Hon. J.M.A. LENSINK: It is disappointing for people who have been able to use the Strathmont pool to not be able to access it. I understand and I honestly sympathise with that situation, but I am not going to be able to continue to provide this pool when it is going to become a safety risk and it needs a lot of work done to it.

The Hon. R.P. Wortley: \$300,000.

The Hon. J.M.A. LENSINK: Well, it is on reactive clay soils. There are going to be continuous problems with it. It probably should not have been built on that site in the first place and it was the plan of the former Labor government.

The PRESIDENT: The Hon. Mr Hunter, a supplementary?

STRATHMONT POOL

The Hon. I.K. HUNTER (14:52): The minister has advised the council that she has before her in her written notes information that would answer the question about where these alternative sites are but they are in a confidential section. Minister, you can make the decision to release that information, which will be very helpful to members of the community who rely on that pool. Why won't you?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:52): As I have said before in this place, the Labor Party are bullies. They go to individuals, they go to organisations and they say things that aren't true. I have seen that countless times, particularly since they have become the opposition, that they will bully organisations and say things on the record about them which are not true.

Members interjecting:

The PRESIDENT: Order!

The Hon. J.M.A. LENSINK: The interests for whom we need to be most cognisant of are the users of the pool, not members of the Australian Labor Party. My department has worked with each of the user groups, they have come up with alternatives, and I'm satisfied that that therefore best suits the users of the particular pool. I don't think it serves anybody to provide the Labor Party with further opportunities to undermine the work of the department in finding alternatives. If the media is interested in where these are located, then we will consider that, but it is not in the interests of the users of the pool—the families—to have the Labor Party undermine providing alternatives for these people to go to and, therefore, I will not be releasing this information.

The PRESIDENT: The Hon. Mr Wortley, I think this is going to be the final supplementary on this topic.

The Hon. R.P. WORTLEY: This is a very important issue, Mr President. I think we should take it on the merits of the question.

The PRESIDENT: Just ask the question.

STRATHMONT POOL

The Hon. R.P. WORTLEY (14:54): Supplementary: have all the user groups been accommodated with alternative sites?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:54): My advice is that as of yesterday they have.

STRATHMONT POOL

The Hon. C.M. SCRIVEN (14:54): I beg your indulgence for a further supplementary.

The PRESIDENT: Yes, I am going to allow you to ask a further supplementary. I am still in shock from the Hon. Mr Wortley's—

The Hon. C.M. SCRIVEN: The absolutely final one.

The PRESIDENT: —appropriate, within standing orders question. Go ahead.

The Hon. C.M. SCRIVEN: Thank you, Mr President. Will the minister guarantee that users who have been using this pool will have at least the same amount of access as they have had up until now?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:55): I am not in a position to be able to advise on the particular details because they may well change their programs themselves. There is a question of what services they may decide to provide into the future. We are talking about the education department, a community provider and other providers, so I am not in a position to guarantee that someone who is an organisation in the middle is not going to change their services.

STRATHMONT POOL

The Hon. R.P. WORTLEY (14:55): Mr President, just one further supplementary.

The PRESIDENT: Alright, I'm going to be charitable; this is the last one for you, the Hon. Mr Wortley.

The Hon. R.P. WORTLEY: Is the Modbury rehabilitation hydrotherapy pool one of the alternative options?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:55): I refer to my previous answer.

Members interjecting:

The PRESIDENT: Order! The member is on his feet; he is going to ask a question.

INDIA TRADE DELEGATION

The Hon. T.J. STEPHENS (14:56): My question is to the Minister for Trade, Tourism and Investment. Given that excitement is building for the Test week in Adelaide—Australia versus India—and given the minister's illustrious career with the Wolseley first 11, can the minister inform the council of the exciting business and networking opportunities on offer with this week's coinciding Indian inbound trade mission?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:56): I thank the member for his ongoing interest.

Members interjecting:

The Hon. D.W. RIDGWAY: We're talking about cricket, Mr President, and I love cricket. I love cricket.

Members interjecting:

The PRESIDENT: Do you wish to speak again, honourable minister?

The Hon. D.W. RIDGWAY: I love cricket, Mr President, and this morning I had the great—

The PRESIDENT: Get to your answer, the Hon. Mr Ridgway.

The Hon. D.W. RIDGWAY: —pleasure of welcoming an Indian inbound business delegation to South Australia, coinciding with the first Test between Australia and India at the fabulous Adelaide Oval. The cricket will provide the perfect backdrop for an inbound Indian trade mission as South Australian companies pitch their products and services to high-profile representatives across key sectors of opportunity between our two regions. These areas include tourism, water, environment, defence, investment, technology, innovation and agribusiness.

Representatives from India attending the delegation come from a broad cross-section of the Indian community, including Tata Elxi, Aatash Norcontrol, Aptech, HCL (whom I discussed yesterday in the chamber), the Confederation of Indian Industry, key government officials and many more. Some of the South Australian companies participating in the delegation include Adelaide Brighton, Thomas Foods, Elders, Vinnovate, Silanna, Morgans Financial, Drakes Supermarkets, Peregrine Corporation, Mayne Pharma Group and our leading universities, just to name a few.

The four-day visit will showcase some of the state's top tourism attractions, while providing the chance for delegates to meet local companies looking to export to India, as well as highlight key investment opportunities within our great state of South Australia. The delegation will meet senior South Australian industry and government leaders and visit our newest innovation and entrepreneurship precinct—or 'ideapreneurs' as we talked about yesterday—at Lot Fourteen.

Indeed, this morning's official welcome took place at Lot Fourteen, where the guests heard from a range of guest speakers on trade, tourism and investment opportunities. Each delegate has a bespoke program of business-to-business programs organised by my department to match their needs with the opportunities most relevant to businesses here in South Australia.

I was able to highlight some of the key areas of growth that we can collaborate on to do business, as well as some of South Australia's great strengths and export opportunities. The launch this morning at Lot Fourteen was a significant event. There were probably 60 to 70 people in the room, and I am sure the rest of the program will be enjoyed by all. Tomorrow, the delegation will engage in a comprehensive program of sports diplomacy at Adelaide Oval, enjoying a common love of cricket while engaging in business meetings and networking.

India, as we are very well aware, is a very important economic partner, one for which we see plenty of room for growth. I hope that this is the beginning of many fruitful relationships between these Indian companies and South Australian businesses. I look forward to furthering the relationship between our great state of South Australia and the great country of India.

PUBLIC TRANSPORT

The Hon. K.J. MAHER (Leader of the Opposition) (14:59): Supplementary: the minister talked about his love for cricket. What does the minister say to the cricket lovers who won't be able to catch public transport as they were planning to this weekend, and does he support the South Australians who are inconvenienced by this shutdown having free access to such public transport?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:59): It was a long supplementary. As far as I am aware, South Australians will still be able to catch public transport. Of course, we obviously have some issues with the trains that the minister, the Hon. Stephan Knoll, is dealing with, but people will still be able to get to the cricket. The members opposite always used to talk about Adelaide being a very livable city and a very walkable city. Once you get into the city, you can walk down to Adelaide Oval. I am sure any members here will be walking to Adelaide Oval.

The timing is a little unfortunate, but this is about progress. The arrangements that are in place are there to cater for the public transport needs. I am sure the cricket will be a great success, with capacity crowds, and I hope the Australian team is victorious.

The Hon. T.J. STEPHENS: Supplementary question.

The Hon. K.J. MAHER: Further supplementary.

The PRESIDENT: I am going to give it to the Leader of the Opposition. He caught my eye first, and I will give you the call, the Hon. Mr Stephens.

The Hon. T.J. Stephens: Can you look this way a little bit more often?

The PRESIDENT: I do. No disrespect. The Leader of the Opposition.

PUBLIC TRANSPORT

The Hon. K.J. MAHER (Leader of the Opposition) (15:01): As a cricket lover, as he said in his original answer, knowing how many people would love to come to the cricket, does the minister, as a member of cabinet, know if there was any other option than having this weekend for the full shutdown of the train system?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (15:01): The Leader of the Opposition would know that I am not going to be discussing any cabinet discussions with him or anybody else in this chamber.

The Hon. E.S. Bourke interjecting:

The PRESIDENT: The Hon. Mr Stephens has the call and then I will come to the Hon. Ms Bourke.

PUBLIC TRANSPORT

The Hon. T.J. STEPHENS (15:01): Thanks, Mr President. Supplementary question: minister, are you aware that the same situation happened last year during the Ashes Test, when the former government was in exactly the same situation, those who are bleating here right now?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (15:01): I thank the honourable member for his supplementary, reminding me that sometimes these inconveniences

occur. It happened last year. That's why arrangements are made, alternative arrangements are put in place for public transport users.

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

PUBLIC TRANSPORT

The Hon. E.S. BOURKE (15:02): I was just wondering if the minister could confirm how he will be getting to the cricket on Saturday?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (15:02): I won't be able to get a pair tomorrow, because of the members opposite, to spend some time with the Indian delegation, but if I was, I would walk from here. This is about growing the state's economy, but I am not even going to ask for a pair, because the members opposite have stopped granting pairs. I would walk from here down to Adelaide Oval.

On Friday, I am unable to go; I have a family commitment. I actually haven't worked out how I am going to get in on Saturday. I might walk, if it's not too hot. As members know, I often walk from my house in Mitcham into here or into my office. I often walk. I know you might find that a bit strange, but I get up quite early. I love the fresh air and the early mornings and I walk in—

The PRESIDENT: That's it. Sit down. The Hon. Ms Bonaros.

WIND FARMS

The Hon. C. BONAROS (15:03): I seek leave to make a brief explanation before asking a question of the Minister for Trade, Tourism and Investment.

Leave granted.

The Hon. C. BONAROS: In July 2012, while in opposition and your party's leader in this place, you personally wrote a letter to constituents stating:

South Australian Liberals want to protect residents and communities from wind farms built too close to homes and villages.

South Australians don't want to live too close to industrial scale wind generators. Neighbours and adjacent landowners' farm management practices and rights must not suffer because of a Labor-approved wind farm on another property.

Further in that letter, you went on to write:

Wind-powered generation was previously seen as totally environment-friendly and green, but turbulence is building over its cost, health effects and aesthetics.

You then went on to say:

Liberals believe wind farms must not be approved on sites where they create negative and social effects.

We will protect residents by banning new wind turbines from being built closer than two kilometres from an existing dwelling without the homeowner's consent, and five kilometres from any town or settlement.

Earlier today, I was provided with a response from the Treasurer, which outlines the government's position in relation to the same issue and ends with the following:

I note the honourable member's interest in a review of windfarm policies, and this work is currently being undertaken by the State Planning Commission, which is in the process of updating and reviewing state-wide policies for the Planning and Design Code under the Planning, Development and Infrastructure Act 2016.

My questions to the minister are:

1. Do you still personally stand by the comments you made in your correspondence with regard to wind farms, and will you be making representations as part of the review process and to the government to that effect?
2. Do you think you misled constituents given the statements made in your letter?
3. Do you think that constituents who received that letter have every right to be bitterly disappointed with the stance your government has taken since coming into government?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (15:05): I thank the honourable member for her question and ongoing interest in the state's renewable energy. It is interesting: I think she quoted a letter I had written in July 2012. I don't know whether it was my personal views, or maybe even the published Liberal Party policy, but we have had two elections since then. Sadly for us and the state, we didn't win the 2014 election, so we had to endure another four years of a bad government. It was a policy that was in place back then. We didn't take it to the 2018 election, so it is not a policy that we took to the 2018 election, so the Liberal Party had reviewed its policy position.

I note that the state planning review is underway. There are always issues with wind farms. The Hon. Mark Parnell, the Hon. Russell Wortley—and that was all, I think, Brokey did not come—only three. The Hon. Ann Bressington did not come because she was frightened of other things, I think, up there that night. I recall a colourful article written about what might happen up there at that site.

We slept under a wind farm one particular night, and I would have to say there was no noise evidence. I was quite surprised; I couldn't hear anything. I do know that there are some people in the community who feel like they are badly affected by them. I am sure the planning review will take that into account as it is conducted by minister Knoll's department.

AUSTRALIAN SIGN LANGUAGE INTERPRETERS

The Hon. J.E. HANSON (15:07): I seek leave to make a brief explanation before asking a question of the Minister for Human Services.

The Hon. J.M.A. Lensink: Into what?

The Hon. J.E. HANSON: The NDIS.

Leave granted.

The Hon. J.E. HANSON: It would appear some community and disability service providers are no longer able to provide Auslan interpreters for community events, such as the Carols by Candlelight in Elder Park. I am advised that this was a service previously provided through block funding that has since ceased as South Australians continue to transition to the NDIS.

This is obviously an unforeseen shortfall of the transition to full NDIS and a community service that must not be left behind through bureaucratic short-sightedness. My question is: what consultation has the minister conducted or what representations has she received concerning the discontinuance of services, such as the Auslan interpreters at community events, including Carols by Candlelight?

The Hon. J.M.A. LENSINK (Minister for Human Services) (15:08): I thank the honourable member for his question. Can I provide some background that qualifications associated with the Australian Sign Language (Auslan) interpreter pathways are endorsed as a national training product. In South Australia, people wishing to become an accredited Auslan interpreter can undertake state government subsidised training, delivered by TAFE SA, at certificates II, III and IV levels.

The Department for Industry and Skills is working with private training organisations to deliver Auslan qualifications in South Australia. Payment rates, I am advised, for interpreting services are set by the NDIS price guide, developed by the NDIA. Deaf Can:Do, which is a South Australian non-government organisation, has received \$100,000 in funding through the Northern Economic Plan to develop a fast-track Auslan interpreter training pilot project.

The pilot will support Deaf Can:Do to almost double their interpreter workforce by March 2019 by supporting 10 native Auslan users—'native' being individuals who have fluency in the Auslan language and culture—to complete a fast-tracked Auslan certification program. The program is being implemented in partnership with the National Accreditation Authority for Translators and Interpreters (NAATI), the Australian Sign Language Interpreters' Association SA (ASLIA SA) and Vicdeaf.

The funding enables Deaf Can:Do to provide interpreter services for a range of activities. This is additional funding of \$240,000 in the 2018-19 financial year for activities, including counselling, medical and dental appointments, legal and other meetings, religious activities, recreation and sport education, telephone interpreting and workplace activities.

I have been advised that some deaf people are finding it difficult to access Auslan interpreters due to a chronic shortage, which is a workforce capacity issue, that we do not have enough trained interpreters to meet demand. As I have outlined, we are providing funding to assist in that regard. In relation to his specific question in relation to Carols by Candlelight, I would need to check the record. From memory, I don't recall actually receiving any direct communications, but if that is not the case then I will come back with a further response.

AUSTRALIAN SIGN LANGUAGE INTERPRETERS

The Hon. J.E. HANSON (15:10): Supplementary question arising from the answer: given all the evidence provided, can the minister actually commit to continuing these important services at community events to enable deaf South Australians to continue to participate in them, and from when?

The Hon. J.M.A. LENSINK (Minister for Human Services) (15:11): I am not sure that I completely understand what the honourable member is asking. Is he asking whether the previous block funding that was provided by DHS to organisations will continue after the implementation of the NDIS or whether he wants a guarantee that all community events will have an Auslan interpreter?

The Hon. J.E. Hanson: The second one.

The Hon. J.M.A. LENSINK: The second one. I don't know that I am in a position to guarantee that because, as I have said, we do have a shortage of Auslan interpreters in South Australia, it being a workforce issue. I have outlined some of the support that the state government is providing to assist with this matter. Certainly, there have been events that I have attended on numerous occasions where they do have Auslan interpreters. I would have thought that for such a significant event there would be sufficient interpreters available, but I don't think we can guarantee that for every event that is held anytime, anywhere and that would like to have an Auslan interpreter that there will be one available. I am certainly happy to see what other information we have about community events and bring that back to the chamber.

The PRESIDENT: The Hon. Mr Hunter, a supplementary?

AUSTRALIAN SIGN LANGUAGE INTERPRETERS

The Hon. I.K. HUNTER (15:12): I understand the minister's response, sir, but I wonder if she will undertake to ask the Treasurer to find the funding for an Auslan interpreter for Carols by Candlelight this year?

The Hon. J.M.A. LENSINK (Minister for Human Services) (15:12): I don't think I said that there wasn't funding for Carols by Candlelight for an Auslan interpreter.

The Hon. K.J. Maher: Is there funding for it?

The Hon. J.M.A. LENSINK: I actually don't know the answer to that question. I think it's more of a workforce issue rather than a funding issue. We need to have the Auslan interpreters available to perform that work rather than to provide additional funding per se. If you don't have the available trained workforce to do these things—but I would be surprised if an event as significant as Carols by Candlelight would not be a high priority for Auslan interpreters. It may well also be that it's a matter of choice for interpreters as to which events they attend. I am happy to check the record to see whether anybody has made any representations to me about this specific event and bring that back to the chamber.

The PRESIDENT: The Hon. Mr Hunter, a further supplementary?

AUSTRALIAN SIGN LANGUAGE INTERPRETERS

The Hon. I.K. HUNTER (15:13): Yes, sir. If the minister is surprised and she finds out that there is insufficient funding to provide for an Auslan interpreter at Carols by Candlelight, will she undertake to find the funding to provide one for this year?

The Hon. J.M.A. LENSINK (Minister for Human Services) (15:14): I could ask my department, but it depends on whether there is actually a shortfall. The Labor Party whip asserts it, but Labor Party members come in here and assert all sorts of things that we know at the time, in

question time, aren't true or that we subsequently find out aren't true. It's often a case of never let the truth get in the way of a good story. I would need to look at what information my department holds. As I said, I am happy to bring back information to the chamber if I've been written to and if there is a concern about this particular issue.

The PRESIDENT: The Hon. Mr Hunter, a supplementary?

AUSTRALIAN SIGN LANGUAGE INTERPRETERS

The Hon. I.K. HUNTER (15:14): I am grateful for those answers, but I ask again: if you are surprised and find out that there is a lack of funding for an Auslan interpreter for Carols by Candlelight will you provide the funding for this year?

The Hon. J.M.A. LENSINK (Minister for Human Services) (15:14): As I've said, Labor members assert all sorts of things in this place and outside of this place and all over the place, and we know that they often aren't true. I will investigate the circumstances of this and see whether that is the case or not, but I would always take everything that any member of the Labor Party says to me with a grain of salt.

BRAZIER MOBILITY

The Hon. J.S. LEE (15:15): My question is to the Minister for Human Services about mobility options for people living with a disability. Can the minister please provide an update to the council about the important contribution made by local companies like Brazier Mobility that impact on mobility options for people with disability and their role in employing workers in the automotive industry?

The Hon. J.M.A. LENSINK (Minister for Human Services) (15:16): I thank the honourable member for her question. It was my great pleasure to attend on 22 November the 20th anniversary of Brazier Mobility. They have rebadged themselves with a new brand. They have been known for some time as Les Brazier Special Vehicles Pty Ltd. They are now known as Brazier Mobility. They have been operating for 30 years in the northern suburbs, now at Edinburgh, and they specialise in the design, fabrication, modification and fit-out of wheelchair-accessible vehicles.

Brazier Mobility sells and distributes their converted vehicles throughout South Australia and Australia and advertises their business as 'a national leader in this specialist field...Australia's most trusted provider of Quality Wheelchair Accessible Vehicles'. They have their administration head office and workshop located in Edinburgh North, employing some 16 to 25 trade employees and 12 to 14 skilled tradespeople. They convert a range of widely available vehicles into wheelchair-accessible taxis, vans, buses and personal transport. Other modifications include adding hand controls, steering wheel spinner knobs, left foot pedals, and modified, swivel or electronic seating in addition to on-site servicing, emergency breakdown service and user training.

I am advised that the Hon. Kelly Vincent, at least one of the vehicles that she used during her term here had been modified by Brazier. They are used as the preferred supplier of modified vehicles for SCOSA, Variety SA and many metropolitan and regional based organisations that provide services for people with disability. They have a nationwide business selling and distributing converted vehicles throughout Australia, and they are a registered NDIS business. All of their modifications comply with the relevant Australian standards and the Australian Design Rules, with conversions certified by an independent engineer.

This was a very significant event. They also employ students who come from St Patrick's Technical College. I met one of the recent recruits there who was greatly enjoying his new role there. They provide a great service to the community, so we congratulate them on their long-term service and wish them well into the future.

The PRESIDENT: The Hon. Ms Franks.

The Hon. T.A. FRANKS: Thank you, Mr President. I rise today to speak about our collective future, our current reality and—

The PRESIDENT: No, the Hon. Ms Franks; you have a question?

The Hon. T.A. FRANKS: Sorry, Mr President, I was ready for MOIs.

The PRESIDENT: Two minutes.

The Hon. T.A. FRANKS: Sorry, Mr President, I am not used to ministers not talking down the clock at the end of question time.

Members interjecting:

The Hon. T.A. FRANKS: New government, new rules!

MAJOR EVENTS

The Hon. T.A. FRANKS (15:19): My question is to the Minister for Trade, Tourism and Investment. Can he please outline the procurement process for all major events and managed events that are handled by his department in terms of what events go out to tender for suppliers' goods and services and what are done internally through a preferred tender process that is not subject to any public input?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (15:19): I thank the honourable member for her question. As members would be aware, that is quite a complex question for which I don't have any information here in relation to how they go about tendering and which ones are in and out. The member has explained herself fully and I will refer that to the South Australian Tourism Commission and bring back a response.

ENERGY CONCESSIONS

The Hon. T.T. NGO (15:20): My question is to the Minister for Human Services. Will the minister advise whether energy concessions will continue to be managed in their entirety by the Department of Human Services? Has the department undertaken any work regarding a third party provider taking over the delivery of energy concessions?

The Hon. J.M.A. LENSINK (Minister for Human Services) (15:20): I thank the honourable member for his question. Prior to the election all of us would have received a lot of policy requests from various organisations. One of these actually related to the matter of energy concessions. In particular, the organisation SACOSS had taken the view that energy concessions could be better delivered through the energy retailers rather than through the Department of Human Services, as it is now known, or the department for communities and social inclusion.

There is a process which is now underway which I think has been publicly reported on. A program of reforms is underway to progress priority recommendations, which includes the implementation of identified administrative efficiencies to simplify processes and reduce manual handling, development of a data warehouse to enable business intelligence and inform further service improvements, and developing improvements to the online application process.

We are also exploring alternative models for the administration of the energy concession in consultation with the Department for Energy and Mining. That will involve understanding the processes occurring in other jurisdictions, analysis of a fixed versus percentage-based concession amount, investigating the potential risks and a thorough analysis of the potential benefits and costs of new models for Concessions SA customers and government.

These matters are being examined at the moment and we will continue to consult with various stakeholders, in particular the South Australian Council of Social Service (SACOSS) and energy retailers going forward.

Parliamentary Committees

LEGISLATIVE REVIEW COMMITTEE

The Hon. T.J. STEPHENS (15:23): I bring up the 12th report of the committee.

Report received.

Matters of Interest

CLIMATE CHANGE

The Hon. T.A. FRANKS (15:23): Today, I rise to speak about our collective future, our current reality and the conversation happening between almost 200 nations in Poland right at this very moment. I am of course talking about climate change. Currently, the COP24 conference is

happening in Poland where world leaders and delegates from almost 200 nations are discussing how we can turn pledges made in 2015 at the Paris climate deal into a reality.

These negotiations take place against a background of ominous news. The past four years have been the hottest on record. Despite early efforts, which at one point Australia led, global emissions are rising when we need them to halve by 2030. Queensland is burning with unprecedented bushfires while just the other week New South Wales was inundated with destructive rains. Our rivers are drying, our farmers are facing seemingly endless droughts and we have already had dire warnings for the bushfire season ahead around the country—and this is only for 2018.

It is not a situation unique to Australia. This year, we have seen heatwaves and wildfires in Europe and California, contrasted by enormous floods in India, Japan and East Africa. Devastating, huge climate events such as storms, hurricanes, droughts and floods are happening more frequently, where previously they would have been spaced out over decades or even hundreds of years. But this is just the beginning. The UN itself warns that we only have 12 years to limit—and I would like to emphasise the word 'limit', as it is not even 'avoid' anymore—the climate change catastrophe ahead.

We need urgent changes to cut the extreme heat risk of drought, floods, inequality and, of course, poverty. It is that last point about climate justice—inequality and poverty—that is the reason I chose to talk about climate change today. We are without a doubt the last generation that can change the course of climate change. What is unique about this point in time is that we are also seeing some of the first generations living with its consequences, and this has been shown most clearly in the voices of ordinary people all around the world, especially in the lead-up to COP24.

To quote a well-known saying, 'The impacts of climate change are here. They are just not evenly distributed.' The 47-strong Least Developed Countries Group has made a powerful statement to world leaders, stating that 'We represent almost one billion people, the people who are least responsible for climate change but among the most vulnerable to its effects.' Climate change places compounded stresses on our environment as well as our economic, social and political systems. It undermines development gains and leads to shortages in basic necessities.

One-third of the planet's land is no longer fertile enough to grow food. More than 1.3 billion people live on this deteriorating agricultural land, putting them at risk of climate driven water shortages and depleted harvests. These circumstances lead to worsening hunger and poverty. While everyone around the world feels the effects of climate change, people living in the world's poorest countries such as Haiti and Timor-Leste are the most vulnerable yet the least responsible for the emissions and pollutions that are driving catastrophic climate change.

Increasingly unpredictable weather patterns, shifting seasons and natural disasters disproportionately threaten these populations, increasing their risk and their dependency on humanitarian aid. Three out of four people living in poverty rely on agriculture and natural resources to survive. For these people, the effects of climate change, limited water and food sources, and increased competition for them, are a real matter of life and death. Climate change has turned their lives into a desperate guessing game, but the disparity of the impact of climate change on the wealthy versus the poor is not just demonstrable between countries but within countries as well. The poor are disproportionately affected by climate change, the least responsible for it and the least able to shield themselves from its effects.

A perfect example of this was the recent bushfires in California. As the death toll continued to climb from the wildfires and the residents began to confront the enormous task of trying to rebuild their homes and communities, the very lucky and the very rich did not face the same challenges. Celebrities and other wealthy residents were able to save their homes by employing private firefighters who are often provided as a service as part of a certain insurance company's coverage plans but come at a very high cost. The insurance companies offering this additional service are often for policyholders with properties valued at more than \$1 million.

So here we have a perfect example of those with money being able to escape, or at least greatly mitigate, the effects of severe natural disasters fuelled by climate change while those with less money face the brunt of the impact. These inequalities we see will only be exacerbated unless we take action now. I commend the schoolchildren who stood on the steps of this place and stood on the steps of parliaments around the country last week. They were there for urgent action from

people in these places, these parliaments, for climate change, and I stand with them today for climate justice as well as action on climate change.

TEEN CHALLENGE

The Hon. D.G.E. HOOD (15:28): I am pleased to rise to speak on the important work of Teen Challenge which I believe most, if not all, members would be somewhat familiar with in this place. For those who are not, it is a not-for-profit community organisation whose primary aim is to assist young people from the age of about 16 who are struggling with life controlling addictions. Established in 1958, it is known for having developed the oldest, largest and most successful rehabilitation program of its kind.

At present, Teen Challenge operates in over 250 centres worldwide in more than 125 countries and was established right here in South Australia in 1982. It has received formal accreditation for excellence in the delivery of rehabilitation services. It is also a member of the Australian Therapeutic Communities Association.

Teen Challenge operates throughout our state with a rehabilitation centre in Norton Summit, two youth drop-in centres located at Mannum and Mount Barker, and an emergency food outreach at Murray Bridge. Despite its numerous functions, it is managed by just two full-time and three part-time staff members, relying mostly on the assistance of approximately 40 volunteers. This team comprises professional and qualified counsellors and youth workers who provide mental health and rehabilitative care for people recovering from the many adverse effects of predominantly drugs and alcohol abuse.

Clients are treated by engaging proven methods, including cognitive behavioural therapy, acceptance and commitment therapy and motivational therapy, facilitated in both individual and group sessions. Teen Challenge has experienced an impressive success rate of over 80 per cent through these methods, with clients deemed to have been successfully treated after remaining drug free for at least five years following completion of the program. Many similar organisations rate their success on a much shorter time frame. Indeed, many of the organisation's volunteers have been rehabilitated themselves with the support of Teen Challenge and are demonstrating good life skills and positive behaviours for the teens now seeking help from them.

Teen Challenge attributes its success to the fact that its programs are founded on and structured around faith-based principles; indeed, the Christian faith. Although Teen Challenge works in partnership with other agencies to help individuals address many of the legal, health, family and relationship concerns that can result from their addictions, evidence suggests that it is the organisation's faith-based approach that has been foundational to its longevity and the lifelong abstinence experiences by its graduates.

The organisation strongly believes that an individual's physical, emotional and spiritual wellbeing all need to be considered in order to effect real and enduring change. It has nevertheless obtained recognition beyond the Christian community as being an effective rehabilitation service through its proven record of helping countless young people reach their full potential with the impressive results that I just alluded to. Teen Challenge works with people who are most at risk not only within our city and suburban areas but also within remote Aboriginal communities, where it has gained the trust and respect of locals due to its extensive involvement in their regions over a substantial period of time.

Just yesterday, in this place, we debated a bill seeking to protect our most vulnerable communities from alcohol-related harm, where I mentioned the state government recognised that a holistic approach needs to be taken to mitigate the myriad of antisocial problems that can arise from substance abuse. Organisations such as Teen Challenge certainly serve to complement government initiatives. I take this opportunity to commend it on its vast efforts and valuable contribution to this end.

Over the number of years I have been in this place, I have come to know the leadership of Teen Challenge at a personal level. Graham Ross is the CEO and has been for some substantial time. I believe he is doing outstanding work in his capacity, leading Teen Challenge, as are other people there. I strongly commend them to members of this place.

INDUSTRY AND SKILLS

The Hon. C.M. SCRIVEN (15:32): As the parliamentary year draws to a close, I want to touch on a number of issues related to the area of industry and skills. There have been significant changes in the portfolio, some good and some definitely not so good. We have seen cuts to career services programs that successfully help people into jobs. We have seen cuts to disability support services, including Bedford Industries, cuts to the University of the Third Age, cuts to the retrenched workers program and cuts to the Jobs First employment program. We have seen cuts to the Small Business Development Fund, despite the Liberals claiming to be the party of small business, and cuts to the digital game development program. We have, sadly, seen a pattern of cuts, cutting support for employees with no alternative support provided.

Members will recall that the Marshall Liberal government cut the \$4,000 support package for workers from the Castalloy plant in Plympton just at the time the workers were due to start accessing the support. When the government was asked what support would be offered to these retrenched workers for reskilling, what was the government's response? The Skilling South Australia program. So the government thinks that a 50 year old or a 60 year old who loses their job should go and get an apprenticeship or a traineeship. Adults who have mortgages, who have families to support, are being told to start over as though they are teenagers. It really does show just how out of touch this Liberal Marshall government is.

It seems, with the minister, that the question does not matter. The only answer is 'apprenticeships and traineeships'. When the minister cut all support for employment transition services or disability support services, apparently apprenticeships and traineeships was the answer to these cuts. Whilst I commend the minister for setting targets on delivering more apprenticeships and traineeships, unfortunately he has not told the whole story.

The government has repeatedly claimed that they will deliver 20,800 new apprenticeships and traineeships in South Australia but, under the scrutiny of estimates, it was confirmed that their promise is not 20,800 completed apprenticeships and traineeships but merely commencements, and the non-completion rate is very high.

The Hon. J.E. Hanson: Tricky.

The Hon. C.M. SCRIVEN: Tricky, as the Hon. Mr Hanson says. So they are spruiking this number of 20,800 in the full knowledge—the full knowledge—that many thousands of these apprenticeships and traineeships will not be completed. On a brighter note, however, I understand that public servants in the Department for Industry and Skills are still enjoying playing minister Pisoni's 'I was a tradie' bingo game.

The Hon. J.E. Hanson: Bingo!

The Hon. C.M. SCRIVEN: Bingo! Members will recall that this involves keeping a tally of the number of times in a single speech the minister mentions that he used to be a tradesman. I see from *Hansard* that Liberal members also enjoy participating in the game, particularly the member for Waite in the other place, so at least the minister has been able to provide some light entertainment for his many friends on his side of the house.

One may have thought that, after being a shadow minister for 10 years, the minister would have been eager to introduce legislation to enable his exciting plans to come to fruition. Instead, he has introduced just one, a rushed bill that is currently before this chamber to ensure that he can choose, without restraint, every member of the Construction Industry Training Board (CITB). This was rushed through the House of Assembly, preventing serious debate, then came to this chamber.

The bill removes the current balance of interests from across the construction industry that requires the board to have five representatives from employer groups, three representatives from employee groups, and two members with experience and expertise in vocational education and training, as well as a presiding member. And what do we find out?

Firstly, the minister has not abided by the current legislated process to appoint the presiding member. Then we find the person he appointed as a member with experience and expertise in vocational education and training has no experience in vocational education and training. Next, the minister has refused to answer whether that same appointee is a member of the Liberal Party. He

has also refused to answer whether that same person had any involvement in organising Liberal Party Future SA forums, including the Unley forum, which I understand are fundraising events for the Liberal Party.

The minister spoke in the other place from notes that appeared to refer to confidential board minutes, raising serious concerns about probity and breaches of confidentiality, apparent breaches which have only arisen since the time of this appointment made by the minister. The dark clouds hanging over this embattled minister now place many questions over this legislation. I hope that the performance of the minister will improve next year. It has been a little embarrassing to watch him stumble his way through question time, with the Premier often jumping in to save him when a question is asked. On that note, I wish the minister, everyone in the industry and skills portfolio, and the rest of the industry a very happy Christmas and new year.

REGIONAL ROADS

The Hon. F. PANGALLO (15:37): I rise today to speak about the state of rural roads. We were all heartbroken to read about the needless deaths of teenage sweethearts Mikayla Eastwood and Hayden Perkins last month in a head-on crash, tragically with one of their schoolteachers on a dangerous stretch of Long Valley Road near Strathalbyn. They had just finished their school year—bright young lives yet to fulfil their rich potential, lost in an instant, leaving their school community and the Hills district grief stricken.

Then, this week, popular Playford Primary School principal, Dean Clark, died when his car hit a tree on another perilous stretch, the Alexandrina Road, near Strathalbyn, only 15 kilometres from where Mikayla and Hayden died. It prompted another plaintive cry from Alexandrina Council mayor, Keith Parkes, for the government to upgrade these deathtrap roads, which are busy thoroughfares to Fleurieu Peninsula. He said, and I quote, 'We've been asking for years, writing to the government about Long Valley Road and Alexandrina Road.'

Many of our rural roads are rotten killers, in dire need of upgrades. Here is a gruesome statistic to consider: of the 616 road deaths since 2013, 355 have been on rural roads and 261 in Greater Adelaide. This year alone, 72 per cent of the 73 fatalities so far have been on country roads. The response to Mr Parkes and others, like the RAA and the Civil Contractors Federation, who have highlighted this crisis has been typical of a new government that has its fiscal focus firmly on the city, with stadium hotels, tram turns—albeit now scrapped—and a billion dollar-plus Women's and Children's Hospital: deafening silence and a lack of commitment.

Closer to Adelaide, the state of roads is inexcusable. Frustrated constituents Nick and Rosalie Villios contacted me about a section of Main Road between Black Road and Cherry Gardens Road at Chandlers Hill that snakes past their place and those of neighbours Colin Routley, Laz Mezaros, Nick Tumicz and Roger and Kerrie Sexton. They have been complaining for 17 years—that is right, 17 years. People have died on that road in that time. They have written to countless MPs, including their new local member for Davenport, Steve Murray, only to get a disinterested brush-off. When they tell you that it is so dangerous that Australia Post refuses to deliver their mail, you would think it is grave enough to investigate.

Three weeks ago, the day after that storm, I went there. The first ominous warning was painted in big yellow letters on the crumbling, buckling, potholed bitumen. It said, 'fix this road'. The term 'road' really flatters this treacherous corridor—or should I say 'horridor'?—that is part of the main Adelaide to Goolwa scenic route. We took our lives in our own hands when walking it with the two Nicks, Colin and Laz.

The winding, narrow road is falling to bits. It curves around a steep gully where there is no discernible railing, just a disintegrating old wire fence. Guard railing installed a few years ago on the other steep corner has reduced the width of the road so that vehicles have to take the sharp turn over the centre line. An old, large, rotting gum tree at the base hangs menacingly over it. Stormwater drains, long buried by debris, have sharp-edged concrete caps protruding that have caused tyre blowouts. An old timber cross roadside memorial acts as a sober and sombre reminder.

Nearby, a tree wrapped with the remnants of emergency services tape bears the scar of a recent fatality. A well-worn path used by kangaroos adds to the frightening unseen hazards at night

and may have been the cause. There is no street lighting and reflector posts are in such poor condition that I found one lying at the bottom of that perilous gully. Veering to miss cars and trucks and being forced to travel on the wrong side of the road is a constant. No government in their right mind should accept this.

Elsewhere, the busy Mount Compass to Victor Harbor Road has death written on its many hellish curves. Those so-called highways in the Riverland, Mid North, Upper Spencer Gulf and Eyre Peninsula need urgent upgrades to cope with super-sized freight traffic. As the government tries to rush through its piecemeal Road Traffic Act amendment to revive the use of handheld speed guns and the revenue that comes with them, here is a thought: why not redirect some of the tens of millions of dollars raised to fixing the state's appalling \$1 billion of maintenance backlog and making blackspots like Long Valley, Alexandrina and Main Road safer, as proposed by the Civil Contractors Federation chief, Phil Sutherland?

Let's hope that one of the first priorities of the new Infrastructure SA, which SA-Best supported, is roads, which in turn will save lives.

SURROGACY REFORM

The Hon. J.S.L. DAWKINS (15:43): On 15 November, I was pleased to receive the South Australian Law Reform Institute's report on surrogacy from its director, Professor John Williams, as well as co-authors Madeleine Thompson and David Plater. I was also delighted that on the same day the Attorney-General, the Hon. Vickie Chapman, tabled a draft stand-alone surrogacy bill that reflects the recommendations of the report in the House of Assembly.

While this issue will remain a conscience issue for MPs, I am very grateful for the efforts of the Attorney and SALRI after well over a decade of driving legislative reform in this area as a private member. On the same day, Professor Williams provided me with a covering letter, which I will read in part:

Further to our recent discussions, I am pleased to attach for your reference a copy of the South Australian Law Reform Institute's...latest report, 'Surrogacy: A Legislative Framework: A review of Part 2B of the *Family Relationships Act 1975* (SA)', which was publicly released today.

This has proved a major reference into a complex and sensitive area of modern law and practice and SALRI has drawn on extensive research and consultation, building on the valuable work of yourself and others in this area.

The Report makes a total of 69 recommendations. In summary, SALRI supports a suitable regulatory framework for South Australia that prohibits commercial surrogacy and maintains a distinction between commercial and non-commercial surrogacy. SALRI's recommendations clarify and improve the current system to most appropriately allow and facilitate lawful domestic surrogacy for South Australians, but discourages and deters recourse to unlawful surrogacy, especially offshore commercial surrogacy. It is unrealistic, in light of the diversity of modern families and the dramatic advances in reproductive technology, to expect that the law can cover every conceivable surrogacy situation that might arise. Nevertheless, SALRI considers that the framework which it has recommended is the most effective and appropriate to recognise and respect the interests of all parties, but crucially to protect the best interests of a child born as a result of surrogacy. This must always be the primary or paramount factor of any scheme.

I really do appreciate the work that SALRI has done on this. Many members in this place will know that I have been working on these issues since 2005 and that initial legislation in this place was well reviewed by the Social Development Committee of the day, led by the Hon. Mr Hunter. We finally got legislation through late in 2009, after significant delays in the other place. In 2015, I decided to bring in another bill in response to the Baby Gammy issues and issues relating to the suitability of some would-be commissioning parents, and also the issue of baby factories in some parts of the world.

Unfortunately, despite the fact that that act, as it stands today, was agreed to in both places without division, the attorney of the day decided to take a very long time to get around to consulting on regulations and then did not agree with some parts of the act. I do acknowledge the Hon. Mr Hunter's efforts in helping me to get a compromise bill up in this place last year, which was promised to go through the assembly but of course failed to do so in the last moments of the last parliament in that chamber.

I encourage members of this place to have a look at the draft bill that has been brought in, accompanying the SALRI report. I think SALRI acknowledges that it is the first time that draft legislation has been presented to the parliament to coincide with the delivery of their report. I

commend SALRI and the Attorney-General for the way in which this work has been done, and I am very happy to talk to members at any stage about the way in which we progress this legislation early in the new year.

DADS OF ADELAIDE

The Hon. J.A. DARLEY (15:48): I rise today to speak about a group named Dads of Adelaide, a group dedicated to connecting fathers and promoting positive fatherhood. The group was established by Chad Habel, a passionate father who recognised the lack of support groups for dads in Adelaide. Chad was inspired to fill the gap and provide a space that promoted social connectedness and community support.

After reading an article about the importance of support groups for dads, Chad discovered the not-for-profit community organisation Dads Group Inc. This organisation connects dads on a national level with other local dads. Chad discovered that over 50 support groups existed nationally but no groups had been created in South Australia.

After contacting the CEO of Dad's Group Inc., Chad established Dads of Adelaide as a subgroup. Dads of Adelaide was set up approximately three months ago. It currently has 87 members, and they are hoping to further expand in the future. They meet fortnightly at the Botanic Gardens to connect with other fathers. Most importantly, this group encourages fathers to bring their children to the meet-ups. Involving children in their activities supports their important value of promoting engaged fatherhood.

When I had my first child it was unheard of for a father to be present in the delivery room during the birth of their child. This was a typical perception that women were the carers of children and men were the providers. Whilst some of these gender stereotypes have carried over to the present day, attitudes are changing. It is important that groups like Dads of Adelaide are out there trying to break down these gender roles and promote an equal parenting relationship.

Today, fathers want to be more hands on from the moment their baby is born. Children who have actively involved fathers are more likely to be emotionally secure and have better social connections. Research demonstrates that involved fatherhood is linked to better outcomes for a child's wellbeing, cognitive development, educational achievement and self-esteem.

There is no doubt that fatherhood is a rewarding yet challenging role. There are many parent support groups, but primarily they are tailored for mothers. Fathers can often feel isolated and unsure where to turn for help. Dads of Adelaide is an important support group that helps foster positive relationships between fathers and their children. It allows fathers to connect and share their challenges and positive experiences about fatherhood.

This support network also plays a vital role in improving men's health, preventing family violence and reducing isolation and suicide. Next year, the group is hoping to further expand their membership and to obtain support from other stakeholders so they can run an event named Man with a Pram. This family event was successfully held in Ringwood, Victoria, and aims to raise awareness and engage new fathers and families. It involves fathers going for a pram walk together to showcase involved fatherhood to the community. It would be great for such an event to occur here in South Australia.

I acknowledge the efforts of the Dads of Adelaide group, and I strongly encourage other dads to join and become involved. I wish this group the very best for their future, and I hope we see more groups like this throughout South Australia.

UNIVERSITY FUNDING

The Hon. T.T. NGO (15:52): Once again, our nation's universities are under attack from the federal Liberal government. Recently, it has been reported that the Morrison government is embarking on a fresh round of cuts to the academic research of universities. The federal Liberal government has announced that it will remove at least \$134 million of university research funding to pay for student places at regional universities.

After years of funding cuts, in 2016 the Turnbull government announced a \$50 million extra a year cash boost to the Research Support Program. However, just two years later the Liberal

government has announced a \$134 million cut to this program. This cut will hurt funding for researchers. It is estimated that at least 550 jobs will be lost as a result of this decision, and that is just from the Group of Eight universities alone.

Vice-chancellors at various universities have warned that they will be forced to slash research as a result of this funding cut, and warn that up to 10,000 students could miss out on a university place. Minister Dan Tehan has tried to defend this cut as 'a small reallocation within the \$17 billion higher education budget'. However, the current total support provided by the federal government to universities under the Research Support Program is around \$900 million. Clearly, removing a minimum of \$134 million from \$900 million is a massive cut for researchers at universities to bear.

This funding cut to universities comes at a bad time, when students and young people are dropping out of STEM subjects, such as maths and science, in droves. How can the government talk about encouraging more students to take on these subjects when they see there is no future and the only job they can take is to line up at Centrelink? The federal Liberal government's betrayal of research and development extends across government when it comes to its support for science, technology and innovation.

The broadest measure of this is calculating the R&D spending as a percentage of the national economy. Statistics from 2016 show Australia is sitting at 2.2 per cent. This is well below our Asia-Pacific partners such as Korea, which sits at 4.3 per cent, and Japan, which sits at 3.6 per cent. China is now pouring an equivalent of about \$US369 billion into this sector each year. This represents an astonishing growth rate of 18.3 per cent in R&D spending in China, according to research released by the United Nations Educational, Scientific and Cultural Organisation. Clearly, we have a lot to do simply to keep our heads above water in this important area of public policy.

Even the regional universities that stand to gain funding from the federal Liberal government's announcement are disappointed in how they are being funded. Scott Bowman, the Vice-Chancellor of Central Queensland University, told Fairfax Media that he was, 'quite shocked and quite sad to hear that the money is coming from elsewhere in the university system.' He continued by saying that he was grateful for the extra cash, 'but really, it's just money that we should be getting anyway', as it was the federal government that introduced the funding freeze to regional universities in the first place.

The federal Labor opposition has already pledged to scrap this freeze altogether if it wins government and restore the uncapped, demand-driven system for university places. I call on the federal Liberal government to reverse this funding cut to research and recognise the important role that researchers at our universities play in the economic and social development of our society.

Bills

STATUTES AMENDMENT (ABORTION LAW REFORM) BILL

Introduction and First Reading

The Hon. T.A. FRANKS (15:57): Obtained leave and introduced a bill for an act to amend the Criminal Law Consolidation Act 1935 and the Health Care Act 2008. Read a first time.

Second Reading

The Hon. T.A. FRANKS (15:58): I move:

That this bill be now read a second time.

I introduce this bill today because our current abortion law, which was written in 1969 and was once progressive and leading the nation, is no longer fit for purpose. It acts as a barrier to the provision of best health care, a barrier to that care for women living in rural and remote areas, who are particularly disadvantaged, a barrier to women who are new to living in this state and have not been resident for the required two months, and a barrier to the medical profession, who deal with matters of health care every day, none of which, except for abortion, are placed within the criminal code, as this issue is.

In South Australia abortion remains in the criminal law. We once led the nation in law reform, in 1969, but that law now causes inequality, especially for those living in rural and remote South Australia, even though there are excellent public abortion services, particularly in Adelaide and the Pregnancy Advisory Centre in Adelaide and those prescribed hospitals that provide that care. Methods have changed, and the law that once was so progressive has now become a barrier to access and availability. Women in our state now face unnecessary restrictions when seeking abortion.

Abortion should be treated like any other health service. Women should decide, with their medical professionals aiding their treatment. Abortion should not be in the criminal law. One in three women, however, will have an abortion in their lifetime. Abortion is a healthy choice for those women and families. It does not present a danger to them that warrants a criminal sanction. Despite the myths often put forward for, I believe, nefarious reasons rather than real concern for a woman's health, abortion has no link to long-term mental health problems.

There being a disturbance in the strangers' gallery:

The PRESIDENT: Members of the gallery, you will be excluded from the gallery. The member is entitled to be heard in silence. This is not for you to be here for participation.

The Hon. T.A. FRANKS: Abortion has no link, no proven link, to long-term mental health problems, no link to infertility and no link to breast cancer. According to the Royal Australian and New Zealand College of Obstetricians and Gynaecologists, serious complications after abortion are rare. In fact, safe and legal abortion is less hazardous to a woman's health than is childbirth. Contrary to popular misconceptions, adverse effects on a woman's psychological and emotional health are also rare. Multiple studies confirm that for the majority of women their psychological wellbeing frequently improves following an abortion. This should not be surprising, as many women report their abortion experiences to be characterised by feelings of relief.

All kinds of women have abortions for all kinds of reasons. Women are just as likely to have an abortion if they already have children as they are if they do not have any children. More women over 35 have abortions than women under 20. Best quality abortion care is enabled when abortion is a woman's decision, is affordable for a woman and is accessible regardless of her location or her income.

This bill provides that abortion should be removed from our criminal laws and regulated like any other health service. It is a simple proposition the intent of which is supported by overwhelming public opinion of the people in Australia. Public opinion in Australia has indeed been moving in a strong pro-choice direction since the 1970s. Various studies conducted in the 21st century have consistently shown that at least 80 per cent of Australians support the statement, 'A woman should have the right to choose whether or not she has an abortion.' Most people are in fact surprised to find that abortion is still defined in our criminal law.

A recent major report on Australian public opinion of abortion was conducted by Lonergan Research in 2015. It surveyed over 1,000 New South Wales residents. The overwhelming majority, some 87 per cent of respondents, believe that women should be able to have an abortion, with over half agreeing that women should be able to attain one at any time under any circumstance. A mere 6 per cent indicated opposition to abortion regardless of their circumstance.

At that time 76 per cent of respondents were unaware that abortion was still a crime in New South Wales, and 73 per cent supported the removal of abortion from the New South Wales Crimes Act. I note that in that survey 81 per cent supported the creation of safe access zones around healthcare locations providing abortion services and advice. There was a majority support for abortion access, decriminalisation and safe access zones, and this majority was evident across geographic, demographic and political boundaries. So it is a myth that abortion is a controversial issue that divides the community down the middle. It is a controversy of outliers versus the majority.

The controversy that often accompanies discussion about abortion belies the fact that the vast majority of Australians actually support women's access to safe and legal abortion services. The time is overdue for the law to reflect this reality. In South Australia, that time is now.

Abortion is a healthcare option that many women may require when their pregnancy is unplanned or unviable. With that sentence—unplanned or unviable or unwanted—lies a multitude of unique circumstances that that woman faces.

We often ask the question, and certainly have done since the 1980s: what do women want? This bill answers that question but also answers the question: what do women need? I contend that they need and no doubt want laws that support them in their health choices, as varied as they are, and laws that are as supportive of the myriad of circumstances they face as they can be. That need for real choice and those laws that will support their choices are why I introduce this bill today. I do so not as an individual MP but with and for the South Australian Abortion Action Coalition (SAAAC).

The South Australian Abortion Action Coalition is a broad coalition of people whose goal is to improve access to abortion in South Australia. SAAAC members have diverse backgrounds. They include medical, legal, academic, social justice and advocacy professions. In that diversity, the South Australian Abortion Action Coalition are united by a belief that best quality abortion care is enabled when abortion is a woman's decision, is affordable to all and is accessible regardless of a woman's location.

Further, that abortion is not a crime but rather a health procedure and, as such, it should be regulated like any other health procedure. Its place in the criminal law creates significant barriers to best health care and it is time that that now changed. Supporters of SAAAC include:

- the ALP Women's Network;
- the Australian Clinical Psychology Association;
- the Australian Medical Students' Association;
- the Australian Nursing and Midwifery Federation, SA Branch;
- the Australian Psychological Society, SA Branch;
- the Australian Society for Psychosocial Obstetrics and Gynaecology;
- the Australian Women's Health Network;
- Business and Professional Women Adelaide;
- Children by Choice;
- the Coalition of Women's Domestic Violence Services;
- EMILY's List SA;
- the Family Planning Alliance Australia;
- the Flinders University Student Association (FUSA);
- the Human Rights Law Centre;
- Marie Stopes Australia;
- the National Alliance of Abortion and Pregnancy Options Counsellors;
- the National Council for Single Mothers and their Children;
- the Public Health Association of Australia, SA Branch;
- Reproductive Choice Australia;
- the Royal Australian and New Zealand College of Obstetricians and Gynaecologists;
- the South Australian Council of Social Services (SACOSS);
- the South Australian Council for Civil Liberties;
- the SA Unions Women's Standing Committee;
- SHINE SA;

- Support after Fetal Diagnosis of Abnormality (SAFDA) SA;
- the Tabbot Foundation;
- the Union of Australian Women;
- the Women's Electoral Lobby;
- the Women's International League for Peace and Freedom (WILPF), SA Branch;
- the Working Women's Centre South Australia; and
- the YWCA of Adelaide.

I also add that this policy is supported by the Greens of South Australia. It is, indeed, not a conscience vote for the two members of the Greens in this parliament because this is our party platform that we took to the state election: that abortion is a health issue, not a criminal matter.

The South Australian Abortion Action Coalition—and I note that many of them are in the gallery today—have organised for some time now, for years, because abortion remains a crime punishable by up to life imprisonment in our state. That 1969 statutory amendment to the 1935 act allows abortion only when the woman has resided in South Australia for two months, two doctors determine the abortion is necessary on mental or physical health grounds or for foetal abnormalities, and before the woman is 28 weeks pregnant and, thereafter, only to preserve the woman's health and if performed in a prescribed hospital.

That is why, after some two years of community engagement, in August this year the South Australian Abortion Action Coalition began its more formal campaign by sending letters to each and every state MP calling on them to take action to repeal our abortion laws and remove abortion from the criminal code. They did so because of the regulation of abortion within the state's criminal law, which not only reinforces the stigma associated with seeking or providing an abortion but also produces those significant barriers to best care. These barriers do not necessarily prevent women in our state from seeking abortions but they certainly do place unnecessary limits on the capacity of doctors and the health professionals to provide them.

While each woman's experience of abortion is unique, all women seeking an abortion in South Australia will encounter this law that constrains the possibilities for medical practitioners and health services to provide them with that best care. It was considered an act of liberalisation in 1969, and indeed then it was. For its time, it served us well, but almost half a century later that section 82A of our Criminal Law Consolidation Act 1935 has become a barrier rather than an enabler of good health care.

I will start with the first barrier, the prescribed hospital clause. The current law requires that all abortions must be performed in 'a prescribed hospital'. Originally very well intentioned to ensure the safe provision of surgical abortion, the global emergence of safe and effective early medication abortion (EMA) in 1988 means that the current interpretation of prescribed hospital is now out of step with evidence based best care practices. This law does not, for example, enable GPs to prescribe EMA for their patients from their general practice setting as occurs in other states.

Further, SA women are not able to use telemedicine services for EMA. To access EMA in South Australia, a woman must attend a prescribed hospital for those two or more visits. Stories abound of women who inappropriately walked from a GP surgery to a prescribed hospital or were incomprehensively required to find overnight babysitters, drive many hundreds of kilometres to access EMA while cramping in the car, take several days off work or stay in a hotel or rely on supportive friends who have a spare couch. Our laws do not serve those women. If they do not live close to a prescribed hospital, they are not served. They are given barriers to their health care.

Across other Australian jurisdictions, EMA services are provided according to best practice guidelines of leading health authorities. These guidelines enable women to take the prescribed medication at home with support and follow-up care if required. The impact of the current legal requirement for all abortions to be performed in a prescribed hospital is felt most keenly by women living in regional SA where abortion services are scarce. The majority of women living in regional SA

who have an abortion within the current law need to travel and this involves delays, stress and an undue financial burden.

For some women this can actually mean a 700-kilometre round trip, often for the purpose of taking some tablets. The solution of accessing EMA from a GP or via telehealth, such as that offered by Marie Stopes to women across almost every other Australian jurisdiction, is simply not available to South Australian women. In more distressing circumstances, these legal constraints can mean that women who have accessed an EMA experience the commencement of their abortion on their way home from that very prescribed hospital that was supposed to provide them with quality care, when in another jurisdiction they would be safely in their own home by this stage. These experiences are totally avoidable and this is certainly not 21st century health care.

Barrier number two is the requirement for an examination and certification by two doctors. In SA, abortion is the only health procedure that requires examination and certification by not one but two legally qualified medical practitioners in order to make the procedure lawful. One doctor is not lawful. This is unnecessary and archaic and underscores and reminds all involved, especially those doctors, that in our healthcare system abortion is still firmly placed within a criminal context. By delegating this authority to not one but two medical practitioners, the current law compromises women's right to self-determination.

Not only is abortion one of the safest health procedures in Australia, it should always be a decision made not by a politician in a parliament but by the person who is pregnant. This requirement also enforces the inefficient overuse of our scarce medical resources. It can contribute to delay in access when a second doctor may not be available to certify that procedure. In fact, some medical practitioners identify the location of abortion in the criminal law as a reason for their reluctance to be the second examiner.

The third barrier is that the provision of abortion is limited to 'medical practitioners'. International research demonstrates that abortion can be safely and effectively provided by appropriately trained healthcare providers, not only by medical practitioners. The World Health Organization advises that early medication abortion is the responsibility of women with the support of trained healthcare providers. These providers not only include doctors, of course, but also nurses, midwives and pharmacists. By precluding these providers from supporting women in this way, the current law yet again constrains the possibilities for best health care.

I note that an international student, newly arrived to the state, who had not lived here for the required two months and who found herself pregnant and not wanting to carry that through, who received in the mail RU486 from her mother, would be breaking our current laws. Her mother would have thought that she was doing the best to offer her daughter help and support, but her mother is breaking our laws, and, of course, by accessing that medication that she would be able get through Telehealth, if she was currently in any other state of the country at the moment, the international student, precluded from accessing our services by not being a resident, would also be criminalised. I find it curious that a woman can go to a pharmacy for contraception for the morning after pill but she cannot go to that same chemist for RU486. It defies the reality of the 21st century.

The fourth barrier is gestational limits. More than 90 per cent of South Australian women who have an abortion do so within the very first 14 weeks of pregnancy. For a very small but significant population, the decision may be made after this stage. These decisions emerge out of varied and complex lived experiences. For more than half, the delay derives from the little recognised fact that pregnancy is not always easily identifiable or, for those women who are pre or peri-menopausal, pregnancy was not considered likely or possible.

Domestic violence, mental and physical health problems, injury, trauma and addiction often frame the personal circumstances of a woman's decision to have an abortion beyond that 14 weeks. In the case of foetal anomaly, the complexities of making that decision to have an abortion is bound up, of course, with the timing of tests. The timing restrictions that we currently have set out in our current law prescribe an upper limit of 28 weeks. Interpretation of that law, however, means that in practice abortion is provided in South Australia mostly only up to 24 weeks, yet certain relevant tests may only be available at that 20-week mark, leaving a very narrow and possibly very pressured window of time for that woman's decision, a pressure that woman should not have to face.

If an anomaly is identified, further tests may be ordered to give women as much information as possible for their decision-making. While medical and healthcare practitioners can provide this woman with that important information, the current law actually restricts them from giving that woman as much time as she needs with the appropriate information to make the decision she must.

Best care practices for health require that a woman be able to make those decisions about their reproductive health, as the experts of their situation, with the support of their health practitioner, not rushing her into time frames that were set by parliament and not by the professional advising her. When the law limits women's access to that information and the time needed to act autonomously, with the support of their health practitioners, that law needs to change. Best care happens when a woman has convenient access to abortion services and when we trust that woman and we trust the healthcare professionals. Best care is timely care, and it happens when it is needed.

Repealing section 82A will enable more trained health practitioners to respect women's decision-making capacity and provide that better health care for them no matter where they live in our state. This is the healthcare service that almost half of the women and girls of our state will at some stage need. One proposition often put by many who have not thought these things through is: why are any pregnancies unplanned in this day and age? It is a question, of course, of magical thinking, for when one looks at the facts—and the World Health Organization has examined this—even if couples use contraceptives correctly 100 per cent of the time there would still be close to six million unplanned pregnancies every single year.

Across the globe, both contraception and contraceptive users are fallible. Australians are no different. Why would we be? We are all human, and contraception is, of course, fallible. Unplanned pregnancy is a key health issue for Australian women, with an estimated 51 per cent of women and girls faced with an unplanned pregnancy at some stage of their lives. Of course, not every unplanned pregnancy is unwanted, but women commonly will be faced with a decision about what is the best option for them and their families in their circumstance.

In 2006, Marie Stopes International commissioned the research, 'What women want when faced with an unplanned pregnancy'. That survey found that 60 per cent of women were using at least one form of contraception at the time of their unplanned pregnancy. The largest group of those women, some 43 per cent, who were using contraception were on the pill, while 22 per cent were using a condom. Regardless of their choice of contraceptive method, those women were more likely to choose parenthood than abortion in the event of that unplanned pregnancy. The only exception to this trend were a significant number of women—some 21 per cent—who were using more than one method of contraception at the time of their unplanned pregnancy, clearly taking all steps to ensure that they did not fall pregnant.

These women were just as likely to choose abortion as parenting if they fell pregnant, suggesting that some women with a clear desire to avoid having a child may, of course, be taking those extra steps to avoid unplanned pregnancy. Parenting was the most common means by which Australian women of all ages resolved their unplanned pregnancy, with nearly half the sample, some 49 per cent, choosing parenthood, 31 per cent choosing abortion, 2 per cent choosing adoption and the remaining 18 per cent of those women or girls experiencing a miscarriage. While the most common reason that women gave for choosing parenthood was being 'happy to parent', at 84 per cent, another 8 per cent said they felt pressured by significant others to parent and 7 per cent said they chose parenthood because they lacked information about abortion or access to abortion services.

At 70 per cent, respondents' most common reason given for choosing abortion was their lack of readiness for parenthood. The second most nominated reason was the desire to avoid being a single mother, some 32 per cent of those women; and the next, 28 per cent, their status, including that of being a student. Of the women who chose adoption, lack of support from a partner to parent or being unemployed, being pressured by significant others to adopt, and lack of support from parents, relatives, friends and clergy for their parenting were amongst the reasons they gave for choosing adoption. For 44 per cent of those women, their partner's unwillingness to parent was the reason for that choice, while 31 per cent said they resolved their pregnancy by adoption because they were unable to have an abortion.

Abortion is, of course, a common, safe, health procedure but it is the only one criminalised in our state. Members would be well aware that abortion law reform has most recently been undertaken in Queensland, and this very week the laws that passed there have come into effect. It is soon likely to occur in New South Wales. Prior to receiving that letter from the SA Abortion Action Coalition earlier this year, most members probably would not have even known how far South Australia had to go. We are seeing a nationwide—and when one looks across the globe including Ireland, a worldwide pushed to treat abortion as a health issue not a criminal one.

Debate is common across the country and across the world, and when people ask how one can treat abortion as a healthcare matter and not a criminal one, as if this was some new chartered territory on which an intrepid explorer might create a path never before trod, I note that one need just look to Canada and the leadership of Trudeau in that country. And when I say Trudeau, I do not mean Justin; I mean his dad, Pierre. They have been doing it for decades. Closer to home, of course, we have seen Victoria and in 2002, some 16 years ago, I remember well when the ACT became the very first Australian jurisdiction to completely remove abortion from the criminal law, and I commend all involved in that campaign. I was working at the YWCA at the time and they were heavily involved in that particular campaign in the ACT, and I commend the work there of Erica Lewis.

But even there, again, the well-intentioned provisions, inserted seemingly to assist, have actually turned into barriers for care. Medical practitioners in the ACT can now perform abortions at approved facilities, which was thought quite possible in a small geographical area such as the ACT, but even there it is not workable for their very small territory, as opposed to how unworkable it is here in South Australia with our vast expanse. A cautionary word: that particular provision is now why the ACT parliament is set to debate a bill to allow women to access abortion by telemedicine, nurse practitioners or their GP, because those well-intentioned additions did not keep pace with the medical advancement and still treated abortion as somehow different to other medical procedures.

Of course, in the public debate we will see opponents of choice portray later term abortions as somehow not a health procedure. Despite the fact that later term abortions comprise only a tiny, tiny fraction of those abortions that will be performed, they will, no doubt, take on the major feature of public debate on this bill.

I would like to share with members today the story of a woman who chose to have a late-term abortion so that her baby would not suffer. Her name is Ashleigh Foley, and she shared her story in support of abortion law reform, testifying at the Queensland parliamentary health committee's hearings on the Termination of Pregnancy Bill 2018. She did that earlier this year. Listen to her words:

My name is Ashleigh Foley and I am a woman who has had an abortion.

I am writing this to tell you about my son, Thomas Andrew, and the heartbreaking choice we made in regards to ending his life before it had the chance to begin.

My story is the story of a late-term termination. I made the choice, along with my partner, with my family's best interests at heart. I did not do it flippantly, as some groups who are against abortion in any circumstances would have you believe. My choice was a deeply personal one and the current laws made it much more difficult.

My first pregnancy was unexpected, but as the months rolled by, we became excited about becoming parents. We told our families and started to prepare for our new lives. This excitement ended when we had our morphology scan. That was the moment that we received the news. It was not news that we dreaded...it was news that we never even considered a possibility.

Spina Bifida Myelomeningocele with Arnold Chiari Malformation. The words I will never forget. We asked the big question: 'Will our baby be brain damaged or will he have any mental capabilities at all?'

The doctor said that, while she could not be 100 per cent certain, the chance of him having any awareness was very, very slim. Our baby was facing an incredibly hard life. I would have to have a C-section before my due date. Our baby would have needed surgery immediately after birth to place a shunt in his brain. In a subsequent ultrasound, we were also informed that he had severe scoliosis that caused his spine to curve in a way that would have made it impossible for a wheelchair to be used without multiple corrective surgeries.

Once we had made the heartbreaking decision to terminate our much-wanted pregnancy, we were informed that as we were close to hitting 22 weeks of gestation, the current laws regarding terminations in Queensland meant we would have to have our choice approved by a Hospital Ethics Committee, with their decision being based solely on the risks to my own mental health rather than the physical health and poor quality of life my baby was faced with.

We did not want to have to stand in front of that committee of hospital officials who would take the decision away from us, and who would be making a decision solely based on complying with the law. We were sure of our decision, the best one for our family in the difficult circumstances. We did not want to have to ask permission for it.

Eleven days after finding out our baby was sick we checked into the hospital to go through with our termination. We were given a private room in the maternity ward as the birthing suites were for expectant mothers—a class of patient to which I no longer belonged. We had many people coming in, so much paperwork. We were talked through the procedures—the tablets, what they would do. Did we want an autopsy? Could they use his body for research?

We were suddenly left alone. Waiting for my body to accept the medication and go into labour. It was slow. It was exhausting. It was the most painful thing I have ever been through—both physically and emotionally. My labour kicked in a few hours after I was given the medication. I tried to sleep but the pain was so intense. The midwives kept giving me painkillers but my body was just not ready. I was not meant to be having a baby at 21 weeks.

I gave birth to my beautiful boy at 2.07am on July 11, 2014. We named him Thomas Andrew.

We spent 12 sorrowful hours with my baby. We had a naming ceremony for him and held him tight. We held him, cried for him and showed him as much love as we could in our short time together.

Since saying goodbye to my son, I have fought for a woman's right to choose. By legalising abortion, I believe that there will be an increase in the support systems offered to other women in my position. I believe that hospitals won't put women like me in front of an ethics committee because of the archaic laws in our state...I believe that society will be more tolerant and that the stigma surrounding abortion will decline.

Not every woman who has an abortion will need support, but it should be there if they ask for it.

Not every woman will want to speak openly about their abortion, but they should not be called a murderer by those who don't agree.

I have been asked many times over the last four years if I regret my abortion. The answer is no.

I regret not having more time to process what was happening. I regret that I felt I had to rush my procedure to avoid being forced to sit in front of that ethics committee. I regret not being able to hold my boy for longer. I regret not taking the blanket he was wrapped in home with me. I regret not getting more photos.

But I will never regret my abortion.

I chose to break my own heart, rather than allow my baby to suffer.

My heart breaks for Ashleigh and her partner. My hope is that no women in our state will feel the undue pressure of criminal sanction when faced with the emotional and difficult decision that faces those women seeking later term abortions, but I know that they do. It is currently women like Ashleigh who will often be forced to run the gauntlet in those most vulnerable tear-stained days, those darkest days, and it is a ghoulish gauntlet that they are subjected to.

It is well known to many who work in the provision of abortion health care that protesters often frequent outside clinics. Indeed, the 40 Days for Life vigil outside the Pregnancy Advisory Centre is well known to patients and staff alike. They deal with protest outside their workplace and outside their place of health care far too often. Those protesters have even set up a shop across the road that sells recycled baby gear. That shop will not be criminalised by this bill. However, the actions of transgressing and invading the privacy and dignity of woman seeking health care, within 150 metres of that healthcare service, certainly will be. Patients deserve protection and healthcare workers deserve occupational health and safety. This bill contains provisions for a safe access zone. It provides that protection for 150 metres around prescribed areas, including, of course, that Woodville clinic.

I note that this area is already enacted, I believe, in every other jurisdiction across this country. I note that in Victoria and Tasmania it is the subject of a High Court challenge, and we may well see that constitutional challenge have its findings around about February. I cannot help but reflect that it is a Queenslander who is taking the Tasmanian government to court over that matter. While there is 150 metres' protection at the end of that long journey, I do know that those who protest will go to great lengths to do so, and I believe that they are the ones who should be criminalised, not the patients seeking health protection.

Under this bill, women seeking health care will no longer be treated as criminals, but make no mistake, those who seek to harass them will be. This debate will be deeply felt, but there is no need for threats, intimidation and harassment. I put on notice today the Canadian-based religious

group who have organised a campaign to call my office and harass myself and my staff. A disturbing call and threat yesterday was made over the phone to one of my staff members, purportedly at the behest of the CEO of a Canadian religious group, to demand that I not pursue this bill today.

In that call, the caller stated that his group was international and that the CEO of that group had asked him, and others in the group, to call my office, stating that he was a member of the Canadian Centre for Bio-Ethical Reform. He noted in his call that he had concerns about late-term abortion. My staff civilly explained that it is a doctor and the woman who decide where an abortion is required.

The man then stated that he would send my staff member videos of babies being smashed with hammers as they were removed from the womb. He then stated that if she believed people could do what they liked with their bodies, then it would be alright if he came and raped her. He said to her, repeatedly and aggressively, that he would rape her. She hung up on the call visibly upset and in tears. I hugged her and asked her what happened.

He should not have been able to threaten her this way, and I note that it is indeed a criminal matter. We have reported this to SAPOL, and we will pursue each and every such threat made. I cannot help but note that threatening to rape a member of my staff is in itself a criminal act, and it simply underscores why women seeking abortion need to stop being categorised as criminals.

As the South Australian Abortion Action Coalition media release of 18 October noted, when abortion was finally decriminalised on that historic day for Queensland, Queensland then joined the other jurisdictions, both in Australia and around the world, in recognising abortion as a health matter. That statement from SAAAC said that abortion law in South Australia is outdated, inadequate and discriminatory, and must be repealed so that health professionals can provide women with the best possible abortion care.

South Australia was the first Australian jurisdiction to pass legislation to liberalise abortion law, but this half century old legislation is no longer fit for purpose. It is time to decriminalise abortion in South Australia. I could not agree more and note that many in the community, in the medical profession and the legal worlds do as well. It is now time to let them have their voices on this matter, for a public debate to commence that is assisted by the best legal minds and the best medical information. Indeed, it is the voices of the medical profession and the women who face this choice that should be heard the loudest in this debate.

I say to them that any choice may well be a difficult one, it may be heartbreaking, it may be welcome, but that choice is not one that should be made by a politician in a parliament on their behalf any longer. It is time for us here in this place to listen. If we are to support choice and the treatment of abortion as a health and not a criminal matter then part of that must be reflecting on the individual circumstances, the expertise and the insights that are before us and available to us.

It may well be the most difficult decision a woman makes, or it may be a decision of some relief, but the bottom line is that it is a health decision for that woman and it should no longer sit in our criminal law. Over the summer break in this place I certainly know that the list I read out of the SA Abortion Action Coalition supporters is great, but it is growing. The list of supporters and experts in the legal and medical profession around the country who have an interest in helping us get the best bill to provide the best health care for women in our state is great.

I look forward to further discussions, respectful discourse, decisions made on information rather than on rhetoric and bringing this bill back in the new year. With those words, I seek leave to conclude my comments in the new year on Wednesday 27 February.

Leave granted; debate adjourned.

Parliamentary Committees

SELECT COMMITTEE ON POVERTY IN SOUTH AUSTRALIA

The Hon. T.A. FRANKS (16:37): I move:

That the interim report of the select committee be noted.

I will briefly reflect upon this first interim report of the select committee inquiry into poverty that this Legislative Council has established, and I wish to thank the other members of the committee: the Hon. Justin Hanson, the Hon. Frank Pangallo, the Hon. Irene Pnevmatikos and the Hon. Terry Stephens.

This committee, in its short time, has identified that the most pressing issue when it comes to addressing poverty in this country is raising the rate of Newstart. All members of the committee—Labor, Liberal, SA-Best and Greens—have called for a meaningful raise to Newstart and other base allowances as the way to address that most pressing issue.

I will not reflect too much more on this report today; I simply wanted to make sure it was tabled, and I look forward to other members making their contributions. It is extraordinary that not only Labor, Liberal, SA-Best and Greens can agree on an issue, but of course former prime minister John Howard, former leader of the Liberal Party John Hewson, Deloitte Access Economics, SACOSS—so many groups—have identified that we must raise the rate of Newstart. I urge federal parties to consider that and, as we head towards a federal election, to make that most profound change.

Other measures that the committee has urgently identified in the report include streamlining our transport concessions and addressing those who are least equipped to pay in terms of fines or are the hardest hit in terms of demerit points and have less punitive measures available to them. We are needlessly plunging people into poverty in this country. It is bad for our economy and, of course, it is bad for our society. With those few words, I seek leave to conclude my comments.

Leave granted; debate adjourned.

Motions

CLIMATE CHANGE

The Hon. M.C. PARNELL (16:40): I move:

That this council congratulates school students who left their classrooms on Friday 30 November 2018 to protest on the steps of state parliament about government inaction on climate change.

Last Friday saw a remarkable gathering on the steps of state parliament. Around 500 students decided to leave their classrooms for the day and attend a protest rally, calling on all levels of government to do more to address the threat of climate change. This generation of young South Australians understands and believes the science. They appreciate the urgency for action, but they despair of the lack of political leadership.

The event last Friday was not unique to Adelaide; in fact, all over Australia, students were striking for action on climate change. Events were held in all the capital cities and in a dozen or more regional centres as well. One defining feature of the Adelaide protest was that all of the voices heard at the microphone were those of young people. In fact, the only adult who spoke was the Kaurna elder who welcomed everyone to country. These young people were articulate, they were passionate and they were determined that politicians should listen to their concerns. After all, many of these young people will still be alive in the year 2100, long after every state and federal politician has shuffled off this mortal coil.

The students were calling for a reduction in emissions. They want to save the Great Barrier Reef. They want strong and binding pollution targets. In short, they want our governments to do exactly what international scientists have been saying for years, that is, that we need to keep global warming below 1.5° Celsius to avoid catastrophic consequences for the planet, for people and for future generations.

What was the political reaction to this student strike? Let's start with the Prime Minister. Prime Minister Scott Morrison said he was not impressed with students taking time off to protest. He said, 'We don't support the idea of kids not going to school to participate in things that can be dealt with outside of school.' He also said, 'We don't support our schools being turned into parliaments. What we want is more learning in schools and less activism in schools.' One of the organisers of the Adelaide rally, year 10 student, Deanna Athanosos, said Mr Morrison's rhetoric towards the strike

made her laugh. She said, 'If you were doing your job properly, we wouldn't be here', and I think that summarised the thoughts of most of the students who were there.

Another of the leaders of the 500 students who were on the steps of state parliament last week was year 8 student, Zel Whiting, and he also took aim at the Prime Minister. He said that he was increasingly frustrated with the government and its lack of awareness or activity on climate change and its dangers. Zel said, 'Mr Morrison says schools are not parliament...Mr Morrison, take a seat. You are about to be schooled.' The students then said very clearly what it is that they expect of their political leaders.

However, it was not just the Prime Minister; other federal Coalition ministers weighed in as well. Probably the most disgraceful display, in my view, was from resources minister Matt Canavan. He said that the only thing children would learn from the protest was how to collect government benefits. To quote from the minister:

Walking off school and protesting, you don't learn anything from that...The best thing you learn about going to a protest is how to join the dole queue.

I want kids to be at school to learn about how you build a mine, how you do geology, how you drill for oil and gas, which is one of the most remarkable scientific exploits of anywhere in the world that we do.

I think that both those contributions, if anything, swelled the numbers of students who took part in those protests. They were unimpressed, to say the very least. Not surprisingly, this dismissive attitude from federal politicians did not impress the students. As one of their banners read, 'I've seen smarter cabinets in IKEA'. I thought that was a good line, actually. The students did well with their banners.

At the rally students were invited to write letters addressed to the Prime Minister or other members of parliament, and I would like to take the opportunity to read some of those onto the record now. There were hundreds—I certainly will not do that—but I will go through some of them. This one is from Tilly. I do not know how old some of these students are, but I am happy to share these documents. You can tell that they are primary and some secondary students. Tilly says:

Dear Scott Morrison,

You say your doing things about climate change but you are NOT! You need to fix this. It's like you don't understand what's happening to our country and world. I don't want my future to be horrible because of my government. I want to be able to look up to you but I can't.

Stop burning coal!

Well, thanks, Tilly. Another one was from a six year old. The spelling is a bit problematic, but my spelling was problematic at age six as well:

Dear Prime Minister,

Take climate action please for our future.

Love from Yindi Fiebig

6 Years old

I love it how kids always sign off their letters with 'love'. Another one, from Blaire, who is six years old as well, says:

Scott Morrison

Save our earth

From Blaire

Straightforward and to the point. Another one, and this was from five different children: Kira, who is 17; Cedar, eight; Tarni, I think it is, who is two, who I suggest was being spoken for rather than in her own words; and Ashriel, I think it is, who is 13 as well. Their letter to the Prime Minister says:

We share this planet. It is more important than anything else (within reason!)

I find the brackets curious. The planet is pretty important, as the T-shirt says; it is where we keep all our stuff. The letter goes on:

We all will have to live in it for the rest of our lives and our children's lives and for all the future generations. It is up to us to stop climate change, and keep this planet clear so we don't cause our own extinction as well as everyone else—plants, animals etc. You have the power to start this in your area, just as we are starting it in ours. Remember, when you are old and then die, we will be the ones running the world. Do you want us to support you or be resentful of your decisions. Do you want to be remembered, or forgotten like the rest of the politicians? Even if this decision gets you kicked out, you will know you've done the right thing. It is the greater good.

Out of the mouths of babes, Mr President. Another one here, addressed to the Prime Minister:

Dear Mr Morrison,

We are the people of the future

There are people younger than you that know what to do.

Climate change is real and it is happening around us everyday.

If we don't act now there will be no wealth or education or planet.

Another one; I like this one. This is from Jake, who signs his name 'Future Prime Minister':

Dear Scott Morrison,

My name is Jake Prior and I believe in climate change.

Money is not everything SCO MO.

A bit disrespectful there, but anyway:

You should care more about the environment more than you do about money,

Yours Sincerely,

Jake Prior

(Future Prime Minister!)

Another letter here reflects on the fact that we need a just transition away from fossil fuels. I will not read the whole letter, but the single sentence I will read is:

I am not silly enough to think that you could fire everyone in the coal and oil industry. But I believe surely if we put our problem solving to the test, we could find a solution.

That, I think, reflects the modern education system, where problem solving is a big part of how young people are taught. Just a couple more. I thought I would end with two that are directed to the leaders of the major political parties in South Australia:

Dear Steven Marshall I am from goodwood primary school year 5 and want climate action now.

Brief and to the point. There is one for Mr Peter Malinauskas, and I was most impressed that his name was spelt correctly. It states:

Dear Peter Malinauskas,

This is Finley Howland (from Mr Kennett's class).

I will just say that I do love it that the classroom, being the centre of most students' world, that if you identify the name of your teacher then everyone, of course, will know who you are. He goes on:

I've got some advice you should say and do something or anything about the climate change. You should switch to 100% renewable energy. Thank you for your tour and listening to my advice and THIS is democracy.

I am presuming that Mr Malinauskas may have given a tour to that particular classroom. The letter ends with, 'Kindly regards, Finley Howland'. There were hundreds of letters that were prepared on the day but I just chose a small sample.

However, what I want to do, finally, is to give a commitment to the young people of South Australia that the Greens are certainly listening to you. We hear what you have to say. We agree with you and we will do what we can in the parliament and in the community to ensure that climate change is treated with the urgency that it deserves. The climate emergency is, indeed, the most pressing issue of our time and young people absolutely have a right to insist that their political representatives act decisively and recognise that action on climate change must be a top priority of government.

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

Bills

ASSISTED REPRODUCTIVE TREATMENT (REVIEW RECOMMENDATIONS) AMENDMENT BILL

Introduction and First Reading

The Hon. C. BONAROS (16:51): Obtained leave and introduced a bill for an act to amend the Assisted Reproductive Treatment Act 1988. Read a first time.

Second Reading

The Hon. C. BONAROS (16:52): I move:

That this bill be now read a second time.

Who am I and where do I come from? These are fundamental questions we might all ask ourselves as we grow up, tracing our lineage back through generations here and abroad through both sides of our family tree to determine the answers to those questions.

For many of us the answers are easy enough to obtain by asking parents and family members, locating documents at our disposal and even through the use of social media. But for donor conceived children those questions, already made more complex because of their conception, are filled with anguish and for many remain unanswered due to the secrecy around detailed records, the destruction of records or the lack thereof, the scattered nature of records held across multiple locations and the failure to create a donor conception register in South Australia.

South Australian donor conceived children, the assisted reproductive industry and other stakeholders have been calling for better and more cohesive access to information for more than 30 years, and government advisory bodies and committees have openly supported the establishment of a donor conception register for at least the past 17 years; yet nothing has been done.

This is why, on behalf of SA-Best, I am introducing the Assisted Reproductive Treatment (Review Recommendations) Amendment Bill 2018 to force the issue of a donor conception register. Donor conceived children now in adulthood have waited for far too long. The bill seeks to enshrine in legislation several recommendations from the extensive January 2017 report on the Review of Assisted Reproductive Treatment Act 1988, authored by leading legal health academic Dr Sonia Allan for the then South Australian minister for health.

The former Labor government tabled its response to Dr Allan's report on 29 November 2017 and either supported or provided in-principle support for Dr Allan's recommendations which formed the basis of this bill. Parliament was subsequently prorogued and the issue has stalled again. At the time, Dr Allan said that she was proud to have served the South Australian community and to lead changes that would have a significant impact on people's lives and psychosocial wellbeing. Yet, the Marshall government has not made the establishment of a donor conception register a priority.

For these reasons, I have introduced this bill. We, on the crossbench, are always here to help. Specifically, the bill gives effect to recommendations 16, 18, 19, 20, 21 and 23 of Dr Allan's report that required some level of legislative change. The issue of a donor conception register has had a long history in this state and it is worth revisiting that history to understand how frustrating it has been for all involved.

At least from the early 2000s, the South Australian Council on Reproductive Technology (SACRT) was calling for the establishment of a donor conception register. In 2003, the SACRT donor conception register working party communicated its concerns about the delay in establishing a donor conception register to the then minister for health. That was some 15 years ago. In 2005, the Social Development Committee and the SACRT raised concerns about the lack of access to identifying information about gamete or embryo donors in South Australia and recommended that donor registrations be addressed. That was 13 years ago. The response from the then minister for health, Lea Stevens MP, was:

Competing health priorities did not allow for the establishment of a donor conception register to be further progressed at [that] time but that a proposal has been drafted and that she hoped to be able to progress the initiative as soon as funding became available.

The SACRT donor conception register working party moved to work with clinics to build on information collection and management procedures to allow voluntary registers to be established in the interim.

In 2006, the SACRT reiterated to the minister its preference for legislative amendments to remove donor anonymity, and for both mandatory and voluntary registers to be established within a government agency. In 2007, the Social Development Committee again recommended that the legislation be amended to ensure that people conceived through donor conception have access to information about their genetic parentage should they request it.

Around this time and prior to the changes to South Australian legislation and regulations in 2010, expectations were raised about a national donor register in Australia which was being considered by the Standing Committee of Attorneys-General in the context of a nationally consistent policy framework. Ultimately in 2011, the commonwealth government stated that it did not have the power to establish a national register, referring the matter back to the states and territories of Australia, recognising that issues involving access to information by donor conceived people should have been addressed as a matter of priority.

Prior to this decision by the commonwealth government on 1 September 2010, the regulation of assisted reproductive technology treatment (ART) in South Australia underwent significant reform. Parliament passed the Reproductive Technology (Clinical Practices) (Miscellaneous) Amendment Bill 2009 to amend the Reproductive Technology (Clinical Practices) Act 1988 and repealed the Reproductive Technology (Code of Ethical Clinical Practice) Regulations 1995.

The changes were intended to amend and update the Reproductive Technology (Clinical Practices) Act 1988 to ensure that legislation meets the needs of South Australians requiring assisted reproductive treatment in the 21st century. The legislation governing ART in South Australia became known as the Assisted Reproductive Treatment Act 1988. This act, under section 15, provided that the minister may establish a donor conception register. However, there was no legislative obligation on the minister to do so and, as we know, nothing has happened since.

Despite the decades of discussion on the issue and calls for the establishment of a donor conception register in South Australia from all stakeholders involved in this issue, including, as I have detailed, consistent recommendations made to respective government ministers by their own advisory bodies, South Australia is still without a donor conception register in 2018. This represents a lost opportunity that seeks to be corrected by this bill.

Under the current legislation, the minister can exercise their power under section 15 of the ART Act to set up a donor conception register right now. The inaction from successive Labor governments on this issue, and the current Marshall Liberal government, is only serving to prolong the anguish of so many donor conceived people. In August this year, donor counsellor Amanda Monteith wrote to the Minister for Health and Wellbeing, the Hon. Stephen Wade, on behalf of the South Australian infertility counsellors group seeking a meeting to discuss the urgent need for a South Australian donor conception register, but no meeting was forthcoming.

I thank Ms Monteith, whom I met, and Rebecca Kirner, also a donor counsellor, who impressed upon me the urgent need for a donor conception register to be established in South Australia without delay. I thank Ms Monteith, who is here today. I sincerely thank her for raising the issue and seeking to finally achieve positive change for many donor conceived people.

The need for a donor register cannot be overestimated. There are already three jurisdictions in Australia that operate a donor conception register. They are: Victoria, New South Wales and Western Australia, each with long-established donor conception registers. These registers centralise the donor and donor offspring records from all the clinics in their respective states.

The establishment of these registers in these jurisdictions and many other places in the world marks the tide of change, as access to information by donor conceived people about their donor is viewed, increasingly, as a fundamental human right and as a means of upholding the paramountcy

of the welfare and best interests of donor conceived children enshrined in the ART Act. We must act as a parliament to fulfil the paramountcy principle in the ART Act. Self-identity is important to all of us, as we seek to find our place in this world, and it cannot be overestimated. Issues of identity are more acutely felt by donor conceived people similar to people who have been adopted.

For some of those donor conceived people, there may be a stronger sense of lost identity when they are denied access to information that would shed light on their very identity. Some people are told they are donor conceived when they are young children. Others find out when they are teenagers or adults. Some are told by their parents in a loving, supportive way. Others learn at a time of family conflict or breakdown or as a result of DNA testing, which can easily be arranged over the internet in our modern age.

Many donor conceived people hold a genuine desire to know and understand more about the donor and, in turn, about themselves and their genetic relatives, including, of course, siblings. In addition to knowing about familial medical history of heart disease, diabetes, cancer, mental health issues and/or other inheritable diseases, a register could assist with early intervention and/or prevention of diseases.

Donor conceived people who are denied access to familial medical histories may be placed at increased risk as a result of not having access to vital health information, particularly later in life. The number of donor conceived people who would benefit from medical information will only increase, as medical knowledge of the influence of genes grows. The detriment that would be avoided by information sharing provides a strong case for access to information being made possible through the establishment of a donor conception register.

Another significant motivation in the search for information for some donor conceived people is the fear or risk of unknowingly forming relationships with siblings or, possibly, their donor. In a state such as South Australia, with a relatively small population, it makes the case for a donor conception register all the more urgent.

In South Australia, there are no limits on how many families can use the same donor. Donors are likely to have donated multiple times, and donors may also have donated at multiple clinics and even privately. Donor counsellors have told me of a case interstate where a donor provided gametes which resulted in 80 children being born—that is eight zero, 80 children.

The National Health and Medical Research Council's (NHMRC) ethical guidelines, to which assisted reproductive technology practitioners must adhere, do not provide a numerical limit, though the guidelines state:

Clinics must take all reasonable steps to minimise the number of families created through donated gamete treatment programs...Gametes from a single donor must be used to create only a limited number of families.

In South Australia, the current practice is reported to be 10 families. This, of course, does not prevent a donor from moving or travelling interstate to donate in other jurisdictions. I was told of a case, when I met with our stakeholders just yesterday, of a woman who had donated her eggs in three different states—not breaching the limit in any of those states but certainly surpassing the limit that applies in this jurisdiction by at least threefold, and certainly the limits that apply in those other jurisdictions as well.

The NHMRC ethical guidelines are being interpreted differently by different clinics and this is of great concern. It stands that the risk of forming consanguineous relationships would be significantly reduced if donor conceived people were able to obtain information about the identity of their donors and donor siblings available through a register. There are many reasons that donor conceived people search for information. I have outlined a few but cutting across all of them is a genuine longing for openness, honesty, an end of secrecy and anonymity, and an ability to make their own choice about whether to pursue access to information about their donor and/or further contact.

Dr Allan found that maintenance of secrecy and anonymity was shown to cause a number of people distress and the call for the government to act was noted. One such person was Kim Buck, who submitted:

I find it unacceptable that such fundamental information is deliberately withheld from donor-conceived children, and believe the government has a responsibility to act to shift the current culture of secrecy and deception towards one of openness and honesty.

Another, Ross Hunter, said in his written submission:

Reform of [the] Act has the potential to finally remove that shameful stigma, promote openness and equality and allow us to get on with our lives.

A number of submissions saw this as fundamental to upholding the paramountcy of the welfare of the child. Donors also reported wondering about the offspring they had helped to create and some have actively engaged in searching for information about numbers of offspring, the sex of offspring and/or have attempted to let the donor conceived person know that they are open to sharing information and further contact.

Another donor described to Dr Allan how he cried his eyes out when he found out that there had been children born as a result of his donation. He said he was so happy to have been able to help another family and that the recipients and children were always welcome to contact him for information. He currently receives Christmas cards from at least one of the families and letters from a father with little bits of information updating him on what has happened in their family. Another donor described to Dr Allan how he would never have donated if he was not completely open to sharing information and having contact in the future.

Of course, there are donors who do not want to be contacted and are not open to sharing information, and this is an issue that must be carefully considered by the government, with a number of existing models operating in Australia and internationally that could be followed. The issue of accessing information held by the Donor Conception Register relating to past donor conception would be dealt with in regulations and not included in this bill but would remain within the purview of the government.

While this is probably the most contentious issue surrounding the establishment of a register, there is nothing else that could possibly be seen as contentious on this issue. However, it is important to note that, while the issue of retrospective access to records may be contentious, it has absolutely nothing to do with whether or not we should actually go down that path of establishing a register. This legislation can pass and that question of retrospective access can be dealt with separately.

I will make some comments about the current situation with respect to access to information and the current state of record keeping and document storage because I think it is important that we understand the risk that we are facing in terms of these records at the moment. Under South Australia's current legislative framework, a person must not disclose the identity of a donor of human reproductive material, except as required or authorised under the act, in the administration of the act, in order to provide ART or with the consent of the donor of the material. There is a maximum penalty of \$10,000 or imprisonment for six months for breaches of these requirements.

This means that, at present, people in South Australia only have access to identifying information if the donor has consented. Such consent must have been given pursuant to NHMRC ethical guidelines since 2004. Those guidelines also stipulate that records relating to donor conception are to be kept indefinitely, or at least for the expected lifetime for any person born.

Pursuant to the NHMRC ethical guidelines, to which clinics must adhere, when the information exists and the fertility clinics have access to it, donor conceived people, once 18 years old or of sufficient maturity, may access identifying information about their donor, with the donor's consent. Those born as a result of the use of gametes donated after 2004 should be able to assume consent. However, those conceived with gametes donated prior to the 2004 guidelines are presently only able to access identifying information if the donor consented at the time of donation or afterwards for release of identifying information.

It is clear, though, that the current situation, described to Dr Allan as 'a lottery', is determined by the time and place of the gamete donation or ART donor conception. In my view, it is quite perverse that some third parties could see the information sought by donor conceived people but are then able to withhold that information from them. There has been an increased call for identifying and non-identifying information globally as donor conceived people have grown. Whilst Dr Allan has found that clinics currently collect information and maintain records regarding the donor conception

and adhere in principle to the NHMRC ethical guidelines, there are differing interpretations of what the guidelines require.

For example, there were reported differences in the type and amount of information collected. One clinic described extensive data (up to nine pages of information) now being held, including personal characteristics; education; whether the donor was a parent and, if so, how many children they had; motivations for donating; hobbies; interests; three generation medical backgrounds; and any other information clients wished to provide. That is a very exhaustive list. Another clinic described a focus on familial medical history and basic personal data, such as name, address and occupation—not so exhaustive. Meetings with an array of people who worked at the various clinics in South Australia were also a part of that.

A central donor conception register would streamline a lot of the information and provide consistency. A number of submitters to Dr Allan's report said that they had experienced oppositional resistance to information disclosure. These issues provide further reasons for the establishment of a donor conception register.

Then there are issues around document management, concerning past donor conception records associated with Repromed and its original operations at The Queen Elizabeth Hospital and the University of Adelaide. There are also issues with Flinders Fertility, as these were all clinics that existed prior to 2010. The current legislation and provisions in the NHMRC ethical guidelines do not protect the rights of some donor conceived people, recipients or donors to access information because it is not the clinics that hold the information. This is particularly relevant to those people conceived at Repromed or one of its predecessors prior to 2006.

Repromed, as some members may know, has provided fertility services in South Australia over many years; however, due to the business changing ownership and place of business during this time, a situation has arisen in which ART and donor conception records are held in various locations in Adelaide, including places that do not fall under the remit of the Assisted Reproductive Treatment Act and places not governed by NHMRC ethical guidelines.

Repromed was originally operated by a group of individual doctors and researchers from the reproductive medicine unit at The Queen Elizabeth Hospital—public hospital, private providers—and in 1987 it was incorporated into a company, Repromed Pty Ltd, which, at least in later years, was owned by a subsidiary company of the University of Adelaide.

I know this is a lot of detail, but it becomes very clear why this information is particularly important. In 2006, the Repromed business was sold to a private company, Adelaide Fertility Centre (AFC), which continues to trade as Repromed. The former Repromed Pty Ltd continues to exist as a shell company, of which the University of Adelaide has been the sole shareholder since 2016.

The result of all these changes—and this is the point that I am getting to—is that The Queen Elizabeth Hospital holds some records from the mid-1960s to 1996. Records held at The Queen Elizabeth are unsorted, and it remains unclear how much information might be contained with some of those records. The University of Adelaide holds records from 1980 to 2006, including some birth outcome records, counselling records and donor codes.

AFC, trading as Repromed, holds records of their current clients and some older clients, including an electronic database that allows for the identification of some genetic siblings and donor patient cross-referencing, but this is primarily for patients from 2006 onwards. Those people conceived, or who donated or received treatment at The Queen Elizabeth Hospital or Repromed, seeking information may need to contact all three organisations to request any information that may be held about their donor conception. These difficulties would not exist if a donor conception register existed.

I provide the details of one case study that illustrates the difficulties experienced for donor conceived children who find themselves in a predicament:

Damien was conceived in 1973 at the Queen Elizabeth Hospital. He has always known he was donor-conceived (against the clinician's advice). He described his Dad as a 'lovely man who I lost at 10 years old'. At such a young age, and in such circumstances he felt he could not talk about being donor conceived for fear of hurting his

mother, but in 1988 when he was 15 years old his mother requested non-identifying information from the Queen Elizabeth Hospital. She was told the records were lost.

At 19 years old Damien had a health problem and his treating immunologist suggested he try to find more information about his medical history. He contacted the Queen Elizabeth Hospital again, and that time was told the records had been destroyed. He later spoke to Repromed, who referred him for counselling, but no information was gained.

He said that the next time the desire for information really struck him was when he had children of his own. He described how holding his newborn daughter made him think about how much he loved her and how much it would devastate him if she didn't know who he was. He said that although everyone would recognise that he is her father, they didn't recognise his need to know about his biological father. His mother then made a Freedom of Information application for her treatment records, which she was given. The records had a donor-code and said Damien had been born from frozen sperm.

Damien has since spoken to Adelaide University, the Queen Elizabeth Hospital, Repromed and State Records, but still only has a donor code. He describes feeling like he and his mother were lied to. He also described wanting to know how many siblings he has, and having spent around \$2000 trying to find information via doing DNA testing. He appealed during the donor conception forum, 'It has been nearly thirty years that I have been treading this path. Somebody has to help'.

The situation of records being all over the place is only compounding the anguish and despair for donor conceived people like Damien. In addition, donor conceived people are having to deal with legal and/or administrative officers at these sites who have no expertise in dealing with such complex issues, and often little or no counselling whatsoever is offered to these individuals.

In the case of records held at ACN, the General Counsel of Adelaide University noted that, as a shell company, ACN has no employees and does not have the resources or expertise to offer support to those seeking information.

State records guidelines have also changed so that information will be kept for up to 99 years, and without laws to preserve the ART records at CAN, at the University of Adelaide and at The Queen Elizabeth Hospital these records are not required to be maintained under the current legislation as they do not fall within the definition of a registered provider of ART. This bill seeks to remedy that situation in our law so that records held at these locations must also be preserved in perpetuity. Issues were also raised during Dr Allan's inquiry about past records held at Flinders Fertility, one of the older fertility clinics predating the current legislation and still operating to this date.

As the current legislation with respect to a possible donor conception register does not apply in relation to ART provided before the commencement of the legislation, it means that past records held at Flinders Fertility that predate the current legislation do not require preservation and, in fact, there are instances of donor conceived people making inquiries at Flinders Fertility being told their records have been destroyed. This is manifestly unfair, and this bill also seeks to correct this situation or this loophole so that the relevant section applies in relation to ART provided before or after the commencement of the operative provision.

As I have outlined, a donor conception register is preferable to clinic-based access or ad hoc access at other locations where historical records are held currently, as it will provide for access in one central location, consistency of practice and security of data. The four operational clinics have indicated in discussions with Dr Allan that 60 to 100 donor conceived people are being born per year. That is 60 to 100 donor conceived people each year. According to Dr Allan, there are several hundred files relating to historical donations being held in several locations across Adelaide that absolutely have to be collected and collated.

The ACN (Adelaide University), the primary location that has partial information about past donor codes, told Dr Allan that they hold a birth outcome spreadsheet that estimated approximately 1,000 births from 1980 to 2003. The Queen Elizabeth Hospital holds records relating to recipients dating back to the 1960s. Often they need to gain some information from their records and then send the person to CAN and Repromed to follow up on a donor code. The inquiring person—usually a donor conceived person—gets shunted from one place to the other.

The number of past records held by Flinders Fertility is unknown, with the clinic reporting to Dr Allan that some records had been destroyed and cannot be recovered and that some records still exist. By comparison, there were 10,042 births on the Victorian central donor register to

30 June 2018. The Victorian central register has been operating since 1984, and I note that there were 623 donor births registered in Victoria in 2017-18, and there were 82 applications for information to the donor register for the same year.

The information from Victoria, as an example, is clear because of the existence of a central donor conception register. With increased use of donor conception by single women and same sex couples, it is likely that there will be consequent increases in donor conception. On the issue of where the donor conception register should be held, Dr Allan said:

Births, Deaths and Marriages already collects and manages data relevant to births and parentage. BDM maintain the birth register and issue birth certificates.

In discussions with Dr Allan, BDM confirmed that they have the capability for external operators to upload information, and that hospitals and funeral services already do this now. In addition, BDM also noted that they can engage in linking records, and they already do this now with respect to births and with respect to deaths.

In addition, RASA is a trusted partner agency with BDM, providing counselling services and can access records directly to facilitate family tracing and linking services. Professor Allan did consider locating the donor conception register within the Department for Health and Wellbeing, either within the Epidemiology Unit, which houses the Pregnancy Outcomes Unit, or within another unit within that department.

However, these were discounted because, in considering establishing the donor conception register within one of these, Professor Allan was of the view that neither unit was observed to work in a manner that is akin to services needed for a donor conception register. The reasons included that the Pregnancy Outcome Unit does not provide individual data release services, and, whilst the unit provides information regarding birth outcomes and complications, the unit has very strict privacy provisions.

The internal unit option was observed by Dr Allan as being staffed by a small number of personnel without any expertise in establishing or maintaining a donor conception register that would hold information about biological parentage or, indeed, that could provide support services to facilitate family linking. BDM was considered the superior option, given its staff already possess the necessary data management expertise, records are securely stored in perpetuity, staff are already experienced in handling public inquiries about information release regarding genetic heritage and birth, and its work with other agencies to assist access to such information and family linking.

The only jurisdictions that adopt a stand-alone model for a donor conception register globally are the United Kingdom Human Fertilisation and Embryology Authority and the Victorian Assisted Reproductive Treatment Authority. Ultimately, Dr Allan determined that a stand-alone model for South Australia was not appropriate, taking into consideration the size of the state and population that will be served by the donor conception register, coupled with the fact that relevant services that could be leveraged exist in South Australia. These were all considered in determining that Births, Deaths and Marriages is best suited to maintaining the donor conception register.

By locating the register with BDM, access to information concerning a person's birth, biological and legal parentage would occur in one location. It would enable the use of existing expertise, resources, practices and process in South Australia and would minimise donor conceived children from being treated differently from all other South Australians seeking information about their legal and/or biological parents. The bill gives effect to this recommendation by Dr Allan.

Past records held in various locations must be transferred to a central location for sorting and relevant information entered onto the donor conception register. The inordinate delays by former and current governments in failing to act in setting up this register is causing continued frustration and psychological distress to donor conceived people, recipients and donors alike. The operation and effectiveness of the Assisted Reproductive Treatment Act has been compromised by the delay in establishing an essential donor conception register to record and release information about donor conception. That significant delay, now decades overdue, is not in harmony with upholding the paramountcy of the welfare of the child principle in the current legislation.

On the issue of the paramountcy principle in the ART Act, the bill amends section 4A to include the word 'health' in conjunction with 'welfare' to give effect to recommendation 16 of Dr Allan's report, thereby seeking to strengthen the paramountcy principle. On this point, Dr Allan stated, and I quote:

The current statement of principle does not explicitly include reference to health outcomes for the child. It was submitted to the review by Robinson Research Institute, that: the absence of a reference to health may now be regarded as an omission...the statement of principle should include wording that both the 'health and welfare' of the child is paramount.

I note, by way of comparison, that the Victorian legislation also includes a paramountcy provision that includes reference to the health and wellbeing of the child.

In summing-up, I concur with Dr Allan that, on balance and for clarity, it would be prudent to add 'health' to the current paramountcy provision within the act. I have done that in this bill. Finally, I note that, given that we will soon be debating changes to surrogacy laws—and I commend the Hon. John Dawkins for all his invaluable work in this area and on this most worthy issue—it is also timely that we finally deal with the establishment of a donor conception register.

SA-Best therefore calls on the Minister for Health and Wellbeing to establish the register as a matter of urgency. The bill will ensure that the minister does just that. We are happy to work with the government to finally achieve the establishment of a donor conception register and provide solace and certainty to the thousands of donor conceived children in South Australia.

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

Motions

ADELAIDE OVAL HOTEL DEVELOPMENT

Adjourned debate on motion of Hon. I.K. Hunter:

1. That a select committee of the Legislative Council be established to inquire into and report on a redeveloped Adelaide Oval, with particular reference to:
 - (a) the economic and financial benefits of the redevelopment of Adelaide Oval, including to whom the benefits are accruing;
 - (b) the operations and financial management of the Adelaide Oval;
 - (c) the corporate governance of the Oval, including the Stadium Management Authority;
 - (d) the financial returns to the South Australian National Football League, the South Australian Cricket Association, and the Adelaide and Port Adelaide football clubs;
 - (e) the financial contributions into the Oval infrastructure and into the broader sporting community from the Oval's operations;
 - (f) the proposed hotel development at the Adelaide Oval, and the process by which the government considered the proposal and approved financing the proposed hotel development;
 - (g) the impacts on the hotel industry in Adelaide of the proposed hotel development;
 - (h) the legislative, regulatory and other legal frameworks governing the operations of the Adelaide Oval, and any opportunities for improvement;
 - (i) the impact of the Oval and its operations on the surrounding Parklands and the legislative, regulatory and other legal frameworks governing further development in the Parklands; and
 - (j) any other related matters.
2. 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.

(Continued from 28 November 2018.)

The Hon. M.C. PARNELL (17:30): The Greens will be supporting this motion to establish a select committee to look at the issue around the Adelaide Oval and in particular the proposed development of a new hotel. It will come as no surprise to honourable members that on behalf of the Greens I have been vocal over many years about the alienation of the Adelaide Parklands for various inappropriate purposes, not the least of which are private commercial purposes. I have said it before, but I will say it again: what to one group of people is our inalienable heritage, to be preserved and protected for all time, is to someone else a development opportunity.

I am pleased that the terms of reference for this inquiry include a reference to the legislative, regulatory and other legal frameworks governing further development in the Parklands, because whilst the focus of this committee will be on the proposed private hotel adjacent to the Adelaide Oval, there are systemic issues that go to the heart of this alienation problem. There are issues with the Adelaide Park Lands Act; there are issues with the Development Act and its replacement, the Planning, Development and Infrastructure Act; there are also problems with the local planning scheme.

Again, as I have said in the past, the idea that certain things can happen in the Parklands with zero consultation, such as the creation of a sewerage works or a nuclear waste dump or anything that might vaguely be described as infrastructure—that these can be built in the Parklands without consultation is really an outrageous outcome.

So I am pleased that the terms of reference will be broad enough to enable witnesses to come along and talk about some of the issues that have resulted, I think, in the problem that will be the dominant item of business; that is, the proposed hotel next to the Adelaide Oval. With those brief words, the Greens will be supporting the creation of this select committee.

The Hon. F. PANGALLO (17:32): I rise in support of the motion of the Hon. Ian Hunter for a select committee on the Adelaide Oval redevelopment, including plans for a boutique hotel and the impact it would have on the Parklands and the hotel industry along with the overall operations of the Stadium Management Authority.

The new Adelaide Oval was one of the better projects delivered by the previous Labor government, and it deserves credit for bringing vibrancy back to the city and a new lease on life to the iconic ground, which stages sporting and major events in a degree of comfort, although I still wonder why it overlooked providing full cover to sections of seated areas.

Footy and cricket are, of course, the major beneficiaries of this taxpayer benevolence. The South Australian Cricket Association was able to wipe off a huge debt as part of the deal, while the SANFL walked away from its headquarters at Football Park, which has largely been sold for urban development, so both should be flush with cash reserves capable of funding the hotel themselves. If not, we need to know why.

South Australians are rightly proud of this facility. It has global recognition. However, it does favour the privileged. It is expensive to attend footy, cricket or other major events. Dining is not cheap, whether you are in one of the catered rooms or simply getting a pie, soft drink or beer and a bag of chips.

I would imagine it requires a great deal of money for it to be maintained in its pristine condition by the Stadium Management Authority, a private entity comprising almost entirely board members from the South Australian Cricket Association, the South Australian National Football League plus pokie baron, hotelier and Crows board member Peter Hurley, with former governor, Rear Admiral Kevin Scarce, as its chairman—all very highly skilled men, although it is disappointing there are no women.

There is potential here for conflicts of interest, particularly when it comes to the hotel proposal. The SMA or the government is unable to say who will run it yet, but I was told in this

chamber that there are board members with that kind of expertise. I gather that the Hon. David Ridgway would have been referring to Mr Hurley.

It is also handy having a former Liberal premier and current state Liberal Party President John Olsen presiding if you ever needed someone with clout to lobby a Liberal government. Mr Olsen is a man of immense experience and knowledge, with a wide network of contacts in the business and political world. While I am not suggesting that there has been anything untoward in the process so far, questions do need to be asked of the SMA about the steps taken in securing the \$42 million loan from the SA Government Financing Authority.

I note that in the other place yesterday the Hon. Tom Koutsantonis raised matters of possible conflicts of interest involving the Minister for Planning, Transport and Infrastructure, the Hon. Stephan Knoll, and his corporate links to a sausage company that does business at the Oval. Mr Knoll insists that he divested himself from any conflict within days of taking office.

Hotel operators are justifiably upset when you have the government giving a leg up to a private competitor. The Sofitel group only started building its new five-star complex last month. Majestic Hotels is building a third hotel in Tynte Street, North Adelaide. In a blistering email sent to the media, Eoin Loftus says it is an uncompetitive move. The Adelaide city council believes that it would set a dangerous precedent for private development of a public asset. I do not usually agree with some of the things Councillor Anne Moran has to say, but I do take her point when she says that another hotel near North Adelaide could have an impact on whether a hotel could be part of a redevelopment of the old Le Cornu site.

There is also the matter of the development further encroaching into the Parklands. While the government says that it will be on the existing building footprint, what guarantees will we have that the plans do not suddenly change? The committee will be able to look at any impact it will have and any legislative requirements for building developments of this type on the Parklands.

The SMA proposal might be an Australian first for a stadium; however, it is not a new concept. There are a handful of venues scattered around the world that have hotels attached. In Munich—

The Hon. T.J. Stephens: They need to be checked out.

The Hon. F. PANGALLO: Yes, we might have to go there then.

Members interjecting:

The Hon. F. PANGALLO: Wait until you hear this one.

Members interjecting:

The ACTING PRESIDENT (Hon. D.G.E. Hood): Order!

The Hon. F. PANGALLO: The Marriott has teamed up with football giant Bayern Munich to build its courtyard brand luxury suite level overlooking the football pitch inside the Allianz stadium. Others are now considering the idea, including Wembley Stadium, as a value-added leverage for wealthy sports fans. The plans here do not make it clear if you will be able to watch a Crows-Power showdown lying on a bed. I can see where the SMA sees advantages in having a hotel as another revenue stream, utilising its existing catering facilities and its tourist attractions—the rooftop walk above the ground and the expensive golf driving range. But will they be pandering to the elite thanks to the generosity of taxpayers?

However, the court of public opinion remains divided. An *Advertiser* poll last week had 57 per cent backing the idea, compared with 43 per cent opposed. I commend this motion to the Legislative Council.

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (17:38): I rise to speak to the motion on behalf of the government. The Adelaide Oval has transformed over recent years to offer a multisport facility, hosting major events and concerts and providing function services. The redevelopment in 2014 further signified Adelaide Oval as an iconic site and the value delivered in driving the state's visitor economy.

The Adelaide Oval's proposed boutique hotel will provide additional services for visitors and the local economy, encouraging jobs and investment into the state. It will contribute to the vibrancy of the Riverbank Precinct and ensure that Adelaide Oval remains competitive with stadiums around Australia and internationally within the sporting, entertainment and events market.

The arrangements for the Adelaide Oval Stadium Management Authority lease will ensure the boundary of the Adelaide Oval remains unchanged and the asset will return to the state's ownership at the completion of the lease term. The funding provision from the South Australian Government Financing Authority is provided at commercial rates and the government supports continued innovation at Adelaide Oval. I indicate with those few words that the government will not oppose the establishment of the select committee of the Legislative Council to inquire into and report on the redevelopment of the Adelaide Oval.

The Hon. T.J. STEPHENS (17:39): I move to amend the motion as follows:

Leave out paragraph (2) and insert a new paragraph as follows:

2. That the committee consists of six 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.

The Hon. I.K. HUNTER (17:40): I thank honourable members who have contributed to this debate and indicated that they will be supporting the motion. In moving the motion I outlined a series of questions that I and other members of the chamber, and indeed the public, have said need to be answered regarding the proposed Adelaide Oval hotel development.

In the week since I brought up this issue, and since others in the other place have brought up this issue, there has been significant media attention and some public debate on these questions. In particular, views that have been publicly expressed over several key areas where the public and others want some answers are the impact of the hotel development on existing hotels and other businesses in the CBD and North Adelaide; the means through which the taxpayer loan was sought, considered and approved; the appropriateness of the government providing a taxpayer funded loan for this private development; and the consequences of further development on that section of the Parklands.

The Hon. Mr Pangallo in his contribution raised questions of potential conflict of interest with minister Stephan Knoll. I should not be shocked, I suppose, but I am incredibly shocked that the Hon. Mr Pangallo reads the *Hansard* of the other place. I hope this committee of inquiry will not become known as 'Sausagegate'. But it is clear that the government has not been very good at answering these questions that have been raised in this place and the other place and in the public arena. The public needs to know—South Australians do need to know—and have some confidence in the explanations to these questions and I think that is exactly why we should be having a select committee of this council to look into it.

I thank honourable members for their support. I note the rush to get onto this committee so much so that the Hon. Terry Stephens has moved an amendment to increase the size of the select committee which I indicate I am very happy to support.

Amendment carried; motion as amended carried.

The Hon. I.K. HUNTER (17:43): I move:

That the select committee consist of Hons E.S. Bourke, D.G.E. Hood, T.J. Stephens, J.A. Darley, F. Pangallo and the mover.

Motion carried.

The Hon. I.K. HUNTER: I move:

That the select committee have power to send for persons, papers and records and to adjourn from place to place and to report on 3 July 2019.

Motion carried.

*Parliamentary Committees***ABORIGINAL LANDS PARLIAMENTARY STANDING COMMITTEE: REPORT 2017-18**

Adjourned debate on motion of Hon. J.S.L. Dawkins:

That the 2017-18 annual report of the committee be noted.

(Continued from 14 November 2018.)

The Hon. K.J. MAHER (Leader of the Opposition) (17:44): In starting my reasonably brief speech about the Aboriginal Lands Parliamentary Standing Committee and speaking to the annual report, I would like to, as our President does each day that we sit here, acknowledge that we are on Kurna land. This city, this country, is on Aboriginal land—always has been and always will be.

The Aboriginal Lands Parliamentary Standing Committee, as we currently know it, was formed in 2003. I remember its formation quite well. It was formed under the stewardship of the Hon. Terry Roberts, the Aboriginal affairs minister at the time, who, in forming the committee in the legislation, made a quite unusual move and had the minister as the chair of the standing committee. I think he had what the kids refer to now as FOMO—fear of missing out—and did not want to be part of anything to do with Aboriginals affairs, to his great credit.

Since the committee's formation, it has provided a very valuable opportunity not just for members of the South Australian Aboriginal community but also for members of parliament, both in this chamber and in the other place. It has allowed members who have not necessarily had the ability or privilege of spending time in Aboriginal communities to do so in order to gain a better, firsthand appreciation and understanding of some of the issues faced. It has given members of the Aboriginal communities in South Australia an opportunity to have their voice better heard by the parliament through the committee. It is an important committee that has served us well for some 15 years since it was established, as we know it, in 2003.

The reporting period covers only a small part of this year, since the election, but since then the committee has been heavily concerned with reviewing the Aboriginal Lands Trust Act, an important role of this committee. Witnesses from many communities have been called to provide evidence. On a personal note, it has been good to catch up with many old friends from various communities during the course of this year.

I will not go into great detail about the issues facing the Aboriginal Lands Trust and what should be done. There will be a report of the committee on it, but I think it is fair to say that the Aboriginal Lands Trust was a remarkable and revolutionary piece of legislation from half a century ago but has its challenges today with the expectations of Aboriginal communities and their involvement in managing their own land and affairs.

The committee looked at a whole range of issues. One area the committee looked at very extensively was the Stolen Generations Reparation Scheme, which was, in some respects, introduced by the former Labor government on the back of the work of the committee. It is important that we have committees like this because, as anybody who served on the committee and many other people know too well, a lot of issues in Aboriginal communities are extraordinarily complex and longstanding, and sometimes dealing with those matters requires a great deal of patience and understanding. It is in my view one of the most, if not the most, challenging areas of public policy that policymakers face. It is not hard to see why that is the case.

When you think about it, it is quite remarkable that we have a culture that dates to, at best estimate, at least 65,000 years colliding with a mere 230 years of something that is a very different way of life. People who have been custodians of this country and managed it very well for thousands of generations are finding themselves in a new culture that in a lot of respects is very different.

One of my close friends, who passed away a couple of years ago, Kunmanara Ingkatji from just outside Pukatja, recalled the first time he saw white people. This is a man who died only in the last couple of years, pre-dating European colonisation. There are many others in some Aboriginal communities who are number of generations into a whole new set of circumstances that do not translate at all well from the law and kinship that has served well thousands of generations on this

land. For this generation and generations that follow, we need to keep working towards reconciliation on the shoulders of what others have done, and that is an important aspect of this committee.

There are some areas in Aboriginal affairs that the committee may turn its mind to and look at in the future. It is my view that one of the great pieces of unfinished business in Aboriginal affairs deals with treaty. We are one of the few, if not the only country of those we compare ourselves to, that at the time of colonisation did not make an attempt and did not come to any sort of understanding with the first nations people of that country, and 230 years later it is something we are grappling with.

Where we stand at the moment is quite a remarkable period in Aboriginal affairs, and I think it is something that the committee will look at. We saw gathered in the centre of Australia, 250-odd delegates from right around Australia representing communities from every state and territory, who came out with a statement from the heart that was a remarkably concise document about the way forward in Aboriginal affairs.

That may be something that the committee looks at in the future: how at a state level we look at the issues that relate to a voice to parliament and a voice in decision-making, truth-telling and things like agreement making. For 15 years, the committee has done a good job of acquainting members with issues and challenges, and also addressing some of those issues and challenges, and I look forward to serving on this committee into the future.

I need to make particular mention that Shona Reid, who has served for quite some time as executive research officer of the committee, is leaving the committee at the end of this year. Shona is a proud, Eastern Arrernte woman with a family legacy that extends into the Hart Ranges in the Northern Territory. I have had many discussions with Shona about her time growing up in and around Alice Springs. For 15 years, Shona has worked across areas like child protection, young offending, and the out-of-home care sector in regional and remote areas, including in the Anangu Pitjantjatjara Yankunytjatjara lands in the far north west.

In recent years, Shona has focused her expertise on governance and accountability across the APY and Far West Coast regions of South Australia. Shona holds positions on the SA Youth Centre Review Board (the youth parole board) and the South Australian Housing Trust Board of management, and is very well known across the Aboriginal community. Shona is a regular enthusiastic attendee at events, awards, celebrations and dinners whose presence is always warmly felt. In a recent announcement from Reconciliation South Australia, where Shona is headed to, she said, and I quote:

I believe this is an exciting time to be involved in the reconciliation movement, both on the local and national stage. There is a genuine desire and eagerness for tangible progress in the area of reconciliation and I look forward to honouring the legacy that Reconciliation SA has laid before me, building on this and inspiring others to join with me on this journey together.

I could not agree with her more, and for reasons I mentioned earlier, it is an exciting time, but we need to be both vigilant and energised when it comes to matters and dealing with policy involving our first nations people. I sincerely want to thank Shona for her work with the Aboriginal Lands Parliamentary Standing Committee, her devotion to her Aboriginal communities, and wish her all the best for her new role and in the future. She will be missed but we look forward to engaging with her in her new role, and her continuing to serve her mob as faithfully as she has in the past.

The Hon. T.T. NGO (17:53): I rise to support this motion and take this opportunity to congratulate the Hon. John Dawkins on his appointment as Chair of the Aboriginal Lands Parliamentary Standing Committee. I also acknowledge the current members of the committee, especially the new members.

As the honourable member detailed in his contribution to this motion, much of the work which makes up the report of this committee was from the last parliament when I was chair. In October 2017, during my time as presiding member, the committee commenced its review into the operation of the Aboriginal Lands Trust Act 2013. The committee took written and oral submissions for this review. This gave the committee an opportunity to understand the real-life experiences of Aboriginal people across South Australia. I keenly await the conclusion of this review and discovering its findings.

One of the many roles that is important to the committee is to show its support for Aboriginal communities across South Australia by attending various community events, and it is something that the committee enjoyed very much. The committee also endeavoured to travel to visit many communities in regional South Australia, as well as communities in the APY lands. It is important to acknowledge the many witnesses who provided input to the committee on issues such as dialysis in the APY lands, the Stolen Generations Reparation Scheme, the Community Development Program and the Remote School Attendance Strategy on the APY lands, as well as matters pertaining to the Aboriginal Lands Trust.

I acknowledge previous members who were on the committee while I was the chair: the Hon. Terry Stephens MLC; the Hon. Tammy Franks MLC; Mr Eddie Hughes, the member for Giles; Mr John Gee, the member for Taylor; and Dr Duncan McFetridge, the previous member for Morphett. I thank all those members who assisted me greatly, in a multipartisan manner, to make the committee as informative as possible whilst achieving outcomes for Aboriginal communities.

Much of the credit for both the compilation of this report and the smooth running of the committee must go to the committee secretary, Ms Shona Reid. I am told that Ms Reid is finishing up in a few weeks and that she has been appointed as chief executive of Reconciliation SA. I would like to congratulate her on her appointment and wish her all the best for her future. I remember when I was the chair and the position of secretary became vacant. I was in Melbourne, and the former Clerk of the Legislative Council, Ms Jan Davis, rang me up. She was so excited that there was an Aboriginal person applying for the position. She told me to keep it really quiet and that I was not allowed to tell anyone because the interview process was still underway.

Ms Reid was given the position, and I had never seen the Legislative Council Clerk, Ms Davis, so happy. I know that, over the years, she was worried about the work of the committee. It was proven that Ms Reid was the right choice, because the briefings that she provided, not only to me but also to the other committee members, were top class. On our first trip to the APY lands, the briefing that she provided was very detailed in terms of greetings, and it also provided some words for how to say something in the Aboriginal language. It was really helpful and very useful. For the first time in my role as chair, I found myself pretty knowledgeable about what I was doing, and the whole committee really enjoyed the way she ran the whole trip.

With that, I would like to thank all the Aboriginal community organisations and their representatives who have given their time to provide valuable insights during my years as chair of the committee, which was a really honourable position. I would like to commend this motion to the council.

The Hon. T.A. FRANKS (17:59): I rise very briefly, simply to associate myself with the prior remarks that have been made by the current chair of this committee, the Hon. John Dawkins, the previous chair of this committee, the Hon. Tung Ngo, and indeed also the Hon. Kyam Maher, who is the shadow minister for Aboriginal affairs and reconciliation. This is a truly unique committee within this parliament. It comes together for the good of Aboriginal and Torres Strait Islander people in this state, with a particular view to those acts, the ALT and those living on Aboriginal lands, as well as Maralinga Tjarutja and the APY.

This has been, in my time in this parliament, the ongoing standing committee that I have had involvement with, and in all of that time—although I do hear that Jonathan Nicholls was a bit of a star—I have to say that Shona Reid has been outstanding in her service to this committee. Her expertise, her insight and her great skill and talent have been much appreciated, and so I wanted to put a few words on record of just how much she brought to this committee. Her extraordinary work should not go unnoticed.

I do not know that she is going on to a promotion necessarily as the chief executive of Reconciliation SA, but I do know that they are very lucky to have her, and I am sure that we will hear great things from her in the future. I also recognise that she is part of the new housing board set up by the Minister for Human Services, and she will make a great contribution both to Aboriginal people in this state and within the housing realm more specifically. With those few words, I commend the report to the council.

The Hon. J.S.L. DAWKINS (18:01): I will be brief in summing-up this debate. I thank the honourable members who have contributed: obviously, the Hon. Kyam Maher, as noted by the Hon. Ms Franks, as the shadow minister for Aboriginal affairs, as former minister and also as someone who was working closely with the late Hon. Terry Roberts when the original committee of this nature was formed.

I also, obviously, acknowledge the remarks of the Hon. Tung Ngo, as my immediate predecessor as presiding member of the committee, and thank him for those remarks, and the Hon. Tammy Franks, who, as she has demonstrated, has had membership of that committee since her election to this place. I thank them for their remarks about the work of the committee, which I enjoy very much. I look forward to the advancement of Aboriginal communities. I think our relationship with them is strong. Certainly, I am committed, and I know that the remainder of the committee, in a multipartisan way, is committed to that as well.

In conclusion, I would like to add my own remarks in relation to our departing executive officer, Ms Shona Reid. In moving this motion, I did say how well she had assisted me with her knowledge of the Aboriginal and Torres Strait Islander community in this state and beyond, but I think it is worth saying that she is extraordinarily well respected across those communities and, as we have heard this afternoon, extremely well respected right throughout our committee.

I have great mixed feelings, because I have always been one to see people develop and move on along a career path. We wish Shona all the very best at Reconciliation SA, but we will also miss her in her role with us, as has been clearly outlined here by the members and past members of the committee. With those words, I commend the motion to the council.

Motion carried.

Parliamentary Procedure

VISITORS

The PRESIDENT: I acknowledge the presence of the former President, the Hon. John Gazzola, in the gallery. Welcome.

Parliamentary Committees

SELECT COMMITTEE ON POVERTY IN SOUTH AUSTRALIA

The Hon. I. PNEVMATIKOS (18:04): I move:

That the time for bringing up the report of the committee be extended until Wednesday 3 July 2019.

Motion carried.

SELECT COMMITTEE ON MORATORIUM ON THE CULTIVATION OF GENETICALLY MODIFIED CROPS IN SOUTH AUSTRALIA

The Hon. J.A. DARLEY (18:05): I move:

That the time for bringing up the report of the committee be extended until Wednesday 3 July 2019.

Motion carried.

SELECT COMMITTEE ON WAGE THEFT IN SOUTH AUSTRALIA

The Hon. I. PNEVMATIKOS (18:05): I move:

That the time for bringing up the report of the committee be extended until Wednesday 3 July 2019.

Motion carried.

Motions

CHILD PROTECTION WORKERS

Adjourned debate on motion of Hon. C. Bonaros:

That this council—

1. Recognises that child protection workers dedicate their careers to caring for our state's most vulnerable people;
2. Acknowledges that the safety of these children and young people is of paramount consideration but, to provide safe environments, child protection workers must also be safe;
3. Notes the key recommendation from the Nyland royal commission which recognised the substantial risk associated with staff working in single-handed shifts and recommended that single-handed shifts be abandoned; and
4. Calls on the government to abandon single-handed shifts to increase the safety of children in care and to improve safety for child protection workers.

(Continued from 17 October 2018.)

The Hon. I. PNEVMATIKOS (18:06): I rise to support the motion moved by the Hon. Connie Bonaros. There are few things more important than protecting children in our society, particularly from any form of neglect and abuse. Sadly, far too many South Australian children and young people need to be removed from their families each year for this reason, sometimes for a short time and sometimes more permanently.

The latest Department for Child Protection figures show that on 30 September this year there were 3,729 children aged 17 or under in state care; 427 of those children are in residential care and another 74 are housed in community care. For those who might not be familiar with the different forms of care, residential care is provided by the Department for Child Protection in a residential building or home, usually owned by the department or an NGO. Residential care workers are provided by the Department for Child Protection and funded non-government organisations.

Commercial care is provided at any suitable commercial premises, such as a private rental house or unit, and is staffed by carers from approved agencies who work shifts on a rotating 24-hour, seven days a week roster. The use of commercial care reduced under the former Labor government, and we hope to see this form of care further decline. It is not a preferred method of care, but in particular cases it is the most appropriate arrangement.

We on this side call on the Liberal government to meet the election commitment made by the now Minister for Child Protection, the member for Adelaide, to abandon single-handed shifts and ensure child protection workers only work in double-handed shifts. Child protection workers have an expectation that the Liberal government will introduce double-handed shifts, also known as 2UP, at all residential care facilities. Why do we have that expectation? Because the Liberals told them that is what they would deliver.

At the Public Service Association's child protection election forum about a fortnight before polling day, the then spokeswoman for child protection, the member for Adelaide, and now minister Rachel Sanderson, spoke as part of a panel of parliamentarians. At that forum, workers recall that she committed that a Liberal government would implement recommendation 150c of the Child Protection Systems Royal Commission Report, known as the Nyland report. That recommendation calls for the recruitment of a sufficient complement of residential care staff in order to abandon single-handed shifts. You know that workers at that forum believed what they were being told: that the Liberals would implement the recommendation and recruit enough staff so that the state's 76 residential care facilities would have two workers on a shift at all times.

No doubt, many of the workers at that forum voted Liberal at the last election in the expectation that this promise would be delivered in government. Child protection workers more broadly held, and continue to hold, an expectation that this Liberal government intends to implement this recommendation. We hear so much about how this government will deliver on all its promises, yet this is a promise that it now seems to be walking away from.

Under questioning in estimates hearings in the other place, the now Minister for Child Protection was vague and non-committal about the government's intention to implement double-handed shifts at all residential care facilities now that it has been elected. Maybe this is a bit like the right-hand turn promise for the trams. In opposition, the Liberals promised many things, regardless of any proper assessment. Now they have the chance to deliver these promises and this government has been found wanting. Maybe this government has changed its mind about

double-handed shifts. If that is the case, it owes the hardworking child protection workforce an explanation.

Why was this policy good enough to promise in opposition but not good enough to deliver in government? Questions on notice in the other place have revealed there are now six premises that have two or more staff on every shift, while another 36 premises sometimes have more than two staff on a shift. Meanwhile, 34 premises only ever have one staff member per shift. The government needs to make good on its election promise and now fully implement it across all 76 residential care facilities.

In government, Labor supported and implemented other recommendations made by commissioner Nyland to ensure an appropriate workforce in the child protection system. Labor supported recommendation 132, which called for the abandonment of single-handed shifts for commercial carers engaged through commercial agencies. The then government responded immediately by delivering two intensive placement support teams, which resulted in the recruitment of 18 full-time equivalent positions at a cost of \$1.8 million per year. That started in the 2017-18 financial year and has now been fully implemented.

Recommendations 150a and 150b called for enough residential care workers to be recruited so as to cease using commercial carers in residential care facilities and the development of a casual list to provide staff who are available on a flexible basis. Both of these measures were also delivered. This new government must continue the good work of the previous government in implementing the recommendations of the Nyland royal commission.

The motion also recognises the dedication of child protection workers and the need for them to be safe in their own workplaces in order to properly care for children. We on this side are so very grateful for the dedication and commitment of hundreds of child protection workers, whether they work for the department, non-government organisations or agencies. These carers do so much to support children and young people who are in great need of loving care.

These workers make a difference every day to the health, welfare, safety and security of children and we should be doing what we can to support them. To all those who dedicate their lives to improving the lives of our state's most vulnerable kids, we thank you. We thank you and we will hold this government to account for their promises to you. This government must live up to its promises, wherever and whenever these promises were made. The Liberal government promised to abandon single-handed shifts and now they must deliver on that promise.

The Hon. J.M.A. LENSINK (Minister for Human Services) (18:13): I rise to make some remarks in support of this motion and thank the honourable member for bringing this important matter to the attention of the Legislative Council. The government is committed to protecting children and young people and all those workers and volunteers, carers and families who support children under guardianship. The government is committed to ensuring that the staffing of residential care is tailored to the critically assessed needs of children.

We have been engaged in the national conversation throughout the Royal Commission into Institutional Responses to Child Sexual Abuse, which seeks to improve the safety of children and young people in institutional settings. Alongside all child protection jurisdictions in Australia, the Department for Child Protection will be considering how the recommendations from the Royal Commission into Institutional Responses to Child Sexual Abuse are to be implemented.

Considerable work is being undertaken to consider the intersection of the Royal Commission into Institutional Responses to Child Sexual Abuse, Nyland and Oakden reports and their implications for South Australian children in child protection. In particular, the department will be considering how to implement the National Principles for Child Safe Organisations, which seek to create a culture, adopt strategies and take action to promote child wellbeing and prevent harm to children and young people. The Nyland report from 2016 provided two recommendations to abandon single-handed shifts. Recommendation 132 in commercial care was, and I quote:

Forthwith abandon single-handed shifts by commercial carers engaged through commercial agencies.

This recommendation was accepted by the previous government for implementation in phase 3, which was due to commence from January 2019 to January 2022. The other recommendation was recommendation 150c in residential care, which was, and I quote:

Recruit a sufficient complement of staff to...

c abandon single-handed shifts.

This was not previously supported by the previous government. This government has already undertaken significant changes to the child protection systems which impact the security, safety and wellbeing of children under guardianship. The number of children and young people in commercial care has been reduced. It was standing at 190 in March 2017. By April 2018 it was 102. By 30 September it had reduced to 74.

The percentage of children and young people in family-based care as a percentage of all out-of-home care has also been increased. From 30 June 2017 it stood at 83 per cent. By 30 September 2018 it had increased to 85.33 per cent. This government is taking the opportunity to further consider the Nyland recommendations, particularly those that were not accepted to ensure that it reflects our new priorities. There are number of ways in which children and staff are kept safe:

- double shifts are occurring for children and young people in commercial and residential care where it has been clinically assessed that their needs require double shift care;
- an easily searchable electronic observation logging system to increase safety for children and workers and oversight in placements in residential care;
- safeguarding practice guidance and the mandatory procedure alongside a comprehensive training package for residential care staff is in progress and continues;
- unannounced visits undertaken by managers and the mobile night team occur in residential care, and unannounced visits by the intensive placement support team occur in commercial care;
- staff are further supported by senior youth workers, supervisors and mobile response teams. Some facilities are located within close proximity to other locations, providing additional support;
- a complaints unit has been established within the department's office of the chief executive, which can hear complaints from young people in care;
- section 110A of the act provides for psychometric assessment of all workers in government and non-government residential care services. All DCP staff working with children and young people in residential have now undergone a psychometric assessment; and
- the yet to commence Child Safety (Prohibited Persons) Act 2016 will strengthen background child-related employment screening to safeguard children and young people once regulations have been endorsed.

I have a suggested amendment to the motion to recognise this. I would like to echo the comments of the Hon. Irene Pnevmatikos in terms of thanking everybody who works in this very important area in child protection and particularly the workforce. I do understand that recruitment of staff into the child protection system continues to be a challenge. We would dearly love to have more people involved in such an important role for some of our most vulnerable children. I move the amendment to the motion standing in my name, as follows:

Leave out paragraph 4, and insert new paragraph as follows:

4. Recognises the work the government has recently implemented to increase the safety of children in care and to improve safety for child protection workers, namely:
 - (a) double shifts are occurring for children and young people in commercial and residential care where it has been clinically assessed that their needs require double shift care;
 - (b) an easily searchable electronic observation logging system to increase safety for children and workers and oversight in placements in residential care; and

- (c) unannounced visits undertaken by manager and the mobile night team occur in residential care, and unannounced visits by the intensive placement support (IPS) team occur in commercial care.

The Hon. T.A. FRANKS (18:19): I rise to speak briefly in support of this commendable motion in support of the 2Up On Shift campaign being run by the PSA. The Greens are proud to support both this motion and the campaign and of course to support child protection workers in their campaign to protect children in care as well as those who look after them.

Child protection workers are incredibly dedicated. They spend their careers looking after some of the most vulnerable people in our state. There are few people more dedicated to the safety of children and to providing those safe environments for children. But these people deserve to feel safe in their workplace too, and it is the government's responsibility to look after both the workers and, of course, the children in care.

Child protection workers are currently on a 24/7 roster with eight-hour shifts and woefully inadequate handover periods, sometimes of just 10 minutes. It is not uncommon for workers to be scheduled onto a shift on their own, and this is just not good enough. We know that there are unacceptable risks for children that are being cared for by commercial care workers on single shifts, and these risks are substantial.

As has been strongly recommended by the Nyland report, carers employed through commercial agencies should be restricted to shifts with two workers at any one time. The fact that this continues to be a practice is deeply concerning. It is not just dangerous for children; it is dangerous for workers as well. We all know that a major challenge that child protection workers face is resourcing, and a key part of that is that there are not appropriate numbers of staff for the work that they do.

The best and only way to ensure that staff and children in care are safe is by having a minimum of two staff on shift at any given time. Staff do their best to build a strong, safe and positive relationship with young people, but this is difficult when there is a lack of consistency and numbers of staff. Child protection workers get moved around to fill gaps at other locations, often leaving these young people in our care with a single staff member. Less experienced staff then get put in positions where they just do not have the experience to manage the more complex situations, while senior staff are tied up at high-risk locations, leaving less support staff in other areas.

All of this means that children in care and the staff looking after them are often left in some unsafe situations. Children in care and the staff who look after them deserve better. They deserve to be safe. There is no other way to make sure that no harm will come to anyone without there being a second person there at all times. It is the best way forward in this situation.

It is beyond time for the government to take up recommendation 150c of the Nyland report, and I say that noting that the opposition has a burden to bear there as well. To immediately abandon single-handed shifts is what is required. It has been some time since the Nyland royal commission, yet still nothing—or little—has been done in regard to the number of people on shift at one time. This means that both the children in care and the child protection workers are still at risk. I thank the Hon. Connie Bonaros for putting this motion forward. The Greens are proud to support this campaign and this motion. We hope that the rest of the chamber will too.

With regard to the government amendment, it is unacceptable to the Greens that it leaves out paragraph 4 and inserts a new paragraph instead. If the government were to choose not to just leave out paragraph 4, which I note calls on the government to immediately abandon the single-handed shifts, then perhaps we might see our way to supporting the amendment, but as it stands, whether it is an either/or situation, we will not abandon our call to support double-handed shifts and, sadly, this motion and the amendment the government puts to this motion is not enacted by the proposed amendment from the government.

If the government wishes to rephrase and provide an addition, then that would be a way forward, but at this stage the Greens will not be supporting the government amendment but we proudly support the SA-Best motion.

The Hon. C. BONAROS (18:23): Can I start by thanking the Hon. Irene Pnevmatikos; the Minister for Human Services, the Hon. Michelle Lensink; and the Hon. Tammy Franks for their

contribution on this incredibly important motion. I would also like to acknowledge the following members from the Public Service Association of SA here today: Mr Alan Benger, who has led the campaign on this issue, along with Mr David Platt, Mr Manuel Andia, Mr Michael Jessop and Tamara Maddison. I would also like to acknowledge Ms Janet Giles, who I understand is watching from home today, for her advocacy on this most important issue. Thank you all.

I note that the government has circulated the amendment that has been moved by the minister, which details what is currently occurring in monitoring within residential and commercial care. I also note that unannounced visits undertaken by a manager and the mobile night team occur in residential care, and unannounced visits by the Intensive Support Placement (IPS) team occur in commercial care. These have predated the current Marshall government. That is outlined in that amendment.

Whilst the measures outlined in the amendment circulated by the government are commendable, I think the Hon. Tammy Franks hit the nail on the head: anything short of the full implementation of the recommendations by commissioner Nyland with respect to the cessation of single-handed shifts is simply not acceptable. Whilst I again acknowledge the steps already taken by the government in this space, I allude again to the 'The life they deserve' report, where commissioner Nyland stated that rotational care, where children are cared for by adults who are employees and work on a shift basis:

...is developmentally inappropriate for most children and is a poor substitute for the care provided in a loving family home.

Further:

The risks of sexual abuse in rotational care have been well known by the Agency for many years.

Commissioner Nyland went on to report that:

Children in institutional care are especially vulnerable to sexual abuse, and if they are to stay safe, this risk must be addressed. Children and infants who are too young to understand what is happening to them, or for whatever reason are unable to complain, rely on the presence of consistent and attentive caregivers who understand when they feel secure and well, and when they do not. There are difficulties in providing this security in a rotational care environment.

I do not in any way want to diminish the invaluable work of child protection workers—as has been highlighted by the Hon. Irene Pnevmatikos, by the Minister for Human Services and by the Hon. Tammy Franks—for all that they do in this space. However, I have to highlight that every child deserves the same level of care and protection.

As mentioned by the Hon. Irene Pnevmatikos, as of August this year, there were 3,710 children in out-of-home care in South Australia; 429 were in residential care. We need to look at different ways of doing things because the status quo is clearly not working for our kids.

When I spoke to this motion in October, I noted the New South Wales government's announcement that it would pay specialised foster carers \$75,000 a year to temporarily look after children with complex needs. That program was to be delivered by a not-for-profit company, OzChild, which would be funded for two years.

A week after I spoke, the Marshall government undertook to look into the New South Wales announcement. I commend them for their interest in that scheme, but we know that children in foster care consistently show better experiences and outcomes than children in residential care. Children should not be raised in facilities, but in homes; however, until there is a paradigm shift in this space, single-handed shifts by residential care workers should be abandoned as a priority.

Whilst I also agree with what the Hon. Tammy Franks said—that is, if that motion were to be amended to include but not leave out paragraph 4—that is something we would consider. We know all too well that things can go horribly wrong, and they have gone horribly wrong in the past, when children and child protection workers are placed at unacceptable risk. For those reasons, SA-Best will not support the amendment to the motion in its current form, but we commend the unamended motion to this chamber.

Amendment negatived; motion carried.

Sitting extended beyond 18:30 on motion of Hon. R.I. Lucas.

Bills

ELECTORAL (PRISONER VOTING) AMENDMENT BILL

Final Stages

The House of Assembly disagreed to the amendment made by the Legislative Council for the reason indicated in the following schedule:

No. 1. Clause 6, page 3, lines 11 to 41 [clause 6(2), inserted subsection (5)]—Delete subsection (5) and substitute:

- (5) For the purposes of this section, a person is a *designated person* if the person is in custody serving 1 or more sentences of life imprisonment for 1 or more offences against a law of this State, the Commonwealth or another State or Territory.

SUMMARY OFFENCES (LIQUOR OFFENCES) AMENDMENT BILL

Final Stages

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

At 18:32 the council adjourned until Thursday 6 December 2018 at 11:00.

*Answers to Questions***WIND FARMS**

In reply to **the Hon. C. BONAROS** (18 September 2018).

The Hon. R.I. LUCAS (Treasurer): The Minister for Planning has provided the following advice:

The Crystal Brook wind farm development was lodged with the State Commission Assessment Panel (SCAP) on 29 March 2018.

Like any other development, this project is being assessed against the policy provisions of the local development plan and the statutory requirements of the state's planning system that were in effect at time of lodgement.

The Crystal Brook development was a Crown sponsored project and a decision on the application will be made by the Minister for Planning in due course.

I have been advised that this project is still being independently considered by SCAP, with a hearing of those persons who lodged a representation and wished to be heard, convened in Port Pirie on 10 and 11 October 2018. Both the local council and proponent also made verbal submissions.

SCAP is best placed to consider any potential impacts of the development, including noise, visual amenity, hazard risk, flora and fauna, aviation safety, tourism, interface concerns and communications. A number of state agencies have also reviewed the development and its consistency with current environmental guidelines.

I am advised that SCAP has sought additional information from the proponent and other information as needed. Only when SCAP is satisfied that all relevant planning matters have been taken into account, will a recommendation be forwarded for the Minister for Planning's further consideration and decision.

The Minister for Planning has advised that it would be inappropriate for any further comment on the merits of the development before the panel's recommendation and supporting documentation has been received.

I note the honourable member's interest in a review of wind farm policies, and this work is currently being undertaken by the State Planning Commission, which is in the process of updating and reviewing statewide policies for the Planning and Design Code under the Planning, Development and Infrastructure Act 2016.

With this in mind, I understand that the Minister for Planning has also written to the commission requesting they review wind farm policies, with a view to future adjustments to current policies where considered necessary.

CHILD PROTECTION

In reply to **the Hon. C. BONAROS** (14 November 2018).

The Hon. J.M.A. LENSINK (Minister for Human Services): The Department for Child Protection has advised that:

1. I reject the premise of the question; individual matters will not be discussed.
2. No.
3. The department is conducting a review. The department continues to update the Minister for Child Protection, who expects to be briefed on the findings