

LEGISLATIVE COUNCIL

Wednesday, 5 June 2019

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

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

Parliamentary Procedure

ANSWERS TABLED

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

Parliamentary Committees

LEGISLATIVE REVIEW COMMITTEE

The Hon. T.J. STEPHENS (14:16): I lay on the table the 20th report of the committee, 2018-19.

Report received.

Parliamentary Procedure

PAPERS

The following papers were laid on the table:

By the Minister for Trade, Tourism and Investment (Hon. D.W. Ridgway)—

Regulations under Acts—

Motor Vehicles Act 1959—

Reduced Registration Fees—Prescribed Amounts

Question Time

BRAND SOUTH AUSTRALIA

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 Trade, Tourism and Investment regarding Brand SA.

Leave granted.

The Hon. K.J. MAHER: On 16 May this year, the minister was asked questions in this chamber during question time about Brand SA's funding being cut. The minister was specifically asked whether he would rule out Brand SA being stripped of funding. Despite the minister's attempts to dodge questions, even refusing to stand up and answer a direct question being asked, he would not give this chamber, to which he is responsible, a definitive answer, but did go as far as telling this chamber that nothing could be revealed until budget. My questions to the minister are:

1. When was the minister first aware that Brand SA's funding would be cut?
2. When was the minister first aware that this decision had in fact been revealed by communicating it to Brand SA?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:19): I thank the honourable member for his question. I stand by all the answers I gave on 16 May.

Members interjecting:

The Hon. D.W. RIDGWAY: I stand by those answers, but if they are going to interject—

The PRESIDENT: Leader of the Opposition, you have asked a question, the minister is trying to respond and you are shouting at him.

The Hon. K.J. Maher interjecting:

The PRESIDENT: You are shouting. It is inane to shout at a minister of whom you have just asked a question. Allow the minister to answer the question.

The Hon. D.W. RIDGWAY: Thank you, Mr President, for your protection. I will repeat an answer that I gave yesterday to the Hon. Mark Parnell, who it is great to see back here fit as a fiddle again.

Members interjecting:

The PRESIDENT: Leader of the Opposition, I do not need a commentary. The council would like to hear from the minister.

The Hon. D.W. RIDGWAY: The South Australian government is passionate about promoting our state to the world and sees great value in looking at how we might continue campaigns to drive the success of local businesses.

The Hon. K.J. MAHER: Point of order: the answer that has been started in no way whatsoever relates to a very specific question—not at all. Other members have pulled the—

The PRESIDENT: No, you have made your point.

The Hon. K.J. MAHER: —for obfuscating and providing anecdotes.

The PRESIDENT: Leader of the Opposition, you are talking over me. Sit.

The Hon. R.P. Wortley: He has misled parliament—obvious.

The PRESIDENT: The Hon. Mr Wortley, are you going to say that on your feet? Be careful what you murmur within earshot of the President.

Members interjecting:

The PRESIDENT: The Hon. Mr Ridgway, I haven't dealt with the Leader of the Opposition's point of order. Leader of the Opposition, you may have had a point, but the fact is that the ministers have some latitude, as you know, and he hardly got a sentence out before you made this point of order. I can't rule on something when he has hardly spoken. Allow him to answer the question, consider it, maybe have a point of order and then we will proceed to the next question.

The Hon. D.W. RIDGWAY: Thank you, Mr President. As I reiterate, I stand by my answers from 16 May. I was trying to add some additional information around Brand SA, but clearly the members opposite are not interested in listening to that information. The government will have a far greater emphasis on marketing South Australia interstate and internationally through activities like targeted tourism campaigns and inbound and outbound trade missions.

The Hon. K.J. Maher interjecting:

The PRESIDENT: Leader of the Opposition, I am going to start taking these questions that you are shouting from the floor as questions on the running sheet. I have given you more than enough latitude on supplementaries. If you want to ask him supplementaries, I will be more than amenable. Minister, are we going to finish this answer?

The Hon. D.W. RIDGWAY: Our strategy is to market South Australia to ensure targeted inbound and outbound international activities that are leveraged to showcase our state—

The Hon. K.J. MAHER: Point of order: now that we have heard further discussion, the questions were actually very specific about timing and when did he know. There was no—

The PRESIDENT: Quiet. The minister got another sentence out. Even I can't rule on that.

The Hon. D.W. RIDGWAY: I will repeat for the members opposite: I stand by my answer from the previous—

The PRESIDENT: No, the Hon. Mr Ridgway, I have had enough of this answer. Leader of the Opposition, your second question. Let's go.

BRAND SOUTH AUSTRALIA

The Hon. K.J. MAHER (Leader of the Opposition) (14:22): I seek leave to make a brief—no; in fact, I will just ask the question, Mr President.

The PRESIDENT: Do as you please.

The Hon. K.J. MAHER: Did the minister have a discussion with the chief executive of Brand SA on the evening of 15 May, the day before the funding cuts were revealed and questions were asked of the minister in this parliament, and what was the nature of that discussion?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:22): I have discussions with a whole range of people and I am not going to disclose those conversations with the members opposite. As I said on 16 May, all will be revealed. I gave an answer. Clearly, the members opposite weren't prepared to listen to that answer.

BRAND SOUTH AUSTRALIA

The Hon. K.J. MAHER (Leader of the Opposition) (14:23): Supplementary arising from the answer: the minister answered that he has a range of discussions all the time. Specifically, did the minister have a discussion the night before he was asked questions about this matter in parliament on 16 May and the night before it was revealed that the Premier sent a letter to Brand SA telling them their funding would be cut?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:23): As I said, I am not going to reveal all the conversations I have with people in this chamber.

BRAND SOUTH AUSTRALIA

The Hon. K.J. MAHER (Leader of the Opposition) (14:23): I seek leave to make a brief explanation before asking the Minister for Trade, Tourism and Investment a question regarding Brand SA.

Leave granted.

The Hon. K.J. MAHER: When making a ruling on a matter of privilege yesterday, the Speaker in the other place stated that the chair of Brand SA, Mr Peter Joy, I quote:

...chose to disseminate correspondence he had received concerning the government's movements on Brand SA funding...

Correspondence from Mr Joy has been provided today, which I will seek leave to table. I quote from his correspondence:

I categorically tell you that neither I, our Board, nor our CEO released the letter from the Premier as you accused me of and I would like to know on what basis you formed that opinion?

The same letter also goes on:

The Premier clearly misled Parliament when responding to the question from the Leader of the Opposition.

My question to the minister in this place is: what role did the minister or any of his staff play in assisting the Speaker or the Premier in the other place to come to the decision that Mr Joy had disseminated a copy of the Premier's correspondence that led the Premier and the Speaker in the other place to be accused of misleading parliament?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:25): I understand that the Speaker in the other place has made a further statement on that matter this morning.

Members interjecting:

The PRESIDENT: The Hon. Mr Stephens, you have the call. If you are going to talk over me and insult the council, Leader of the Opposition, you will not be getting many questions or the call today. I make myself very clear.

INTERNATIONAL STUDENTS

The Hon. T.J. STEPHENS (14:25): Thanks, Mr President. My question is to the Minister for Trade, Tourism and Investment.

Members interjecting:

The PRESIDENT: If you impugn my integrity again there will be serious consequences. Be careful what you say in my earshot. Do you wish to apologise for that comment now?

The Hon. K.J. MAHER: I apologise for the comment, Mr President.

The PRESIDENT: I accept the apology. The Hon. Mr Stephens.

Members interjecting:

The PRESIDENT: Leader of the Opposition, your behaviour has been totally inappropriate. You are supposed to be trying to hold the government to account and you are consistently failing.

Members interjecting:

The PRESIDENT: Do not push it. I will be minded to not give Labor the call. At the moment, I do so in the interests of democracy. The Hon. Mr Stephens.

The Hon. T.J. STEPHENS: My question is to the Minister for Trade, Tourism and Investment. Can the minister update the council on the latest data for international student enrolments in South Australia?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:27): I thank the honourable member for the question. Indeed, it is great news. As many members would have seen in today's paper, I am glad to share the fantastic news that South Australia's year-to-date enrolments to March have increased by 11.4 per cent when compared to the same time last year. This is a figure of nearly 30,400 enrolments for the first three months of 2019. The national growth rate for the same time was 11.1 per cent, making this the first time since 2011 that South Australia has been above the national average.

The higher education, VET and school sectors all grew at a faster rate than the national growth average, and now South Australia makes up 11 per cent of all international student enrolments in primary and secondary schools across Australia. Our market is diversifying as well, with our top five growth countries being India, Nepal, Brazil, Sri Lanka and the Philippines. International education is South Australia's second largest export behind wine, with \$1.62 billion—I will repeat that: \$1.62 billion—coming into our state from the nearly 38,000 international student enrolments last year, in 2018.

The sector is a significant employer of South Australians, with one job created for every four international students. This is why, since day one, the Marshall Liberal government has invested more into the sector than ever before and has made key strategic decisions to drive more international enrolments into our state. We have increased funding to StudyAdelaide to \$2.5 million a year; we have more than doubled StudyAdelaide's student ambassador program; we have strengthened our interactions with overseas agents with bigger and better familiarisation tours; we have introduced new initiatives, such as a Ministerial Advisory Council on International Education; and we have secured favourable changes to our post-study visa conditions. As witnessed by these results, our hands-on approach to engage with the sector is already bearing fruit.

The Marshall Liberal government welcomes international students to our state and we will all benefit as a result. We are proud to provide our international students with a high-quality education and a great start to a career in one of the best places in the world. In return, all these students spend money on accommodation, goods and local services while living here, creating more jobs for South Australians.

INTERNATIONAL STUDENTS

The Hon. K.J. MAHER (Leader of the Opposition) (14:29): Supplementary to the minister: is there any way for South Australia to differentiate itself from other states in terms of the sorts of educational services that it provides?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:29): I couldn't hear; did you say differentiate?

The Hon. K.J. Maher: Yes, how do we set ourselves apart?

The Hon. D.W. RIDGWAY: One of the very important ways is the post-study work rights that we have secured for South Australia as a result of the great relationship we have with the newly re-elected Morrison federal government, which I am sure in the future will see more and more students choosing South Australia as a destination to get an education and also enter the workforce. Hopefully, some will stay and grow our population.

We have to understand that most people have a very pleasurable memory of their secondary and tertiary education, so even if they don't stay here and create a career and work here, they go back to their original countries as great ambassadors for our great state. So I think that is one clear way we are differentiating ourselves from the rest of the nation.

INTERNATIONAL STUDENTS

The Hon. K.J. MAHER (Leader of the Opposition) (14:30): Further supplementary: does the minister think it is important to brand ourselves so that people can recognise the services and goods that we provide?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:30): Of course I see that as important. I know props are inappropriate, but I showed yesterday—

The Hon. K.J. MAHER: Point of order, Mr President—

The PRESIDENT: Yes, don't use a prop—

The Hon. K.J. MAHER: —he did this yesterday—

The PRESIDENT: Yes, I know.

The Hon. K.J. MAHER: He ought to know, and he's doing it again in complete defiance of what you asked him to do. I ask, Mr President, that you make a ruling against what he is doing in defiance of what you told him yesterday.

The PRESIDENT: I am well aware that he cannot use a prop. The Hon. Mr Ridgway, please don't use a prop.

The Hon. D.W. RIDGWAY: I am sorry, Mr President.

The PRESIDENT: I accept your apology.

The Hon. D.W. RIDGWAY: I don't recall offending you yesterday, but I apologise. But we do brand the state. Members opposite have been asking a range of questions around Brand SA.

The Hon. K.J. Maher interjecting:

The Hon. D.W. RIDGWAY: I can't—

The PRESIDENT: He doesn't scream over me and, secondly, you are talking to me and the minister is trying to respond to a question you asked. So either you are not interested in the answer to what you are screaming or you are more interested in talking to me.

The Hon. K.J. Maher: I'm not interested in what I'm screaming? What?

The PRESIDENT: You are talking to me and over-talking the minister—

The Hon. K.J. Maher: I'm not interested in what—

The PRESIDENT: —while the minister is trying to—

The Hon. K.J. Maher: —I'm screaming—

The PRESIDENT: Let me finish! This is not a conversation—while the minister is trying to answer your own question. Show the minister a courtesy: ask him the question and then try to listen to him.

The Hon. D.W. RIDGWAY: Thank you for your protection, sir. I think my recollection of the supplementary is: do we see it as important to brand ourselves? We do. In fact, we will continue to brand ourselves. We have said that, while the organisation of Brand SA, which I know the honourable member has some interest in, is no longer being funded, we actually are happy to promote South Australia. The logo and the brand itself stays. We made it very clear that that will be staying.

As I explained to the Hon. Mark Parnell yesterday—I don't think it would be appropriate for me to drift off into a discussion around the future of Brand SA but, nonetheless, in response to the honourable member's question—

Members interjecting:

The PRESIDENT: Sit down, minister. The Hon. Mr Darley.

LAND TAX

The Hon. J.A. DARLEY (14:32): I seek leave to make a brief explanation before asking the Treasurer a question regarding land tax.

Leave granted.

The Hon. J.A. DARLEY: Last year's budget detailed that land tax relief will be provided as of 1 July 2020 by reducing the top rate of land tax from 3.7 per cent to 2.9 per cent and increasing the tax-free threshold from \$369,000 to \$450,000. However, the Valuer-General's ill-conceived revaluation initiative is estimated to lead to substantial increases in land tax from 1 July this year. My questions to the Treasurer are:

1. Why was the announced land tax relief not applied for the 2019-20 financial year?
2. Can the Treasurer advise whether further land tax reforms will be announced in consideration of the impact of the Valuer-General's revaluation initiative?

The Hon. R.I. LUCAS (Treasurer) (14:33): I thank the Hon. Mr Darley for his excellent series of questions. The reason for the commencement date of 1 July 2020 for the land tax reforms was that was the commitment we made to the people of South Australia prior to the election. Being a responsible opposition party, we worked through the cost of the promises that we were making and, as the member will know, we staged those promises. The \$90 million cut in ESL was to be 1 July last year, the abolition of payroll tax for all small businesses was 1 January this year and land tax, which was the third in the package of tax reform measures, we promised we would introduce from 1 July 2020.

The simple answer to the honourable member's question is: it was a commitment and a promise we made to the people. When we were in opposition, we were not aware at that particular time that the former treasurer and the former government had hidden an estimated uplift in land tax of \$19 million in what's known as Treasurer's contingency rather than in the estimated land tax receipts.

As the honourable member will know, I indicated that we discovered that when we came to government, and in last year's budget papers we revealed what the former treasurer and former government had hidden from the people of South Australia prior to the election. It was included in the forward estimates of land tax, and we indicated the reason why there had been this potential uplift whilst at the same time there was a reduction in land tax because of the government's commitments.

I know the member's ongoing interest in issues in relation to both valuation and land tax. I have been on public record both prior to the election and since the election saying that, as financial circumstances permit, we believe we in South Australia need to be, with our cost of doing business in the state, nationally and internationally competitive. One of those is in the area of land tax, but we are and will still be uncompetitive at land tax rates, particularly at the highest level, because of the government's promises. The reduction of 3.7 per cent to 2.9 per cent commenced just above \$1 million in aggregated values—about \$1.2 million—and actually cuts out at \$5 million. We did not have the available funding to be able to afford to extend that 2.9 per cent rate for aggregated values above \$5 million.

We are on the record as saying that, as economic circumstances and financial circumstances permit, we believe there does need to be further land tax reform. Clearly, that area of aggregated values above \$5 million is one area of potential reform. The other area of potential reform is that, even at 2.9 per cent, we are still significantly higher than the Eastern States in particular. I think the average is around 2.25 per cent, but if that number is wrong I will correct the record at some later stage or perhaps during the budget debates, but it is certainly a lower figure. So we are still uncompetitive, even with the reforms that the government has introduced.

In conclusion, the government is not in a position to be able to correct all of the wrongs of the past 16 years overnight. We have embarked on, we believe, a sensible and affordable process of reducing taxes in relation to ESL, payroll tax and land tax. We are committed to continuing with those and, whenever possible, wherever possible, at some stage in the future further continuing those particular reforms.

MENTAL HEALTH SERVICES

The Hon. C.M. SCRIVEN (14:37): My question is to the Minister for Health and Wellbeing. Why is the minister cutting \$6.8 million from mental health programs at the same time as SA Health is being referred to the Human Rights Commission over their dangerous emergency department wait times for mental health patients?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:38): We are seeing today, time after time, the adolescence of the Labor Party. We have seen it with the leader; now we are seeing it from the shadow minister. It is despicable of the Labor opposition to spread fear and misinformation amongst one of our most vulnerable client groups: the mental health consumers. The fact of the matter is that there is no reduction in funding to mental health services. Clients will not lose a dollar as a result of the NDIS transition.

Contrary to Labor's claims, this has nothing to do with the state budget. It has everything to do with the NDIS transition plan, which is embedded in the NDIS agreement, which they signed when they were in government. We are committed to delivering this important reform for South Australians with a mental health issue because we believe that they should have the right to direct their own care. Unlike the former government, which is so hypocritical that they spread fear and misinformation about a reform, which they themselves signed off, we are committed to delivering this important reform for South Australians with mental health issues.

Let's look at the lies that we heard from the Labor opposition today—absolute lies. We have a press release which was released earlier today and the first paragraph has the statement that the Marshall Liberal government cruelly cut 25 per cent of their funding. Rubbish, rubbish. We have not cut a single dollar from mental health services. This is about money that is transferring from the state mental health funded services to NDIS, as was always envisaged under NDIS.

Then we get down to paragraph 3 which states that among the groups which will cop a 25 per cent cut—this group, this group, this group and this group—a number of those do not even provide services to people who would be eligible for NDIS services. It's very unlikely that they would lose anywhere near 25 per cent.

The former government, now the opposition, is so bereft of values that they are willing to spread misinformation and fear amongst one of our most vulnerable groups. It is a complete fabrication to call this a funding cut. It's not. It's a delivery of important reform for people with disabilities, including people with psychosocial disability.

MENTAL HEALTH SERVICES

The Hon. C.M. SCRIVEN (14:40): Supplementary: has the government modelled the impact upon overcrowded emergency departments of this change in mental health services funding?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:41): I expect that there will be no impact on emergency departments because the government is committed, according to the agreement that your party signed in government, to continuity of support. We will be working vigorously to deliver on our commitment, which is to ensure that clients get continuity of support.

Let me say this again: clients. Unlike the Labor Party, mental health consumers do not like being called 'patients'. Let's get a reality check here. Labor is willing to stoop to the despicable level of spreading misinformation and fear. This government will deliver important reforms for people with disability. We want to put them at the centre of their care.

MENTAL HEALTH SERVICES

The Hon. C.M. SCRIVEN (14:41): Further supplementary: what is the minister's response to concerns from the Mental Health Coalition, or does he also ignore their concerns in the same way he ignores the questions in this place?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:41): The government very directly responded to the concerns of the Mental Health Coalition by funding them. The Marshall Liberal government has funded the Mental Health Coalition up to \$95,000 to undertake a pilot project that will help inform SA Health policy and processes in relation to the transition and NDIS processes and future funding arrangements to support service continuity. That is because we accept that this is a challenging environment for service providers. It's not just a challenging environment for service providers, it's a challenging environment for service providers, consumers and for state government providers commissioning services.

But we all need to work together. This was always going to be a challenge, but it's a very important transition. Is the former Labor government, now the Labor opposition, now spreading fear and misinformation, suggesting that we should abandon the NDIS transition? Well, if that's what they want, that's what they should say.

MENTAL HEALTH SERVICES

The Hon. E.S. BOURKE (14:43): Supplementary: can people over the age of 65 access the NDIS and, if they can't, and you are cutting services for mental health, where will they be going?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:43): I think it would be helpful if the opposition started listening to my answers as well as bringing their questions in: continuity of support. The Chief Psychiatrist has written to mental health non-government organisations impacted by the funding transfer and confirmed the government's commitment as a result of NDIS transition and requested that the Chief Psychiatrist be advised of any client-related continuity of support issues that arise from the funding reduction.

The Hon. K.J. Maher: The 'funding reduction'? There you go.

The Hon. S.G. WADE: Well it's a transfer of funding. A person who is over 65, for the information of the Hon. Emily Bourke, is not actually eligible for NDIS, so their funding will not transfer. Their funding will continue to be provided under state government programs.

MENTAL HEALTH SERVICES

The Hon. C.M. SCRIVEN (14:44): A further supplementary, in answer to the question: the minister said that he funded the Mental Health Commission. How is that going to address their concerns about increased pressure in the emergency departments?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:44): I don't know when the opposition is going to start listening. I made no comment about the Mental Health Commission. I was referring to the Mental Health Coalition.

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

MENTAL HEALTH SERVICES

The Hon. C.M. SCRIVEN (14:44): I thought I had said coalition. I certainly intended to say coalition, so perhaps you can answer that question.

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:44): So now we have the Labor opposition spreading fear and misinformation. It talks about the challenges to non-government organisations. I say we recognise there's a challenge, that's why we are giving them a project officer to manage the transition, and now we are told we are going to be condemned for that. I am sorry.

MENTAL HEALTH SERVICES

The Hon. C.M. SCRIVEN (14:45): Supplementary: my question was about the impact on emergency departments. That's the question that the minister has not answered.

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:45): I don't know if you would like to hear it again, Mr President, but I make the point that I expect there will be no impact, because if we work together—non-government organisations, state-funded programs and the NDIS—we will work for a continuity of support that means that there should not be service gaps.

Of course, there will be challenging transitions. I am sure that the Labor opposition, as part of their fear campaign and spreading misinformation, will be able to find a case where somebody is not receiving continuity of support. I would urge them to take up the suggestion of the Chief Psychiatrist, which is to make him aware of any issues of continuity of support as we transfer funding from state-funded programs to the NDIS. It's a commitment that the government has made. It's a commitment that the Chief Psychiatrist is delivering.

MENTAL HEALTH SERVICES

The Hon. K.J. MAHER (Leader of the Opposition) (14:46): Supplementary: does the minister think it's the responsibility of mental health clients to identify and bring to the department's attention, or does he think that's something that the government should be doing?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:46): I am not sure what the honourable Leader of the Opposition is suggesting. Should we raid the houses of people with mental health issues, making sure that they have got their NDIS plan that's fully funded and they are getting the service? I don't know if we need a search warrant.

What we are saying is that we stand ready to help. We are not going to control your life, unlike the Labor Party, which wants to keep block funding organisations for an indefinite future. We are committed to this transition. We are realistic that there will be challenges to transfer clients to clients. That's why the Chief Psychiatrist stands ready. He is part of the state government, quietly.

I don't know what the opposition wants. We have a Chief Psychiatrist with a team that is standing ready to support clients where there is a continuity of support issue. We have given almost \$100,000 to the peak body for non-government organisations that work in the area of mental health to make sure that they can strengthen the capacity of the industry to respond to the transition issues that they are facing. I believe that this government is committed to delivering real reform and supporting mental health consumers and organisations in that transition.

MENTAL HEALTH SERVICES

The Hon. E.S. BOURKE (14:47): Further supplementary: the minister highlighted that it would have no impact on the emergency department, but is it not the role of a mental health service to keep people out of the emergency department? If you are cutting 25 per cent from their funding, how will it not have any impact on the emergency department?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:48): I need to do this slowly because obviously—there would only be an impact on emergency departments through this transfer of funding from state government—

The Hon. K.J. Maher interjecting:

The Hon. S.G. WADE: Mr President, I am just wondering whether that's the next question or whether I should answer that one first.

The PRESIDENT: I would prefer that you didn't respond to the Leader of the Opposition's commentary and showed courtesy to the Hon. Ms Bourke. Just answer the question.

The Hon. S.G. WADE: Okay, slowly for the Hon. Ms Bourke. We currently have state-funded mental health programs, which are providing psychosocial support to a number of South Australians. As they become eligible for NDIS funding, it was always the intention of your government's NDIS plan that the funding would transfer—

The Hon. C.M. SCRIVEN: Point of order, Mr President: I wasn't aware that you, as the President, were a government with an NDIS plan.

The Hon. S.G. WADE: I take the point, Mr President. I certainly should be directing my answer through you, and I will do so. I think the point I would like to make to you, Mr President, is that the Hon. Ms Bourke needs to understand that state government-funded psychosocial services provide services to both people who are NDIS eligible and those who are not.

As clients transfer from state government-funded programs to NDIS programs—the funding was always intended to transfer. As the clients transfer from state government-funded programs to the federal NDIS programs, their funding will follow them. We are working to ensure that the transition is smooth and that the commitments of—

Members interjecting:

The PRESIDENT: The Hon. Ms Bourke—please don't have a conversation with the minister, the Hon. Ms Lensink—the minister is attempting to answer your—

Members interjecting:

The PRESIDENT: The Hon. Ms Bourke, the minister is attempting—

Members interjecting:

The PRESIDENT: Order! The Hon. Ms Lensink, you are not assisting me either. The Hon. Ms Bourke, please listen to the answer.

The Hon. S.G. WADE: The commitment of both the state and the federal governments in the NDIS agreement is to continuity of support. We will strive to achieve that. As we achieve that, people will continue to get the mental health services that they are currently receiving, possibly in a different form but still the commitment is to continuity of support.

Members interjecting:

The Hon. S.G. WADE: The honourable member—not the Leader of the Opposition; I am referring to the Hon. Ms Bourke—interjects about cutting funding. The rant continues.

The Hon. K.J. MAHER: Point of order, Mr President: the member is defying your rulings by referring to interjections time and time again—

The PRESIDENT: He hasn't—no, he is just—

The Hon. K.J. MAHER: —and such disrespectful behaviour really ought not be tolerated, Mr President.

The PRESIDENT: Leader of the Opposition, you press the point too hard. Minister, please—

The Hon. K.J. MAHER: What is your ruling on that?

The PRESIDENT: The minister was incorporating the interjection and seeking to respond to it. The minister is entitled to do that but I prefer that he doesn't and addresses the question directly.

The Hon. S.G. WADE: Thank you, Mr President. As we work to ensure continuity of support, our clients should still be continuing to receive the care that they need and it is therefore my hope and aspiration that there will be no impact on emergency departments.

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

Members interjecting:

The PRESIDENT: Just wait there, the Hon. Mr Hanson, until your front bench behaves.

Members interjecting:

The PRESIDENT: Now you may proceed, the Hon. Mr Hanson, with your supplementary, I assume.

MENTAL HEALTH SERVICES

The Hon. J.E. HANSON (14:52): Thank you for your courtesy. Yes, it is a supplementary regarding the transition referred to by the minister. How many people in hospitals are awaiting an NDIS plan and how many state mental health clients are awaiting an NDIS plan?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:52): The information that I have available to me is that of the 1,700 SA Health-funded mental health clients, 23 per cent have approved and funded NDIS plans, and a total of 32 per cent of psychosocial clients who have been deemed eligible for the NDIS will need to move to funded plans.

MENTAL HEALTH SERVICES

The Hon. J.E. HANSON (14:52): Further supplementary: the minister outlined that there would be no reduction in support for people who are transitioning. Would the minister like to confirm that those people will not receive any reduction in support?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:53): State funds are transferred to the NDIS in accordance with the former Labor government's agreement on the NDIS. That money, of course, is available to clients through their NDIS plans and they will have more control of the services they need to deal with their issues.

MENTAL HEALTH SERVICES

The Hon. C. BONAROS (14:53): Supplementary: given that only 23 per cent of those clients are currently qualifying for NDIS and that the number is not likely to reach the target that the government proposes, has SA Health produced any projections in relation to the potential increased costs of emergency department presentations, and have they been compared to the savings of cutting primary mental health services?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:53): I don't agree with the premise of the honourable member's question. Considering that we already have 32 per cent of people who are already declared as eligible—in other words, NDIS—

The Hon. C. Bonaros: Seventy per cent who are not.

The Hon. S.G. WADE: Sorry; with all due respect I am not saying that that is the limit of people who could be eligible. Sorry, Mr President, I should answer through you. The 32 per cent of clients who have been deemed eligible for the NDIS will progressively move into the category of those who have approved and funded NDIS plans. We already have 23 per cent who have approved and funded NDIS plans, and I would be very hopeful that there will be very significant progress in the next financial year for the funded plans to be rolled out and for clients to take control of their own care.

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

MENTAL HEALTH SERVICES

The Hon. C. BONAROS (14:54): Has SA Health produced any projections in relation to those clients who will not qualify for NDIS funding in terms of the costs of emergency department presentations, ambulance services and the actual cost of providing mental health services to those clients?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:55): I thank the honourable member for her supplementary. Let me stress again that the state government, under the NDIS plan, will only be transferring funding that relates to clients who will be eligible and receiving services through NDIS. Clients who are not eligible for the NDIS will continue to receive ongoing psychosocial services through state-funded non-government organisation programs, such as individual rehabilitation support, supported housing, mutual self help, and care, respite and support programs.

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

MENTAL HEALTH SERVICES

The Hon. C. BONAROS (14:55): Does the minister accept, based on his answer, that those NGOs will not be able to provide the same level of services because their funding will be reduced?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:56): No. With all due respect to the honourable member, I stress again that if a client is not eligible for NDIS then funding allocated to them, currently delivered to a non-government organisation, will not transfer. It will stay state government-funded. The continuity of support is either continuity because the state government is going to continue to provide services through a state government-funded mental health program or the continuity of support will be provided by NDIS taking over that client care.

The PRESIDENT: The Hon. Ms Bourke, a further supplementary, but probably the last I think.

MENTAL HEALTH SERVICES

The Hon. E.S. BOURKE (14:56): Yes. Has the minister advised organisations like Mind of the date cuts will commence and where the cuts will be made, and when was this advice given?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:56): There is a series of five different program groups, each with dramatically different impacts in terms of NDIS. The advice I have been given is that client group eligibility for NDIS might be as low as 11 per cent in one group and well over 50 per cent in another. The impact on particular organisations depends on what proportion of their client group is likely to be eligible for NDIS services. We will continue to work with organisations through the next financial year to make sure we blend state government funding with NDIS funding to provide continuity of support.

PUBLIC HOUSING

The Hon. J.S. LEE (14:57): My question is to the Minister for Human Services about the government's commitment to improve public housing outcomes for vulnerable South Australians. Can the minister please provide an update to the council about an apartment project designed specifically for older residents?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:58): I thank the honourable member for her question. The population of South Australia is, as is well known, ageing—present members excluded, of course—and this trend is more pronounced in the South Australian Housing Trust tenant profile. The South Australian Housing Trust currently has the highest rate of underutilisation of public housing in Australia, with more than half our primary tenants aged 55 years or over. Four and a half thousand tenants live in underutilised housing and are aged 70 years or older, and a thousand of those are single older persons living in three or more bedroomed houses.

A 90-day project was undertaken, in conjunction with the Office for the Ageing and South Australian Housing Trust older tenants, to inform innovation in the future design of social housing for older housing tenants. This project resulted in a design brief for future Housing Authority senior living developments, which is an integral part of all future planning around housing and precinct design. I also understand from the Council on the Ageing that they were involved in a co-design process with TACSI, the Centre for Social Innovation.

It was with great joy that I was recently able to attend one of the new projects, which is a three-storey apartment building in Blair Athol, which provides not only on-site parking but a lift, Disability Discrimination Act compliant bathrooms, communal garden areas, bike storage and planter boxes at height, which were informed as design features from the 90-day project and from the co-design process with the Council on the Ageing.

We also have other projects at Plympton South and Prospect, which are underway and again provide particular features for older residents to enable them to age in place, such as being located close to public transport and other services. Dwellings are designed to maximise natural light, ventilation and views; enable tenant interaction and family visits; have improved visibility for tenants, which improves their sense of security; and a range of other opportunities as well.

My understanding is that 75 per cent of all future builds are intended to meet universal design guidelines, which helps not only older people but people with disabilities and a range of other people

who often need particular features, which may also include mothers with prams and the like. The innovation is very much driving our design going forward, and I look forward to more of these particular builds coming online and being completed for the benefit of our tenants.

PUBLIC HOUSING

The Hon. F. PANGALLO (15:01): Supplementary question to the minister: how does Housing SA intend to collect \$20.5 million in customer debt that has been outstanding since May 2018?

The Hon. J.M.A. LENSINK (Minister for Human Services) (15:02): I thank the honourable member for his question, which might I note does not particularly relate to the original question. However, I am happy to respond that the South Australian Housing Authority has arranged debt management procedures aimed at reducing customer debt, as well as initiatives to prevent debt accrual. This includes a text message service to notify customers when they incur a new debt or break a repayment arrangement; reminds vacating tenants to leave the property in a clean and tidy condition to avoid incurring cleaning or rubbish removal costs; and educational postcards, which advise tenants of potential costs of leaving rubbish and belongings behind on vacancy, as rubbish removal costs are a significant cause of debt.

Arrangements can be made when the customer is unable to repay their debt in one payment. Where tenants don't respond to efforts to recover debt, the authority may apply to the South Australian Civil and Administrative Tribunal to have the tenant evicted. SACAT makes the final decision on whether the tenant should be evicted, not the authority. Some debt is also written off in line with strict procedures.

Can I also implore him to support legislation that I understand was attempted to be supported through the previous parliament, the automatic rent deduction scheme, which has been broadly supported. I think initially it was an initiative of the Labor Party in government. People who get into debt situations end up having poor credit records. If they can have their payments taken out automatically through such a scheme then they are less likely to fall into arrears. I did have discussions with Centre Alliance members during the passage of that debate, and I intend to do so again when it comes up in the federal parliament.

I can advise that the total number of customers with a debt has reduced: in the 2017-18 financial year it was some 13,923, which includes current and former tenants. As at 30 April this year that had reduced to 11,984. I think it is fair to say it is not in anybody's interests, either the tenant or the Housing Authority, to have debt, so we do take a number of measures to ensure that people do not accrue debt in the first place. If they do, then we have arrangements in place for them to pay it back.

KORDAMENTHA

The Hon. C. BONAROS (15:04): I seek leave to make a brief explanation before asking the Treasurer a question in relation to legal bills.

Leave granted.

The Hon. C. BONAROS: The state government has contracted the services of corporate advisory firm KordaMentha at significant cost to taxpayers to recover the finances of CALHN, the network that runs the RAH and The QEH. Addressing parliament's Budget and Finance Committee recently, Mark Mentha told the committee, I quote:

This would be the most broken organisation I've ever witnessed, both financially and clinically. This is a failing organisation.

I have been told KordaMentha is using a Victorian-based legal firm, Arnold Bloch Liebler, for its legal advice in preference to using state-based lawyers, although I am aware that they have from time to time used a local firm. Under the Treasurer's own orders to public authorities such as CALHN who wish to engage legal practitioners, referred to as Treasurer's Instruction 10, the direction is explicitly clear, and I quote:

The Chief Executive of a public authority shall not use the services of a legal practitioner other than the Crown Solicitor without first seeking the advice of the Crown Solicitor on whether the use of such a practitioner is appropriate.

My questions to the Treasurer are:

1. Is the Treasurer aware that KordaMentha/CALHN is using a Victorian-based legal practice for legal advice?
2. Did KordaMentha/CALHN first seek the advice of the Crown Solicitor, as per the Treasurer's own instruction, as to whether this was appropriate?
3. Does the Treasurer believe it is appropriate that KordaMentha/CALHN engage an interstate legal firm for legal advice in preference to an Adelaide-based firm?

The Hon. R.I. LUCAS (Treasurer) (15:07): I am happy to respond to the honourable member's questions to the extent that I can. It may well be that the Minister for Health, my very hardworking and well-respected colleague the Hon. Mr Wade, might be able to provide a bit more detail in relation to the specifics of the honourable member's question.

In relation to Treasurer's Instructions, they are quite clear, and the member has read them out to the chamber. There is a process that agencies can adopt where they can use not Crown advice but can use private solicitors, both from within South Australia and externally as well. The honourable member has accurately reflected the nature of the Treasurer's Instruction; that is, the Crown Solicitor has a role to play should an agency go down that particular path.

I have no evidence that that particular Treasurer's Instruction hasn't been followed. I am happy to refer that aspect of the question to my hardworking colleague the Minister for Health, and I am sure he can bring back an answer on notice if the Instruction hasn't been followed. Certainly, I have no evidence that the Instruction has not been followed. If the Hon. Ms Bonaros has evidence it has not been followed, I am happy to receive that and take the issue up with not only the responsible minister but also the agency as well.

KORDAMENTHA

The Hon. C. BONAROS (15:08): In so doing, will the Treasurer also commit to providing this chamber with a response as to the total cost of legal fees incurred to date by KordaMentha using the services of Arnold Bloch Liebler and any other law firms in relation to SA Health and CALHN?

The Hon. R.I. LUCAS (Treasurer) (15:08): I am happy to refer that aspect of the question to my colleague the Minister for Health, but I do have some recollection of seeing some ventilation of that particular question either in the other chamber, in a committee or somewhere. So there may well already be an answer either on the record or en route to being on the record because a question has been asked and an answer is in the process of being provided. If that isn't the case, I will refer the honourable member's question to my colleague the Minister for Health. Between us, one of us will bring back a reply to the chamber.

BRAND SOUTH AUSTRALIA

The Hon. E.S. BOURKE (15:09): I seek leave to make a brief explanation before asking a question of the Minister for Trade, Tourism and Investment regarding Brand SA.

Leave granted.

The Hon. E.S. BOURKE: Correspondence from Mr Peter Joy, the chair of Brand SA, has been provided today. I seek leave to table a copy of that letter.

The PRESIDENT: Please give me the date, for the benefit of *Hansard*.

The Hon. E.S. BOURKE: It is 5 June 2019.

Leave granted.

The Hon. E.S. BOURKE: I quote from this letter, which states:

I categorically tell you that neither I, our Board, nor our CEO released the letter from the Premier as you accused me of and I would like to know on what basis you formed that opinion.

My question to the minister is: what role did the minister or his staff play in assisting the Speaker or the Premier in the other place to come to the decision that Mr Joy had disseminated a copy of the

Premier's correspondence that led to the Premier and the Speaker being accused of misleading the parliament?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (15:10): I think the easy answer would be none, but I will check with my staff. I didn't play any role in—

Members interjecting:

The PRESIDENT: Supplementary question.

BRAND SOUTH AUSTRALIA

The Hon. K.J. MAHER (Leader of the Opposition) (15:11): Supplementary arising from the answer in which the minister informed the chamber that he played no role. My supplementary is: is the minister aware of the letter that the Hon. Emily Bourke referred to and has tabled in the parliament, that has formed the basis of him saying that he has no knowledge?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (15:11): I am aware of the letter that was tabled in the parliament. I am aware, Mr President; she just tabled it then.

BRAND SOUTH AUSTRALIA

The Hon. K.J. MAHER (Leader of the Opposition) (15:11): Further supplementary arising from the answer: has the minister read the contents of the letter from Mr Peter Joy, sent to the Speaker of the House of Assembly earlier today?

The PRESIDENT: Leader of the Opposition, just insert the date, for the benefit of *Hansard*, so we know what we are doing.

The Hon. K.J. MAHER: Earlier today, 5 June 2019.

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (15:11): No.

BRAND SOUTH AUSTRALIA

The Hon. K.J. MAHER (Leader of the Opposition) (15:11): Further supplementary: in relation to the issue of this letter, was the Premier aware that Mr Joy had been told a week before these matters were raised in parliament on 16 May that the Premier had cut funding to Brand SA?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (15:12): I don't actually understand the question that the honourable member asked.

BRAND SOUTH AUSTRALIA

The Hon. K.J. MAHER (Leader of the Opposition) (15:12): Very simply, is the minister aware that, on 8 May, the Premier's office or department informed Brand SA that their funding would be cut? Is the minister aware of that?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (15:12): I am not sure of the exact dates and times, but clearly there was plenty of coverage in the media that this issue had been—

Members interjecting:

The Hon. D.W. RIDGWAY: I don't really understand the question that the honourable member is asking. This issue was ventilated in the media, and here, and in the House of Assembly, whenever it was.

The Hon. C.M. Scriven: You don't know what's happening in your own department.

The Hon. D.W. RIDGWAY: Well, the Hon. Clare Scriven—I won't actually respond to her interjection. I will have the members opposite know that the Department for Trade, Tourism and Investment has never funded Brand SA and has no responsibility to fund it. While the Joyce review recommends that the Department for Trade, Tourism and Investment will be responsible for branding and international outward-facing marketing, Brand SA has never received any funding from the Department for Trade, Tourism and Investment and will not receive any funding, going forward, from the Department for Trade, Tourism and Investment. So I suggest they direct the questions elsewhere.

BRAND SOUTH AUSTRALIA

The Hon. K.J. MAHER (Leader of the Opposition) (15:13): I will be very specific for the minister, so that he can't feign ignorance, although he is very, very good at doing that.

The PRESIDENT: We don't need the commentary. Supplementary, please.

The Hon. K.J. MAHER: Is the minister aware that, on 8 May, Mr Jim McDowell informed the CEO of Brand SA that their funding would be cut? Has the minister been aware of this?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (15:13): Mr Jim McDowell is the Chief Executive of the Department of the Premier and Cabinet. He doesn't report to me on those particular issues. While Mr McDowell is the Acting Chief Executive of the Department for Trade, Tourism and Investment, he is the Chief Executive of the Department of the Premier and Cabinet, which is the government department that has been funding Brand SA. As I said earlier in my contribution, the Department for Trade, Tourism and Investment has never funded Brand SA and will not be doing so in the future.

BRAND SOUTH AUSTRALIA

The Hon. K.J. MAHER (Leader of the Opposition) (15:14): I might reframe that question.

The PRESIDENT: Is this a point of order or a supplementary?

The Hon. K.J. MAHER: A supplementary. I might reframe that question. Has the minister been aware that Mr Jim McDowell informed Brand SA that the funding would be cut on 8 May? Had the minister been aware of that?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (15:14): Because he's not my chief executive for this particular thing, I'm not aware when he speaks. He doesn't come to me and say, 'Minister, here's my appointments. Here's the people I'm seeing today.' The Department for Trade, Tourism and Investment doesn't fund Brand SA, and Mr McDowell in his capacity as my chief executive has no role to play in the funding from the Department for Trade, Tourism and Investment. It is funded through the Department of the Premier and Cabinet.

MINISTER FOR TRADE, TOURISM AND INVESTMENT

The Hon. K.J. MAHER (Leader of the Opposition) (15:15): Final supplementary: is the minister concerned that his colleagues regard him as an accident prone fool who carries no weight in cabinet—

The PRESIDENT: Alright, I'm ruling that out of order. You know that's out of order. The Hon. Mr Hood, you have the call.

MENTAL HEALTH CLINICIANS

The Hon. D.G.E. HOOD (15:15): My question is to the Minister for Health and Wellbeing. Will the minister provide an update to the council on measures to support the mental health of our clinicians in South Australia?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:15): I thank the honourable member for his question. The structural issues facing South Australia's public health system have rightly received significant public scrutiny in recent years in this place, in the media and in other fora. Running in parallel to this has been the acknowledgement of the consistently high quality services provided by clinicians in the health system. However, the support of others can come at a cost to the individuals who dedicate their time and their talents to treating the sick.

One doctor, Dr Geoff Toogood, experienced this himself when he arrived at work wearing odd socks and received a derogatory comment from a colleague about his mental health. In fact, his puppy had been chewing socks and the two odd socks were worn because they were all that were available. CrazySocks4Docs grew from this experience, a day when crazy socks are worn to remind us all of the high rates of suicidal thoughts and actions among doctors.

Beginning in 2017 in Australia, CrazySocks4Docs spread last year to the United Kingdom, Canada and parts of the United States of America. In 2019, I am informed, doctors in New Zealand,

and South Africa will join the growing numbers of nations celebrating CrazySocks4Docs Day. The events are fun, but the message is very serious. The *beyondblue* National Mental Health Survey of Doctors and Medical Students of October 2013 shows that the incidence of thoughts of suicide is 24.8 per cent for doctors compared to the general population at 13.3 per cent and other professionals at 12.8 per cent.

The report also found that 21 per cent of doctors reported having been diagnosed with or treated for depression. One of the problems here is culture, the culture within the medical profession itself. Health workplaces are often high pressure environments, but historically there has been an attitude that the workforce should be able to cope with these demands as it is just part of the job.

Anecdotally, senior doctors may see stress as a rite of passage or trial by ordeal. Expectations of seniors, stigma and discrimination are all potential reasons for the medical workforce avoiding coming forward and seeking help. Management, for its part, needs to make sure that workloads are sustainable and safe and that the workforce, medical and other staff, work in an environment in which they can excel and within which they can deliver the best possible care.

In a tribute to both himself as an individual and to the significance of the issue within the medical workforce, Dr Geoff Toogood was presented with the AMA President's Award in Brisbane less than two weeks ago. This morning, I was privileged to attend a breakfast hosted by SASMOA, Doctors' Health SA and the Breakthrough Mental Health Research Foundation to mark the day officially, the first Friday in June—this year 7 June, this coming Friday.

It was an honour that Dr Geoff Toogood, a cardiologist from Victoria, was able to be present at the South Australian breakfast. He spoke with clarity and passion about his lived experience and the need to support doctors and other health professionals under stress with mental health issues. I wore my own crazy socks this morning and I urge not only our doctors but all health professionals and other members of the community to join in marking the CrazySocks4Docs Day this Friday.

Matters of Interest

BOTH, MR J.E.

The Hon. J.A. DARLEY (15:19): I rise today to acknowledge the life of the late Mr John Edward Both and his invaluable contribution to the agriculture industry. John passed away at the young age of 65 on 19 May this year. His passing has deeply impacted the industry, friends and family and he will be greatly missed by all. He was described by the agriculture community as a wealth of knowledge and a true gentleman who was always willing to give his time to others.

John's wealth of knowledge about the agriculture industry began with his study at Roseworthy Agricultural College in 1969. John graduated with a Diploma of Agricultural Technology in 1973, excelling in his year, coming in the top 20 per cent of students and recognised on the campus honour board. John later went on to complete a Master of Business Administration with the University of Adelaide.

After graduating, John worked in the Public Service for a number of years, first as an editor of the *Journal of Agriculture*, then as district agronomist at the Kadina office for the South Australian department of agriculture. John then went on to work for TAFE, running on-farm training programs in Western Australia, Queensland, New South Wales and South Australia. He also worked as a Agsafe coordinator and developed a version of the chemical handlers accreditation course. In 1990, John work for Nufarm, a leading Australian-based manufacturer and developer of seed products and crop protection solutions.

John was employed as a territory manager for the Yorke Peninsula and Mid North. As territory manager, John interacted with growers, private consultants, resellers, agronomists and researchers. He became well-known for his ability to identify practical farming solutions and for his willingness to give his time to others to share his technical expertise.

John later took on the role of state product development manager at Nufarm, responsible for product forecasting, internal and external product training, marketing and trial work. John then spent three years as Nufarm state manager and then spent his final 17 years in research and development. Upon his retirement, Nufarm described his 27 years of service as incredible, acknowledging his

significant contribution to product development and praising his willingness to give others technical guidance whenever it was required.

John was also a long-term member of the Crop Science Society of South Australia. He was also a committee member and president of the society from 2010 until 2012. John was always an active participant and frequently presented to members on a range of topics. He was recognised as an influential voice, providing industry guidance on important matters and advising government on issues such as chemical spray drift management, buffer zones and agricultural chemical labelling. In 2018, he was awarded life membership by the society in recognition of his outstanding efforts within the industry.

In life, John's knowledge and genuine nature left a lasting impression on every individual he met. I would like to take the time to extend my deep and sincere condolences to John's family, friends, work colleagues and to the community. His impact has truly been far-reaching, and his legacy will live on through the contributions he made to the agriculture industry.

MOTOR TRADE ASSOCIATION GRADUATION AND AWARDS NIGHT

The Hon. D.G.E. HOOD (15:23): Recently, I had the pleasure of representing the Minister for Innovation and Skills at the 2019 Motor Trade Association Graduation and Apprentice Awards evening. As an event, there were 118 graduates and six awards presented, including Apprentice of the Year, the Bob Goldsworthy Award for outstanding panel beating or painting, the most outstanding MTA training centre apprentice and the most outstanding apprentices in the first, second and third years. It was a privilege to participate in the ceremony and to have the opportunity to meet some very talented men and women of all ages who I am sure will continue to make an excellent contribution to our community through their careers in our automotive industry.

The Motor Trade Association of South Australia is an employer-based organisation, comprised of 1,100 members, which has a rich history of contributing to the growth and development of our state's automotive retail service and repair sectors. As a registered training organisation, it is also the peak automotive apprentice employment and training body for the motor trade industry, delivering both accredited and non-accredited training and upskilling across a range of 14 automotive qualifications.

The MTA RTO offers innovative industry-based training that is modern and responsive to current needs, providing a direct pathway from school to employment. At present, it has over 900 apprentices in training and employs 500 people through its group training organisation. The MTA prides itself on achieving more than simply delivering units of training that will result in the attainment of formal credentials, it also seeks to ensure that its graduates have an awareness of the opportunities available through their qualifications, providing the support, resources and additional life skills needed to successfully navigate the pathway from student to a member of the workforce.

The MTA is uniquely positioned to achieve this objective via its extensive industry network and its engagement with 63 metropolitan and regional schools across the state, showcasing firsthand the many career options available to students. To this end, the MTA hosts yearly interactive expos for young South Australians and works closely with the VET teachers and career counsellors in the northern schools alliance and southern schools network.

As part of the unique training experience of the MTA, apprentices are encouraged to be part of the motorsport repair team at the Adelaide 500 and at The Bend. As a result of their involvement, some apprentices have gone on to work with supercar teams throughout Australia. The MTA also encourages its apprentices to enter various industry competitions, with one apprentice recently winning the state PPG Colour Matching Competition and going on to achieve the second place nationally.

This is certainly a testament to the exceptional support provided through the MTA training centre, as well as the hard work and dedication of its students. As you are aware, Mr President, the Marshall Liberal government's \$203 million Skilling South Australia program, in partnership with the federal government, is creating an additional 20,800 apprenticeships and traineeships over four years. We are ensuring that the government training investment aligns with industry needs, leading to real jobs and new career outcomes for our young people.

As part of this program, the MTA was recently successful in securing funding for the Automotive Apprenticeship Pathways Project, a partnership between the state government and the MTA that will support 140 people commence an automotive apprenticeship. I note with interest that last year the MTA took a risk by drastically increasing the number of apprenticeships in the industry, taking on apprentices without a host employer, paying them and training them for eight weeks before securing a suitable host. This venture has evidently paid off, with the MTA continuing to grow its market share of this industry, which now sits at over 50 per cent.

The automotive industry in South Australia is estimated to be worth some \$2.85 billion to our economy and provides direct employment to approximately 26,000 South Australians. It is a dynamic sector that has endured many challenges and changes in recent times and the motor trade associations have certainly played a vital role in ensuring that it continues to thrive. I take this opportunity to commend the MTA on its significant and valuable work within our community.

HOUSING INDUSTRY

The Hon. T.T. NGO (15:28): We all know that the housing industry is the backbone of our economy, creating thousands of jobs and generating billions of dollars in economic activity. Recently, another building company, Coast to Coast Homes, went under, which has left another 15 people without a job and 90 homes unfinished. This comes off the back of six other residential builders going under since November last year. Hundreds of jobs have been lost, many subcontractors have been left unpaid and many family homes left unfinished.

How can we fix this? Master Builders SA (MBSA) chief executive, Ian Markos, believes low population growth, reluctant bank lending, planning laws and inefficient land release have created a perfect storm. He said:

We need to turn this decline around, and we've had months and months on end with declining new home builds.

The MBSA has made a submission to the Marshall Liberal government, entitled Make Housing Great Again, and it has four main recommendations:

1. That stamp duty exemptions are put in place for first-home buyers. This could save a prospective homebuyer \$15,000 to \$20,000, along with the compounding cost of interest repayments.
2. That the compulsory requirement to have a rainwater tank installed for new dwellings be removed, as it is adding an unnecessary \$5,000 cost to the price of a new home. Master Builders believe in freedom of choice. For example, this money could be spent on solar panels or on reducing the size of the mortgage instead.
3. That the SA Productivity Commission review all taxes and charges related to land and property development.
4. That the current First Home Owner Grant of \$15,000 be increased to \$20,000 in regional South Australia.

Both New South Wales and Victoria have implemented stamp duty exemptions for first-home buyers up to a purchase price of \$600,000. The MBSA recommends that South Australia have a similar exemption, implemented at the current median house price in Adelaide of \$470,000. The MBSA commissioned Hudson Howells to undertake modelling of various scenarios if a stamp duty threshold was implemented for first-home buyers. Even on its worst-case scenario with a threshold set at \$470,000, it was found that there would be a net state government revenue gain of more than \$17 million. Although more than \$19 million dollars would be lost in stamp duty receipts, there would be an increase of more than \$36 million in GST and payroll tax receipts.

The response to this submission by the Marshall government has been woefully inadequate. Treasurer Rob Lucas has said no to stamp duty cuts in this year's budget due to the reduction of GST revenue. At least the Treasurer does not have his head buried in the sand like his leader, Premier Steven Marshall, who has stated that there was a massive amount of construction happening in the state. He also said:

It doesn't mean to say that every single business in South Australia is going to be going through boom times, but we're satisfied that at the moment there is enough economic activity in this state.

This is all rather hypocritical of a government and political party that supposedly prides itself on taking the handbrake off small business and investment in this state. Certainly, that was how they talked in opposition, but now in government they are hiking up the fees and charges on essential services that will hurt the economy and ordinary South Australians.

All economic indications are that Australia and South Australia are facing a strong head wind. Even the RBA is concerned, cutting interest rates yesterday and indicating more rate cuts to come in coming months. The Marshall government needs to start listening to industry people, like Master Builders SA, to give the South Australian economy a boost by implementing its four recommendations immediately.

WORLD ENVIRONMENT DAY

The Hon. M.C. PARNELL (15:33): Today is World Environment Day. It is a special day for raising awareness and encouraging action to protect our environment. Back in 1974, when World Environment Day started, the theme was 'Only One Earth'. This is just as meaningful today as it was 45 years ago. In South Australia, the most recent State of the Environment report tells us that we are going backwards. Many of our native plants, animals and unique habitats are in decline, and some species will certainly become extinct. It is a matter of scientific fact that species are going extinct. That is why environment groups all over the world are naming it an extinction crisis.

In South Australia, we have long been known as the 'extinction capital', with more mammal species going extinct here over the last 200 years than anywhere else in Australia and possibly the world. I first heard this shocking analysis from John Hunwick over 20 years ago. For those who do not know him, John was the original architect of the chocolate Easter bilby as a home-grown alternative to the Easter bunny, a very fitting gesture given the enormous ecological damage that rabbits have caused to the Australian landscape.

Australia-wide our record of extinction is appalling. Four years ago, Greens leader Senator Richard Di Natale claimed that 'Australia has one of the highest loss of species anywhere in the world.' That claim prompted howls of derision until the ABC's own Fact Check unit crunched the numbers and concluded that:

When comparing places on the ICUN Red List, Australia is in the top five for extinction of animals and plant species, and the top 10 for endangered and threatened species. Senator Di Natale's claim is correct.

If you prefer to hear this from a higher authority you need go no further than the United Nations' own report on biodiversity that was released just last month. It shows that the decline in species is unprecedented and the rate of extinction is accelerating, with one million species now threatened with extinction. It is without doubt a crisis, but not without hope, provided that we fundamentally change nearly everything we are doing currently: what the United Nations calls transformative change.

So what should our response be to this extinction crisis? Clearly, the traditional political and economic approaches are not working which is why growing numbers of people are now in open rebellion. In fact, groups such as Extinction Rebellion are proliferating worldwide including here in Adelaide. They have some prominent supporters including George Monbiot, who wrote in *The Guardian* last month:

As the environmental crisis accelerates, and as protest movements like YouthStrike4Climate and Extinction Rebellion make it harder not to see what we face, people discover more inventive means of shutting their eyes and shedding responsibility. Underlying these excuses is a deep-rooted belief that if we really are in trouble someone somewhere will come to our rescue: 'they' won't let it happen. But there is no they, only us.

Those who govern the nation and shape public discourse cannot be trusted with the preservation of life on Earth. There is no benign authority preserving us from harm. No-one is coming to save us. Mass civil disobedience is essential to force a political response.

In addition to this extinction crisis, our climate crisis is becoming even more serious and urgent in the face of inaction and indifference by government. That is why many communities around the world are formally adopting a declaration acknowledging that we are in a climate emergency and we can no longer stand by and do nothing.

Around the world, dozens of states and territories, provinces and local governments have signed on to the Climate Emergency Declaration. In fact, 65 million people across 13 countries have had their political leaders sign up. In South Australia, we have the Adelaide Hills Council, Gawler town council and Light Regional Council as signatories so far, with more to come.

When it comes to the extinction emergency and to the climate emergency I think we can expect a growing tide of civil disobedience and citizens taking direct action to stop projects that they know are clearly bad for the planet. I think the Adani coalmine in central Queensland is likely to be an early campaign. Like the emperor with no clothes, the Adani issue has laid bare the cosy relationship between the fossil fuel industry and the old political parties. Neither Liberal nor Labor are prepared to stop this climate-wrecking project so it will be up to the people. For our part, the Greens remain the voice of the environment in state parliament.

As well as biological diversity and climate change, we are fighting to reduce the scourge of plastic pollution; we are fighting to stop inappropriate developments in national parks; we are fighting to protect our precious great Australian Bight from the oil industry; we are fighting for the Coorong, the Lower Lakes and a healthy river system.

So, on World Environment Day 2019, my message is for all South Australians to think about what is happening to our natural environment and what you can do to secure a better environment for all of us.

BOMBER COMMAND COMMEMORATION SERVICE

The Hon. T.J. STEPHENS (15:38): I rise today to speak about the Bomber Command Commemoration Service which I was fortunate enough to attend last Saturday. The moving service was carried out by the Royal Australian Air Force at the Torrens Parade Ground where I was honoured to lay a wreath on behalf of Premier Marshall and the government of South Australia.

The Royal Air Force fleet of bombers, from 1936 to 1968, was controlled by Bomber Command and throughout the Second World War was responsible for leading raids against crucial targets held by German forces. Bomber Command's campaign was instrumental in turning the tide against German forces in Europe and the eventual Allied victory.

The number of men who served under Bomber Command during the wartime period was astonishing, even more so were the losses inflicted. Sadly, over 55,000 men were killed in action from across the Commonwealth. Fighting alongside British forces were Canadians, New Zealanders, men from occupied countries and, of course, Australians. It would have been a shocking life for a crew member on an RAF bomber. Life expectancy was as short as two weeks for new recruits.

With the threat of flak cannons, enemy fighters, machine-gun fire, aircraft failure and even daylight, danger was ever-present. Consisting of 30 missions, each crew member was tasked with being part of an operational tour. Those who could would perform multiple tours. The chances of someone surviving their first tour were fifty-fifty. In the end, 44 per cent of the estimated 125,000 aircrew would make the ultimate sacrifice.

Within Bomber Command, the RAAF contingent comprised eight units with approximately 10,000 men serving. These Australians would perform valiantly in the skies above war-torn Europe; in particular, 460 Squadron would fly the most raids of any RAAF unit. It also held many operational records within Bomber Command and had consistently high aircraft serviceability rates. In doing so, however, they would pay a high price, losing 589 Australians and 1,000 men in total.

Of the 10,000 Australians who served, only two-thirds survived. The RAAF lost more than most during World War II. Only 1 per cent of all Australian forces served in Bomber Command, but they account for more than 10 per cent of all Australian war dead.

These brave men gave their lives during some notable battles. Following the attacks of the Luftwaffe during the Battle of Britain, many Brits viewed the bomber as being the only tool capable of pushing back and going on the offensive. Bombers were used on raids such as the famous Dam Busters raid around the Ruhr Valley, and they would carry out other major efforts that were crucial for success in Europe. They conducted raids against supply lines, factories and German defensive

posts, including the launch sites of the feared V rockets, which continued to instil fear over London until the dying days of the war.

During the lead-up to D-day and the landings themselves, bombers were responsible for blocking the movement of German forces on the ground. With attacks on railway lines and other infrastructure, they aided in preventing Erwin Rommel's forces in France from mounting a concerted effort to repel the attacks. In the end, Bomber Command would be responsible for dropping over a million tonnes of bombs for the war effort.

I wish to thank the RAAF for its exemplary service and pay my respects to all those who served in Bomber Command, including many South Australians who fought gallantly. Without the brave servicemen of Bomber Command the war against fascism in Europe would have had a far different outcome. Lest we forget.

REGIONAL ROADS

The Hon. J.E. HANSON (15:42): Today, I wish to speak on the great importance of regional road funding by the state and federal governments, specifically the funding in the north and north-west of our state.

It is a terrible reality that, year to date, we have seen a horrific road toll on our roads. The toll this year is 53 fatalities compared to 34 for the same time last year. To put this into perspective, this is one death on our roads for every three days of this year—that is, one death every three days. It is truly horrific.

While not all of these have been in the north and north-west of our state, the fact is that a short Google search will reveal that many of them were. You will also find, in such a short Google search, no shortage of announcements and commentary made by Liberal members for those areas, both state and federal, about how road upgrades are needed—and, indeed, endlessly promised.

The issue I want to raise is that we continue to wait on the state and federal Liberal governments to actually do anything meaningful about regional roads in these areas. One poor example of overhyped and underdelivering by Liberal members here and in Canberra is the Horrocks Highway project. To date I am aware that the promised federal funds for this project have not been received by the state Liberal government as part of the 80-20 funding split arrangement for the project.

It is a fact that there are now just two possible payment dates left this year, and the federal government has not yet delivered the funds. We await them arriving. Surely the Liberal Party will not continue to let its constituents down. One would hope that the funds were not promised as part of some sort of election commitment with no intention for them to ever actually be delivered.

Am I cynical? Does that happen? Perhaps I am just a little; but before the Liberal Party can assure me that they will be upgrading projects like the Horrocks Highway I remind them that there is form for them engaging in all talk and no action on regional roads.

The Liberals have famously promised to duplicate the Augusta Highway between Port Wakefield and Port Augusta. How much have they promised to deliver that? It was \$64 million. That is a joke. It is a cruel one, surely, to anyone who has ever driven on those roads, like I have—they are dangerous.

The Liberals' announcement of \$64 million to duplicate the Augusta Highway is cruel and it is a sham, given that the most recent estimate put the cost of the project at \$1.2 billion. I rush to say that I would welcome the funds—I like funds from Canberra—but the fact is that they were only promised in the final week of a federal election campaign; it was an afterthought, a cheap press release.

As I said, the Civil Contractors Federation of South Australia has backed in the cost of the 200-kilometre stretch being upgraded. They say that it will cost about \$1.2 billion. It is not a partisan thing, it is a fact. This means that the Liberals' cruel and pathetic commitment covers just 5 per cent of the cost. Steven Marshall, the Premier, has said that his relationship with the federal Liberals will pay huge dividends. One wonders how getting \$64 million for a \$1.2 billion job is huge.

Recent media on the economy, found again by any easy Google search, will reveal that we are at risk of the economy taking a significant downturn. The South Australian economy will not be immune from that. We need a lift and rural road projects are an excellent way to deliver them.

The federal government has committed to the Port Wakefield overpass, upgrading Horrocks Highway, duplicating the Augusta Highway and the Joy Baluch Bridge. When will we see the funds for these grand promises made by the federal and state Liberals? Do we cross our fingers? Do we hold our breath? Are they just more promises and press releases? I hope not.

MUSLIM COMMUNITY

The Hon. F. PANGALLO (15:46): Recently, I was asked about my new job as a politician after a long media career. My response was that it is the best and most rewarding job I have held because of the engagement with various sections of our community in the metropolitan area and in the regions, and trying to achieve solutions and positive outcomes that improve people's lives. This job has opened my eyes to a new world of issues and experiences, and I am learning something different and new each day.

Last month, I attended my first ever iftar dinner to celebrate Ramadan with the Muslim community. I was unfamiliar with the traditions surrounding Ramadan. It is celebrated every year by Muslims around the world and is linked to the sighting of the new crescent moon that signifies the first official day of Ramadan, the ninth month of the Islamic calendar and the most sacred month in the Islamic culture. It started on 5 May.

The naming of Ramadan stems from the Arabic root 'ar-ramad', which means scorching heat. During Ramadan, Muslims aim to grow spiritually and build stronger relationships with Allah. Fasting is obligatory for all Muslims, except for the ill, pregnant, travelling, elderly or menstruating. Since the Prophet Mohammad broke his fast with dates and a glass of water, Muslims eat dates.

An iftar dinner is a fast-breaking dinner that takes place every night during the Islamic month of Ramadan. The first dinner was conducted by the Dialogue Institute of Australia and Pinnacle College at the Adelaide Convention Centre on 20 May, and it was well attended by many of my parliamentary colleagues. Being an Islamic practice, iftars have often been Muslim-only events. It is customary to invite whoever is fasting, whether the person is a close friend or a distant relative.

However, DIA and Pinnacle College took this tradition one step further and opened it up to non-Muslims. It was an enjoyable and informative evening, speaking to and hearing from various members of the Muslim community about their traditions, with which many Australians would be unfamiliar.

My second dinner was last Saturday at the Ahmadiyyan Mosque at Beverley. Again, this event was attended by MPs, councillors and members of other faiths, including Hindu and Catholic, where we all spoke about our own fasting traditions before sitting down to enjoy a fast-breaking dinner. This was also a groundbreaking event because the mosque invited Aboriginal elder, Uncle Tamaru, to conduct a Welcome to Country ceremony. This was the first time it had ever been done in a mosque.

I was unaware of the exemplary work of our Ahmadiyyan community. I am told that there are about 800 members in South Australia, who mostly emanate from Pakistan. They also invited me to their youth association forum and I was amazed to hear of the breadth of their volunteering. On Clean Up Australia Day, they cleared 2.2 tonnes of rubbish from our streets and parks. They have planted thousands of trees, take part in the Red Cross doorknock, make blood donations, assist the Salvation Army in its feeding the homeless initiative and take part in an annual winter appeal, where they distribute food and other necessities to the needy.

They are also involved in the Muslims Down Under movement, which is designed to better inform and educate mainstream Australians to what Muslims believe in. That message includes loyalty to Australia; freedom of conscience, speech and religion; separation of state and religion; power and equality to women; no discrimination; no terrorism; and service to humanity. Their slogan is quite impressive too: love for all, hatred for none.

This kind of work goes on quietly and is largely unrecognised and unheralded by the wider community. More importantly, it serves to break down many misconceptions and prejudices that still exist about Islam and Muslims. Ramadan concluded yesterday and now Muslims are celebrating Eid al-Fitr, three days of festivities where Muslims gather to pray, eat, exchange gifts and pay their respects to deceased relatives.

Motions

COMMUNITY SERVICE ORGANISATIONS

The Hon. C.M. SCRIVEN (15:51): I move:

That this council—

1. Acknowledges the vital role that peak bodies in the homelessness, housing, disability and community sectors play in South Australia; and
2. Recognises that any cut in funding to peak bodies would result in them being unable to continue much of the essential advocacy and research work they do in our community.

Every single day, South Australians are becoming increasingly alarmed by the Marshall government's cuts, closures and privatisations, and as the 2019-20 state budget looms there will be even more devastating funding cuts. The Marshall government has not as yet ruled out cruel cuts to the state's peak bodies.

There is a huge variety of peak bodies in South Australia. They provide frank and fearless advice to the government on critical issues such as volunteering, homelessness and social justice. They provide a one-stop shop for government and the human services sector to share information and experiences. They conduct timely and cost-effective research and policy development. They advocate for change, they educate the community and they create public debate on relevant issues.

When people think of an overarching peak body in South Australia, it is generally SACOSS, the South Australian Council of Social Service, which comes to mind. SACOSS is the peak body for the non-government health and community services sector in South Australia. SACOSS does not accept poverty, inequity or injustice. It has a powerful and representative voice that leads and supports the community to take actions that achieve justice, opportunity and shared wealth for all South Australians.

Importantly, SACOSS holds the government, business and communities to account for actions that disadvantage vulnerable people. It is a strong-willed organisation and it is highly regarded by the community, by Labor and by the media. I urge the Marshall government to rule out any funding cuts to this vital peak body.

Homelessness Australia is another national peak body that springs to mind. With increasing homelessness rates around the nation, it is absolutely abhorrent that this group was defunded by the federal government in 2015. It now operates on the smell of an oily rag and has neither an office nor paid staff. The Marshall government must make a commitment to South Australians that socially focused peak bodies whose aim is to improve the lives of vulnerable people in our state will not have serious cuts, or any cuts whatsoever, to their budgets.

Let me give you some examples of the vital work other South Australian peak bodies undertake. The Aboriginal Health Council of SA (AHCSA) works with communities through its members to ensure that governments and government departments clearly hear community needs. Therefore, AHCSA's role is to act as a watchdog over the provision of health services appropriately meeting community needs. Aboriginal health means not just the physical wellbeing of an individual but also refers to the social, emotional and cultural wellbeing of the whole community, in which each individual is able to achieve their full potential.

Carers SA's mission is to promote, assist, empower and enhance the lives of family carers. Its mission is to work to improve the health, wellbeing, resilience and financial security of carers and to ensure that caring is a shared responsibility of family, community and the government. This peak body is the voice of carers so that their contribution to the South Australian community is heard. I have certainly had some very positive interactions with Carers SA in the South-East. They fulfil a very valuable role there and are highly valued by the local community.

Shelter SA is the state's peak body for housing, advocating for safe, affordable and appropriate housing for all citizens. New figures show that the number of people sleeping rough in the city has jumped from 143 to 227 in one year. This is a significant jump and begs the question: what is this government doing to help vulnerable South Australians and what hope do they have when the heartless Marshall Liberal government continually cuts funding to crucial services, support networks and departments?

I want to applaud the work of peak bodies in South Australia and across the nation. In the past year, we have seen callous disregard from the Marshall Liberal government when it comes to South Australians who rely on the support of peak bodies to advocate on their behalf. I therefore want to call on the Marshall government to provide certainty that these vital groups and organisations will not be at the mercy of the Treasurer's chopping block.

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

Bills

STATUTES AMENDMENT (ANIMAL WELFARE REFORMS) BILL

Introduction and First Reading

The Hon. T.A. FRANKS (15:56): Obtained leave and introduced a bill for an act to amend the Animal Welfare Act 1985, the Dog and Cat Management Act 1995 and the Criminal Law Consolidation Act 1935. Read a first time.

Second Reading

The Hon. T.A. FRANKS (15:57): I move:

That this bill be now read a second time.

I rise today to introduce this bill. While it is being brought forward today by the Greens, I would not necessarily call it a Greens' bill. It is the product of many years of work, advocacy and campaigning by many people. Particular organisations that I would like to thank for the work behind this bill are Mia Auckland of the Paw Project and the RSPCA, in particular, for their direct input into this bill before us today. I also thank the Animal Welfare League for the feedback given and the conversations had in terms of areas of animal welfare reform that form the bill that we now have in the council.

This bill responds to the overwhelming public demand for the humane and accountable treatment of animals. It seeks to reverse the sanctioned cruelty of our woefully inadequate minimum animal welfare standards that sometimes prevail. Importantly, it also seeks to improve transparency and accountability when it comes to animal welfare. I am informed by many in this sector that South Australia has some of the weakest animal welfare laws in the country. This is simply unacceptable.

That is why I rise today to introduce a bill that amends the Animal Welfare Act 1985, the Dog and Cat Management Act 1995 and the Criminal Law Consolidation Act 1935. This bill covers a range of important animal welfare reforms. Our laws are out of date and out of step with community expectations, and the task of updating them is a significant one. I will note that it is one that has been undertaken by the previous Weatherill government and former minister Hunter, as well as the then shadow minister Michelle Lensink and now minister in a different area of governance, but it is still an area where we have some long way to go.

Our laws, where suffering and cruelty prevail while we delay, are simply unacceptable. This bill is modelled on the principles of what is called in some jurisdictions a companion animal protection act. Here we have referred to it as smart sheltering. It is also informed by the direct work and experience of the RSPCA of South Australia when it comes to their enforcement of our state's Animal Welfare Act.

The bill before us tackles a raft of issues that I have identified as the most pressing in this area. Predominantly, this particular bill will focus on reducing the number of cats and dogs that are needlessly euthanased in our rescues or shelters to as close to zero as possible; creating a code of practice and licensing requirements for animals in those shelters, in rehousing services and in rescues; providing the RSPCA with the stronger avenues they need for inspection, enforcement and prosecution under our current act, enabling better proactive action to be taken in preventing animal

cruelty; and creating special provisions that relate to the greyhound racing industry in particular, outlining reporting requirements and making them subject to freedom of information requests.

I think it is an excellent reflection on South Australia that our community has demonstrated time and again strong support for animal welfare, as well as strong support for those organisations that assist and aid animals, but also time and again we have seen that our laws just are not strong enough or consistent enough to ensure the safety of animals that should be seen as in our care and that we can effectively prevent and indeed punish animal cruelty as it occurs or before it occurs.

In comparison to other states our act is quite weak in those protections it affords animals in South Australia. In fact, in many ways saying that it offers protection to the animals is almost unfair. It offers the possibility of prosecution against the perpetrators but not too much more. Even then, records show that the perpetrators of animal cruelty rarely face serious penalties commensurate with their actions. Our laws need to focus more on preventing that cruelty rather than waiting for that harm to actually happen and then taking action. Even in cases of the most brutal acts of animal cruelty, however, we know that the RSPCA has never managed to secure a maximum penalty—a four-year gaol term or a \$50,000 fine—and this simply is not good enough.

With that in mind, this bill adopts the RSPCA's recommendations for animal welfare law reform. These amendments include but are not limited to protecting RSPCA inspectors by adding them to the list of occupations in section 5AA(1)(c) of the Criminal Law Consolidation Act 1935. This would make any assault on an inspector an aggravated offence.

The bill provides RSPCA inspectors with the ability to enter property and vehicles to seize evidence. It establishes animal cruelty intervention orders and interim court orders to prevent that animal cruelty, similar to other states, and this allows for proactive orders to be made so that a court can intervene before an animal cruelty issue arises. It also allows a court to make prohibition orders during the course of a prosecution as a proactive means of cruelty prevention, providing for penalties as well for breaches of interstate prohibition orders.

It is vital that we update our laws in South Australia so that animal rescue and rehoming services that provide that much-needed aid to our animals provide consistent quality care and that they are accountable and transparent in their practices. While I know that the RSPCA does publish publicly their statistics on the animals they receive, the number that are reclaimed, the number that are re-homed and those currently in their care, as well as those transferred and the number euthanised at both a state and a national level, many other organisations do not do this. They do not have that level of transparency. That lack of transparency and accountability is not only disappointing but it is also counter-productive. It is disappointing because without this information there is no way to tell if an organisation is actually doing a good job or not, although of course I recognise as well, with those raw statistics, that is never the whole story.

There are often many reasons why animals are put down: incurable medical conditions, where the animal is suffering unendurably is of course one and unresolvable behavioural issues such as aggression or biting is another. However, we should be doing everything we can to keep the number of euthanised animals to a minimum. That is why the legislation I bring before you today is based on the philosophy of smart sheltering. In some jurisdictions this philosophy has been called no-kill, although that does not mean that no animal is euthanised; it is somewhat of a misnomer.

While all shelters will have to sometimes put down those irremediably ill and suffering animals, smart sheltering aims to provide a more holistic approach to the welfare of our companion animals. Ultimately, smart sheltering comes down to the principle of not killing healthy or treatable animals, and it is this approach that this bill takes. Shelters should not be killing healthy animals just because the holding period is over or because the shelter is full. Indeed, under this legislation they must take all reasonable steps to rehouse the animal in question, and that can include offering it to other rescue services, and we know that this is achievable. We do not have to look much further than our sister city, Austin, Texas, to see the incredible effect of such legislation. They became a no-kill city in 2011 and they are now able to save more than 90 per cent of homeless or surrendered animals each year.

Coming from that philosophy, this bill introduces new objects and principles into the act, and it is on these principles that I now focus in particular. No dog or cat should be killed if it can be safely

placed in a suitable home; dogs and cats in rehousing facilities require proper shelter, care, nutrition and exercise; dogs and cats in rehousing facilities require enrichment and interaction; dogs and cats in rehousing facilities require proper veterinary care; and prescribed organisations should make every effort and be supported to provide every dog and cat in their custody with individual considered care.

The Greens want to make sure that all animals are treated humanely and with respect to their individual needs. We want to make sure that they are not killed needlessly or arbitrarily but also that they are not held in conditions that prolong their suffering. In those situations, where an animal is suffering, it is of course a difficult balance to strike, but I believe that this is what is achieved by this bill. It outlines how cats and dogs cannot be euthanised simply because a holding period has expired or because the rehousing service that they have ended up in cannot take them. Such services are required to provide adequate care as well as to take all reasonable steps to provide the opportunity for adoption, fostering or being taken to another shelter.

Where an animal is irremediably suffering, there are strict conditions on how and why that animal can be then killed, and services are required to record and report on that number. To this extent, the bill also establishes a requirement for a code of practice to be created that provides for the quality of care for those dogs and cats in those prescribed organisations. The prescribed organisations under this bill, those that provide rescue in rehousing services, will now also be required to have a licence to provide any of those services, with the intention behind this being to ensure that these services are accountable and transparent in how they operate and that they adhere to minimum standards of care.

Such organisations will also be required to report annually, and those annual reports will be required to provide information about the total number of dogs and cats surrendered or otherwise rescued by the licence holder, the number of dogs and cats returned to their owners by the licence holder, the number of dogs and cats rehoused by the licence holder, the number of dogs and cats euthanised by or on behalf of the licence holder (including the reason for the administration of that euthanasia) and the number of dogs and cats in the care of the licence holder on 31 July of that year, as well as any other information required by the regulations under that code of practice.

This bill unashamedly requires transparency. Unlike our current animal welfare laws, it does not forget the greyhounds. Greyhounds are dogs too. I have spoken previously in this council about my intention to introduce legislation that will keep Greyhound Racing SA to its word and that it continues to publish figures as they promised.

The legislation I put forward today extends that transparency and accountability to the greyhound racing industry. To that end, it will also require the following of the greyhound racing industry: lodging annual reports with the minister, detailing the number of registered greyhounds destroyed, approximate numbers of unregistered greyhounds destroyed and the methods used, tabling of these reports in parliament and that Greyhound Racing SA be subject to the FOI Act.

I refer members of this council to my previous contributions in various pieces of animal welfare legislation where greyhound racing has contended that they are no longer subject to FOI and that this is an area of some legal dispute; certainly disputed by the legal advice that I have previously brought to this place.

Such transparency measures will ensure that we have the truth about how dogs are killed each year because of the greyhound racing industry and how many of those dogs are healthy and could live healthy, long lives. Ultimately, the bill is intended to be a step in the right direction towards modernising our animal welfare laws, where they lag far behind those of other states in some areas. We need to reprioritise the prevention of animal cruelty so that it is in line with community and public expectation and because it is also the right thing to do.

Our animal welfare laws need to be able to be enforced properly. The RSPCA is begging for our help to ensure that that is possible and to better serve the animals that these laws are already intended to protect. Again, I commend the previous work of the former minister, Ian Hunter, and the former shadow minister, Michelle Lensink, in these areas and say that they took steps in the right direction, but this is another step that we, as a council, can now take under this new government. With that, I commend the bill to the council.

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

Motions

BRAND SOUTH AUSTRALIA

The Hon. M.C. PARNELL (16:12): I move:

That this council—

1. Acknowledges the contribution of Brand South Australia, an independent, not-for-profit organisation that promotes economic growth and pride in South Australia;
2. Recognises the achievements of Brand South Australia in its work managing the state brand and running a range of programs, including the successful I Choose SA program, delivering millions of dollars of value to South Australia every year and supporting local jobs;
3. Notes the decision of the Marshall Liberal government to cut funding to Brand South Australia, resulting in Brand South Australia having to cease operations as at 30 June 2019; and
4. Calls on the Marshall Liberal government to immediately reinstate its funding to enable Brand South Australia to continue its valuable work.

South Australians love to support their fellow South Australians and South Australian businesses. We are proud of our state and what South Australia stands for and we are proud of our people and their achievements. This sentiment was very clearly demonstrated when South Australians rallied to help Spring Gully Foods, a family-owned and operated South Australian company when they were struggling financially in 2013. After an impassioned plea from the company for South Australians to support them, South Australians responded en masse, purchasing Spring Gully products, which enabled the company to keep going. In fact, products walked off the shelves and you had trouble buying pickles and other products for some weeks.

You can call it pride or you can call it parochialism, but it is one of the reasons that Brand South Australia and, in particular, its I Choose SA campaign has worked well. The State Brand was launched in 2013, the same year that South Australians rallied to help Spring Gully Foods. However, the original positive voice and message for our state goes back further, including back to 1984 with the SA Great campaign and Brand South Australia evolved from that.

Brand South Australia is an independent, not-for-profit organisation, whose aim is to positively position South Australia and forge a prosperous future for our state. It employs 16 staff and delivers a range of campaigns, programs and initiatives. The two main programs are the State Brand, which South Australian businesses, community groups and sole traders are encouraged to use and the I Choose SA program, where South Australians are encouraged to choose local businesses and where key industries within our state are showcased.

In addition to these two programs, Brand South Australia provides businesses with access to a wide variety of events and networking opportunities. It also partners with government agencies and other organisations to deliver three annual programs: the Regional Showcase, the Fast Movers Award and Entrepreneurs Week, plus it manages the I Choose SA shop.

In addition to 7,000 South Australian businesses, Brand South Australia has 280,000 people on its database with whom it regularly communicates to promote South Australia. This includes 10,000 people living overseas as part of its Hello from SA program.

Brand South Australia encourages all South Australians to choose SA. By enabling South Australians to know which businesses are South Australian owned, South Australians can choose to actively support these businesses by buying local, which in turn supports local jobs and boosts our state's economy. That is why it is so disappointing that the Marshall Liberal government has decided to strip Brand South Australia of its annual funding, which means the organisation will cease operations as of 30 June this year.

My understanding is that, after numerous approaches to government by Brand South Australia to secure funding beyond 30 June, the Brand South Australia board resolved to write to Premier Steven Marshall to seek a decision as to their future beyond this date, as it was in jeopardy. The letter was sent on 13 May and a reply from the Premier was received on 16 May, advising that the funding would end at 30 June.

The Greens believe that this is a short-sighted and ill-advised decision that will have a detrimental effect on South Australian businesses. We believe that Brand South Australia, being an independent, not-for-profit organisation, is best placed to manage the state brand and the I Choose SA programs, and that it should continue to be funded to continue this important work. The Greens are calling on the Marshall Liberal government to immediately reinstate the annual funding of \$1 million per annum plus \$550,000 for the I Choose SA campaign to Brand South Australia so they can continue to operate and continue to encourage all South Australians to choose SA. I commend the motion to the council.

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

STATE CORONER

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

That this council—

1. Acknowledges the retirement of State Coroner Mark Johns in August 2019, after a long and distinguished legal career in private practice and the public sector;
2. Recognises the exemplary service, commitment and dedication to the role of State Coroner that Mark Johns has demonstrated over a period of some 14 years;
3. Expresses its appreciation for the investigations and reports that Mark Johns has completed into often deeply tragic, highly sensitive and disturbing matters, to establish the cause and circumstances of deaths that fall within the events covered by the Coroner's Act;
4. Applauds the efforts of Mark Johns to provide findings and make recommendations that have contributed to the transparency and accountability necessary to fully harness the preventative function of the Coroner's Court; and
5. Calls on the government to better resource the Courts Administration Authority for the specific purpose of properly funding the work of the Coroner's Court so that the court can be modernised and staffed at levels appropriate to deal with the increasing and heavy workload carried by this court.

I rise to speak on my motion, acknowledging the imminent retirement of State Coroner Mr Mark Johns. Mr Johns has a long and distinguished legal career. A born and bred South Australian, he attended my alma mater, Adelaide University Law School, and was admitted to the bar in February 1980. He was appointed State Coroner in September 2005, after some 25 years of outstanding legal practice in the private and public sectors in a variety of roles, including as parliamentary counsel, senior positions in ASIC, the Crown Solicitor's Office and as CEO of the justice department.

In rising, I express our deep and sincere gratitude for the outstanding service that Mr Johns has provided to this state, diligently investigating and conducting inquests into approximately 2,000 deaths per year, on what can only be described as a shoestring budget. It is precisely for this reason—pertaining to the shoestring budget, of course, and through no fault of the Coroner himself—that he has the unenviable task of needing to prioritise cases he can or cannot investigate. At the same time, he has to balance the expectations of grieving families and the public, and what is achievable within the financial constraints of his court and, of course, the legal parameters within which he operates.

Deaths in custody, reportable deaths of persons under the guardianship of the state, unexplained disappearances, fires and accidents all come within the jurisdiction of the Coroner, who is tasked with ascertaining the underlying causes and circumstances of these events. Mr Johns has relentlessly pursued his brief to get to the truth of the matter and to bring accountability to the equation when there has been a sudden or unexplained death. His firm but fair approach has shone a light on all the errors, failures, acts and omissions that have contributed to or caused deaths in circumstances that might have otherwise gone unreported, undetected or even covered up.

The often thankless work of the Coroner has played a vital role in not only improving the transparency and accountability of agencies and private individuals but has had a major impact on law reform, policy development and procedural reforms in critically important areas such as child protection, mental health, industrial safety, medical practice, correctional services and policing. His findings and recommendations have directed the attention of the public, often via the media, to the

best and worst of human behaviours, including instances of neglect, wilful and reckless abuse, betrayals of trust, failures of duty of care and sheer incompetence.

But for Mark Johns, our courageous Coroner, we would not know in minute detail the acts and omissions of the police that, had they been handled differently, might have prevented the tragic, fatal shooting of young Christopher Wilson—and can I just add, the absolutely tragic situation in relation to Mr Wilson's death which subsequently left his younger brother battling mental health illnesses and subsequently taking his own life as a result of not being able to cope without his brother and what they had lived through. Those deficiencies were comprehensively investigated to ensure that there would not be a recurrence of the events leading up to the death of Christopher Wilson. On a broader scale, this inquest also highlighted that the Police Complaints Act should not provide secrecy provisions that inhibit coronial investigations.

But for Mark Johns, we would not have known about the systematic failures of the child protection system that so tragically failed to protect the precious life of four-year-old Chloe Valentine. We would not now have enshrined in law some of the 20 comprehensive recommendations primarily addressed to the comprehensive failures of Families SA.

But for Mark Johns, we would not know of the systematic failures of SAPOL to protect women from domestic violence and that failed to prevent the death of Zahra Abrahamzadeh at the hands of her violent and abusive husband. The Coroner's recommendations to the premier at the time and media coverage of the facts uncovered by the Coroner played an important role in significant reforms being introduced and additional funding being directed to address and prevent endemic domestic violence in our community.

But for Mark Johns, we would not know how the health system so appallingly failed stroke victims Michael Russell and Leslie Graham with fatal consequences. Without this inquest it may have otherwise appeared that these unfortunate stroke victims were accorded the high standard of health care that we expect to be delivered in our public hospitals. We could never have imagined the dysfunctional behaviours and practices of highly trained specialists, doctors and hierarchical health systems that worked against these patients' possible survival from stroke.

But for Mark Johns, there would be a very high likelihood that another young unsuspecting apprentice like Daniel Madeley would be killed while working on an ancient, dangerous piece of machinery without even the most basic safety protections and precautions in place. We would not know of the failures of SafeWork SA in regard to equipment inspections or the failures of the company Diemould to provide a safe workplace for Danny and his workmates.

But for Mark Johns, we would not have any appreciation of the inevitability of the industrial worksite death of Jorge Castillo-Riffo from operating what we now know are deathtrap scissor lifts. We would not know about the failures and incompetence of SafeWork SA to properly investigate his death, and its abdication of its responsibilities to SAPOL. We would not know about SAPOL's subsequent botched investigation. Importantly, we would not be able to ensure the accountability of employers, regulators and the government to address the failures identified. Informed by the Coroner's recommendations, we can continue to press the government to act. Without government action, the 12 deaths and countless injuries attributable to scissor lifts in Australia will continue to rise.

But for Mark Johns, we would not know about how Colin Craig Sansbury was able to hang himself in the Elizabeth police cells using his disposable overalls, unobserved for 40 minutes despite having been identified as a serious suicide risk and having been seen and discharged by the Lyell McEwin Hospital. We would not know about the blatantly biased and self-serving police investigation into that matter. The inquest into Colin Sansbury's death was held in 2007, some 16 years after the royal commission into Aboriginal deaths in custody that had identified the glaring deficiencies that existed in the standard of care afforded to persons held by SAPOL and Corrections.

I hope to be a strong advocate against poker machine addiction, and I am intimately aware of the shocking circumstances of the suicide of young mum Katherine Natt. The Coroner found that her addiction to poker machines contributed to her death and, although Katherine's mum and I felt somewhat let down by the findings at the time because they did not include recommendations about

the responsibility of gambling venues to their employees and patrons, the inquest has helped to inform my continued advocacy for gambling reform.

Of course, it would be remiss of me not to mention the tragic death of Jack Salvemini. Regrettably for Jack's family, the circumstances surrounding his death remain unsatisfactorily resolved. However, as I said in my maiden speech in this place, I have given my word to Jack's family—and I continue to give my word to Jack's family—that I will continue to advocate on their behalf, something that is becoming increasingly difficult with the passage of time.

I could go on with more and more coronial inquest findings, but I will spare us the trauma. I did a quick count and, over the past 13 years, I have been involved in and advocated for more cases that came before the Coroner than I wish I needed to. All of them touched me personally and, to this day, they are regularly in my thoughts, as are the families left behind. However, they also serve to drive me daily to ensure that justice can prevail and that errors of the past are brought under the spotlight.

Just over a week ago I had the unfortunate situation of meeting with the family of a young man who tragically took his own life after struggling with mental health issues, and committed to do exactly the same for them. Of course, these do not drive just me, they drive other members as well.

I am not sure whether the Coroner is truly aware of the life-changing impact his work has on many individuals who have appeared before his inquests, particularly family members. Andrea Madeley, whose son Danny I referred to earlier, chose to represent herself during her son's inquest, and her courage and determination in the face of her worst nightmare was nothing short of astounding. There were many days when I didn't think, when Andrea didn't think, she would get through it, when she could not bring herself to get back into court to continue with the questioning of witnesses in relation to her son's death.

However, what she helped uncover gave her unbelievable strength. If there could ever, ever be a silver lining it was that Coroner Johns and the inquest into Danny's death—his senseless and tragic death—drove her not only to advocate for other families but ultimately formed her future direction in completing a law degree as a mature age student. In a recent post, based on discussions I had with Andrea, she said:

Our State Coroner Mark Johns is resigning. I wonder if he realises just how much he impacted my decisions after the inquest into Danny's death.

I am today a law graduate about to embark on a career I am deeply passionate about, largely because of what I learned from his court.

I just wish more workplace fatalities would have been given the benefit of an inquest to flush out some of the underlying causes of these highly preventative tragedies.

Thank you sir, for allowing me to feel the difference between the law, the truth and justice.

Coroner's inquest findings reports can, of course, be very sobering reading. I cannot begin to appreciate the evidence Mr Johns has heard and seen. I can only imagine how deeply troubling and harrowing participating in a Coroner's inquest is for the family and loved ones of a person who has died in circumstances that have warranted an inquest or investigation.

Most families express their deep wish that no-one else ever has to endure the horror and grief that they have experienced through the death or injury of their loved one, workmate or colleague. These few cases to which I have referred today do not do any justice to the contribution that Mark Johns' frank and fearless inquest findings and recommendations have made to preventing or reducing the likelihood of further injuries and deaths. They also do not even begin to illustrate one of the most disturbing aspects of coronial investigations and inquests, and that is that in countless cases the recommendations of the Coroner remain outstanding, unaddressed and not responded to.

In regard to Aboriginal deaths in custody, a large number of coronial inquest findings and even a royal commission have not been sufficient for governments to see fit to implement all those recommendations. As a member of this parliament, I have some appreciation of how frustrating that realisation must be to our departing Coroner.

In closing, I will leave members with a quote that speaks volumes about the compassion and sensitivity the Coroner has demonstrated throughout his tenure and why he is held in the highest regard by the public and the profession. Mark Johns included this quote, attributed to Jeremy Sammut, as the introduction to the Chloe Valentine inquest findings. The quote is, sadly, still today, some five years after the Chloe Valentine inquest, a salient reminder that we must remain vigilant to the ever-present failures of the child protection system and the unrelenting need to demand transparency and accountability from those agencies entrusted with the care of our most vulnerable. I quote:

The wrongs hereby perpetrated are of biblical proportions; doubly wicked are those who protest otherwise but must know, in their hearts, minds and consciences, that what they say is false.

With those words, I conclude my remarks.

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

Bills

FIRE AND EMERGENCY SERVICES (VOLUNTEER CHARTERS) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 16 May 2018.)

The Hon. J.E. HANSON (16:33): Today I would like to reiterate the Labor Party's strong support for this legislation and, more broadly, to recognise and support the vital work our CFS and SES volunteers do. We are incredibly privileged in our state to be served by such an incredible group of dedicated volunteers, and it is well past time that their service and dedication is recognised in parliament and in legislation.

The CFS and SES volunteer charters were originally launched during the Rann government in 2008, and since then they are reviewed and renewed every four years. The charters represented a commitment by the then government, CFS, SES and SAFECOM to consult with the volunteer associations and CFS and SES volunteers about all matters that might affect them. It is in that spirit that this bill seeks to enshrine those charters in law.

This bill has been introduced previously in the other house. It was introduced by Duncan McFetridge, the then member for Morphett, in 2012 and in 2015. In the Legislative Council, it was introduced by the Hon. Robert Brokenshire in 2015, who is now back with his cows. However, when it passed the Legislative Council, it never made it to a vote in the other place.

While the bill had broad support both in and outside of parliament, our volunteers have been left to wait for this simple reform to come to pass. They have been waiting for far too long now, particularly given the fact that Labor, the Liberals and the Greens have all previously voiced their sincere support for this reform. It is high time that this bill passed. In the words of the SES Volunteers' Association, I quote:

The volunteer charter being delayed is an insult to our volunteers and has had many of them question whether the majority of members of parliament really understand the roles and commitment forthcoming to our state, the thousands of hours freely given to support the community, not even mentioning the millions of dollars donated through these hours.

It is a really small reform. Putting into legislation that which already exists through regulation and in the charter is a really small reform, but it means the world to our CFS and SES volunteers to see their work recognised and to have firm commitment from this and future parliaments to consulting them and working constructively with them on matters that affect them.

It has been over a year since this bill was introduced to this parliament. During that time, the minister then tried to incorporate its intent into his own bill following an unsuccessful select committee process and report—who would think that would happen? That a piece of legislation continues to languish in the other place with no sign of progress anytime soon is not encouraging. I am therefore pleased to see this bill and this issue being progressed here in the upper house instead, so that CFS and SES volunteers can finally have the certainty they have been after for so long.

The volunteer associations are becoming increasingly frustrated with the inaction and the incompetence of the minister and, to some extent, the Marshall government and their inability to pass what is a very simple piece of legislation supported by the overwhelming majority of members. The volunteer charters are in recognition and commitment to SES and CFS volunteers who are at the coalface and understand their communities and their needs. Hence, their voices need to be recognised here.

The Labor Party has always highly valued the positive contribution of the CFS and the SES Volunteers' Association to the emergency services sector as well as the strong advocacy they provide on behalf of all CFS and SES volunteers. As such, we are pleased to support this bill and commend it to the chamber.

The Hon. S.G. WADE (Minister for Health and Wellbeing) (16:38): I rise to speak on the honourable member's bill to amend the Fire and Emergency Services Act 2005 and I indicate that I speak on behalf of the government. The government will be supporting the bill. The bill provides legislative recognition to the Country Fire Service and the State Emergency Service volunteer charters.

As the Hon. Tammy Franks mentioned in her contribution, this bill is not a new matter for this chamber. It has been long foreshadowed. The move to enshrine volunteer charters in legislation can be traced back as far as the 2013 Holloway review, a review which the former government failed to act on. Previous iterations of this legislation were introduced in this place, although not, I note, by the former Labor government.

Despite bipartisan support in this place, previous bills lapsed before passing the House of Assembly. The provisions within the bill before us today are reflected in those which have been introduced on behalf of the government by the Minister for Police, Emergency Services and Correctional Services in another place. The government will be pleased to support the bill.

The Hon. C. BONAROS (16:40): As much as I do not like to disappoint the Hon. Terry Stephens, I rise once again on behalf of SA-Best—

The Hon. T.J. Stephens: Point of order, Mr President, she is always trying disappoint me.

The Hon. C. BONAROS: —to speak in support of the Greens' Fire and Emergency Services (Volunteer Charters) Amendment Bill 2018. The bill has a long history in this place, and I acknowledge the tireless work of former parliamentary members in that regard. As has been alluded to already, back in 2012 the former member for Morphett, Duncan McFetridge, first brought the bill before the parliament. Then, in September 2017, former MLC Robert Brokenshire reintroduced the same bill. Unfortunately, the bill lapsed in the House of Assembly after passing in this chamber on 15 November of that year.

It is disappointing that there were other higher priorities for the former parliament, in its dying days, rather than making a small but significant change to the Fire and Emergency Services Act 2005. On that note, I commend the Hon. Tammy Franks for continuing the legacy of the aforementioned parliamentary members by once again reintroducing the bill to this parliament as one of the first private members' bills of this parliament.

The bill provides legislative recognition to the respective volunteer charters of the South Australian Country Fire Service and the South Australian State Emergency Service. In effect, it takes the volunteer charters for both the SA CFS and the SA SES out of regulations and places them into legislation, which, as we all know, cannot be disallowed.

The respective charters were first signed in 2008 and were relaunched in 2013. The CFS and SES volunteer charters were developed to recognise the value of emergency services volunteers, and specifically reiterate the government and emergency services sector commitment to consulting and considering the views, needs and interests of CFS and SES volunteers. They also identify the key roles and responsibilities of the parties to the charters, including the requirement by government, the South Australian Fire and Emergency Services Commission and the volunteer associations, to recognise, value, respect and promote the contribution of volunteer officers and members to the wellbeing and safety of the community.

The charters provide a framework for all parties to work in partnership with each other in the best interests of CFS and SES volunteers and the broader South Australian community. Victoria already recognises the volunteer charter in the Country Fire Authority Act 1958, so I think it is only fit that we no longer delay that for SA. The bill also inserts new section 58A into the act, which gives legislative recognition to the SA CFS Volunteer Charter. In addition, there is also the insertion of new section 107A, which similarly introduces parliamentary recognition under the SES Volunteer Charter in the form of legislation rather than regulations.

I note that the issue has broad support across all sides of politics, with it forming a pre-election commitment by the Liberal Party at successive elections. Indeed, the government included the volunteer charters in its Fire and Emergency Services (Miscellaneous) Amendment Bill 2018. That bill, as I understand it, was more extensive in scope. As a consequence of some of its more contentious aspects, particularly clause 23, it was referred to a select committee for inquiry and report. The report on the bill was, as we know, tabled on 4 April 2019, with the committee making a number of recommendations, particularly regarding further consultation.

What is not controversial in the government bill is the volunteer charters. However, the government bill languishes to this day, and that is simply unacceptable. The volunteer charters should not, I believe, have been included in the miscellaneous amendment bill, and that delay is nothing short of an insult to CFS and SES volunteers, who I think we all agree deserve much better.

If the government truly appreciates the unique and irreplaceable role played by the CFS and SES volunteer organisations, it would see the passage of this bill through both houses expeditiously, and it would also see the enactment of this bill as a matter of urgency. There are over 14,000 CFS volunteers and around 1,700 SES volunteers who put their lives at risk with every bushfire, every road crash, every storm and every lightning strike. They witness the unimaginable: the horrors of death and the horrors of destruction.

During the 2018-19 fire season, CFS volunteers donated close to 500,000 hours of their own time to serve and protect South Australians. In dollar value that equates to more than \$21 million, and we cannot underestimate the value of that unpaid contribution to this state. In a typical year, SES volunteers respond to around 10,000 calls for assistance from the South Australian community at any time of the day or night. Some of the busier Adelaide metro units respond to hundreds of call-outs each year.

The SES is primarily responsible for responding to extreme weather, including storms, extreme heat and flooding events, and they also respond to road crash, marine, swift water, vertical and confined space rescues. They assist SAPOL in land search operations and traffic management and play an important support role to the CFS during major bushfires.

On behalf of SA-Best, I thank all the CFS and SES volunteers for their dedication in protecting the communities they serve. On behalf of SA-Best, we understand the commitment each volunteer makes in terms of these undertakings, the risk-prone work and the thousands of hours they give freely to support all South Australians.

The bill and its predecessors are a culmination of a dedicated and long-held campaign by SA's CFS and SES volunteers. Their tireless work to have the CFS and SES charters enshrined in legislation arose from a fundamental concern of volunteers and their respective associations that existing consultation processes were inadequate in providing them with the confidence that their views would be listened to and given the gravitas they deserve.

For those reasons, again on behalf of SA-Best, I commend them for persevering with their efforts and stand with them in wanting to see this legislative change to enshrine their respective charters in legislation once and for all. For the reasons outlined, I commend again the work of the Hon. Tammy Franks in that respect and indicate SA-Best's full support for the bill.

The Hon. T.A. FRANKS (16:48): I would like to thank those speakers who have made a contribution today: the Hon. Connie Bonaros, the Hon. Stephen Wade and the Hon. Justin Hanson, and thank them for their support for this bill which, while small in its make-up, will be a very important bill for those volunteers. Indeed, it is a sign of respect for those who protect us, who put their lives on the line not as part of their career but in their volunteer hours. When they could be spending that

time with family and friends or in recreation, they are out there, on the front line, defending us and our state, people and property.

This has been a long time in the making. I acknowledge the previous work of the Hon. Robert Brokenshire and the former member for Morphett Duncan McFetridge. He was delighted to hear that this was finally going to a vote, when I spoke to him in the last few days. While I as a Greens member of this parliament quite often had very little in common with the Hon. Robert Brokenshire and sometimes with the former member for Morphett, on this, on support for volunteers in our emergency and fire services, we were always united, so I absolutely commend the work of both former members.

The volunteer associations of the CFS and the SES are disappointed that it has taken so long to get to this point. This was a commitment made by all sides of politics in the previous parliament that passed this upper house unanimously but languished in the lower house without ever reaching a vote, that was an election promise from both sides, that a year ago I tabled thinking that the government would respond to with more urgency than they have. Indeed, if our emergency and fire volunteers took as long to turn up, we would be in a real spot of bother.

However, I look forward to its speedy passage in the other place and the sponsorship of the member for Mount Gambier, Troy Bell, to ensure that this bill is finally made law and that we do indeed respect those who protect us.

Bill read a second time.

Committee Stage

Bill taken through committee without amendment.

Third Reading

The Hon. T.A. FRANKS (16:53): I move:

That this bill be now read a third time.

Bill read a third time and passed.

Parliamentary Procedure

VISITORS

The PRESIDENT: Before I give the call, I acknowledge Senator Mathias Cormann in the gallery. Welcome.

Bills

STATUTES AMENDMENT (DECRIMINALISATION OF SEX WORK) BILL

Second Reading

Adjourned debate on second reading.

(Continued from 16 May 2018.)

The Hon. I. PNEVMATIKOS (16:54): Today I rise to speak on the Statutes Amendment (Decriminalisation of Sex Work) Bill (No. 2). This is a matter that has been debated many times in respect of how it should be governed. In fact, in the last 20 years there have been 12 bills introduced to decriminalise sex work and none of them has been successful. Why? Because it is a contentious issue, heavily cloaked in stigma. More oft than not, the moral values and personal beliefs of a few have drowned out the voices of the many and, in particular, those on the front line. Voices such as Scarlet Alliance, SIN, the World Health Organization and the workers themselves, who are willing to risk a great deal to be seen, heard and taken seriously.

I agree that this is fundamentally a moral debate. I am certainly not referring to any perceived morality of sex work. I am referring to the morality we have as a society to ensure that every person is afforded the same fundamental rights and protections. This must be our moral imperative, first and foremost. We cannot allow personal ideologies to overshadow the issue at hand, workers' rights and the views of the general public on this issue.

As recently as today, ABC Adelaide conducted a poll on whether sex work should be decriminalised. Out of over 5,300 votes, 93 per cent agree with decriminalisation, yet South Australia remains one of only three states in Australia where sex work remains criminalised. Our laws here are generally regarded as the most harsh and punitive. This must change because it is detrimental not only to sex workers' safety, health and wellbeing but also to the whole community. We need to end the marginalisation and discrimination. We cannot allow people in this state to continue to live without many of the legal and social protections afforded to the general population.

We on this side of the divide, as the Labor Party, have strong and important connections with the labour movement. This bill should be supported, like any other bill, for the benefit of workers and their families. All the studies support the fact that, as long as sex work is criminalised, sex workers often have to choose between safety and legality. We would not condone this in any other industry and we cannot continue to condone this for the sex work industry. Decriminalising sex work will provide a protection to sex workers and ensure that their basic human and labour rights are upheld.

As a society, we do not get to pick and choose whose human rights, working conditions or health and wellbeing we protect. These are fundamental universal rights and they must be afforded to everyone. It is no coincidence that organisations such as the World Health Organization and Human Rights Watch have all spoken out in favour of decriminalising sex work. In fact, for us to honour our commitments as a signatory to the UN Political Declaration on HIV and AIDS we need to enable decriminalisation.

We know that criminalisation poses substantial obstacles in accessing HIV prevention, treatment and support. We have seen in New South Wales and New Zealand that decriminalisation has had a significant impact on reducing HIV and other STI transmissions. In fact, more so than any other regulatory models.

There is no doubt that one of the biggest challenges in this debate is ignorance. Ignorance stems from relying on stereotypes and preconceived notions of sex work instead of factual information. In fact, it is ignorance that causes stigma. Sex workers, activists and experts alike agree that stigma is one of the greatest obstacles preventing sex workers from enjoying the same rights and access to support that the rest of us take for granted.

Rather than seeing and understanding the complexities, members' perceptions in this place have in the past been clouded by their personal beliefs of what is shameful, sinful or evil. I have read through previous transcripts, transcripts that hide behind religious arguments based on ideas that sex work is deviant and a source of moral decay, and arguments and fears that the model will threaten the very foundations of marriage and our society as we know it.

Let me just say that decriminalisation has occurred in other states and in New Zealand, and guess what? The sky did not fall. As put by a sex worker last Friday on the steps outside parliament, 'If you fear for your marriage, ask us if your husband or wife has been to see us. Criminalisation will not change the probability of infidelity.'

Concern with the profession becoming a more popular choice for children is another common concern raised in this place. This is purely a manipulative argument to support discriminatory attitudes. Take, for example, Roxanna, who has been both a sex worker and a PhD student in the School of Psychology, Social Work and Social Policy. She provided me with a compelling thesis on sex work in the South Australian context. She would not fit the mould that many in this place would paint about sex workers.

On the note of children, let me make it clear that when debating this matter I do so with the focus on adult workers in the industry: women, men and those who are transgender. In no way do I condone exploitation of children, nor does this bill create an avenue for that. I strongly believe that criminality creates an us and them mentality, resulting in systemic and tolerated discrimination that can affect a person's access to housing and accommodation, employment opportunities and justice.

Stigma is socially isolating and shaming, and this makes sex workers vulnerable, because they are less likely to report violence or abuse or to seek help and support. Unfortunately, we will hear arguments in this place that through decriminalisation we will see more violence against women. This is a play on the stigma associated with the industry, and it also blatantly disregards the laws

that are already independently in place to support violence against women. It is a facade to hide behind to protect religious and traditional morals. It is not a consideration of the contents of this bill.

We will also hear arguments that decriminalisation does not support the feminist agenda, that sex work is perpetrated on women. As put by Elena Jeffreys of Scarlet Alliance:

...sex work is feminist—being sexually active, putting a value on your sexual interactions, negotiating boundaries and making informed choices about your body.

Some may even argue that decriminalisation will lead to trafficking. Again, this argument blatantly ignores federal laws already in place to tackle this issue. If the existing laws fall short in any way, then let us look at those laws and strengthen them. They are not arguments that have anything to do with this bill. As I said earlier, stigma is dangerous and creates secrecy where what we need is exactly the opposite: dialogue and greater understanding.

Some in this place will argue for an alternative model which decriminalises the selling of sex but criminalises the client. I have given this model heavy consideration and, whilst on the outer layer it appears to be designed to protect women, there is empirical evidence that this model propels the idea that sex work is violent towards women and further marginalises women in the industry.

A major survey analysing this model, *Sex in Sweden*, also highlights that the model creates an environment where sex workers need to be less visible. It successfully displaces street-based sex work by placing sex workers in a position where they experience further difficulties with the authorities and law enforcement, and have less negotiating power with their clients, specifically regarding safer sex practices.

The bill currently before parliament will not only decriminalise sex work but will also prohibit discrimination against sex workers and ensure that sex workers can enjoy the same rights and protections as other workers. Importantly, it will ensure that when sex workers experience exploitation or violence in any way, including from clients, employees, the police or others, these crimes are dealt with promptly and justly, just like any other crime.

Decriminalising sex work will allow us to better understand an industry and its workers and ensure that safeguards and regulations are in place to protect all. It will also allow us, as policymakers, to ensure that the right measures are in place to better protect the health and safety of sex workers. I believe that it is important for any worker, regardless of the industry they work in, to have a legal framework where they can be an active participant in shaping both their rights and responsibilities. This is something I have long fought for in my professional and personal life.

Finally, decriminalising sex work is an important step in dismantling the stigma around this industry and its workers, and this can only be a good thing. I thank all of you in the gallery for being here today. Thank you, Tammy, for reintroducing this bill and Michelle Lensink for her ongoing support, as well as those who have attempted previously to see this matter through. I particularly wish to thank Steph Key for the important role that she undertook during her time in parliament. Thank you to all who advocated on this matter for your continued energy and effort in fighting for change. I very much hope to celebrate progress and positive change with you all soon. It is time that the laws in this state are finally changed to ensure that sex worker rights are protected.

The Hon. C.M. SCRIVEN (17:06): I rise today to speak against this bill. First, let's be clear what this is: this is the pimps' protection bill. It gives free reign to the pimps, the procurers and the profiteers who make their money from women being used. All the talk about decriminalising the women in prostitution is ignoring the fact that the people exploiting women will be the biggest beneficiaries of this bill.

Secondly, any law that says that women can be bought is damaging to every woman in our community. It undermines the struggle for equality. It normalises violence against women. It tells men that they have a right to sexual access to women, as long as they can pay, and that women are mere products. That affects the status of every woman in society.

Thirdly, the expected improvements for the women providing prostitution have not occurred following decriminalisation in other jurisdictions. Improvements for the brothel owners, the pimps and the men who want to buy sex—that has certainly improved—but not for the majority of women. These are some of the reasons why I cannot support the bill.

We cannot separate the nature of the industry from a bill that intends to decriminalise the pimps and brothel owners who control it. From a narrative that says women in the industry are making free choices, the exploiters have been very successful in sanitising the industry in the public sphere and silencing the voices of the women who do speak out.

It was referred to in the previous contribution that this is about stigma: this is not about stigma, this is about violence against women. I refer throughout this contribution to 'the women in prostitution' and this is because 95 per cent of people who provide the sex are women, but I do acknowledge that there is another 5 per cent of people involved.

There is a plethora of academic literature on prostitution, some of which I will quote today. I have been to briefings and have spoken to lobbyists, such as the Sex Industry Network, and I have spoken to women who have been in prostitution. It is there that I would like to start, with the people who have experienced the reality of prostitution, as providers of sex over an extended time. I have spoken directly with many of the women whose stories I recount here. Some have written down and even published their experiences. It is their voices that often are not heard in this debate.

I do alert the chamber to the fact that it might be quite difficult to listen to their experiences, and it will take some time. I hope that all members will respect the women, who have told about their trauma, enough to listen. Rhiannon grew up in Canberra and says that the brothels and strip bars have their biggest spike in business during parliamentary sitting weeks when politicians and the lobbyists are there. Prostitution is under a legalised scheme in the ACT, and she says that its reputation as a sex capital seems to make it more socially acceptable for men to buy sex.

She explains how she became trapped in the sex trade following the GFC. She had moved to Queensland and could not get a job, and her student payment barely covered the rent. She got behind in her rent payments and was worried about eviction. She says:

When you are a woman, especially a young and attractive one who is struggling to find work, there is one form of so-called employment that is always and ubiquitously available; the sex industry is aggressive in its pursuit. Men constantly suggested stripping and prostitution when I complained of not being able to find a job. Ads promising fast cash jumped out from newspapers. Strip bars had flashing signs out front: 'Dancers wanted for immediate start \$\$\$'.

After almost a year of unemployment and the stress of poverty I accepted a job as a bikini waitress. The job required me to travel to taverns and pubs that had booked me through an agency and, dressed in a G-string bikini and high heels, greet the men who entered the bar. I was required to flirt with them, take their orders and bring them drinks. I rationalised that I would be wearing a bikini if I were at the beach and that being paid more than I would as a bartender just to wear a bikini and serve drinks was almost a good thing. But I couldn't deny the reality that I was being paid to submit to the status of sexual object. I could never escape the deep sickness I felt when the eyes of those men were on my flesh.

Women in the university feminist collective used a language of choice to talk about prostitution and stripping; 'My body, my choice.' What I was doing did not feel like bodily autonomy, it felt like I was selling my bodily autonomy. When a person is paid for sex they are being paid precisely because of the fact the sex is unwanted. Sexual autonomy cannot exist when a person is sexual for any reason outside their own desire, for their own pleasure. The sacrifice of my bodily autonomy was precisely what I was being paid for. I felt ashamed for acquiescing to sexual objectification, but also felt it wasn't me who had created the situation. Choice was the last thing I felt I had. I was unable to do the job without being drunk and, unlike any other job I had ever had, I was allowed to have the men buy me drinks and to drink as much as I wanted.

Because there were only one or two jobs available a week—with these being only two-hour shifts, and because the agencies took half the fee, I made next to nothing. I still struggled to pay the rent. After a few weeks the agency began to tell me there were no bikini jobs that week and all that was available was lingerie waitressing at bucks' parties. It didn't seem like a huge line to cross, and I needed the money. Walking almost naked as a woman into a room full of drunk, rowdy men, many twice my age, made me feel vulnerable and shaky. They heckled and groped me and tried to photograph me. Some referred to me as 'slut' rather than use a false name I had given.

I was always offered extra cash to remove my bra. At first I refused. One man complained his money had been wasted because he had wanted to 'see some tits'. He pulled down his pants and flashed his genitals at me yelling 'Suck it, bitch,' as I left. I'd consume several drinks before arriving and continue drinking through the shift—this was the only thing that made it possible to endure.

After a couple of weeks the agencies told me there were few bookings for women not willing to perform a strip show using vegetables or dildos, and the only other jobs they had were for topless waitressing. The offer of more money for being bra-less, and the thought that I wouldn't be hassled and pestered to take my bra off...was enough to make me agree.

She says:

Society grooms women long before they enter the sex industry and the industry continues to groom us. After a few times serving men drinks in nothing but stilettos and a G-string, doing so in nothing but stilettos didn't seem like much of a line to cross. One week, when the only booking available was for a nude waitress at \$20 extra an hour, I agreed to it.

A week after that I was sent to a venue where men had ordered a naked poker dealer. I undressed and accepted a glass of whiskey. I woke a day later [in another location] with a man's shirt over me and nothing else. My body hurt inside and my thighs were bruised. I had a black eye and a near blank memory. I didn't think there was any point going to the police—the men would simply say I was drunk and had consented (I had reported a rape to police once before as a teenager and was told I had little chance of a conviction).

The agency kept no details of the men who made bookings with them anyway, and I couldn't have tracked them down if I'd wanted to. My phone and wallet were gone and the money for the topless poker game with it, but the agency had taken their large cut of my fee with the booking so there was no loss for them.

I called an older woman I had worked with at a few bucks' nights. She had offered me Oxycodone tablets during a worse-than-usual shift. Up until then I had refused, but that day I asked her to meet me. The pills made me feel better. I bought various drugs from then on. I hitchhiked to Sydney. I had decided I would work as an escort. I felt so violated that I just didn't care any more. All I wanted was money for drugs.

It is illegal to be prostituted as an escort in Queensland. Prostitution can only legally occur in-house at a licensed brothel, but it was legal in New South Wales. I bought into the illusion that being a high-class escort would be more palatable and highly paid, and I imagined there would be some kind of glamour in it.

The agency advertised their call-out rates at \$600 to \$1,500 per hour, depending on the rank they gave you, but they took half. Plus, I would need to spend thousands on designer suits and shoes, hair and beauty procedures, including teeth bleaching, waxing and eyelash implants. I would probably need breast implants too. This was because they usually only dispatched out-of-work models. I was too short, so I was advised to at first work in less exclusive brothels to save up money for the beauty procedures.

So, I hitchhiked back to Brisbane and went to work in a strip bar instead. I had convinced myself I didn't care what I had to do for money any more. I just didn't care about anything much at all. I could barely sleep due to nightmares. I figured working at a strip bar would distract me from them. I had also become infatuated with a heroin-addicted man, who later became abusive and violent. I needed money to support him.

So, at the bar dancers can gyrate naked against a pole all night and still make no money. The men pay a fee of around \$30, at that time, to enter, but the club keeps all of it. The women are paid only if a man chooses them for a private dance. The dancers have to compete with each other to convince the customers to choose them. The only thing more degrading than having to gyrate naked on the lap of a balding, fat, old man for money is to have to beg him to pay you to do so, while he objects that the fee is too high.

There is a common myth that men are not allowed to touch strippers during a private dance. The truth is that the private dance usually entails the man putting his hands all over you and doing almost anything but penetrate you. The club takes at least half of the private dance fee. The man who owns the strip bar also owns several others across Brisbane that he rotated us around.

I worked with women who had grown up in foster care, women who had fled childhood sexual abuse, women who had lived on the streets, women living with drug dependency and young single mothers who had no other way to provide for their kids. All of us had been raped at least once and some of us habitually self-mutilated. Punters never seemed to care about the scars on your wrists.

We are told of women who love working in the sex industry, but in my time I never met such a woman. One night at the strip bar none of the men had paid me for a private dance. I had not made a cent, despite stripping to nothing and gyrating around the pole. As usual, the men refused to give me any tips because they had paid at the door. They didn't care that I got none of the door fee. I became increasingly desperate to sell a private dance, but all the men said the fee was too much, and maintained they would pay it only if I would go out the back with them for full sex. Most were old enough to be my grandfather, which only added to my disgust and feelings of degradation.

By about 4am, when the bar was closing, I handed the red dress we were required to wear to the boss. By this point I was drunker than usual and doped up on Codeine and Xanax. I stumbled on to the street and a flood of built-up tears that could no longer be contained began to spill out. The more I cried, the more the tears flooded out. A man approached me on the almost empty street and asked if I was okay. I had lived long enough to know that the man who approaches the damsel in distress does not actually care about her. I asked him flat out would he pay me to have sex with me. He told me he had \$200 and I followed him to his apartment.

In the world I lived in the sum of all I was worth was \$200. That fact filled me with more pain than I could contain. In his bathroom I took the rest of the pills left in my bag, found his razor and used it to cut my wrists, then removed my clothes and went and lay down on his bed, with blood sticking to the toilet paper I had stuck on the cuts. He only had \$100 he said—it was all he could find. I insisted on clutching the cash while he used me.

This man felt it was worth paying \$100 to have sex with a woman who had a tear-stained face and bleeding wrists. When he was finished I got up, put my clothes on and calmly said, 'You need to call an ambulance now, because I'm going to kill myself'. He responded with a blank, stupefied look and kind of shrugged. I walked out of his apartment and dialled 000 myself.

The ambulance did come. I was held at a psychiatric ward overnight; a place I have been admitted to more times than I can count. A psychiatrist told me I had Post Traumatic Stress Disorder alongside the Borderline Personality Disorder I had previously been diagnosed with. I was now eligible for a disability pension under mental health criteria. The pension is enough to live on comfortably while studying full time and, unlike other welfare payments, is reliable and long term.

It strikes me as absurd that Australia's welfare system required me to become psychiatrically disabled by sexual abuse in order to be considered eligible to receive the amount of financial support that would have prevented much of the sexual abuse in the first place.

Rhiannon eventually reconnected with her stepfather and moved back to live with him in Canberra. He paid for hours of group therapy sessions for her and she later returned to study in Brisbane. She said:

The safety and comfort of being on the disability pension afforded me a sense of security I had never known. Knowing you will never have to have sex with anyone you don't wish to brings such freedom and nourishment to the body.

I'm not telling my story in search of pity; none of us want your pity. I tell it as a testimony to the bare truth of what prostitution is, the truth that every day is drenched in lies.

I'm telling this truth not for myself but for all the women who are still suffering and those yet to suffer in this climate of denial.

Those who want to deny the exploitation in prostitution will find ways to say that Rhiannon's experience is not relevant, but I think it is obvious that her abuse was not caused by stigma, or legalisation instead of decriminalisation, or any of the other ways they try to discredit women's stories. It was caused by the men who demand sex and the club owners who exploit them. It was caused by the nature of the sex industry.

Another survivor I spoke to said that support for decriminalisation was being fuelled by sex workers' rights groups who, although they represent the minority of people in prostitution, tend to be the most vocal. She said:

The exploited, trafficked, voiceless, marginalised and most vulnerable tend not to speak up as often or as loudly. Their voices are not being heard in this discussion and they need to be.

The status of all women is affected by misogyny and power imbalance. The question for we who are considering this bill is whether decriminalisation of the pimps and brothel owners will establish greater respect for women in our society, including those in prostitution, or less.

A report that looked at prostitution across nine countries contrasted prostitution to non-commercial casual sex, where both people act on the basis of sexual desire and both are free to retract without economic consequence. In prostitution, there is always a power imbalance where the john, the buyer, has the social and economic power to hire her or him to act like a sexualised puppet.

Members may or may not be aware that there are online review sites where men post reviews and rank the women with whom they have bought sex. Their attitudes to women, as revealed on these sites, is instructive, including comments such as, 'She's a sad waste of good girl flesh,' or, 'If you want an attractive receptacle for your semen she will do.'

The Comparing Sex Buyers study by Farley et al. reveals that men who pay to sexually exploit women are aware of the harms they inflict. It found that 'two thirds of both the sex buyers and the non-sex buyers observed that a majority of women are lured, tricked or trafficked into prostitution' and that '41 per cent...of the sex buyers used women who they knew were controlled by pimps at the time they used her.' This awareness, however, did not stop them.

This study found that sex buyers tend to regard the women they buy as less than human and as solely existing for their sexual use and enjoyment. Men who purchase sex are often quite open about their belief that their entitlement to sex should take precedence over the wellbeing of the women they buy. Common themes emerge: one is that the sex buyers regard the women they buy

as mere objects for sexual gratification. They appear to despise the women they buy and require of these women absolute compliance and submission to the sex acts demanded of them.

The Comparing Sex Buyers study crucially finds that in systems of prostitution, sex buyers are motivated by the opportunity to control and dominate a woman so that they can perform degrading sex acts against her that female partners would refuse. Farley and colleagues recorded statements from buyers such as, 'If my fiancée won't give me anal, I know someone who will,' and:

You get to treat a ho like a ho...you can find a ho for any type of need—slapping, choking, aggressive sex beyond what your girlfriend would do—you won't do stuff to your girlfriend that will make her lose her self esteem.

One man complained about his experience in Amsterdam. Before anyone thinks to themselves, 'What's that got to do with us?', this is about the attitudes of the men who are buying sex. He said:

[It] was like going through a turnstile into a fairground ride: in and you're out. The idea that the women had been with five men in the last hour or 20 men in a day was a big turn off.

Note that his concern is not that perhaps a woman servicing five men in an hour, or 20 in a day, might be suffering physical trauma or any other impact; the issue is that he found it a turn-off. Buyers believe their purchasing power entitles them to demand any type of sex they want, and this is borne out by the experiences of women who have worked in decriminalised environments. One woman who was in prostitution in Australia and New Zealand, both before and after legalisation and decriminalisation, said that, contrary to promises from the pro-prostitution lobby, punter violence—that is, buyers' violence—increased in New Zealand after the 2003 change in the law. She says:

[In 2003] the police violence stopped overnight under decriminalisation, so on that level it was good—

I mention that that obviously is a good outcome from decriminalisation—

but the johns...within the space of a year the johns got more violent and had greater expectations. They thought they could do whatever they wanted, thought they had bought your body. I had never had someone say 'I paid for your body and I can do what I want' until decriminalisation.

One of the consequences of decriminalisation in New Zealand was that brothels offer all-inclusives. This is where men pay a flat fee to come into a brothel and can then have sex with as many women as they wish and can do whatever they wish. The women have no choice and no control because it is the brothel owner who calls the shots. As I mentioned, 95 per cent of people providing sex and prostitution are women and 99 per cent of buyers are men. This is clearly a gendered issue.

Many in this place have campaigned against the objectification of women: that the value of women and girls should not be based on their physical attractiveness and sexual appeal. It is an important principle, which is completely undermined by the promotion of prostitution. This bill proposes a system where pimps and brothel owners are totally decriminalised and there is nothing to stop the advertising of women as though they are pieces of meat on a slab, available to any person who hands over some cash.

The rhetoric is around choice, that this is a sex worker's chosen occupation and the law should not interfere with that, yet we do restrict people's choices if they are deemed damaging. We ceased supporting grid girls after 2016 because it was deemed inappropriate and to be encouraging the objectification of women. Indeed, on 23 February 2016, the Hon. Ian Hunter replied to a question about the Body Image SA project, saying:

The sexualisation and 'sexploitation' of women is a key issue in sport. The Minister for Recreation and Sport has indicated that the government will not continue to support the grid girls after the 2016 Clipsal race.

So women were no longer able to choose to be involved in the sexualisation and sexploitation of women as grid girls because of its effects on the status of women in general. There is a strong campaign at present, which I support, to get rid of Wicked Campers on our roads because of their vile misogynist messages about women and the way that seeing such messages can shape the attitudes of boys and men towards women.

We rightly rally against the objectification of women. We condemn misogynist slogans. We encourage our girls to see their value as more than just their sexual appeal, but are we then going to decriminalise the people who profit from women's prostitution? One woman wrote:

For the rest of you, I want you to know that the vast majority of people working in prostitution are not consenting adults who, feeling empowered by a plethora of other employment options, decide that selling their bodies for sex is their most desirable career.

Prostitution turns people into products. Inherently, it is built on systems of gender inequality where women are dehumanized and sexually exploited for the pleasure and gratification of men. This is evident in the fact that 98% of those being bought are women and 99% of those buying sex are men.

Ultimately, it is not a system of empowerment but one that exploits those with the least power. Some women call this the pimp protection bill and say:

...the legalized buying and selling of women is in effect the promotion of and profiting from women's poverty, childhood sexual abuse, sexual harassment and sexual exploitation.

I spoke to several women who had campaigned for decriminalisation, but when it actually happened they saw its devastating effects and changed their minds. Wherever prostitution is legal the demand for commercial sex increases, which provides a great incentive to pimps and sex traffickers to push more women into the marketplace to sell. We saw from the earlier story that someone can start by simply wanting to work in a bar because of their poverty and end up in a place that they certainly have not freely chosen.

Of course, it is obvious, really, because the business model is built on increasing demand. Any business model is built on increasing demand. Increased demand means increased profit. Researchers have reported:

One of the consequences of decriminalisation and legalisation is the increase in demand and its further normalisation. Sex buyers that I and others have interviewed found that many men pay for sex the first time in legalised or decriminalised regimes, and feel entitled to do so because there is no social or legal deterrent.

The lobbyists claim there was no increase in the number of brothels after decriminalisation in New Zealand. This ignores the fact that single owner-operated businesses, sometimes called SOOBs, across the country do not need a licence and are therefore not included in the count of brothels. However, brothel owners who cannot get a licence due, for example, to a criminal record, set up numerous apartments for girls who are supposedly working for themselves. The pimps and brothel owners still control it, it is just underground. Another woman said:

Legalisation/decriminalization do not prevent sexual assault from happening, nor does it bring justice to perpetrators. While working in strip clubs, a legal area of the commercial sex industry—

in her state—

I was sexually assaulted on multiple occasions. In two instances, law enforcement was called. Each time they looked at me like I was crazy for complaining about the assault I experienced. The message I received was, 'This is part of your job. Why are you wasting our time with this?'

So there is essentially a cultural approval of violence against women because prostitution is intrinsically violent. Violence is entrenched in everyday so-called work practices and the so-called work environment. Sexual harassment and rape are indistinguishable from the sex that the buyers purchase. Indeed, if sex is just a service, rape becomes merely theft of service, does it not? What would the raped woman get then from prosecuting the perpetrator? Maybe a couple of hundred dollars of compensation for the theft. How many would bother?

The places that have decriminalised have not seen lower levels of violence against women and it has not improved conditions for the women. One woman I spoke to had campaigned heavily for decriminalisation in New Zealand, but now she is absolutely against it. It has just increased the power imbalance between pimps and the women in prostitution and between the buyers and the women.

The women I have spoken to say that sexual harassment is part of the trade, being raped is part of the trade and being treated as totally worthless, except as an orifice for men's sexual gratification, is part of the trade. One woman in a decrim environment told me:

We could have called the police numerous times, but abuse, intimidation and sexual harassment were all just part of the territory. The owner didn't want us calling the police. It would be bad for business.

According to Prostitution Research and Education, 70 to 95 per cent of women in prostitution experience physical assault, 60 to 75 per cent are raped and 95 per cent experience sexual

harassment that in other industries would result in legal action. Chelsea had recently escaped a legal brothel in New Zealand and said the following in response to the harm deniers. I will quote Chelsea, and I will just make a slight amendment to one word, which I think will become clear:

I've started doing something that could be seen to be very anti-feminist. I've started inviting people to come prostitute with me. I'm telling all these privileged lefty academic 'pro sex-work' arrogant [flockers] that if they think being prostituted is just 'sex work' and they are for it, that they can come and work with me in the brothels and get a dose of reality. This was not a choice like any other for us, it was a choice made in the absence of anything better.

This begs the question of why are we as a society not offering anything better to the women and girls who are not freely choosing prostitution? Where in this bill is there a single support for women who want to exit this exploitation? The response, of course, will come that sex workers do not want to be rescued; they just want their human rights. One woman I was speaking with said:

So a few people in prostitution saying they are free is enough to justify the enslavement of the rest of us? Where are our human rights? A handful of people saying they enjoy 'sex work' doesn't make all of the other evidence about violence, post-traumatic stress disorder and trafficking in prostitution, magically disappear. If you work on the streets, your pimps are the gangs. If you work in a brothel, your pimps are businessmen.

We are talking about the New Zealand situation in this one. She continues:

What happens is that we're treated like employees when it suits them so he tells us when we can work and what we have to do. We're treated as independent contractors when it comes to tax. So we occupy this nowhere land and that means we have no rights, no protection and there's nothing we can do about it.

During the time she was involved in prostitution, Chelsea visited the New Zealand Prostitutes Collective to find out her rights, but all she was offered was condoms at a discounted price. Chelsea said:

That's what lures you in and when you're there they groom you and make out it's the greatest thing ever...and they lie to you.

I had this new workers' pack, which is full of propaganda. They'll say how to stay a happy hooker and talk about burn-out syndrome. But it's not burn-out syndrome, it's a normal response to ongoing sexual abuse.

The issue of trafficking is often raised. Ms Franks told us in her second reading explanation that trafficking will remain illegal.

The Hon. T.A. Franks: The Hon. Ms Franks.

The Hon. C.M. SCRIVEN: I beg your pardon, my apologies. That certainly was not intentional. The Hon. Ms Franks certainly told us in her second reading explanation that trafficking will remain illegal, as though that means trafficking is of no concern in this bill. However, a 2002 article in the journal *World Development* by the scholars Cho, Dreher and Newmayer concluded that:

Countries with legalised prostitution have a statistically significantly larger reported incidence of human trafficking inflows.

On a radio interview with the Hon. Ms Franks this week we were told:

...some workers actually do come over on sex work visas to Australia and in some states in NSW they can operate under a decriminalised model.

This begs the question of how a sex work visa and trafficking are to be differentiated. Information from both women within prostitution as well as police is that trafficking certainly does happen. International research in 2012 concluded:

The scale effect of legalising prostitution leads to an expansion of the prostitution market and thus an increase in human trafficking...

One of the issues under decrim is the increased difficulty of policing and investigating trafficking. The proponents of the bill claim that, as prostitution will be so much more transparent, sex buyers will be more likely to see it and therefore report it. A similar argument is used about underage girls in prostitution. Women report that the problems of trafficking and underage girls is not reined in under decrim. How could it be? As one woman said:

Punters [sex buyers] are unlikely to report the employment of underage girls, trafficked women, or other illegal activities they see to police; it's the punters who create the demand for those things in the first place!

Were women to report to police, at the minimum their livelihoods, if not worse, would be at risk. Donna has written:

I was 17 when I first started working in a brothel. The owner knew I was underage and was fine with that. He knew the younger I looked, the more desirable I would be to punters and the more money I would make for him. There was no duty of care toward me.

There have been a number of prosecutions for underage girls in New South Wales: a Sydney brothel owner, who prostituted a 14-year-old girl; a 42 year old charged with prostituting a 14-year-old girl via an adult escort website in Sydney; and there are others. We are told that this is just sex work, two mutually consenting adults freely choosing to engage in a commercial transaction and that it has no bearing on anyone else or society as a whole. Some of the examples of women who have been through this situation show that a free choice is a myth.

I will mention why I have not used the term 'sex worker' very much today. I have someone close to me who was in prostitution for 17 years. Thinking that I was using the right terminology one day, I referred to her time in 'sex work'. She was absolutely shattered. 'It's not work, it's abuse,' she said. As a result, I try not to use the term. I am sorry if those who say they have chosen prostitution are offended, but I am more sorry that women suffering from trauma and PTSD have their experiences dismissed. Just as I will not tell a rape victim that she has not been raped and I will not tell a domestic violence survivor that she was not abused, nor will I tell a sexual abuse survivor that it was just her job.

And, of course, 'just a job' is one of the slogans being pushed, that sex work is work. The lobbyists have been quite successful in promoting this message. Again, that message ignores that there are third parties in prostitution: the pimps and the brothel owners. One woman spoke about her experiences in the large branded brothels:

...the competition (sometimes as many as 50 women a night) was incredibly intense...Johns want the newest, youngest girls.

Whenever a john showed interest in me, I would walk with him, in tottering heels, to the front desk, where he would pay his fee to the receptionist before taking me upstairs. It was a clever system for management—taking control of the money meant that you couldn't simply wander off before the end of your shift. Even the women who only wanted to see a minimal number of men were more or less forced to stay until 6am in order to get paid. We were supposed to be 'independent contractors,' I discovered later, but the way the system was set up, it didn't feel that way.

There was plenty of unpaid labour involved in these transactions as well. It was not imperative that every punter took a woman upstairs, because they would still spend money on drinks at the bar—drinks that were priced at a higher premium than other bars, due to the fact that they came with a side order of underdressed young women. We didn't get any percentage of these earnings, of course.

Another woman wrote:

The boss liked us to work most nights and so the constant [sex] left us bruised and sore. This one particular john had a thick penis, which he liked to [use] as hard and fast as he could. Initially, I tried to breathe deeply and relax my muscles but the pain was excruciating. I began to hold on to his hips to slow him down, push him away from me, but he got impatient and then angry, before flouncing off to complain, as though he was the victim of some great injustice.

A waitress might have to smile incessantly, but she doesn't have to be mauled or bruised. A carpenter or a brick-layer might scuff his fingers or hurt his back, but he doesn't have to pretend he finds it pleasurable. He doesn't have to ignore the pain. But in the culture of the mega brothel world, these distinctions are collapsed and these complaints are erased. The thousands upon thousands of women who will have passed through the doors of brothels like the one I worked in are scattered into the ether, not on picket lines shoulder-to-shoulder with the punters and pimps calling for its further legitimization—for this destructive gratification to be considered just 'a job like any other'.

Another woman says:

To say that every woman enters the sex industry by 'choice' is a lie. To make a choice you need to have the facts about what you are choosing. I believe all prostituted women are held captive, not just physically as in the case of trafficked women, but by the lies of the sex industry. The industry knows once you're lured in it's hard to get out.

She talks about the amount of trauma that the industry left her with. The information on the harms of prostitution and trafficking has to be culturally, psychologically and legally denied because otherwise it would interfere with the business, the business of exploitation.

A report on prostitution and trafficking in nine countries, focusing on violence and post-traumatic stress disorder found that prostitution was multitraumatic, with 71 per cent being physically assaulted in prostitution, 63 per cent were raped and 89 per cent of the respondents wanted to escape prostitution but did not have any other options for survival. A total of 75 per cent had been homeless at some point in their lives and 68 per cent met the criteria for PTSD. Severity of PTSD symptoms was strongly associated with the number of different types of lifetime sexual and physical violence. There are also strong parallels to domestic violence. Another study describes:

...similar methods of coercion and control used by pimps and non-pimp batterers—

domestic violence perpetrators—

to control women: minimization and denial of physical violence and abuse, economic exploitation, social isolation, verbal abuse, threats, intimidation, physical violence, sexual assault, and captivity.

However, a report from the Kirby Institute said:

Nevertheless brothel workers appear to be much better off in this respect than street-based sex workers where the majority report serious lifetime traumas, and a large number also report adult sexual assault and work-related violence, as well as drug dependence and depression... In one recent study nearly half had symptoms that met the criteria for post-traumatic stress disorder (PTSD) and one third reported current PTSD.

That was the report into the sex industry in New South Wales in 2012.

In Sweden, the inherent violence of the sex trade has been acknowledged by a coalition of Labour and Greens politicians, to make changes that reduce prostitution overall. The lobbyists for the pimps and brothel owners make sweeping statements that it does not work for sex workers—but in the lobbyists' language, pimps and brothel owners are sex workers. They are called managers and business owners. It is worth querying that use of language when the lobbyists are purporting to represent sex workers. If sex is a service, pimps are managers and brothel owners are business owners.

Another woman shared the experiences that she had gone through. She talked about:

...the many violations that were done to me. The pressure to do anal sex, the extra money offered to go condom-free, the drugs offered in lieu of money, group sex with a football team who treated me like a piece of meat, the call-outs to hotels where I had no idea who I would encounter, and the guys who want to dominate—happy to rough you up to get what they want.

Another woman commented on what she considers a whitewash of the issues in prostitution, of the violence that is inherent in it, and says:

The fact that the majority of prostituted women incur disability doesn't seem to matter but the rights of [all other men, including men with a disability] to sexual access is all important.

The Hon. Ms Pnevmatikos mentioned the ABC poll that was run today asking, I understand, 'Should sex work be decriminalised?' If that poll had said, 'Should pimps and brothel owners be decriminalised?' I wonder if the answer might have been different. What we need to remember in this debate is who is going to be the biggest profiteer; who is going to get the most benefit from this bill if it passes?

The answer is those who exploit women. The answer is the pimps and the brothel owners. They have the most to gain. The women who have bravely spoken up with their stories have nothing to gain from this. If we talk about a stigma, those women are experiencing that stigma as much as anyone else who says they have chosen sex work.

Those who speak out about the realities of prostitution have nothing to gain. Those who promote the decriminalisation of pimps and brothel owners, under the guise of protecting sex workers, have huge amounts to gain. Every time we look at this issue, and any aspect of this issue, we should be looking through that lens, because if we are not, we are betraying every woman and every girl who potentially can be led into prostitution because we have made it easy for those who want to procure her. We have made it easy for those who want to buy her and we have made it easy for those who want to exploit her and make money off her back.

I understand there may be some possible amendments to the bill. I will wait to see what those amendments are because it is true that the current law is very far from ideal. However, if we

are going to change the law, it needs to make it better for people in our community and it needs to make it better for those who are most vulnerable. It certainly needs to make it better for those who are not freely choosing prostitution, and I do not believe the bill does that. It may be that there are amendments that will assist it but when the basis of a bill is to decriminalise those who seek to exploit the most, then it is hard to see how the bill could be redeemed.

Sometimes people say to me, 'Well, how can all these terrible things about prostitution be so bad? We don't hear about them.' The experience of many women has resulted in post-traumatic stress disorder, other traumas and other disabilities, as we heard from the woman I just mentioned. Then we say to somebody who has PTSD, 'By the way, come out tomorrow; come to the steps of Parliament House and have cameras in your face—not just cameras from the television stations that you have agreed to but from others pushing them in your face and trying to intimidate you.' Then we ask, 'Why aren't very many people speaking out?'

Those who do are often intimidated in various ways. Remember that, as I mentioned, those who speak out have nothing to gain, it is only those who try to silence them who have something to gain. If you look at the media coverage of the issue of prostitution, generally when someone is interviewed to represent the interests of those in prostitution, it is someone in favour. Recently and on numerous occasions I have provided to different media outlets the contact details of some of the women who are willing to speak out about their experiences, including their experiences under a decriminalised regime. Those women have not been contacted—with some notable exceptions, I might say—and their voices are not heard.

The question returns as to why that would be. What are the vested interests that do not want the reality of prostitution—what it is for many women—to be heard? It is those who have the most to gain, it is the profiteers. One woman talked about the effects of her speaking out. This woman was from Ireland. She entered prostitution at 15 and escaped prostitution aged 22. She later became a writer and an opponent of legalisation. She said:

I've seen pro-lobbyists turn up to events...and deliver outpourings of hatred into the faces of women who are simply there to state the pain and harm men did to them in prostitution, and the most pukesome part of it is that these women will tell you they are feminists and say so with a straight face.

As for me, I've been slandered and defamed...routinely...The people actively engaged in this behaviour describe themselves as 'sex workers' rights activists'. Most are women and many have never been in prostitution themselves.

I've had violent threats direct to my front door...I've had my bank details, personal email and home address procured and passed around among pro-lobbyists; my home address was subsequently posted online. Since they got hold of my email address the harassing emails have never stopped. Turning on my laptop feels like going into battle and it's been years since I felt able to casually open my own front door.

It's little wonder that younger, more vulnerable women are hounded out of speaking publicly. It's a deliberate strategy of the pro-lobbyists...

But, of course, we hear the lobbyists say that there is no harm in prostitution because so few women speak publicly about it.

Finally, I want to tell you a story of a woman who was in prostitution for a number of years. She says:

I want to tell you a little of what it is like to be in prostitution and to be a prostitution survivor...I've worked in 'higher-end' legal and illegal brothels. I was in the 'safer end' of the industry. I did street prostitution only once. Sometimes I wonder which is worse: the prostitution I endured—which I insisted was my 'choice', a requisite of the 'job'—or having to listen to people defend it now.

The prostitution itself—the men, one after the other, after the other, after the other, with their sad and lonely stories (but they wanted the sex), with their entitlement (they had a right to the sex), their hostility (they demanded the sex), the violence (they paid more to hurt me for sex or just hurt me in the course of it). All men from different walks of life who believed they had a right to me because, well, I was there.

On top of me, inside me, around me, touching me, grabbing at me...ignoring me if I was exhausted or upset and doing it anyway, some even apologising to me, but doing it anyway. Some complaining about me (oh and I suffered for that!) but coming back to do it again anyway, or finding another woman who hadn't forgotten to take her Valium that day like I had—but who had just enough Valium to dissociate but not look like she had, and most importantly, remembered to smile.

'And they call this sex work?' she says. She continues:

Attempts have been made, overwhelmingly now by the pro-prostitution lobbyists, to make [sex work] a term of dignity for the prostituted. However, whose dignity does it really serve? We are prostituted. The word is ugly...[but] put simply, it is truthful. This is why the pimps and the johns don't want us to use it, and why the general public may not want [us to use] it. We do not owe dignity to the pimps and the johns.

Yes, those memories linger whether I am meeting with politicians, or trying to be heard among the cries of 'sex worker rights' in the media. Or the intellectuals who calmly look at me as an interesting subject—who view it all as a sociological phenomenon of interest. Rather than violation. Rather than agony. Rather than urgency.

And when travelling all the way, with the resultant PTSD, to meet politicians in my own or another state in fear and desperation that another generation of human beings will endure what I went through, and telling them I am a survivor. Then going back to a hotel room to sleep and being woken several times sweating and suffocating. Feeling weights on me. Crying, then feeling stupid. Checking the internet for news from home and finding another person telling me they hope I die and that I am feminist scum and a man hater and too ugly to—

'flock', shall we say. It continues:

That I needed to get raped and that would sort me out. This is my life. Would I do this if I thought prostitution was just another job I once had? If being prostituted was sex work?

She then explained that as result of the cost of travelling to talk to politicians she almost lost her rented home, but she took that chance. Why?

Just for the opportunity that someone, anyone, who has sway, might listen: I mean really listen. Not listen and put it in the 'opinion' basket. Not listen and say that full decriminalisation is somehow bringing us into the 21st century when it is the most oppressive form of sex inequality on the planet. Not listen and then ignore the truth about New South Wales, Victoria and Queensland, as well as Germany, the Netherlands and Brazil. Not listen when they give free rein to the pimps, procurers and profiteers, the very ones who made their fortunes off my body and stole my life away.

This is the life I have now. Writing emails and going broke, telling people I was in the sex trade, breaking it to my family. Because, like the other women trying to get people to understand what prostitution really is, I care about my life, and I care about other women. I am hoping that you will listen.

Sitting suspended from 17:59 to 19:45.

The Hon. M.C. PARNELL (19:45): Two years ago when we last debated a bill to decriminalise sex work, I spoke very briefly—in fact, I counted them and there were only 200 words. The main point that I wanted to make back then was to acknowledge the overwhelming support of women's groups for law reform. There was the Zonta Club, the Working Women's Centre, the YWCA, Soroptimist International, and many others. I acknowledge that that support is ongoing. Over dinner, I checked out the Twitter feed and saw that the YWCA has been live tweeting from parliament. It is excellent to know the community is paying so much attention to our debate tonight.

But this time I want to add a few extra points. At the risk of stating the obvious, I want to point out that the issue of the criminalisation of sex work has been around forever, just as sex work itself has been around forever. At this stage, I want to give a language warning that I will be using the P word—prostitution—because I will be referring to some historical material and that, of course, was the word that was always used, even though today we refer, in the main, to sex work.

The State Library of South Australia has some wonderful resources available online that track the political, legal and social response to the sex industry since the foundation of the colony of South Australia. The Legislative Council has been instrumental throughout our history, and I hope that tonight the Legislative Council can remedy some of the harm that it has done over the years. Within the first 10 years of the colony, the local newspaper, the *Register*, included the following letter to the editor:

Dear Sir,

Can you inform me how long the neighbourhood of Weymouth Street and Light Square are to be infested with brothels, and when the inhabitants are to be rid of the music, dancing, revelry and the mob of drunken blacklegs who idle about there all day and live on plunder and prostitution at night?

In response to this and to similar sentiments, the Legislative Council passed an ordinance in 1844, and that ordinance stated in section XX:

...every common prostitute wandering in the public streets or highways, or in any place of public resort, and behaving in a riotous or indecent manner...shall be deemed an idle and disorderly person.

The penalty for that crime was not more than one month in the house of correction with hard labour. For a subsequent offence, the offender was deemed to be a rogue and a vagabond and the penalty was not more than three months with hard labour.

Two decades later, the Legislative Council added a third tier to the offences of being idle and disorderly and being a rogue and a vagabond. It provided that any person committing any offence that shall subject him to be dealt with as a rogue and a vagabond, such person having been previously convicted as a rogue and a vagabond, shall be deemed an incorrigible rogue and liable to imprisonment for any term not exceeding one year with hard labour. Again, at the risk of stating the obvious, I would point out that, with the legal drafting of the day, the law said 'him' but it almost always meant 'her'.

According to the State Library, these kinds of provisions were the structure of the law under which most women working as prostitutes were convicted in South Australia during the 19th century. Just to make sure that the law was upheld, the Legislative Council, in its wisdom, sought to punish any police officer who failed to root out this moral evil. Again, to quote from the law of the 1860s as passed by the Legislative Council:

Any member of the Police Force, or any person whosoever, with or without a warrant may apprehend any reputed common prostitute...or incorrigible rogues who, within view of such member of the Force or person apprehending, shall offend against this Act...any constable who shall refuse or wilfully neglect to take such offender into custody, or to take and convey him—

meaning her—

before a Justice of the Peace...shall be deemed guilty of a neglect of duty.

So the Legislative Council has been at the forefront of criminalising sex work and we will see tonight whether it will be at the forefront of undoing that century and a half of work. As tempting as it might be to journey further down memory lane, I am not going to go too much more into the history, but I do want to make the point that it would be very symbolic if it was to be the Legislative Council that led the move to finally decriminalise sex work in South Australia.

I say that noting that the Legislative Council has not been idle in this respect. Since the 1970s, many MLCs have attempted to decriminalise sex work. One of the most prominent was Carolyn Pickles' 1986 bill. Sadly, MLCs were spooked by religious opposition and the prospect of electoral backlash and the bill was dropped. When Australian Democrat Ian Gilfillan tried to revive it, only two MLCs voted in favour.

The response of the local paper—no longer the *Register*; it is now *The Advertiser*—was interesting. In 1987, *The Advertiser* editorial said that the abandonment of this law reform marked:

The sad end of another attempt to deal sensibly with the question, and amounts to another lost opportunity...Unfortunately, emotion and prejudice appear to have overruled reason again.

It is quite remarkable that that was the response of the *Adelaide Advertiser*: bemoaning the failure yet again, way back in 1987, to pass laws to decriminalise sex work. In fact, even the growing AIDS epidemic of the 1980s could not sway the Legislative Council. In 1986, the minister of health, Dr Cornwall, told the Legislative Council that:

Health authorities could not prevent prostitutes from spreading AIDS and other sexually transmitted diseases while prostitution was illegal.

He was drawing that point very early on about the connection between public health and the criminalisation of sex work.

Throughout the eighties, the nineties and the 2000s, there were many reports and many inquiries and bills, but law reform has proved elusive. I would acknowledge the effort of the Hon. Steph Key, who is with us in the chamber today, and many other MPs, of whom my colleague the Hon. Irene Pnevmatikos named some. My friend the Hon. Tammy Franks has named others as well.

Interestingly, I had only been in this parliament for six months before sex work hit my agenda in parliament back in 2006. It came up for the first time when certain conservative MPs discovered a list of disability-friendly sex workers that had been handed out by a sexual health organisation that received government funding. The whole furore was a storm in a teacup, but it did remind people of the wide range of both clients and service providers.

I think the furore actually backfired on those who sought to criminalise or to further criminalise sex work because it got people thinking about the needs of people living with disabilities. It raised the question of whether having a disability should sentence a person to a life of celibacy and, if not, what other choices did many of these people have? It was a really interesting debate. Talkback radio loved it; it was a live issue for a few days.

I do not think I have ever said in parliament, but I certainly said on the radio that my experience as a live-in carer for a man with cerebral palsy in London in the 1980s was that that was his way of achieving sexual services. He needed to use paid sex workers; he really had no alternative. He was one of the smartest people I had met. He had a Master of International Relations, but also cerebral palsy and a fairly poorly-functioning body. He could not walk, he could not speak, but his desires were the same as anyone else and the services of sex workers were the services that he sought. That opened my eye to the world of people living with disabilities and the role that sex work plays in the lives of many of those people.

One other issue that I want to touch on briefly is—and others have said it—the decriminalisation of sex work is not the same as deregulation. Opponents of decriminalisation often make this claim and it is clearly wrong. We already have a range of laws that deal with advertising, they deal with town planning, for example, and there is no credible argument to suggest that removing sex work from the criminal code will result in an open slather with brothels being set up everywhere or large outdoor advertising signs proliferating from billboards or the back of buses. We have regulation.

Similarly, other legal products, tobacco and alcohol, are not unregulated: they are heavily regulated. The Hon. Irene Pnevmatikos pointed out we have laws that relate to worker health and safety and that is one of the driving factors behind the decriminalisation move, that this industry can be brought within the reach of those laws.

In conclusion, I want to thank all the people and the organisations that have contacted me over recent months in relation to this bill. Some people have urged me strongly to vote against the bill and they have done so on the basis of their genuinely held beliefs. Usually, but not always, they were religiously based. Others I think have been hoodwinked by misinformation, and with others I am still not sure what their concerns were. I got one this morning and I am still scratching my head. It tells me that 'decriminalisation of sex work will result in rampant sex addiction in the community' and, whilst no evidence was provided, it is an interesting idea and we will have to look more into that. It struck me that they were grasping at straws—not plastic straws; we are trying to ban those, but they were grasping at straws nonetheless.

But I have also received many messages of support for the bill, and to those people I say, yes, I am fully supportive of the bill. I congratulate my colleague the Hon. Tammy Franks for bringing it forward. She herself has acknowledged it is on the back of those who have gone before. I acknowledge their work and their commitment. When this bill finally passes, as I am sure it will eventually, it will indeed be a multimember, multiparty and multigenerational effort that we can all be proud of. I am also pleased that I can see the Legislative Council redeeming itself 175 years after the first laws to criminalise sex work in South Australia. I support the second reading of the bill.

There being a disturbance in the gallery:

The PRESIDENT: Members of the gallery, clapping is not in order. The Hon. Mr Ngo.

The Hon. T.T. NGO (19:57): I rise to speak against this bill in its current form. It is important to note that this bill is exactly the same as the previous bill that was introduced by the Hon. Michelle Lensink back in 2015, which passed this house unamended by 13 votes to 8 in 2017. I want put on the record that I, again, do not have a moral objection to allowing consenting adults to have sex in private with the exchange of money involved. I am about having a compromise. I am about having a

bad bill and finding ways to improve it. I have heard previous speakers mention that we should just let this bill through even though there are bad elements of it, and then we will work out how to improve it down the track. I think it is important we get it right from the start and then down the track we will make it better.

If the bill is passed unamended like last time, I am concerned that the rights of many South Australians are not being addressed here, as people will be seriously impacted by the unintended consequences from the passing of this bill. It seems that some honourable members only care about their moral judgements and are unwilling to address some of the genuine practical concerns with this bill. This all-or-nothing approach should not be supported.

Let me speak on some of the practical issues that I previously spoke about in this council and in the select committee of which I was a member. I will speak about these issues again because I believe they are important issues and because, as legislators, we ought to address them. I may sound like a broken record, but I do not think I am being unreasonable in asking for these changes.

In this bill, local councils are unfairly being given the responsibility of policing brothels without being given the tools and guidelines to be able to reject applications for sensitively located brothels or to enforce the closure of noncomplying brothels. My understanding is that local councils will be required to consider brothel applications just as if they were any other development application. There are no specific zoning restrictions or guidelines established in this bill. Some councils have written to me previously on these issues and have expressed concerns about how they will be able to enforce the closure of noncomplying brothels.

How does a council deal with or assess a brothel application when many members of our community may not be comfortable with a brothel operating in specific areas, particularly near schools or places of worship? What are the rights of local residents in objecting to a possible application? Can council reject a brothel application because it is too close to a school, childcare centre or place of worship, such as a mosque or Buddhist temple? For example, the Pennington primary school is next door to a Vietnamese Buddhist temple. If someone wants to operate a brothel close by, does Charles Sturt council have every right to reject their application because it does not meet the local expectation that a brothel should not be there?

Similarly so with the Marion Mosque on Marion Road—and I take this opportunity to congratulate the Muslim community and all my Muslim friends on their celebration of the end of Ramadan last night. Ramadan is one of the holiest events on the Islamic calendar, during which Muslims fast and spend extra time praying and being charitable. The Marion Mosque is on a main road, most likely zoned commercial. It is located next to a car yard or a motor mechanic workshop-type business. There is a chiropractic and massage business across the road.

What would stop someone from purchasing one of those properties close to the Marion Mosque and opening a brothel? In this case, it is likely that Marion council would have no choice but to approve the application on planning grounds. To me, council should be able to have a choice of objecting to this application. I do hope that guidelines are established for council to assist them with managing brothel businesses.

My other concern with this bill is the removal of the police's general power of entry if they suspect that there is an element of criminality in a brothel business. The police have a job to do to protect the community from harm. We must have trust in our police. They are there for that reason. I cannot believe some supporters of this bill are implying that the police cannot be trusted. They would rather believe and side with the criminals.

What about the transnational sex slave trade, which has flourished in jurisdictions where sex work has been decriminalised? State and federal policing authorities, particularly in New South Wales and Victoria, which have decriminalised and legalised sex work respectively, are reporting growth in these abhorrent activities. I note that the New South Wales parliament Select Committee on the Regulation of Brothels in New South Wales pointed out that, between July 2012 and August 2015, the Australian Federal Police received 90 referrals Australia-wide for suspected sexual slavery matters; 68 were accepted for further investigation. Of these, 56 were in relation to New South Wales and Victoria.

In South Australia, when Chief Inspector Denise Gray appeared before the select committee of which I was a member in 2016, she advised that SAPOL has intelligence, particularly from interstate, that there are instances where women from overseas are offered a new life in Australia, sometimes a certain job or education when they get here, but it does not end up occurring. The women are told that to get the job or education promised they must pay off their debt by working as prostitutes in certain places, providing certain services, but sometimes it is a never-ending debt. That was evidence given by the police, meaning that, although some women may have agreed to work in these places on the condition that they receive an education or a different job when they have paid off their debt, they are being exploited.

When Assistant Commissioner Linda Fellows gave evidence to the same select committee in 2016, she advised that roughly 180 brothels of varying size and sophistication operate in South Australia. In terms of serious organised crime involvement, there is intelligence that says, firstly, that outlaw motor cycle gangs are connected to or linked to probably between 5 and 10 per cent of those operating brothels. Those numbers may seem small, but they are still numbers.

Around 30 per cent of brothels known to SAPOL are what SAPOL would call Asian brothels, meaning brothels that have Asian workers or are operated by Asian owners. Some of those Asian brothels are of concern to SAPOL as intelligence suggests that there are women who are either here as illegal immigrants or are on temporary visas, or have been brought into the state for a short period of time and are then moved to another state.

We all know why criminals allow those women to stay for only a short period: so that women cannot establish a social network. They do not speak any English, and their passports are most likely confiscated. These are the women our local police are concerned with and want to help. Isolating these women is a method that criminals use so that it will be difficult for authorities or the community to know who the women are and what they are doing. In turn, the women cannot seek help. Assistant Commissioner Linda Fellows was clear that not all these brothels operate in this manner. I will say that again: the assistant commissioner stated clearly that not all of these brothels operate in this manner but that it is still an issue in many of them.

So why do honourable members in this house see fit to remove the police's right of entry to investigate and, in some instances, rescue young girls from exploitation and, in some cases, slavery and forced prostitution? Is it because the lives of some of these girls are not important, or because they were not born here and they do not have a vote, or because they are foreigners being moved around from one place to another and it is not an important enough issue for honourable members to change their deeply-held moral view on this issue? Basically, honourable members are disregarding all the practical concerns that are being outlined by local government, the South Australian police and the Australian Federal Police.

With the tattoo industry, many honourable members have voted to give SAPOL the right to enter tattoo parlours to investigate criminal elements that are associated with the tattoo industry. My question is: why is the tattoo industry more important and worthy of giving the police power to enter to investigate than the lives of many young foreign girls being hidden in brothels against their will? One excuse I have heard for not allowing police entry is that they will use it to harass some sex workers or brothel owners. This once again demonstrates that the honourable members supporting this bill do not have any sympathy toward these foreign women being forced into sex slavery. To me, this is pretty heartless in dealing with this issue that needs dealing with.

It seems as though those honourable members would rather protect some brothel owners and their interests instead. I would love honourable members who are in support of this bill to put on the record a response to that very question about girls and women from overseas being forced into the sex trade in Australia, and how removing police right of entry would help these women.

Another issue I would like to talk about is street prostitution, particularly sex workers on Hanson Road. For many decades now, at least 30 or 40 years, Hanson Road has become a well-known place for street prostitution. People often joke that Sydney has King's Cross and Adelaide has Hanson Road in terms of street prostitution. Many local residents and businesses have had to put up with the nuisance and the negative image of street prostitution on Hanson Road. Ask any local resident, local MP or local councillor about the main issues there, and street prostitution would be

the number one issue by a mile. This is an issue that has been around consistently for decades and will not be going anywhere very soon.

The Hanson Road area is also a well-known area for its local Vietnamese-Australian community and businesses. It is also known as Little Saigon for its local Vietnamese restaurants, shops and businesses associated with the local Vietnamese community. I want to use this opportunity to ask honourable members to consider helping long-suffering local residents and businesses in eliminating street prostitution just on Hanson Road. I am seeking an amendment to maintain a ban on public soliciting on a 200-metre zone from Hanson Road for a trial of, say, four years.

I believe that many honourable members in this house do not have much association with Hanson Road and its surrounding area; therefore, it is very hard for them to understand, and they would not care less about the negative impacts of street prostitution for local residents on or near Hanson Road.

Let me make it very clear, Mr President and honourable members who are supporting street prostitution, that I am not proposing to get rid of street prostitution. I hope those honourable members can be at ease knowing that I am not out there to target street prostitution. As a matter of fact, street prostitution will flourish with the passing of this bill, but I want it to flourish somewhere else and not on Hanson Road, which is fair enough.

Can I quote from Caleb Bond, the great young local *Messenger* newspaper journalist; I think he was trained up by our great journalist Adam Langenberg. Caleb commented on his Twitter account recently, discussing an exclusion zone for sex workers on Hanson Road—I think he was referring to my article recently. I quote from Caleb Bond:

Everyone knows there are sex workers on Hanson Road...I'm not sure an exclusion zone would achieve anything other than to move them to another road.

That is 100 per cent correct. I never said an exclusion zone will reduce street prostitution. Yes, I do agree with Caleb. This is about moving the problem from Hanson Road to another road, but at least we fix the problem on Hanson Road which local residents have had to endure for many decades and move it to another road—in the eastern suburbs or in the city, where many honourable members live.

An honourable member: Burnside.

The Hon. T.T. NGO: Burnside, correct. Let me compare my amendments to a dry zone policy. Dry zone policies were set up to deal with drunkenness and alcohol-fuelled behaviour. InDaily online news recently did an article about the City of Adelaide council being asked to vote on a continuation of a dry zone for another two years. In the article, SA Network of Drug and Alcohol Services executive director, Michael White, told InDaily that dry zones were akin to 'criminalising poverty' and had failed to reduce alcohol-fuelled antisocial behaviour in the city. Mr White also said, 'It doesn't solve the problem. It moves the problem.' He continued:

You might get a large group displacement where they move from the South Parklands to the West Parklands or the North Parklands, so it just cycles around and it's like moving the problem from my backyard to somebody else's backyard.

Local councils have the power to establish dry zones in conjunction with SA Police. I wonder how many honourable members in this place would try to stop the City of Adelaide continuing with a dry zone policy at their discretion? Many other councils also have this policy to declare a dry zone if they want to. I want to make it clear that I do not have a problem with the City of Adelaide or any other council enforcing this policy because, at the end of the day, they have to look after the interests of the local residents.

I am here to ask honourable members for a concession to at least look at a way to solve this very issue of street prostitution on Hanson Road. This is not all about me and the local Vietnamese-Australian community. The Port Adelaide Enfield and Charles Sturt councils, which represent more than 220,000 residents and have a combined budget of more than \$200 million, have consistently expressed their belief that a ban on public soliciting should be maintained.

I urge honourable members to work with me on this issue, and I am confident that in a few years' time Hanson Road will not be talked about in the same way as today if a street prostitution exclusion zone is in place.

The Hon. C. BONAROS (20:21): I rise to speak in support of the second reading of the Statutes Amendment (Decriminalisation of Sex Work Bill) 2018. I note for the record that, given the nature of the bill, SA-Best, like other parties, has determined that the matter will be a conscience vote for the party.

As we know, the bill was introduced by the Hon. Tammy Franks and is a reintroduction of a 2015 private members' bill that was brought before this place by the Hon. Michelle Lensink while in opposition. On that occasion, as we have heard, the bill passed the Legislative Council 13 votes to eight, but lapsed in 2017 in the House of Assembly when parliament was prorogued.

Of course, there have been earlier attempts in the South Australian parliament at decriminalising sex work or reforming sex work. Those efforts, dating back to the 1980s, have proved fruitless. It would be remiss of me not to acknowledge the past efforts of former members, especially Steph Key, who made several attempts at passing reforms in this space, and also Gail Gago, the former minister for the status of women and a member of this chamber, for her support during her time here.

As the law stands in South Australia, the act of prostitution is not illegal; however, activities surrounding sex work are illegal. Offences involving those illegal activities are contained within the Summary Offences Act and the Criminal Law Consolidation Act. Part of the legislation dates back to 1907, and the common law offences are, as we know, even older. In my view, it is absolutely time for an updating of the legislation. For example, the new legislation, if passed, will ban minors from conducting sex work and prohibit the provision of services to children.

Due to activities involving sex work being a criminal offence in South Australia, the work at the moment is unregulated without industrial or workplace health and safety protections. The effect of this is an environment which works to prevent sex workers—predominantly women—from accessing health and associated support services and increases their risk of being victims of violence and/or abuse. It has also served to prevent sex workers from reporting to police incidents of sexual abuse, harassment or damage to property caused by clients.

In fact, where South Australian police have raised concerns about the bill, they have said that they are not actually interested in pursuing sex workers themselves but, rather, that they are more interested in the money laundering and organised crime associated with the industry. That said, the statistics reveal a very different picture.

It was reported last year that the number of people charged with sex work offences had tripled in just 12 months after a heavy-handed and unexplained police crackdown on prostitution. *The Advertiser* reported that police officers were raiding an average of one suspected brothel every two days, which resulted in 21 charges related to sex work in the 2017-18 financial year. According to police data tabled in parliament in 2017, the number of sex work related charges issued in a single calendar year had not exceeded 75 in the past 10 years.

I understand there is a briefing being organised by minister Wingard's office next week, when SAPOL will raise their concerns about the bill as well as answer questions in relation to some of these issues. I certainly look forward to attending that briefing to help work through some of the statistics that I have just alluded to. I am keen to hear from SAPOL members involved in Operation Patriot, the police task force investigating prostitution-related offences in South Australia.

While I understand this bill is based on the New Zealand model, which decriminalised sex work in 2003, I also note that the ability of police to enter brothels would be reined in under the proposed legislation. Of course, that is something that has been raised by other members and something that I am sure the Hon. Tammy Franks will speak to further in her summing-up debate.

I remain deeply concerned about any links between organised crime, violence and sex work. It is unequivocally clear that human trafficking in the sex work industry is part of its underbelly. We must do everything we can to stamp out human trafficking and prevent the exploitation of sex

workers. That said, I refute the notion that sex work and human trafficking are one and the same thing and that sex work is not real work.

On that note—and I am sure I speak for others as well—I take exception to the moral aspersions cast by the Hon. Tung Ngo few moments ago in relation to what our position is if we support this bill. We talk about respect in the debate and having a respectful debate, and the sorts of comments that have just been made are precisely the sorts of comments that we do not need in this debate.

I would remind honourable members and I would ask honourable members not to use this as an opportunity to suggest that I am heartless or that I am shameless or that I somehow support the trafficking of women because I support this bill. Do not use this as an opportunity to take the moral high ground and suggest that if I support this bill I support any of the things that you have alluded to in your contribution.

Indeed, as one commentator has noted in a piece about trafficking published in *The Conversation*, and I quote:

It is disingenuous of our policymakers and anti-sex work proponents to claim that all sex workers are the victims of human trafficking or coercion.

As UNAIDS recently noted:

In reality, trafficking and sex workers are two very different things. Trafficking involves coercion and deceit; it results in various forms of exploitation, including forced labour, and is a gross violation of human rights. Sex work, on the other hand, does not involve coercion or deceit. Even when it is illegal, sex work comprises freely entered into and consensual sex between adults, and like other forms of labour provides sex workers with a livelihood.

I have met with sex workers who have families and who engage in sex work to provide for their families. I have also met with sex workers whose clients are people with disabilities who are fulfilling a need for intimacy. I do not know anyone who cannot be moved by stories like that of Tom, a 42-year-old man with cerebral palsy who has been a regular client of sex workers in South Australia since 2014. He said, and I quote:

Besides being nurturing and very informative guides to sex and intimacy—a part of life many people with disabilities often do not have the opportunity to explore—these wonderful people help me cope with feelings of loneliness and enable me to make a connection with another person, if only temporarily.

I do not have much confidence in or experience of forming close romantic relationships and at times feel very isolated.

I do not deserve to be prosecuted for paying someone to relieve me of that pain, nor should sex workers be stigmatised and criminalised for offering such a service.

It remains the case that sex work is illegal because it is largely viewed as immoral and degrading, but morality, of course, is objective and society's opinion on what is right and what is wrong is constantly shifting. Morality provides no sound basis for law, as people governed by laws cannot possibly all share the same moral beliefs.

I have taken the time to read through the literature regarding sex work and the positions both for and against decriminalisation. I have taken the time to meet with sex workers and hear their stories. Recently, I read with interest an article by a political editor, Jennifer Wright, who posed the very pertinent question:

But what if it was your daughter? Surely you wouldn't want to see your child do sex work.

Like the author, I do not have a daughter, but I have a son. As we all know, sex work is not limited to females; it also includes males and the transgender community.

I read the article with some interest, noting that I had a son who could easily fall into this line of work. The author went on to list a number of professions she would not want her fictitious daughter to enter into. They included professionally playing any sport that involves head trauma, being a war reporter, any profession that promises people a quick, easy and most likely ineffective way to solve their problems, like hawking untested diet pills or becoming a spokesperson for the alt-right. She went on to say:

You can agree or disagree with me that I'm right to not want a daughter to enter into those professions. The fact remains that, regardless of how I feel about them, my future daughter has a perfect legal right to pursue them.

People are allowed to enter professions that might be unsafe. People are allowed to enter into professions where their body is seen as a tool of the trade. People are allowed to enter professions that seem morally questionable. The only time that isn't the case is when a woman [sex worker, predominantly women] is having sex as her profession.

It is this message that resonates with me in this debate. But, as I said earlier, my job in this place is not to impose my moral beliefs, my personal beliefs, on others; there is no place for judging others and the choices that they make. It is certainly not my job to bring religion to the table, either directly or indirectly. There are many countries where sex work is legal, such as New Zealand, which I mentioned earlier, and the results of the Prostitution Reform Act have been beneficial for sex workers in that jurisdiction. A study from the Christchurch School of Medicine found that:

...90 percent of sex workers believe the PRA gave them employment, legal and health and safety rights. A substantial 64 percent found it easier to refuse clients. Significantly, 57 percent said police attitudes to sex workers changed for the better.

Prostitutes also reported being able to go to the police when they were hurt or threatened, and one sex worker successfully sued a brothel owner for sexual harassment.

I acknowledge that even in the literature there are mixed views as to the success or otherwise of the regulatory regime that exists in New Zealand and elsewhere. Indeed, for every person who supports decriminalisation of sex work there is inevitably another who does not, and that is clear in this place too. To that end, I note Julie Bindel wrote an opinion piece for *The Guardian*, stating:

Abolitionists do not consider prostitution to be about sex or sexual identity, but rather a one-sided exploitative exchange rooted in male power. They believe the progressive solution to the sex trade is to assist women to exit, and criminalise those who drive the demand.

Of course, the countervailing view from Kelly J. Bell, published in the *Inquiries Journal*, is:

Men do not own a prostitute when they are paying her for sex any more than a businessman owns his factory workers. If prostitutes are given the right to choose their clients and to stop sex at any point in which they feel unsafe or uncomfortable, prostitution is not a question of temporary ownership.

Again, as I have said, I do not consider it my role to pass judgement on the choices of others. Public policy on the regulation of sex work needs to be premised on a solid evidence-based foundation and participation from sex workers and sex work organisations, as opposed to the ideological, moral or religious beliefs of a few. What I hope we can do is empower those who work in the industry with rights under the law that they do not have now. What we are debating here is giving sex workers work rights. That is where our focus should be.

I note that the bill also amends the Equal Opportunity Act 1984 to include discrimination on the grounds of being, or having been, a sex worker in the criteria for establishing discrimination. In my view, it is absolutely imperative that sex workers' workplaces have high levels of health and occupational safety standards. Sex workers deserve benefits like health insurance and sick days. They have a right to demand clean and safe places to work, with the absolute right to refuse to engage in unsafe sex practices. They need access to training on sexually transmitted diseases and strategies for dealing with dangerous clients. They need protection—much better protection—by the police to enforce laws against physical and sexual assault, extortion and fraud.

I want to pause here again and reflect on some of the comments that have been made in relation to the location of brothels—not sex workers as such, but brothels. I know I could leave here right now and take a drive down to Hanson Road, down to Mile End, down Henley Beach Road, down Port Road, down Grange Road—my side of town, the Hon. Mr Ngo—and I could point you to any number of brothels. I know, because I have—

The PRESIDENT: Through me, the Hon. Ms Bonaros, not directly to the member.

The Hon. C. BONAROS: Through you, Mr President, yes. I know, because I have done that drive and I have located them myself. There are no big lights outside with blaring signs that scream out 'brothels', but they certainly do exist. So to suggest that somehow this bill is going to see an explosion of brothels opening up, when there are already so many around town that you would locate if you looked out for them, would—

The Hon. T.T. Ngo: Fix it then.

The Hon. C. BONAROS: It is not my place to fix it. I think we are fooling ourselves if we think that we can fix the problems that the Hon. Mr Ngo continues to allude to without any regulatory regime. If you want to empower councils to be able to deal with the problems that Mr Ngo speaks of, then you need to give them a regulatory regime within which to work, but we do not have that, because we have decided that we are not going to regulate sex work.

As I said, my view is that those who choose to work in this industry deserve to have adequate protection under the law. It does not matter what my personal views are on sex work; that is not what I am here to share. What matters is that those who choose to work in this industry have adequate protections under our law. That is the core focus of this bill, and that is what we are debating.

In the words of Gail Gago, I like to think that time has created a lot more opportunities for people to think carefully about these issues and to think of this more in terms of workers' rights. We can continue, as many honourable members have done, to bury our heads in the sand and oppose this bill with absolutely no alternative, despite overwhelming shifts in community expectations, or we can do something meaningful to ensure all our workers are protected, regardless of our personal beliefs, regardless of our morals, regardless of our values, regardless of our religious beliefs. I, for one, was not elected to this place to do any of that. I was elected to ensure all members of our community are subject to the same standards.

To those intending not to support this bill, through you, Mr President, I ask you this: what do you intend to do instead? What safety measures do you offer to the sex workers you have alluded to today? It is an important question because we all know you can reject this bill here and now, without making any suggestions as to how it could address the concerns that you have raised, but that will not do anything to help sex workers. It certainly will not do away with sex work.

It is not going to miraculously disappear. The problems you are speaking of—and I do not dismiss the problems that have been raised in this chamber—are not going to disappear, but the rights of sex workers, who go about their work willingly and consensually, will. As sure as the sun will rise tomorrow, sex workers will continue to work in an unregulated industry without any scrutiny, without any regulations, without any protections and without any recourse whatsoever if we choose to do absolutely nothing.

The Hon. S.G. WADE (Minister for Health and Wellbeing) (20:41): I rise to support the Statutes Amendment (Decriminalisation of Sex Work) Bill 2018. In doing so, I am basically reiterating what I said on the 2012 and 2015 bills for prostitution law reform. In my view, South Australia needs prostitution law reform. The current criminal law approach to prostitution does not provide effective policing of prostitution.

Many people who share my Christian faith have contacted me urging me to oppose this bill on moral grounds. Within my own personal moral code, it would not be appropriate for me to offer or receive sex services for payment. That is also the consensus of the Christian community and most faith communities. But many other citizens have a different view. The question for me as a legislator is whether, in a pluralist society, I should impose my personal moral code on others.

Our Christian forebears fought so that this state of South Australia would be a province of freedom, particularly freedom of religion. I am proud that we were the first part of the British Empire to separate church and state. But with all due respect to the Hon. Connie Bonaros, I do not accept that we have separated law from religion. I do not accept that morality and religion are not relevant to this debate. But as a Christian and as a Liberal, I believe that the laws of this state should respect the moral autonomy that God has given to each of us. It should not legislate a Christian moral code. It is spiritually and practically futile to try to coerce by the force of law what is not a response of the heart or the spirit.

The focus of the state should rather be on trying to prevent, or at least minimise, one citizen causing harm to another. In considering prostitution law reform, my focus will be to act to reduce harm and to support people to make their own choices, including ensuring that people are free to cease working in the prostitution industry, if that is their choice. Consistent with the 2017 select committee report, I consider that this bill is a better way to deal with sex work than the current law.

In particular, I welcome the opportunity to improve public health outcomes, to improve the safety of workers and to support workers who choose to exit the industry.

In that context I would like to put on the record advice provided to me by the Department for Health and Wellbeing as Minister for Health and Wellbeing. I want to make clear that this is a department view. As this bill is a conscience vote, it should not be considered as a view of the Marshall Liberal government. I provide it solely as a considered health perspective on the bill and in the interests of an informed debate, and I quote:

National and international evidence suggests the decriminalisation of sex work is beneficial for the health and safety of sex workers and the people who procure the services of a sex worker.

Laws regarding sex work in South Australia have not been changed in over 100 years. SA Health has advised the Minister for Health that this regulatory environment creates barriers to accessing appropriate health care, as well as effective peer education and outreach—all protective factors in preventing HIV and STI transmission.

Sex workers across Australia have a consistently lower prevalence of HIV, STIs and viral hepatitis than the general population, yet are still often viewed as vectors of disease and subject to regulation and subsequent policing.

According to the Eighth National HIV Strategy 2018-2024, there is now definitive evidence that decriminalisation of sex work is linked to the reduction of HIV risk and rates. In addition, the Fourth National Sexually Transmissible Infections Strategy 2018-2024 states that, while Australian sex workers experience some of the lowest rates of STI in the world, sex workers experience specific barriers to accessing health care, and one of these barriers relates to regulatory and legal issues, such as criminalisation.

The World Health Organization's Policy Brief, Consolidated Guidelines for HIV Prevention, Diagnosis, Treatment and Care for Key Populations (2014), affirms this position, stating that supportive legislative environments, including decriminalisation of sex work, is an essential strategy in creating the enabling environments required for an effective HIV response.

Australia's strong and sustained investment in evidence based health promotion programs among sex workers means that rates of STI remain low and HIV is 'virtually eliminated' from this population. However, increases in chlamydia and gonorrhoea incidence have been observed in recent years. It is thought that these increases may be due to increased testing, which is a goal of the previous and current suite of national STI and BBV strategies.

A study on the global epidemiology of HIV among female sex workers published in *The Lancet* in 2015 found that decriminalisation of sex work would have the greatest effect on the course of HIV epidemics across all settings, averting 33-46 percent of HIV infections over a decade. In addition, it states that multipronged structural and community-led interventions are crucial to increase access to prevention and treatment and to promote the health, safety and rights of sex workers worldwide.

I note that there are alternative models available for reform. None have been brought forward to this parliament. I can only presume that either proponents of those models do not consider that they would work in South Australia or that they are being raised simply to distract from any reform. The need for reform is clear. This bill provides a way forward. No alternative models are being put forward.

I think it is important that this bill pass tonight, so this council makes clear its recognition of the need for reform. I take this opportunity to indicate that I am keen for the bill to be amended. Given that the sex work industry, in my view, is more vulnerable to criminal infiltration than other industries, I would hope that the council will consider putting in place protective measures such as those we have put in place for the tattoo and hydroponics industries and ensuring that police have the powers they need to deal with criminality.

I am also concerned about the lack of regulation of soliciting in a public place. That said, I consider that this bill offers a better legal regime than the current law. I support the second reading of the bill and will consider supporting the third reading if the bill is appropriately amended.

The Hon. F. PANGALLO (20:48): I rise to speak on the Statutes Amendment (Decriminalisation of Sex Work) Bill (No. 2). It is quite an emotional and divisive debate we are hearing this evening. I want to commend my Greens colleague the Hon. Tammy Franks, the Hon. Michelle Lensink, and my own colleague the Hon. Connie Bonaros for their strong advocacy and passion on social justice issues, particularly this one. I appreciate their intent, and it is clear they do care about the conditions and risks faced by those who, for various reasons, choose to work in the sex-for-sale industry.

While I am very open to decriminalising prostitution but using an abolitionist model adopted by some European countries, I will not be supporting this bill in its current form because I believe it

fails to appropriately address community expectations about how it should be made legal and regulated. There remain so many unanswered questions, variables and legitimate concerns arising from this proposed legislation, as worthy as it may seem. I have yet to see strong, credible evidence that South Australians are ready to:

- support the creation of a fully-blown and risky sexploitation industry where the workers in it—and they are mostly female—expect to receive the same entitlements as any other worker under our industrial laws;
- where brothels can be set up by unknown individuals in their neighbourhoods that will undoubtedly attract all types of seedy characters and criminal elements in their clientele, and which police will be prevented from entering;
- where prostitutes can solicit for business on public roads under the direction of equally shadowy pimps who control their business activity; or
- accept wholesale exposure to billboard and other media advertising.

I will point out to the Hon. Mark Parnell that classified ads for escorts have been a pretty good earner for newspapers for decades, so they have a vested interest.

Prostitution is known as the world's oldest profession. Society has been grappling with this subject for millennia, and I suspect it will continue to be debated long after we depart this life. As a journalist, I often came across this topic and I have met many people involved in it. I know people involved in it. They told me that they try to run their operations in an ethical manner but warned that it was an unpredictable exercise both with the sex workers—or escorts, as they called them—and their clients.

Some of the brothels, or massage parlour operators, I encountered were not so pleasant and were quite ruthless, threatening and intimidating. I imagine that some of these unsavoury types who would fail a basic character test will be among the first to either put up their hand for a licence or find a way to get one to operate a legal brothel. As for the pimps, they usually have or had a criminal or drug history, whilst some escorts were quite affable and colourful individuals drawn to it because of their personal circumstances.

Their stories were often quite familiar. Abuse was common. They were cheated and robbed. They faced threats and intimidation if they dared to speak out, so I fail to comprehend that women are still prepared to put their own safety and health constantly at risk by having paid sex with total strangers: they know nothing about them, their backgrounds or their mental state.

We know from their own accounts that sex workers experience vile abuse and violent assaults from clients who tend to consider their worth as being of little value because of what they do to earn a crust, and perhaps because of where they come from. It was disturbing to hear recently in a radio interview on the ABC that sex workers who have been subjected to serious assaults either fear reporting it to police because they may be charged themselves for breaking the law or have the police take no interest in pursuing offenders because of the nature of the offending. That approach from a law enforcement agency, if it does exist, is unacceptable and needs to change.

As a journalist, it was equally disappointing for me to hear the Hon. Clare Scriven say that some media outlets she has dealt with have ignored giving balance to the debate by not giving survivors of the trade an opportunity to tell the stark realities of what they have experienced. It is also an indication of how attitudes to prostitution have been desensitised by the myths perpetuated by celebrated authors, left-leaning newspapers and magazines, radio and TV commentators, the well-meaning activists, feminists and progressives, internet bloggers, rock groups who popularise the craft, Hollywood films and on Broadway. In my former line of work I never met a successful, happy hooker or the Vivian Ward type of character in the romantic comedy—

There being a disturbance in the gallery:

The PRESIDENT: Order in the gallery or you will be removed. Sorry, the Hon. Mr Pangallo. To the members in the gallery, with all due respect you are not participants in this debate and your activities can tend to intimidate members of parliament. If further misbehaviour occurs, I will clear the galleries. The Hon. Mr Pangallo, please go on.

The Hon. F. PANGALLO: Thank you, Mr President, and I will repeat that because I have experienced it. In my former line of work, I have never met a successful, happy hooker or the Vivian Ward type of character in the romantic comedy *Pretty Woman*. I have never heard of a warm and fuzzy Chicken Ranch brothel, like the one run by Dolly Parton in *The Best Little Whorehouse in Texas*. There are not many, if any, happy endings in this sordid business.

Serial killers in the US, such as the Boston Strangler, have targeted prostitutes. Closer to home, you might recall the brutal murder by one of her customers of a young Asian prostitute in a Hindley Street hotel room. A pimp and illegal brothel operator was sent to gaol on sex abuse and drug offences after luring an underage teenage girl on Facebook to become a sex worker. Prostitution is not, nor should it ever be, encouraged as a career path for young women—any women—and men, who make up a smaller proportion of the sex industry.

There is no career advancement in it unless, of course, you are looking for a degree in misery. It is what it is: exploitation of women's bodies, and it is usually controlled by shadowy figures who cultivate and recruit from the more marginalised sections of the community. They are the ones who will get to profit from legalising the practice. There is also a far more sinister side to the sexploitation industry that continues to gain momentum: human trafficking, a heinous form of modern-day slavery that entraps the vulnerable and the naive. Sex work tops the list.

Last year, I met with South Australia Police to discuss this bill. They had serious and justified reservations. Their intelligence gathering indicated the infiltration of well-organised and financed criminal gangs locally, such as the organised motorcycle gangs, and those with origins in Asia that were using or coercing foreign nationals into prostitution as well as using this industry as a conduit for drug trafficking and money laundering. They were also concerned that the bill, if passed, would prevent police from entering brothels to check on any suspected criminal activity. This is plainly absurd.

Last week, I met with a constituent who has taken a citizen's interest in investigating and reporting the still illegal activity to police. He told me of his own intelligence gathering from Asian prostitutes he met who were willing to share their experiences. The account of one of them was quite alarming. She revealed that there are language and vocational training institutions that are fronts for prostitution, rorting the visa system and bringing young women from Asia, predominantly China, to work as prostitutes while ostensibly studying.

The passage of this bill into law would only see that type of criminal activity intensifying regardless of regulatory enforcement. In the past few weeks, I have received hundreds of emails, as have many of my colleagues, opposed to the decriminalisation and just one, which came in this morning from the Northern Territory, urging me to support it. Here is one that I received from Ken Brunjes from Naracoorte:

Prostitution is inherently damaging to women because it brings physical pain and mental anguish.

The fact that prostitution is difficult to eliminate is no excuse to abandon women to the sex trade.

Violence against women especially would increase if the law gives approval to the commercialisation of sex.

If there is to be any change to prostitution law in South Australia, it should be to adopt the successful Nordic model which criminalises buyers of sex rather than the prostitutes.

The Nordic model applies in some Scandinavian countries, including Norway, where police have reported that it has been successful in reducing the level of prostitution. This type of legislation has yet to be presented here.

I was moved to view Alie's story on YouTube, a country girl who moved to the city. She did not have any financial means, had low self-esteem and resorted to prostitution. She spoke of the fear she felt from men who intimidated her. Her friends in the industry had issues with drugs and alcohol, and sex work paid for their illicit addictions. There are countries that have decriminalised and regulated it. In places like Germany and the Netherlands, it has given rise to a seedy tourist industry. However, there is conflicting evidence on its success, particularly since the massive arrival of refugees in Europe, where many women, and perhaps even children, have probably been forced into sex work to survive.

In the US, where it remains largely illegal, a study of violence against women engaged in street prostitution found that 68 per cent reported having been raped and 82 per cent reported having been physically assaulted. Indoor workers experienced less harm compared with outdoor workers, but here is an example of the abuse they endured: 37 per cent were robbed, 27 per cent beaten, 47 per cent slapped, punched or kicked, 22 per cent raped, 20 per cent kidnapped.

It has been legalised in New South Wales, and brothels do operate in Victoria as well. New Zealand also decriminalised it in 2003. However, reports are mixed on whether the lives of sex workers have actually improved in those jurisdictions.

I note that in Europe there are differing legal definitions applying to prostitution. Where there has been decriminalisation, the title used here, there are no criminal penalties. Legalisation, which is the intent of this bill, categorises prostitution as legal and regulated. Abolitionism is where prostitution is legal but organised activities like brothels and pimping are illegal. Prostitution is not regulated; it works as a simple commercial transaction between two consenting adults. This is the system I prefer.

It has been working effectively in England since the 1950s. It is an offence for sex workers to either solicit or loiter while, under the Sexual Offences Act, clients can be charged with kerb crawling, which consists of soliciting a prostitute from a motor vehicle or in a public place. It is also illegal to procure, pimp, operate a brothel, and live off the avails of a person selling sexual services. However, despite the prohibition on brothel keeping in England, an adult selling sexual services alone out of his or her own home is not performing an illegal act.

Neo-abolitionism is where it is illegal to buy sex and for third-party involvement—pimps, for example—but it is legal to sell sex. It is also known as the Nordic model. Prostitution is prohibited in Russia and almost all of Asia, including China, Japan and Thailand, even though it operates under the guise of a type of tourism and under the noses of the law enforcement authorities there. It is also banned in parts of the Middle East.

As a society, we do need to address this issue, and it needs to be done in an effective and safe manner for all of us. It does need to be decriminalised, and perhaps it should be the simpler abolitionism solution that would allow it to occur legally between two consenting adults in a private place; no brothel keepers, no pimps, no street walking. I understand amendments will be made from members should the bill go to the committee stage, and I look forward to them being presented. I support the second reading of this bill.

The Hon. D.G.E. HOOD (21:02): It will come as no surprise to members of this chamber that I rise to indicate that I will not be supporting the second reading of this bill. The bill seeks to amend the Criminal Law Consolidation Act, the Summary Offences Act and the Equal Opportunity Act to decriminalise prostitution in South Australia. Given that existing legislation uses the term 'prostitution' I will too, but I mean no disrespect in doing so.

Since my election back in 2006 we have debated several iterations of this bill, or at least those which comprise very similar and indeed, in this case, identical provisions, as some passed, where I have used the opportunity to present a case against decriminalisation. Although my contribution today will be relatively concise, I will direct members to my previous speeches delivered in this place on 18 July 2012 and also on 29 July 2015, wherein I expanded my concerns in greater detail than I intend to tonight. The contributions I made on those occasions outlined, in some detail, why I do not believe decriminalising prostitution is in the interests either of society as a whole or of the women who are involved in prostitution.

I want to start by acknowledging that those who bring these measures to this place do so with the intent to improve the lot of women—and overwhelmingly, of course, it is women—who are involved in the trade of prostitution. It is very important to note that, and it does bring some scope for common ground in this entire debate.

I support the objective of making people involved in prostitution safer and reducing the risk they encounter on a daily basis. Where we disagree is the method of achieving it. To be clear, I do not believe that legalisation, or the decriminalisation of prostitution as this bill proposes, would achieve safer, cleaner or better outcomes for those involved in the trade. There are a number of

significant concerns I have with the potential effects of the bill, which I will attempt to address as succinctly as I can tonight. In summary, my concerns with the bill are these:

- it fails to place restrictions on where soliciting prostitution can occur, which will result in an increase in public nuisance and, in short, prostitution can happen virtually anywhere under the bill;
- it enables brothels to be set up in almost any location by almost any adult, regardless of their character or history, and places regulatory burdens on councils who are ill equipped to deal with it;
- it ignores significant evidence suggesting that criminalisation will proliferate the number of people involved;
- it will almost certainly dramatically increase the occurrence of street prostitution and so-called streetwalkers;
- it could proliferate explicit sexualised advertising, including outdoor advertising in public places and other advertising, including radio and even possibly television;
- it effectively legitimises pimping and will likely create a favourable human trafficking destination; and
- it will not achieve, in my opinion, its primary objective of protecting women in prostitution from harm, but in fact could place them in greater harm.

I accept that these are obviously not the intentions of the bill, but I do believe they will be the result. As mentioned, my first point of contention with the bill is that there are no serious provisions that restrict where soliciting prostitution can occur.

As I am sure is the case with many other members, I have received hundreds of emails, calls and letters from constituents from across the state with serious concerns about how the passage of the bill will negatively impact their own neighbourhoods, as well as the wider community they live in. Their fears are not unfounded, in my view, and I do not believe they can simply be dismissed, given that in jurisdictions that have decriminalised prostitution, such as New South Wales and New Zealand, albeit with more restrictions in place than are proposed in this bill, that antisocial behaviour, including public sex acts in parks and streets, has been reported.

The New Zealand government itself, by the New Zealand Ministry of Justice report on the operation of the country's Prostitution Reform Act, outlined a large number of complaints pertaining to territorial disputes between sex workers, unwanted propositioning, noise pollution and syringes in some cases, condoms and sexual aids being found in what were, so the report says, once family-friendly spaces.

Not surprisingly, it also detailed how residents voiced concern that the presence of brothels would lead to a decline in property values. Following the New Zealand Ministry of Justice report, I find it especially concerning that the bill before us will enable prostitution to occur right next to our schools, churches, hospitals and, indeed, people's homes—virtually anywhere.

In addition to the high number of individuals who have contacted me, there have been numerous peak bodies and interest groups that have expressed their apprehension about the bill, which leads me to my second concern, that is, that brothels could be established not only in any location but by any adult with the regulatory burdens placed on councils to oversee their operations. Police have no clear role in overseeing brothels under this proposed model and there is no character test applied to individuals who wish to run brothels, allowing them to be run by virtually anyone, including those with extensive criminal histories. This would make it more onerous for someone to acquire a liquor licence than it would be to run a brothel in these circumstances.

The South Australia Police informed our parliamentary select committee, which from 2015 to 2017 conducted an inquiry into an earlier version of the bill, that the removal of the power of police entry into premises where the sale of sex is occurring would prove problematic and there was a need for a system that both protects sex workers and prevents the infiltration of organised crime. In evidence given to the committee, Chief Inspector Gray stated:

I think the minute you remove the police, you make people vulnerable to standover tactics and the criminal element.

The police also raised concerns with the lack of probity checks in relation to those seeking to operate a brothel, which they regard as a necessity, as do I. Likewise, the Local Government Association and a number of individual councils, namely, Tea Tree Gully, Marion, Salisbury and Port Adelaide Enfield councils, expressed a similar view in relation to a lack of police oversight, taking issue with the deference to councils as the sole regulators of brothels and street prostitution.

Councils also cited the ability for prostitution to occur in residential zones, the fact that minors would not be restricted from entering brothels, the absence of limitations on advertising for sexual services and the cost burden of regulating such establishments as significant problems. I am sure that ratepayers would much rather their money went towards beautifying their surroundings and maintaining infrastructure as opposed to mitigating significant challenges that councils themselves say they expect will arise should this bill pass into law.

In New South Wales, where brothels are supposedly regulated by local government authorities, the *Daily Telegraph* reported in 2009 that for every one legal brothel there are four that are operating illegally. The same year, the Adult Business Association estimated there to be 400 or so illegal establishments within Sydney's metropolitan area alone.

For local governments, it is evidently a laborious and difficult process to close down illegal brothels where thousands of dollars can be spent in an attempt to shut down just one premise. Hornsby Council admits it had invested some \$60,000 in one year alone, seeking to close numerous such operations through the court system but was unsuccessful. That was \$60,000 of ratepayers' money wasted in legal fees.

Just last year, Fairfax Media investigations revealed that complaints about the spread of illegal brothels increased by 37 per cent after recommendations to improve sex industry regulations in New South Wales were blocked in 2016. The large increase of both legal and illegal sexual service providers post-decriminalisation in New South Wales speaks to my third concern that the proposed provisions will likely lead to the proliferation of the trade.

Indeed, in New South Wales, academic scholars Sullivan and Jeffreys cite in one of their journal papers that the number of brothels in Sydney tripled following decriminalisation. This occurrence is not unique to New South Wales; a similar phenomenon has also been experienced in Victoria under a legalisation model. Since the legalisation of prostitution in that state in the 1980s, Sullivan and Jeffreys note that the number of legal brothels doubled by the end of the 1990s, with unlicensed brothels outnumbering their licensed counterparts by about 3:1.

The fourth concern I outlined at the commencement of my contribution was the likelihood of a rise in the instance of visible street prostitution, or so-called streetwalkers, which other members have also raised tonight. Darlinghurst in New South Wales is just one example of an area where residents have complained of a noticeable increase in streetwalking, with a 460 per cent increase in prostitution-related charges within a 12-month period.

It is likely that our experience would be similar; indeed, it has already happened in pockets on Adelaide streets, with Hanson Road being the most notorious mentioned in this debate. Just last week, *The Advertiser* wrote of boys as young as 13—I am sure members would have seen the article—being propositioned to buy sex on the streets in that area. Under a decriminalisation model, as the statistics in New South Wales demonstrate, I believe we should expect to see more of this.

My fifth concern is that decriminalisation of the sale of sexual services will inevitably lead to explicit sexualised advertising in public places. As section 25A of the Summary Offences Act will be repealed under this bill, there will be no real controls on advertising in relation to prostitution, other than those dealing with general advertising by the Advertising Standards Bureau. The placement of billboards and posters and the distribution of flyers promoting adult businesses and sexual services could, in theory, occur anywhere, potentially exposing children to age-inappropriate, explicit material and, indeed, adults who do not want to be exposed to such material.

In Queensland, members may be aware that outdoor advertising standards were the subject of an inquiry in response to community concerns about the impact of sexually explicit imagery upon

children and their development. Indeed, I had a personal experience in New South Wales a number of years ago now. It was quite a prominent ad on a bus stop, I recall, where it had a very scantily clad, attractive young lady on a sign. The sign had just a few words on it, but it did not take a lot of working out what it meant. It said, 'Hand, \$50; mouth, \$80; the works, \$100.' I do not know if those prices still apply—it was some time ago—but you get the point.

The point is that it was very clear exactly what was being advertised—there was a phone number to ring. I do not see that this bill would prevent that sort of advertising. I am happy to look at members' thoughts if they view it otherwise, but I certainly would not like to see a situation where such explicit advertising can be done in public where it is really hard to avoid seeing those sorts of things. I think that is especially the case for children; that would be my greatest concern.

The next concern I have is that decriminalisation would create an environment that would be attractive for the trafficking of persons into our state for the purposes of sexual exploitation. Sexual servitude, forced drug taking and human trafficking are just some of the abuses deputy police commissioner Nick Kaldas of the New South Wales Police Force has testified were transpiring in Sydney in evidence he presented to a recent parliamentary inquiry into the city's brothel regulations. He also stated that there had been an increase in reports of large-scale trafficking networks using Asian migrant students as sex slaves under a decriminalised model. Those are his words.

Why would we expect the outcome of similar legislation be any different in our state under a similar decriminalised model? Certainly, one of the most significant risks resulting from the potential proliferation of prostitution in our state is the luring of young, local and, indeed, foreign girls into the industry. Although the instance of human trafficking is notoriously challenging to detect, the United Nations estimates there to be some 2.4 million victims worldwide, with 80 per cent trafficked for the purpose of sexual exploitation. Many of these travel from developing countries, where there is supply, if you like, of potential prostitutes, to developed countries where there is an existing demand.

A 2012 study published in the journal *World Development* analysing cross-sectional data from 116 nations—a very large study—found that countries which had legalised or decriminalised prostitution were not surprisingly associated with higher rates of human trafficking inflows. This study suggests that the decriminalisation of prostitution in South Australia will render our jurisdiction at the very least a more attractive trafficking destination.

I now move on to the last major concern I have with this bill and that is, of course, the safety and wellbeing of women. I do accept that proponents of this legislation, based on its current and previous forms, have the best of intentions; that is to protect women in the sex industry from undue harm. I think it is safe to say every member of parliament would support that objective. In fact, I have no doubt that every member of this parliament would wish for all women to be protected from violence in any given situation. It has become increasingly apparent from other jurisdictions with legalised or decriminalised prostitution, however, that these models do not lead to this outcome.

The Netherlands provides a case in point. The Dutch government was confident when it legalised prostitution in year 2000, that its change in laws would clean up its sex industry, resulting in the safety of women and putting an end to sexual servitude and human trafficking through its borders. The records of the parliamentary debate at the time bear this out. Regrettably though, after becoming possibly the most infamous sex tourism destination in the world, quite the opposite has transpired.

Dutch cities including The Hague, Rotterdam, Amsterdam, Heerlen and Eindhoven have since closed down their designated legal prostitution zones as they have become infiltrated by organised crime groups with all of the associated social consequences. It appears what was once considered a revolutionary approach to prostitution law has caused some serious unintended consequences that Dutch officials are now seeking to remedy. Indeed, Marijke Shahsavari-Jansen, the female section leader for the left-leaning democrat party on Amsterdam's city council stated recently:

When the law changed to decriminalise brothels, there really was widespread support. Many people naively believe that legalisation and regulation would turn prostitution into a supposedly 'normal' kind of business...however, there's been a shift back towards a broader consensus in the other direction, as we realise that things have gotten worse...It's as if abuse is now carrying on with a legalised varnish.

Another example comes from Sybrand van Haersma Buma, a member of the Dutch House of Representatives, who echoed her sentiments stating:

Hundreds of women are involuntarily in prostitution every day under your own eyes. That is slavery...The numbers do not lie: the percentage that are forced behind those windows (in Amsterdam's red light district, that is) is somewhere between 50 and 80 per cent.

His parliamentary colleague and member of the coalition government, Gert-Jan Segers also stated:

We legalised prostitution in 2000. The idea was it was giving women the freedom and to get rid of the criminality. But we took it away from being linked to freedom and we linked it to human trafficking...For a long time, we just accepted it...the reality is that it's just commercialised rape.

Those are his words, not mine. I understand that the Dutch government is now planning to tighten up its regulations in the sex industry by introducing more thorough screening of those applying for licences to operate commercialised sex businesses and by raising the minimum age for prostitutes from 18 to 21, with a bill providing for these measures actually currently being considered by the Netherlands House of Representatives. They are moving to tighten the industry, not loosen it.

In short, I do not believe decriminalisation with very few controls is the answer. I am convinced that it will exacerbate the problems that the proponents of this bill purport it will diminish. The impact that it will have on our society, prostituted women in particular, will not be positive. I reiterate that I do not believe the passage of this bill is in the best interests of South Australians or those it seeks to protect. I do not think it will work, and I oppose it.

I will finish my contribution tonight by reading an email I received. Like many members, I have received many, many emails. I have not counted them, but I imagine it would be many hundred, if not a thousand or more. However, I thought this one, in particular, was worth including in my contribution tonight. This is from a woman whom I actually ended up meeting and having a discussion with. She is what we would call a former madam. She was heavily involved in the sex industry. She now has a different involvement in the sex industry, and I am only able to read this contribution on the proviso that I do not disclose her identity. So I will not do that. She has written to me, and she says:

Dear Mr Hood

Re: Statutes Amendment (Decriminalisation of Sex Work) Bill 2018

As a person who has had an intimate knowledge of the operation of prostitution in this state, I wish to state the following facts which are contrary to the narrative being painted by the proponents of the above bill.

It is in shorthand form, so some of the language is not quite clear, but I will read it as best I can.

Many of the women are forced to do anal sex, whether they want to or not, which leads to health problems, e.g. continuous bleeding from the anus. Some women are drugged to keep them compliant on their shifts. In some massage parlours young women wait naked in a back room, waiting for clients. Many women who are prostitutes experience mental illness, e.g. fear leaving the house during the day. Most street workers are on ice or heroin, ranging from \$200 a day to \$1,000 a day. Most prostitutes feel quite lonely as they don't tell their families what they are doing. Many move interstate. PTSD is prevalent among the prostitutes and can take many years to recover. Many women drink alcohol to get them through their shift. Please bring these matters to the attention of members of the upper house and ask them to reject the current bill. Unfortunately, for reasons of my own safety, I must ask that you keep my identity private.

These are the words of a woman who has actually been heavily involved in the trade herself. She is only one woman, but there are of course others who hold that view. I accept that there are others on the other side of the debate who would not agree with her and would see it differently, but I think it would be unwise of us to simply dismiss the words of someone who has had personal experience over an extended period of time, someone whom I have met and discussed this with. My discussions with her merely increased my determination to oppose this legislation.

The Hon. E.S. BOURKE (21:22): It is not easy for me to stand here tonight and do what I am about to do, but tonight is not about me. A conscience vote for me is about finding a solution, a solution that actively seeks to support the interests of workers, business owners and the community. I have not arrived at my decision lightly, and my decision is not based on my personal view of what could be right or what could be wrong. I have not approached this by looking through a moral lens solely based on the title of this bill.

Every day of my working life I have dedicated to supporting workers' rights. I have stood shoulder to shoulder with hundreds of volunteers over many years to protect the rights of workers in their workplace. It is never easy taking a stand, either for or against, so I do congratulate the Hon. Tammy Franks for bringing this bill into this chamber, and I congratulate the Hon. Michelle Lensink and the former member for Ashford, Steph Key, for taking the steps to remove a stigma that sex workers feel they are confronted with. The intention of this bill, which I do appreciate, is to seek to make all workplaces safer places.

Just as I stand here to thank other speakers for highlighting their positions on this bill, I have stood in this chamber many, many times to highlight my opposition to complete deregulation of trading hours. In my view, regulation provides a level of protection: protection for business owners, the workers and the community.

I see this bill in the same light. I am not opposing this bill's objective to protect the rights of workers. I am not opposing this bill because it seeks to remove a record of criminal convictions, and I am not opposing this bill based on my personal opinions. These are in fact some of the very reasons why I would want to support this bill, but there is a very big 'but'. There is another side of the coin.

Unlike any other conscience vote before us in the near future, this bill is unique. Unlike the abortion bill or the voluntary euthanasia bill, the decriminalisation of sex work bill provides a unique level of complexities, complexities I feel are not addressed in this bill. The decriminalisation of sex work bill is drafted on the basis of deregulation, with a view that the sex industry is no different from any other industry.

As one supporter of this bill stated to me, this bill will remove a stigma and would enable a brothel to be regulated in the same way as a bakery. While there would probably be food handling elements that would indeed make a bakery more regulated, I will continue to use this supporter's analogy throughout my speech as I continue to explain the differences.

For me, the question, and the question I put to this chamber, is: is a brothel the same as a bakery? Again, putting moral views aside, putting the rights of one's choice of workplace aside, is a bakery the same as a brothel? This bill, under part 2, clause 4, proposed section 68AA, has a provision to protect children from being subjected to sexual services, therefore making it an offence, under the age of 18 years of age, if one chooses to work in the sex industry. Under part 3, clause 7, the definition of a 'sex worker means a person who provides sexual services on a commercial basis'. I want to read the last few words back to you: 'a service on a commercial basis'.

We have established that you need to be over the age of 18, and a service is provided on a commercial basis. If we then compare these two factors, after removing all emotion, all opinion, all beliefs, you are left with a similar commercial business to a pub, a tattoo parlour, a tobacco retailer or a licensed gambling premises. All of these commercial services require staff to be over the age of 18, but with one fundamental difference, one difference which removes a layer of protection.

The sex industry, unlike all the current industries I have just listed, would have no regulations placed on the industry outside the acts this bill refers to, and there are many acts within this bill. It would be viewed like a bakery, not like a pub. Why is this an issue? Again, taking morals out, taking personal views out of this decision, that would be because a brothel is an adult-only service. It is a criminal offence, as highlighted in this bill, to provide commercial sexual services to a child. Therefore, just like every other adult commercial service in South Australia, this bill would be drafted to include regulations to ensure all are protected: the workers, the owners and, the biggest stakeholder in this, the community.

Let me walk you through some of the regulations I understand are imposed on the industries I have just listed. I apologise, as this is going to take a while, and perhaps that is my very point. If you own a pub, you are regulated through a licence. In order to hold a licence, an individual must be, as the term puts it, a fit and proper person. In determining whether a person is a fit and proper person, the licensing commissioner must have regard to the reputation, honesty, integrity and creditworthiness of a person and their associates, including family members.

The liquor licensing commissioner assesses this fit and proper status. Liquor licence applications are also provided to SAPOL for a prior conviction check and SAPOL is also given the

opportunity to provide other information relevant to the application. Applications must also be advertised and made available for public inspection and any person can object to the granting of a licence. Liquor licences can be refused at the discretion of the liquor licensing commissioner if it would be in the public interest to do so.

The physical premises which serve alcohol are also heavily regulated. When applying for a liquor licence, it is necessary to provide some or all of a range of documents, including a floor plan of the venue, copies of the lease agreement or a certificate or a title, business structure information, and capacity reports which determine how many people can occupy the building at one time. These documents are used to satisfy the liquor licensing commissioner that the premises for which the licence is sought are of sufficient standard and that the operation of the licence on the premises would be unlikely to result in undue offence, a noise disturbance or inconvenience to people who reside, work or worship in the vicinity, or to sway the safety of children attending kindergarten, primary school or secondary school in the vicinity.

After a liquor licence is granted, a licensee must also comply with a general code of practice which mandates practices in relation to underage drinking, drink spiking and the development of a risk assessment and management plan. The licence conditions vary depending on the nature of the premises but, for example, at a business with an entertainment venue licence, liquor can only be served while live entertainment is taking place unless a customer is seated at a table and has ordered a meal. There are also regulations around internal signage and a liquor licence must be prominently displayed at the premises at all times.

It is also a criminal offence for a person to enter a licensed premises if they are wearing or carrying any items associated with declared criminal organisations. Police and other authorised officers have the power to enter a licensed premises at any reasonable time and inspect the accounts and records. Police may also enter and search a premises which they believe on reasonable grounds is being used for the sale of liquor without a licence, and can clear or close a licensed premises if a police officer believes on reasonable grounds it would be unsafe for members of the public to enter or remain. The liquor licensing commissioner also has the power to vary, suspend or impose conditions on a licence in the interests of public order and safety.

A gambling venue: another adult venue. Again, as I understand, different forms of gambling are also licensed in South Australia. Before applying for a gambling machine licence, an individual must already hold a liquor licence and, in addition, is required to obtain a social effect certificate. Licensees also have to operate in accordance with a managerial code of conduct which covers advertisements, responsible gambling operations and staff welfare.

Each gaming machine licence is also subject to a number of conditions which regulate machine operations. Gaming premises are also heavily regulated, including restrictions on the location of ATMs, the use of multilingual signage advising of problem gambling assistance, and the prominent display of the time of day throughout the venue.

Tattoo regulations: another adult venue. Tattoo services, as I understand, are not licensed in South Australia but the industry is regulated. Before commencing business as a tattooist, an individual is required to inform the local council. Businesses providing tattooing services must also inform the state government through Consumer and Business Services of the names and addresses of all directors, details of all employees, details of lease agreements or certificates of title, and details of the place where tattooing is performed.

Certain individuals can be disqualified from providing tattoo services if they or a close associate or family member are a member of a prescribed organisation. Local council officials are empowered to inspect tattoo parlours under the South Australian Public Health Act. These inspections ensure the hygiene of the premises. All of these are adult commercial services, and they are highly regulated. I am not for one second suggesting that these are the regulations required. I am purely highlighting that a level of protection is required, and that can only be achieved through a level of regulation.

I would like to work through some of these opposing regulations between a gambling venue and a brothel under this bill, particularly the age of a person working on the premises of a commercial service. This question was raised in the last committee stage by, I believe, the Hon. Dennis Hood,

along the lines of, 'Can a person working on the front desk in a brothel be under the age of 18?' I will expand on this because I believe it is important.

If there is a person working in accounting, social media or any element other than providing a commercial sexual service, I have been advised there is no requirement for them to be over the age of 18, again as a brothel is classed the same as a bakery. A 14 year old could legally be employed to staff the front reception desk of a brothel. This bill removes criminal records of previous sex work offences; therefore, the argument that licensing would be an issue due to previous criminal convictions would be irrelevant, unless the criminal offence were outside the provisions of being a sex worker.

Many may also argue that brothels are already in our community. Yes, they are, but the argument is that they are already there and the community are not aware; how will this bill change that? In this chamber, we all know—well, I hope so—that we as state politicians cannot place an advertisement in our community greater than one metre by one metre. If this bill is successful, a person working in the sex industry will be able to place a banner on their shopfront larger than a state politician would be able to.

Why? Because under this bill there are no additional regulations on size, there are no additional regulations on content and there are no additional regulations on placement of the advertisement within the community on a shopfront or on a bus shelter. So the argument that brothels are already in our community and they are not visible I believe is a weak argument. I would like to expand on regulations regarding content of advertising—on it not being regulated in this bill.

Again, in this bill, the title of a person working in this industry is defined as a 'sex worker'. Again, taking morals and opinion out, would there not be an argument that a billboard three metres by three metres could be displayed outside a school with the words, 'See your sex worker here'? This would be no different from saying, 'See your baker here.' It is their job title.

There are many elements of this bill I agree with, but there are too many underlying issues I cannot support. This bill was drafted by sex workers with the intent to protect their rights in the workplace, but it has limited regard and no regulation for the other side of the coin. The same community considerations placed on other adult services are not imposed on the sex industry. There is no additional regulation on the location of streetwalkers, and there is no additional regulation on any element of this bill that is not imposed on a commercial bakery.

Simply saying this bill is an improvement on the current situation but in the same breath saying it is not the best bill, simply saying 'Close enough is good enough' is not respecting what this bill does not address; that is, the physical footprint this adult commercial service could have in the community. We regulate many commercial industries more than this bill regulates the sex industry, from hairdressers, to pet shops to car yards. All these industries have additional regulations imposed on them above the regulations imposed on the sex industry under this bill.

It is my understanding that if I were to move to Adelaide with a criminal record and set up a hotel, a car yard, a tattoo parlour or a hydroponics shop, I would not be able to open any of these businesses; I would not be able to work in any of these industries. If I were to move to Adelaide with a criminal record and set up a brothel, I would be able to work in a brothel and I would be able to own a brothel under this bill.

This bill has a focus on choice—choice to be a sex worker—but it does not provide any additional regulation to support those who do not choose to be a sex worker. If this bill passes, our lower house colleagues will be confronted with an additional challenge of the complexity that this is a bill that does not address its physical footprint within its communities, and applies regulation similar to other adult-focused industries—from advertising to location.

Once you deregulate to the extent of this bill it is difficult to turn back the clock, as New South Wales is discovering. This bill goes much further than that in New South Wales and, despite the New South Wales 2015 review highlighting a need to address licensing to help regulate the industry, the review was voted down in parliament. New Zealand has a licensing model, as does Victoria.

After highlighting all these issues, this bill is built on the foundation of complete decriminalisation. By regulating one component of this bill, it is difficult not to have rippling

implications through the remainder of the bill. The definition of a brothel and the definition of a residential sex worker would need to be addressed to avoid all sex workers requiring a licence as, too, would any other elements of this bill.

I will not stand in the way of amendments being made to this bill. Our job as legislators is to ensure that we provide support to all South Australians, and I hope that the consideration of all South Australians will be duly given at the committee stage. While I am open to legislative reform in this area, I am unable to support the bill in its current form. I will be seeking to make amendments that protect sex workers and the community. But the integrity of this bill, which implies that this should be an industry treated like a bakery, with no additional regulation imposed, will make it difficult to amend.

I agree this is not the best bill, I agree we need legislative reform and I agree all workers have the right to feel safe in their workplace, but I do not agree that regulation should not apply to ensure a level of protection is given to those who choose and those who do not choose to be part of the sex industry, be that as a sex worker or in the general community. I understand that this bill has been drafted to remove a stigma that suggests that the sex industry is just like any other industry.

I will support this bill through to the committee stage, but I do not support it in its current form. The question I leave you with after this discussion is: is a brothel different from a bakery?

The Hon. T.J. STEPHENS (21:42): We have discussed this issue a number of times since I have been in the parliament and I have been reasonably consistent. I am pleased that we are having a respectful debate, where people are putting their points of view. As I said, I am respectful of that. I am consistent. I will not be supporting the second reading of the bill and I will not support the bill.

The Hon. John Dawkins is unwell and, as he is a supporter of the bill, I have agreed to pair him out so that there is no disadvantage because of his illness. I want that on the record, but I also want it on the record that I am not supporting the bill.

The Hon. J.M.A. LENSINK (Minister for Human Services) (21:43): The hour is late and it is definitely past my bedtime, so I will be brief. That I will be supporting this bill would come as absolutely no surprise to anyone who has followed the debate. This is the identical bill to the Steph Key bill of 2013. I acknowledge her in the gallery today and for her ongoing commitment to this area. It is also identical to the bill I introduced here in 2015. I apologise to avid readers of *Hansard*, of which you know there were very many—sorry, that is a joke—who may accuse me of plagiarising my own speeches or of being repetitive or consistent—

The Hon. M.C. Parnell: Consistent?

The Hon. J.M.A. LENSINK: —yes—as the Hon. Mr Stephens has just outlined of his own position. It is true to say that our current sex work laws are often poorly understood and difficult to police. For instance, the act of providing a service for payment is not of itself illegal, but a number of the activities surrounding it are. This has caused difficulties with policing, as expressed in several statements from South Australia Police, including to the select committee which took place under the previous term of parliament. I quote Assistant Commissioner Linda Fellows in evidence on 11 May 2016. She said:

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

This state's laws have also resulted in many workers becoming victims of violence, theft and other criminal behaviour and witnesses to serious crimes. The fear that evidence to SAPOL will lead to informants having that information used against them as evidence of sex work activities leads to criminal acts going unreported and offenders free to continue committing their crimes. On this basis, this parliament has several choices: it can support the status quo, effectively ignoring sex workers as victims of crime; it could legalise sex work and seek to regulate it through various government agencies, as occurs in Victoria, Queensland, the ACT and the Northern Territory; or it could decriminalise sex work, as occurs in various forms in New South Wales and New Zealand.

While the so-called Nordic model is viewed by some as an alternative, it is in my view a form of criminalisation by another name and, in the view of some feminists, it is based on the following

quote from a report, entitled *Sex Work Law Reform in Canada: Considering Problems with the Nordic Model*, from 2013 in the *Alberta Law Review*. I quote:

...all men who purchase sex are deemed to be aggressors and all women in sex work are deemed to be victims of male violence and patriarchal oppression...

Sex workers oppose the Nordic model on the grounds that it compromises their safety for similar reasons to the existing laws. This bill follows the decriminalised model.

Parliamentary reports from New Zealand and New South Wales have found that decriminalising their laws has been effective in improving the health and safety of workers as well as reducing crime rates. For that, I am referencing the New South Wales Parliamentary Research Service, *Brothel regulation in New South Wales* (August 2015), and the New Zealand Parliamentary Library Research Service, *Prostitution law reform in New Zealand* (July 2012).

In order to ensure that there were not any unintended consequences of this bill, in 2015 it was referred to a select committee of seven members of the Legislative Council. That included the Hons Robert Brokenshire, John Darley, Tammy Franks, John Gazzola, myself, Andrew McLachlan and Tung Ngo. This committee took evidence and reported after 18 months. It is worth noting that every MLC agreed that the body of the report is a true and fair representation of the evidence. For those who would like to have an objective understanding of the bill, I would encourage them to read it. By a majority of four to three, that committee agreed to support the bill in its form.

There are and will continue to be many claims about what this bill does and does not do. It amends the Criminal Law Consolidation Act 1935, removing references and offences relating to prostitution or being a brothel landlord. Sections 66 to 68 of the act, which provide penalties for sexual servitude and related offences, deceptive recruiting for commercial sexual services and use of children in commercial sexual services will remain. The bill also introduces a new penalty of providing a service to a child or minor, which is proposed section 68AA.

I would encourage honourable members to look at those particular clauses very closely: sexual servitude and related offences, deceptive recruiting for commercial services and use of children in commercial services. In my view, some of the contributions against this bill have described situations which are clearly already illegal. Sunlight being the best disinfectant, I believe that the industry will be in a better position to ensure that people who are in those horrid situations are able to exercise their choice.

The bill also amends the Summary Offences Act 1953 by removing a range of offences, such as soliciting, living on the earnings of prostitution and those relating to brothels. The bill amends the Equal Opportunity Act 1984 and the Spent Convictions Act 2009 to address the situation for those who have received convictions under the Criminal Law Consolidation Act or the Summary Offences Act and are therefore unable to obtain other employment, which they may wish to, for instance in aged care or childcare sectors, which require screening checks as part of their employment screening. Those clauses are specifically designed to provide a pathway for those who wish to exit the industry. Amendments to the Return to Work Act 2014 provide that safe working conditions must be adhered to.

What the bill does not do, and there were some documents circulating several years ago, as often happens in these conscience matters, for which I put together some notes in anticipation. So in trying to be helpful, I would like to provide those to the chamber.

The first claim is that the bill places no restrictions on where soliciting or prostitution can occur, which will no doubt result in an increase in public and private nuisance. My response is that there are a number of offences under the Summary Offences Act that address public nuisance and disorder matters, enabling the police to intervene and charge offenders. These include, but are not limited to, section 6A, which is use of threat or unlawful violence against persons or property; section 7, disorderly or offensive conduct or language; sections 9A and 9B, supply of prohibited items, e.g. drug paraphernalia; sections 17 and 17A, which relate to trespass; section 18, which relates to loitering; and section 23, indecent behaviour and gross indecency. None of these offences is altered by the bill.

The second claim in that document is that it allows brothels to be set up in any location, including any neighbourhood next to homes, schools, churches, etc., without appropriate oversight, management or restriction on the number of prostitutes working on site at any given time or at the place designated.

My response is that decriminalising prostitution does not mean that brothels can be set up anywhere. That claim is mischievous and incorrect. Planning laws determine where businesses can be set up. Local councils and the state government have the power to determine what types of industries are appropriate in which zones. Councils will take into account nearby land uses to ensure that sex work businesses do not cause a nuisance. Bringing sex work within the law actually makes it easier to regulate, not harder.

The third claim is that it will proliferate the number of people engaged in prostitution. My response is that there is no evidence that decriminalisation of sex work increases the number of sex workers. New South Wales laws were decriminalised in 1995 and New Zealand adopted a similar model in 2003. Several parliamentary and university reports from those jurisdictions demonstrate that there has not been an increase in the number of sex workers or street-based workers.

The fourth claim is that it legitimises pimping. My response is that the current laws favour pimping over a decriminalised model, as workers in an illegal environment are less likely to seek assistance in order to maintain their secrecy to avoid detection by SAPOL. In any case, pimping has been a scarce practice in Australia since the early 20th century.

The fifth claim is that it removes the police's right of entry and oversight. This response was provided to the select committee by the Law Society. SAPOL has a broad range of search powers, which only require reasonable suspicion that an offence has been committed. These powers are provided under numerous acts and include but are not limited to:

- Offences Act 1953, section 67 and sections 68 to 72;
- Controlled Substances Act 1984, sections 50 and 52;
- Criminal Assets Confiscation Act 2005, sections 172 to 177;
- Crimes Act 1994 (Commonwealth), sections 3E to 3F;
- Criminal Investigation (Extraterritorial Offences) Act 1984, section 54;
- Firearms Act 1977, section 32(3);
- Migration Act 1958 (Commonwealth), sections 487D to 487E;
- Serious and Organised Crime (Control) Act 2008, section 33; and
- Summary Offences Act 1953 (Indecent Behaviour and Gross Indecency), section 23.

The sixth claim is that it creates ambiguities in return to work legislation with the cost being borne by already burdened taxpayers. My response is that the amendments remove legislative ambiguities from the Return to Work Act 2014.

The seventh claim is that it does not afford appropriate antidiscrimination provisions to protect churches and Christian schools. My response is that amendments to the Equal Opportunity Act and the Spent Convictions Act are important to assist those who wish to leave the industry to gain employment in other fields. The bill adds discrimination against sex workers or former sex workers to a number of existing grounds, those being marital or domestic partnership status, identity of spouse or domestic partner, pregnancy, caring responsibilities or religious appearance or dress for which organisations may not discriminate.

This means that it will also become illegal to discriminate against someone under these circumstances who is applying for a job, applying to be a member of an association, applying to be a student, seeking to be served in a shop, seeking access to accommodation otherwise provided on the free market or seeking a charitable service. These services are not unique to churches and Christian schools. Religious bodies retain their general exemption from equal opportunity laws in relation to training, ordination and appointment of members of religious orders.

The eighth claim is that it places oversight and regulatory burdens on already overworked and under-resourced local councils that, according to representatives, are ill equipped for what will be required of them. This response, in my view, is similar to claims 1 and 2. Police, rather than councils, will retain the right to enforce provisions in the Summary Offences Act. Councils rightly retain significant local planning approval powers.

The ninth claim is that it will potentially proliferate explicit sexualised advertising on billboards and other public places, including radio and even television, as we have seen in some jurisdictions. The response is that any business must seek development approval for its signage from the local council, in accordance with requirements of development laws, which also prescribe the nature of approval complaints processes. Furthermore, the Advertising Standards Bureau governs public advertising and provides for complaints from members of the public in banning particular advertisements.

The 10th claim is that it will dramatically increase the occurrence of street prostitution, or so-called streetwalkers. The response is, again, please refer to claim 3. There is no evidence that this has been the experience in other decriminalised jurisdictions. Street-based sex work is not a preferred mode of linking with clients. Hence, only 20 of the 2,000 sex workers who operate in South Australia are involved in this form of work.

I would also like to address the issue of trafficking, because this was a particular concern of mine and something that we did seek evidence of. I wrote to the federal minister for justice in 2015 and specifically asked him about these matters. His response was provided to me on 13 October 2015. It is in the report, but I will quote it, because I think it is helpful for the debate:

Due to the clandestine nature of the crime type, there is little reliable data about the nature and extent of human trafficking at a global, regional or domestic level. However, when compared to global trends, it is clear that instances of human trafficking remain relatively uncommon in Australia. Opportunities to traffic people into, or exploit people within, Australia are limited because of our strong migration controls, geographic isolation, and high degree of regulation, compliance and enforcement.

Since the Australian Government strategy to combat human trafficking and slavery commenced on 1 January 2004, as at 31 August 2015 279 suspected victims of human trafficking, slavery or slavery-like practices such as forced labour and forced marriage have been identified by the Australian Federal Police (AFP) and referred to the Australian Government Support for Trafficked People Program. Of the 279, 189 females and two males were referred for suspected exploitation in the sex industry. The majority of suspected victims were referred in New South Wales and Victoria, reflecting the population concentration and the relative size of industry in these jurisdictions.

Information available to the Australian Government agencies responsible for combating human trafficking and slavery indicates that the incidence of human trafficking for sexual exploitation in South Australia remains low. From 1 July 2012 to 31 August 2015, the AFP received three referrals for suspected sexual exploitation matters in South Australia, one of which was accepted for further investigation. One matter was not accepted for investigation as no victim was identified. The other matter was not accepted for investigation as the AFP's evaluation revealed no evidence that an offence had occurred.

With those words, I commend the bill to the council.

The Hon. J.A. DARLEY (21:58): In view of the hour, I will be brief. I can say that I was one of the 13 members in this place who passed the Hon. Michelle Lensink's bill in 2017. I commend the Hon. Tammy Franks for bringing this bill to the chamber again. I understand there could be amendments, but I will certainly be supporting the second reading of the bill.

The Hon. R.I. LUCAS (Treasurer) (21:59): Can I at the outset acknowledge the Hon. Tammy Franks in bringing this bill to the chamber, as her predecessor, the Hon. Michelle Lensink, and others in another chamber have been acknowledged and have brought their bills with genuinely held views in relation to the worth of the legislation that they have introduced.

But I want to acknowledge and congratulate, at the outset, the Hon. Clare Scriven and the Hon. Emily Bourke for their contributions to the debate. They are new talent, while many of us are repeating many of the views that we have had in the past on this legislation, as a number of us have already indicated, and I will do so as well.

I acknowledge the courage of the Hon. Ms Bourke and the Hon. Ms Scriven because it is not always easy swimming against the tide of prevailing opinion within your own political party. I acknowledge their contributions this evening and certainly listened to each of them with great

interest. I think they added value to the debate. I am sure when we get into the committee stage, the detail they have brought to the second reading will also be applied to the detail in the committee stage of the debate.

One of the things in terms of the legislation that a number of the members addressed in this particular debate and also in other debates—in particular, I think the Hon. Ms Bonaros referred to it, although others did as well—is that there is a view that has been put during this debate and other debates as well. I understand and accept that the Hon. Ms Bonaros put the position to this chamber that, from her viewpoint, she saw her role in a particular way in separating her own individual or moral views from the views that she would adopt as a legislator. That is perfectly acceptable and defensible—I support her right to do so.

But can I say at the outset that I absolutely support the right of members we have had in the past, and if there are members here in this chamber today, whose judgements they bring to bear on this particular legislation or others that are governed almost completely by their personal moral code or their belief system. I defend to the end their right to interpret their role in this chamber as a legislator in that particular way, equally as the Hon. Ms Bonaros is entitled to view the appropriateness of her role in terms of how she would vote on a piece of legislation.

It is absolutely the prerogative of an individual member to make his or her individual decision as to what individual influences they bring to bear on the decisions that they take. What I have observed over the last 200 years of my being in the parliament is an increasing view that in some way it is wrong or unacceptable for someone to make a judgement on a difficult issue like this in a particular way. It is not wrong. A member is entitled to make that particular judgement if they so wish. As I said, I will defend to the end the right of the Hon. Ms Bonaros and others to address their position in the way that they see fit, and they should be entitled to do so.

But no-one should in any way dismiss a member who makes a judgement in a different way, as we saw with Family First in the past where certain members addressed a view generally in accordance with the belief systems and the values of the churches or the particular views that they brought in representing their community to this particular chamber. Equally, there might be some who are all over the place in relation to issues, as I would view myself, having voted for poker machines in this place, having voted for a casino, having voted for almost every piece of gambling legislation, contrary to the views of my particular church and the views they would have put to me.

But on issues like prostitution, I proudly say—and the Hon. Mr Parnell referred to the first debates—that in 1987 I was a participant in that particular debate, as a relatively young fellow in those days with no grey hair. He referred to *The Advertiser* editorial of the day when pejorative phrases were used—and they continue to be used for those who oppose legislation—such as 'emotive', 'emotional', 'prejudiced', 'religious-based' and 'electoral'.

A number of pejorative phrases that were used to dismiss opponents of the legislation back in the 1980s have continued to be used against people who, for whatever reason, have opposed these particular issues all the way from the 1980s through to the present day. I do not think they could or should be dismissed in that particular way.

A member and members are entitled to make judgements in accordance with their value systems. I am a product of my upbringing. I am a product of my belief and my values in terms of my church and my faith, and I am a product of the environment that I live in. Each of them influences me in different ways. On particular issues, whether it be voluntary euthanasia or whether it be gambling or whether it be, in this case, prostitution law reform, I am entitled, as an individual legislator to make my own judgements in the way that I see fit and then to be judged accordingly by the electorate when I go to an election.

That is the way we should be adopting, in my view. There is no right way and there is no wrong way. Members are entitled to come to a decision, as they should, and they should not be criticised, as I said, with the use of pejorative and dismissive phrases such as 'religious-based', 'moral-based', 'prejudiced', 'emotional'—those sorts of phrases that are used to describe people of adopted views that might be against the prevailing majority opinion at a particular point in time.

As we address the detail of the legislation, I still have the view that the proponents of the legislation view what they see as the benefits through rose-coloured glasses or perhaps scarlet-

coloured glasses. They believe that the passage of this legislation will solve many, if not all, of the problems that members have addressed through their contributions. That is not a view that I share. It is not a view I have shared over the years, and it is not a view I share in relation to this particular legislation as well.

As a number of members have indicated, I acknowledge that the prospects are that the legislation, even though I will not be supporting it at the second reading or indeed at the third reading, will go through a complex and complicated committee stage debate at some stage. The substance of my contribution today in terms of the second reading will be to identify, I think, some of the questions that need to be answered by the proponents of the legislation and, ultimately, some of the issues that still need to be resolved.

As I said, I again congratulate some of the members for their contributions. The issues that the Hon. Ms Bourke raised in relation to the comparison between the owners and operators of brothels under this legislation and the local baker, I think, are important industrial-related issues that will need to be addressed. As the honourable member continued to make comparisons with the local baker, the vision of the young 14 year old who serves me a Boston bun at the Bakers Delight on Sunday mornings, after this legislation has passed, moving across to the 'Prostitutes Delight', happily working as a 14 year old on the front counter, fills me with horror.

The notion, as the Hon. Emily Bourke has highlighted, that if the legislation was to be passed, the regulation as it relates to those who can work within a brothel is exactly the same as the provisions for those who can work at the local bakery is something that I think the supporters of the legislation need to address. The whole notion that there is nothing wrong with a 14 or a 15 year old in year 10 or 11 at high school who, as I said, has been working happily at the local Bakers Delight on a Saturday or Sunday morning, equally being able to work in the local brothel, doing reception work or social media work or indeed any other sort of admin work on a Saturday or Sunday morning, getting extra pocket money whilst they go through their early secondary studies, fills me with horror. It is certainly something that I cannot and do not support.

The issue in relation to the claims that decriminalising prostitution will see greater controls in relation to prostitution in South Australia, or indeed in any of the jurisdictions where it has occurred, I think defies the evidence that has been produced. A number of members—the Hon. Mr Hood and others—have referred to examples in other parts of the world with contrary evidence.

I highlighted, when we last debated this in 2015, and I do so again, a paper that was written by our Parliamentary Library and given to all members in one of the earlier debates on the regulation of prostitution, entitled 'Different approaches to prostitution regulation: a comparative analysis'. Page 7 of that parliamentary research paper states:

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

I think the Hon. Mr Hood and a number of other members have referred to other pieces of evidence from jurisdictions around the world where the claims that either decriminalising in what is being proposed here or legalising, as was proposed in Victoria and some other jurisdictions, would in some way reduce the extent and the breadth of illegal prostitution and illegal brothels is indeed contrary to the evidence.

If we see the sad day where this occurs in South Australia, I am sure for those in this chamber who are young enough to monitor this particular debate over the passage of five or 10 years, I will be very surprised if we do not see similar evidence being brought to bear by yourselves as older legislators or indeed the next generation of legislators come through and look back perhaps at the decision that this parliament may well be on the verge of taking.

The next issue I want to address is the issue of spent convictions legislation because this proposed legislation makes a number of very important and far-reaching changes in relation to spent convictions legislation. The bill provides for the spending of convictions under the Spent Convictions Act 2009. It will mean that convictions will not appear when an employer or potential employer

conducts a police check in relation to a person. Notably, a person's convictions would also be spent for the assessment of the fitness of persons to take up employment that falls within special categories under the act: (1) work caring for vulnerable people; (2) working with children; and (3) activities that require a character test.

The question that proponents in support of the legislation will have to address is: is it desirable for the Department for Education or the Department for Child Protection, for example, to be denied access to information about a person's convictions when considering whether or not to employ a person? Could an employer not validly argue that, even if the offence has now been repealed, a person's criminal conviction remains relevant to the question of whether to employ that person because it shows that that person contravened the law at the time?

What we are being asked to accept is that a brothel owner who has lived off the profits of prostitution for 30 years can have all of his, generally, or her—we have had some prominent madams in recent times—convictions spent, and could happily go off and get a job working in a childcare centre, happily go off and get a job working with vulnerable children or vulnerable young people, or could happily go off and get a job in education working in a school, or in a sporting organisation or a youth group. I think that the community, if and when that sort of detail is outlined to them, would not accept that as a reasonable response from the parliament.

The attention that this parliament has rightly adopted to child protection in recent years has been elevated many thousands of per cent from the time when I first entered the parliament 150 years ago. Child protection—because of royal commissions, because of court cases, because of community pressure—has been elevated in its importance in the community.

At this time, proponents of this legislation say, 'Well, too bad. A madam, a pimp or a brothel owner who has lived for 30 or 40 years off the profits of prostitution can now happily go off and work with children in a childcare centre, or look after children in a residential home, or teach or assist in a particular school. It is an acceptable premise for legislation. Because it comes in the name of prostitution law reform, it is an acceptable course of action.' I do not think that the community, when that is explained to them, would accept that as a premise of reasonable legislation.

The problem with this legislation at the moment is that, in my humble view, too many people get caught up in the vibe of the thing. The prevailing public opinion is that prostitution law reform is a good thing. Someone quoted an ABC opinion poll or whatever it was that provided support for prostitution law reform or whatever the wording of the particular survey was. It is not the generality of what is being talked about: it is getting down to the specifics of what is being proposed.

When the specifics are outlined, I think that many people would be appalled at the prospect of some of the details that this parliament is being asked to contemplate. That area of spent convictions, working with children and working with vulnerable people is an issue that has not been addressed. I raised the issues when we last debated this three years ago. They were obviously considered and rejected at the time. The legislation continues to be promoted in exactly the same way without addressing those particular issues.

Related to that are the proposed amendments to section 85T of the Equal Opportunity Act, which will raise important issues that were canvassed in the recent federal election and similar issues in relation to this. The parliament is being asked to consider in this legislation amendments to section 85T of the Equal Opportunity Act 1984 that will mean that an employer or potential employer cannot discriminate against a person on the ground of that person being or having been a sex worker. This is not a protection that is afforded to other vocations or professions or to other persons convicted of criminal offences.

For example, if a religious institution or a religious school did not want to employ an individual based on the fact that they are or were a prostitute or had lived off the proceeds of prostitution because it is not in line with the beliefs of that particular religious organisation, this bill will remove that as a basis not to employ or engage that particular person. As I said, this has been a vexed issue in recent times in the federal parliament. It has also been an issue over the years in this parliament, that is, whether or not the parliament will acknowledge the validly held views of religious institutions, religious schools and others in relation to certain issues.

The issue is in relation to whether a religious school should be able to say no to a pimp, a madam or a brothel owner who has lived off the earnings of prostitutes for 30 or 40 years being employed in their particular school. Should a religious school be entitled to make an employment decision on that basis or not? I say they are entitled to do so, and I think many in the community would accept that. I accept the fact, however, that not everyone would, that there would be strongly differing views on that, but during the committee stage of this debate those issues would at least be argued and debated and voted on, not just in this chamber but, ultimately, in the House of Assembly.

In speaking today, I am not speaking just to members of the Legislative Council; I am going to speak to each and every one of those House of Assembly members because they will need to be answerable to their individual constituents, their 20,000 or 25,000 electors or whatever the number happens to be, in terms of these decisions. It is going to be an issue for those members and they will be judged, together with their overall performance, in relation to this important issue as well as many other issues.

I want to turn to the issue of planning and location, an issue a number of members have raised. With great respect to the resident planning expert in the chamber, the Hon. Mr Parnell—who I thought was very dismissive, in a planning sense; there was really no issue in relation to this, it was all hunky-dory, it was all going to be handled under existing provisions—a man who has turned over the entrails of planning legislation inside out in his long career in this Legislative Council, I could not believe what I heard from the honourable member in relation to this issue.

You could drive a B-double truck through the provisions in this legislation in relation to planning. If the legislation passes, there is nothing that prevents a brothel being opened next door to a childcare centre—

The Hon. M.C. Parnell: The planning laws do that, not this law.

The Hon. R.I. LUCAS: Let's talk about that. You are always complaining about the planning laws and the lack of controls of planning laws, but you have great faith in them now. There is nothing that would prevent a location next to a church, as the Hon. Mr Ngo indicated, or a childcare centre, a school, a mosque, any variety of options—or, indeed, next to each and every one of our houses.

The Hon. Ms Bonaros raised the point that if you go down many streets—and she evidently recognises them; good luck to her, I cannot recognise them but she obviously has a greater nose for these sorts of things than I have, and I acknowledge that she is accurate—there are many brothels in suburban streets, or wherever it might happen to be. Supposedly, there was a brothel on a major street nearby to mine where a former judge, I think, was caught on occasions, but I still do not know where it is.

Putting that to one side, the difference with what we are going to have under this new regime if it is passed is that whereas at the moment they have to be discreet and cannot advertise, under the proposed legislation there is nothing that prevents them advertising their services because, as the Hon. Ms Burke said, they are no different from a bakery.

There is nothing stopping a bakery like Bakers Delight from advertising, and there is nothing that could stop a brothel, the Prostitute's Delight, from advertising its services to all and sundry in the community. A Bakers Delight and a Prostitute's Delight would be exactly the same. That is how the legislation is to be treated: it is exactly the same, as the Hon. Ms Bourke identified in her contribution, so they can advertise.

The Hon. Mr Hood, in his last contribution, highlighted a number of examples he had seen in other jurisdictions in relation to the sorts of advertising. In New South Wales, I think, he highlighted examples of billboards and other things that had been seen. There are objections in South Australia under current legislation to a billboard down in the South Road precinct. One can only imagine the sorts of advertising that clever operators of brothels could engage in over the coming years if this legislation passed in its current form.

There are no controls in relation to what can be advertised, as other members have highlighted—I think it might have been the Hon. Ms Bourke—in terms of the size of the advertising. It could be billboards or the sides of buses. What would stop your local friendly brothel owner advertising on the side of state government buses? Heaven forbid if we ever had another Labor

government. They might have advertising on the sides of buses and trams, in terms of the local prostitute's delight.

The Hon. Mr Parnell and somebody else referred to the fact that councils are going to be able to crack down on this. Let me again refer to the contribution that I quoted when we last debated this, which was an article written by Marie Sansom on 3 September 2015. *Crime, Health and Social Services, Law, Local* was the name of the journal. The title of the article was 'Policing sex work a nightmare: New South Wales councils'. This is from New South Wales and this legislation, in part, is based on New South Wales. Let me quote from that article:

Council officers are spending a disproportionate amount of time and money busting dodgy massage parlours and responding to complaints about sex workers operating out of motels, Airbnb properties and tourist accommodation, NSW councils have told a parliamentary inquiry...

The biggest headache for metropolitan councils is dealing with massage parlours providing illegal sex services. Many councils complained that the burden of proof required to shut down a massage parlour operating illegally was too high and that cessation and closure orders were costly and time consuming to obtain.

As well, they noted that massage parlours could be established in existing premises as an exempt or complying development, without councils knowing their real business.

Hornsby Council lost a bitter year-long legal battle to shut down a massage parlour it said was operating as an illegal brothel at a March 2015 Land and Environment Court (LEC) hearing. This judgement has reinforced to councils that trying to close down these illegal establishments may not be worth the hassle.

During its investigation, Hornsby Council paid a private investigator to visit a massage parlour, which was near a primary tutorial centre and a high school, and have sex with a prostitute, but the judge was not satisfied there was enough proof the premises was being used as a brothel because the investigator only had sex with one prostitute.

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

They were unsuccessful. It continues:

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

The Hon. Mr Ngo has referred to views that councils have put to him in relation to, in essence, what this legislation is doing and whether it is leaving it to them. The Hon. Mr Parnell said, 'Okay, planning laws—the councils can handle it.' Other members have said that councils have powers. A number of other members have said that councils have powers, so they can do this and they can do that.

New South Wales jurisdictions are finding it difficult enough trying to close down illegal ones. If something is actually legal, you can imagine how difficult it is going to be to argue with legal brothel owners and their well-paid lawyers with this legislation as it is currently drafted. As the Hon. Ms Bourke says, it is no different to a baker. How do you justify that, if you allow Baker's Delight to be next door to a school, prostitute's delight cannot be next door to a school as well? It is to be treated in exactly the same way: a legal service that is being provided. There are no criminal sanctions in relation to it. What is the device that councils can use under our planning laws?

Under the former government, there was greater flexibility given to complying developments and a variety of other things in relation to, in essence, removing red tape, in terms of planning law in this state, and this parliament ultimately accepted those particular changes. I will not go over the issues of advertising again, as I do not have much more time. I just want to return, as the minister responsible for workers compensation and safe work, and raise some of the issues that I think, if the legislation is to be passed, members are going to have to address in relation to workers compensation and work health and safety laws.

Under the proposed legislation, sex workers will be deemed to be workers; that is, eligible for benefits under the Return to Work Act 2014. The effect of the proposed amendments to the act, I am advised, will mean that sex work is of a prescribed class and therefore defined as work done by a worker under a contract of service.

This, in turn, will mean that sex workers will be included in the definition of a worker under the Return to Work Act and be eligible to receive benefits under the Return to Work Act. Currently, certain types of work of a prescribed class, for the purposes of the definition of contract of service in

the act, include, for example, types of building work and cleaning work. I refer members to regulation 5 of the Return to Work Regulations 2015.

I do not proffer the fact that I have the answers to this. I think, ultimately, the proponents will need to think through what it is they actually want to see in relation to this. Ultimately, if the legislation passes, I think the government then has to address whether or not there are issues that will need to be addressed in terms of workers compensation legislation.

I think some of the questions that will need to be considered, at least when making a claim, include: will the sex worker be required to prove that any injury was sustained in connection with their employment? Would the sex worker be required to provide evidence of a verbal or written contract of employment? How would the sex worker prove their average weekly earnings in the absence of documentation? It may well be proposed that there be that documentation. If there was the absence of documentation, how would a sex worker prove that they were an employee as opposed to an independent contractor?

I think the Hon. Ms Scriven raised the issue of some evidence she had gathered where, in some cases, individuals who worked in the industry believed they were referred to as independent contractors but, on other occasions, were referred to as employees, depending on what suited the particular brothel owner at the time. The answer is probably that it is likely to be on a case-by-case basis, looking at such factors as whether or not the sex worker is able to delegate her duties to someone else or not, which raises an interesting question in terms of this industry.

Would the sex worker be required to provide witnesses or give evidence to support their claim? Workers compensation claims in terms of injuries in the workplace more often than not require evidence. Where there is evidence in relation to a claim for an injury in the workplace, that obviously adds to the substance of a particular claim. Given the discreet nature of their work, it is perhaps going to be problematic as to whether an individual sex worker in the industry is going to be able to provide witnesses, or indeed witnesses who are prepared to give evidence, to support the fact that their back-related injury, for example, was a result of a workplace injury.

If the sex worker is working in a public place, how could they prove that the injury was work related? Presumably, an injury would also include sexually transmitted disease that could be contracted. In that case, how could the sex worker prove that the injury, the sexually transmitted disease, was contracted in relation to their particular employment? If the legislation passes, the issue is how ReturnToWorkSA manages those particular claims in terms of who proves or disproves what in relation to a claim of a sexually transmitted disease contracted in a place of work.

Are the whole person impairment guidelines—a number of members will be very familiar with those under ReturnToWorkSA—and assessors equipped to make assessments about sexually transmitted diseases within the workplace? There are literally dozens of other questions that, if this legislation was to pass, potentially the parliament, but certainly the government of the day and ReturnToWorkSA will have to address and I guess ultimately the Employment Tribunal and other various jurisdictions will have to determine whether or not various claims which are made are ostensibly in relation to a claim for a workplace injury under the return to work legislation.

Finally, in relation industrial-related issues, there is the issue of SafeWork SA and the work health and safety legislation. I think there are important issues in relation to the legislation as to who will be designated as the person conducting the business or undertaking, that is the PCBU, under the term for the purposes of the Work Health and Safety Act. It comes back to the question the Hon. Ms Scriven has raised in relation to whether they are independent contractors or employees, what the nature of their employment is and who the PCBU is and therefore who has the responsibilities under the work health and safety legislation in terms of work health and safety law.

Is it proposed that SafeWork SA inspectors would inspect the premises to ensure a safe workplace is being maintained? I am assuming it would be the same as other worksites. They would have the same. Do work health and safety standards need to be developed in order to promote safe sexual conduct? One would imagine that would probably have to be the case. There are a range of issues in relation to in particular the issue of who is the person conducting the business or undertaking, the PCBU, which is I think the principal issue that will ultimately need to be determined

in relation to the operations of this particular business, should ultimately it be sanctioned by the parliament.

With that, as I said, people have indicated publicly that this is likely to get through to the committee stage of the debate. I think, as I said, during the committee stage a number of these issues are going to have to be addressed. I think, as the Hon. Ms Franks has asked of all of us, it would assist her if these questions were actually outlined in the second reading so that she and her advisers are in a position to take advice, because I acknowledge that it is more difficult for an individual member to manage a bill through the committee stage of the parliament. I respect and understand the difficulty of that, and that is why I have spent more time in the second reading outlining the questions for the Hon. Ms Franks, as she has asked us to do. We have highlighted the issues and the questions that I think will need to be addressed during the second reading.

I conclude by saying, again, as I have done on every previous occasion, and it seems to have been raised every three or four years in my time, since whenever it was—1987, I think the Hon. Mr Parnell indicated. I opposed it then, I have opposed it for the last 20 or 30 years, and I will oppose it again, I hope for the last time, in 2019.

The Hon. T.A. FRANKS (22:37): I would like to thank all honourable members who have made a contribution to this debate and to echo the words of the various reflections that we come to this place as representatives and to do the best job that we can on behalf of our constituents. That does not mean that we all hold the same opinions, of course; in fact, that is the very nature of a democratic place such as this council. But the reason we are here is to make decisions on behalf of our constituents. The decisions we make do affect and impact on the lives of many people.

I want to acknowledge that in the gallery tonight there have been supporters of the decriminalisation of sex work—sex workers themselves, who are often silenced in this debate. I want to start by addressing the media reports and the press conference that was held on Monday on the Parliament House steps purporting to be representatives of sex workers who opposed the decriminalisation of sex work. I note that the Hon. Clare Scriven had somebody from the HOPE Collective in Queensland, but she also had somebody who was described in the article in *The Advertiser* as a sex work researcher, Dr Helen Pringle from the University of New South Wales. Dr Helen Pringle was quoted in *The Advertiser* as stating that decriminalisation had:

...been proved to be an absolute failure in New Zealand and New South Wales.

She was further quoted as saying:

It has done nothing to improve the situations for women and has resulted in huge increases in prostitution and the related issues of women and girls being trapped in exploitation.

Dr Helen Pringle's comments on the public record have prompted correspondence to her. I have a copy of that and I am happy to circulate that to members via an email at a later date. That correspondence is authored by Basil Donovan MD FAHMS, who is the Professor and Program Head of the Sexual Health Program at the Kirby Institute for infection and immunity in society at the University of New South Wales. That correspondence is dated today, at 4.03pm:

Dear Dr Pringle

I write in reference to your comments in the Adelaide Advertiser this week, made in your capacity as a sex work researcher from the University of New South Wales, Sydney (UNSW), and would particularly like to draw your attention to the following quote—

That is the quote to which I have just drawn the attention of members of this council. It goes on to state:

As an academic and Head of the Sexual Health Program at the Kirby Institute, UNSW and someone who in my professional capacity as a sexual health physician worked to provide health services for sex workers in Sydney for 15 years prior to decriminalisation of sex work in 1995, I find your comments disappointing at best. What concerns me, in particular, is the 'absolute failure' remark which is not grounded in an evidence-base and is counter to the empirical research findings of most of your UNSW colleagues, often dating back decades. Whilst you are entitled to have a personal moral stance in this regard, what amounts to a propagation of misinformation brings both your discipline and UNSW into disrepute.

I have already received several complaints about your remarks from the public, sex worker organisations and individual sex workers alike. They were quite incredulous because such a statement not only reflects poorly on yourself

but all of UNSW and its associated research. If you have any peer-reviewed empirical data (not anecdotes or opinion) to support your argument, I would appreciate it if you shared them with me.

In the meantime, I have taken the liberty of attaching a few academic publications and reports from peer-reviewed academic journals based on empirical data that counter your contentions. I would hope that after familiarising yourself with these and the body of research published in this area, that you would see fit to consider a public retraction of your comments. Additionally, having personally witnessed the brutality and widespread police corruption over the years around sex work and sex workers, I utterly repudiate your assertion about the failure of decriminalisation in New Zealand and NSW, and would suggest that anyone who advocates a return to those very dark days should be questioned about their motives.

I have copied in the Acting Head of the School of Social Sciences and the Director of the Kirby Institute, to draw their attention to this serious public health matter.

Sincerely

Basil Donovan

I draw members' attention to that because not everything you read in the newspapers is true. Certainly, we look forward to the evidence being provided for Dr Pringle's remarks or, failing that, the call for her to publicly retract those remarks. I will share that email and those documents with members of this parliament.

I note that, in this debate, there was much talk of trafficking, so I will go to that first. The Hon. Tung Ngo may have been well-meaning when he raised the issues of trafficking, but his words that those who have brought this legislation to this place do not care less and do not support trafficked women and girls could not be further from the truth. I ask him to reflect upon those particular words.

I also note that just this week in Mexico City they are moving to the decriminalisation of sex work, specifically to counter trafficking. When we talk about trafficking in Australia, there has been a lot of contention that sex work 'tops the list', I think the Hon. Rob Lucas stated, in regard to trafficking. The figures do not bear that out. The government's own—as in the commonwealth—and the AFP figures, in fact show us the complete opposite.

In 2015-16, 130 of the 169 human trafficking referrals received by the Australian Federal Police related to forms of exploitation not involving the sex industry. Of the 80 clients on the support program, in 2015-16, 65 of those 80 were experiencing exploitation other than in the sex industry. So, 15 of the 80, yes; 65 of the 80 were not. That is not top of the list in terms of trafficking. I will in a moment seek leave to table Trafficking in Persons, the Australian government response document of 2015-16, the eighth report of the Interdepartmental Committee on Human Trafficking and Slavery, and draw members attention to this, because this is in fact the source document one should be using when we discuss trafficking in this place. I seek leave to table that document.

Leave granted.

The Hon. T.A. FRANKS: In terms of trafficking, those organisations that do address trafficking should have their voice heard in this debate now, and I further draw members' attention to the statement of the Global Alliance Against Traffic in Women. It is a statement of 2013, which defended against the attacks on UN research calling for the decriminalisation of sex work, and that October 2013 statement states:

US-based NGO Equality Now has launched a campaign against some UN research into HIV, human rights, and sex work, which concluded that States should decriminalise sex work. GAATW-IS [the Global Alliance Against Trafficking in Women] regrets that it is necessary to make clear that not all anti-trafficking organisations support the claim made by Equality Now that decriminalising prostitution will increase human trafficking. On the contrary, GAATW's years of experience working on trafficking in persons, all over the world, has led us to the opposite conclusion. GAATW-IS advocates for the decriminalisation of sex work, for labour rights for sex workers, and the conceptual delinking of sex work and trafficking in persons (for example here). We have documented the harmful effects of anti-trafficking measures on specific groups of people, such as the sex workers who are affected by raids on brothels carried out ostensibly to find people who have been trafficked, a finding echoed in the Sex Work and the Law report. Such a bias in approach also often overlooks other forms of labour trafficking.

The reports that have also triggered this call to mobilise against the UN are the Global Commission on HIV and the Law's 2012 Report, HIV and the Law: Risks, Rights and Health, published by UNDP, and Sex Work and the Law in Asia and the Pacific, also published in 2012 by UNDP, UNFPA, and UNAIDS. GAATW-IS thank these agencies for their work on these reports—for their focus on the health and rights of, and for their collaborative approach with, sex workers. Recognising sex workers as partners in the work on HIV and human rights is an important step to ending

the epidemic. It is a good practice that should be repeated in all other research on issues that affect them. We also welcome UN women's recently shared position statement on sex work...

We were told at the beginning of this debate that this was the pimps' bill, the decriminalisation of pimping. In fact, those of us who support this bill were accused of promoting pimping.

The Hon. C.M. SCRIVEN: On a point of order: the Hon. Ms Franks is impugning things to have been said that were not said at all, and I ask her to withdraw.

The Hon. T.A. FRANKS: Could the Hon. Clare Scriven please make clear that this is not a pimp support bill, then, and that those proponents of this bill do not support pimping and then I will withdraw, but my understanding of her words were that proponents and supporters of this bill were supporting pimping. That is what was said when she made her opening statement.

The Hon. C.M. SCRIVEN: I believe *Hansard* will record that it was the 'pimps' protection bill' and I would point out that, in any case, if this is simply a job like any other, a pimp is simply a manager in the words of those who want to support this bill so there would be no offence in any case.

The PRESIDENT: Yes, the Hon. Ms Franks, it is only on what the member has said, so I ask you to restrain any imputation.

The Hon. T.A. FRANKS: What imputation, Mr President? Could you please explain?

The PRESIDENT: The imputation that a member had argued the bill was referring to pimping. I did not hear certain aspects of pimping, and I have listened to most of the debate. I do not wish to draw on the debate. I am just asking—

The Hon. T.A. FRANKS: The member claimed that the bill supported pimping—

The PRESIDENT: —you to restrain yourself.

The Hon. T.A. FRANKS: —and I am just repeating what the member claimed.

The PRESIDENT: Please go on, the Hon. Ms Franks.

The Hon. T.A. FRANKS: This bill does not support pimping. Indeed, decriminalisation is not the model supported by those who support pimping. Decriminalisation is of course supported by human rights organisations such as Amnesty International, as you full well know. Amnesty International does not support pimping. Human Rights Watch supports decriminalisation. Human Rights Watch does not support pimping.

The World Health Organization supports decriminalisation. The World Health Organization does not support pimping. Zonta International, Soroptimist International, Scarlet Alliance, Sex Industry Network, the Women Lawyers Association of South Australia, the Law Society of South Australia, as much as they may be impugned, I am sure do not support pimping.

The Women's Legal Service of South Australia supports decriminalisation and I am sure does not support pimping. The Working Women's Centre, SA Unions, the Australian Services Union and, interstate, United Voice, who are, in fact, the union in New South Wales for sex workers, do not support pimping. Decriminalisation is not deregulation and it is certainly not a support for pimping. It is a support for sex workers. It is a recognition—

The Hon. C.M. Scriven: So how would pimping be prevented? Not at all.

The PRESIDENT: The Hon. Ms Scriven, either raise a point of order or allow the member to sum up the debate.

The Hon. T.A. FRANKS: The Hon. Michelle Lensink outlined very well the responses to some of the concerns, but I will acknowledge some of the concerns raised today, and I thank members who did raise legitimate concerns. Again, the Hon. Tung Ngo, I do commend you for your candour, that you do not want street work on Hanson Road. I do not mean that in any amusing way. I am as concerned as any member of this place or the other one that we reduce street workers in this state. Street workers are the most vulnerable and marginalised in this industry, and in New Zealand, it was shown that when you brought in decriminalisation, the number of street workers decreased.

In fact, when I visited the New Zealand Prostitutes' Collective, as I know other members have such as the Hon. Steph Key, who previously brought this bill to this parliament, those workers were offered far more than condoms and coffee. There are extensive resources there to support them. They have been successful in ensuring workplace rights, in ensuring police protection and, indeed, stopping harassment, intimidation and bullying, and certainly not standing up for the pimps.

The New Zealand Prostitutes' Collective were, in fact, recognised with Dame Catherine Healy receiving Queen's Birthday Honours, making her a Dame for her services to decrim. A similar honour has been awarded to Julie Bates AO in New South Wales, for her services to decriminalisation. While the Hon. Frank Pangallo states he has not met a happy hooker, indeed, he was offered the opportunity to meet with Julie Bates AO several times. I am sure she would welcome the chance to provide a discussion with a happy hooker who has been doing sex work for many decades, currently now works in the aged-care industry in New South Wales and indeed possibly belies the many stereotypes portrayed.

Getting back to Hanson Road, I will now share with members a discussion I had earlier on this evening that is relevant to police powers in terms of their requirements that they request to keep street solicitation powers. The police currently have powers at their disposal that are not specific to sex work but that could address situations such as those the Hon. Tung Ngo has outlined that he wishes to see addressed on Hanson Road. We already have declared public precincts legislation, passed in the last few years in this place.

Such a precinct—and it is certainly on the SAPOL website for all to see—can be a declared public precinct, which is a strictly defined area that has been proclaimed to give certain powers to police to maintain public safety and order in that area. Currently, according to the website, City West is a declared public precinct. 'What does this mean?' the handy info from SAPOL goes on to ask. It continues:

To maintain public safety and order, SA Police are able to do the following in the Declared Public Precinct:

- conduct a metal detector search of a person and any property in their possession for the presence of weapons
- carry out general drug detection in relation to any person within the precinct
- order a person/group posing a risk to public safety and order to leave the declared public precinct
- ban a person who commits an offence of a kind that may pose a risk to public safety and order, or behaves in an offensive or disorderly manner within the precinct (for up to 24 hours)
- remove children from the declared public precinct who are in danger of physical harm or abuse, behaving in an offensive or disorderly manner, or otherwise committing or about to commit an offence.

These powers give police the ability to issue expiation notices for offences within the geographic area or to issue barring orders covering the precinct. These are similar to, but in addition to, licensed premises barring orders.

Indeed, the maximum penalties involved are some \$2,500. They certainly cut in at a lower level, and the highest are for those who are carrying weapons within that declared public precinct in terms of penalties.

These changes were made to the Summary Offences Act 1953, and they were enacted to maintain public safety and order in a defined area for which there is a reasonable likelihood of conduct in the area posing a risk to public safety and order and where the area is reasonable having regard to the identified risk. Indeed, the police and the current government already have the powers that the Hon. Tung Ngo seeks.

I ask members to consider that because these are not particular powers in relation to sex work. That is the point of this bill: the decriminalisation of sex work removes the criminal penalties around being or having been a sex worker. It is not deregulation. In fact, the Hon. Rob Lucas, who asked us to remove our scarlet-coloured glasses and then went on to outline just one of the many questions he will have in the committee stage with respect to the return to work and safe work provisions of this bill, went on to prove just how highly regulated industry is in this state.

There will be many debates, no doubt, about PCBUs, workplace injuries and STIs, and that was just one slice of the enormous amount of regulation that applies in every part of industry and will

apply to the sex work industry. We have evidence there, and we have the examples of New South Wales. That is not to say that we will not have to create new codes of practice, that we will not have to create new standards.

In fact, work health and safety in this industry in New South Wales certainly is made to fit that industry, and there will be particular aspects to the industry, no doubt, that will require particular codes of practice, regulations, rules and policies and procedures, but they are not to criminalise sex work. They are to regulate sex work, to manage it so that we do not have public nuisance and so that we do have amenity and we do have a community that is more harmonious but that is indeed recognising that it has moved on and does not see sex work as a crime any longer.

The spent convictions were mentioned again by the Hon. Rob Lucas, as were the EO provisions. In answer to the Hon. Clare Scriven's question of what does this bill do in any way to help people exit the industry, I point her to those two provisions. They are there to help people exit the industry, to remove the criminality that clouds their lives, that pops up when they want to work at their child's canteen and they have to do a child screening check. It means that it sits on their records when they apply for other jobs. In fact, when they go through the general dealings with bureaucracy from day to day, these criminal convictions continue to follow them.

I do find it quite offensive in some ways that there is a supposition that people who have worked in the sex industry with adult consensual sex will somehow be a danger to children or should not be able to be employed in other industries. We have an example where we used to have a criminal offence associated with homosexual sex. Once upon a time, that was also equated with being a danger to children, and it was a conviction that followed those adults who had had consensual sex often through their entire lives.

In fact, it has only been in recent years that we have seen those convictions spent, even though in South Australia we led the way with decriminalisation of homosexual acts. That is an example that I think is relevant in this case. Community conversations and attitudes have changed. Should somebody who had been involved in the sex industry be clouded by their convictions for the rest of their lives? Personally, I do not believe that is the case. I think they should be able to exit the industry or, indeed, live their lives free of those convictions clouding them for the rest of their lives.

On that note, there was also some talk of equal opportunity provisions and schools not being able to discriminate against people who have worked in the sex industry and who have a related conviction. I note that religious schools already have the ability to discriminate under the EO Act. I am not quite sure where the Hon. Rob Lucas was going with that particular train of thought, though I do look forward to the committee stage where we explore that part more fully.

Advertising certainly is a concern. Outdoor advertising is regulated, but perhaps we need to take a look at that as an issue. I do not think that any members of this council would wish to see the sort of advertising that was proposed by the Hon. Rob Lucas or outlined by the Hon. Dennis Hood. That is a discussion to be had, and certainly a conversation I hope we will have to come to some consensus.

I want to talk about convictions within this industry and the reality of the situation currently facing those in the industry in South Australia. We have a criminalised industry. Previously, it was not heavily policed. That has all changed since this bill in its previous incarnation passed this place. Indeed, I draw members' attention to the statistics of sex work charges that were laid by SAPOL in the 2017-18 financial year.

The Hon. Connie Bonaros made some reference to a version of these statistics that was highlighted in *The Advertiser*. There has been a significant increase in the policing of sex work in this state. It happened around the time that the select committee reported and to the point where the bill previously passed this place and, indeed, to the current day.

In 2016, there were three charges of asking a child to provide commercial sexual services. Quite rightly so, that will not change under the new bill. There were two charges of engaging in procurement for prostitution. There were two charges of keeping a brothel. There was one charge of loitering for the purpose of prostitution. Sorry, the Hon. Tung Ngo, but Hanson Road was clearly not a policing priority in 2016. There was one charge of receiving money paid in a brothel in 2016 and

there were two charges of using undue influence to gain commercial sexual services, something that I imagine would continue to be criminalised. That is in 2016, a total of 11 charges.

In 2017-18, we have a total of 211 charges. Those charges are: for keeping a brothel, from two in 2016 to 98 the following year; receiving money in a pay brothel, from one the previous year to 74 in that last year; being on premises frequented by prostitutes—which we are currently doing, I will just remind all members of the council—24 charges where there had been zero the previous year; and money laundering, 11, where there had been none the previous year.

On that note, money laundering has now seemingly become the charge of choice for SAPOL, seeming to purport that there is somehow this insidiousness going on that is not just sex work. However, when you read the sentencing comments that the judges have made in those cases, it is often migrant workers sending money home to their children—not always but more often than not. So money laundering is perhaps something that we need to look at in the spent convictions provisions of this bill should the police continue this behaviour. There are then four unknown charges of that 211. That is a document I had prepared by the parliamentary library, and I will also share that information with members.

What I will say—and the Hon. Michelle Lensink well knows this—is that the police in their representations to the select committee at times variously said that they did not heavily police this industry. Recently, Acting Commissioner Linda Fellows was on ABC radio saying that the policing priorities of South Australia Police were trafficking, illicit drugs and minors. I will just remind you that none of those 211 charges were trafficking, illicit drugs or minors in the last year. So I wonder where the real policing priorities lie, when just last Friday three brothels were raided.

Brothels in this state, by the way, can be a single room or a hotel room or a person's house. It is certainly not, as I think somebody mentioned before, the Dolly Parton establishment. There were three raids on Friday while sex workers were protesting on the steps. A worker has brought her concerns to my office and the office of other members of parliament in the last few months that she has been harassed and stalked, that she believes police have acted illegally in terms of harassing street workers, and that she has cause to believe that they are acting undercover in a way that is possibly unlawful. She had five officers on her doorstep this week and she is now too frightened to keep speaking up. The Women's Legal Service and the Women Lawyers Association of SA are willing to talk to members of parliament, if they are interested in these cases, because this is actually what is currently going on in South Australia.

What I will finally say is that, when SAPOL did not get their way and found that a decrim bill for sex work had passed the upper house, they actually raided brothels and used uncorrected, off the record *Hansard* from this parliament, from select committee proceedings, as evidence against those workers in those brothels, contrary to the parliament's processes, contrary to good policing process and certainly against anything that they say are their current priorities of trafficking, illicit drugs and minors.

So if we are really serious about trafficking and we do want to differentiate between sex work and trafficking, let's decriminalise so that the police can get on and actually look only at trafficking, rather than muddying the waters and treating people who are adults, who are consenting, in this industry as criminals, as collateral damage, while we continue to dither.

The Hon. Rob Lucas hopes that this is possibly the last time we will debate this issue in this place. I note that the first time this parliament debated this issue I had just left high school. I grew up in New South Wales, where street work has been decriminalised, and I used to play sport in Kings Cross on a Saturday morning, so I have grown up with street work. It has been decriminalised in that state since I was at primary school. I hope that now that I am in my 50s I will not be here as long as the Hon. Rob Lucas trying to make this legislation happen. It will not go away because decriminalisation is supported and promoted, not by the pimps but by those who believe in workers' rights, human rights and women's rights and we are not going away.

I will provide further information, particularly on the council matters, street work advertising and the other issues raised tonight in a way that I hope to continue to have these conversations, not just in this council but also offline. I look forward to the SAPOL briefing. I will certainly be raising my

concerns in that briefing and at future opportunities. With those words, at this late hour, I commend the bill to the council.

The council divided on the second reading:

Ayes 15
Noes 4
Majority 11

AYES

Bonaros, C.
Franks, T.A. (teller)
Lensink, J.M.A.
Pangallo, F.
Ridgway, D.W.

Bourke, E.S.
Hanson, J.E.
Maher, K.J.
Parnell, M.C.
Wade, S.G.

Darley, J.A.
Hunter, I.K.
Ngo, T.T.
Pnevmatikos, I.
Wortley, R.P.

NOES

Hood, D.G.E.
Scriven, C.M. (teller)

Lee, J.S.

Lucas, R.I.

PAIRS

Stephens, T.J.

Dawkins, J.S.L.

Second reading thus carried; bill read a second time.

LANDSCAPE SOUTH AUSTRALIA BILL

Introduction and First Reading

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

At 23:17 the council adjourned until Thursday 6 June 2019 at 14:15.

*Answers to Questions***PUBLIC TRUSTEE**

132 The Hon. K.J. MAHER (Leader of the Opposition) (30 April 2019). Can the Attorney-General advise—

1. How many people accessed the making of wills, managing estates and enduring power of attorney services through the Public Trustee in 2016-17 and 2017-18?
2. Who is currently eligible to access the making of wills, managing estates, and enduring power of attorney services through the Public Trustee?
3. Following the proposed reform, who will be eligible to access the making of wills and enduring power of attorney services through the Public Trustee?
4. How much revenue does the Public Trustee accrue each financial year through the making of wills, managing estates and enduring power of attorney services?
5. How much is the Public Trustee expected to save as result of the proposed reforms across the forward estimates?
6. Will the lower returns to government as result of fewer estates being settled or managed by the Public Trustee outweigh the savings being made across the forward estimates?
7. Will the Attorney-General rule out providing additional funding for the Public Trustee should the lower returns to government as a result of fewer estates being settled or managed by the Public Trustee outweigh the savings being made?
8. What will be the FTE reduction in Public Trustee staff as a result of the proposed reforms?
9. Will the savings being made by the Public Trustee be returned to consolidated revenue, or will they be provided to the Law Society of South Australia to provide an alternative service, and how much will the administration of this alternative service cost?
10. Will the Attorney-General commit to implementing an open and transparent process for private law firms wanting to provide the making of wills, managing estates and enduring power of attorney services that the Public Trustee would previously have provided?
11. How are the changes to the Public Trustee being communicated to the South Australian community, who has been contracted to do this work, and how much is that work costing?

The Hon. R.I. LUCAS (Treasurer): I have been advised the following:

1.

Wills

Activity	2017-18	2016-17
New Wills	640	684
Revised Wills	956	1,055
Total Wills	1,596	1,739

Power of Attorney

Activity	2017-18	2016-17
New & revised Power of Attorney documents	391	456

Deceased Estates

Activity	30 June 2018	30 June 2017
Estates currently under Administration	1,172	1,136

2. All members of the public are currently eligible (assuming they have testamentary capacity) to make a will or an enduring power of attorney. Deceased estates are managed by the Public Trustee when the Public Trustee is named as an executor, attorney or substitute attorney.
3. From 1 July 2019, the Public Trustee will only prepare wills for concession holders, and those people that have protection orders issued by the South Australian Civil and Administrative Tribunal (SACAT) or the courts (irrespective of concession status).
4. The Public Trustee does not charge for will or enduring power of attorney making services, where it is named as executor. The Public Trustee currently charges \$273 for a single will and \$436 for a couple to prepare documents where it is not named as primary executor.

The Public Trustee received approximately \$4.1 million in 2017-18 in revenue from estate administration and \$0.6 million in revenue from administering estates as the power of attorney.

5. An estimated \$1.2 million net budget benefit is expected over the forward estimate period.

6. Over the forward estimates, staffing costs are estimated to reduce by \$1.87 million. This is partially offset by estimated reduced estate finalisation and power of attorney revenue of \$0.63 million.

This results in a net budget benefit of \$1.2 million over the forward estimates.

7. The reduced revenue from deceased estate finalisation and enduring power of attorney fees is estimated to exceed staff savings from 2024-25.

The reduced profit of the Public Trustee after that date will result in lower distributions (dividends and income tax equivalents) being paid to government.

8. The total FTE reduction over the forward estimate period is:

Cumulative FTE

2019-20	4
2020-21	4
2021-22	5.6
2022-23	6.2

9. The estimated savings will be returned to consolidated revenue as part of the Public Trustee's distribution to government. No payment is being made to the Law Society of South Australia.

10. The Law Society currently provides a free referral service to the public for will and power of attorney making services on its website. The Public Trustee will refer relevant inquiries to that website.

11. The Public Trustee has written to approximately 85,000 existing will and power of attorney clients to advise them of the changes.

A notice will also be placed in *The Advertiser* in May and June 2019 to advise the general public of the changes.

The Public Trustee website has also been updated.

Following is a table of costs:

Postage	\$69,000
Printing, address verification and data matching	\$21,000
The Advertiser	\$2,000
Total (ex GST)	\$92,000

PORT AUGUSTA K9 DOG PATROL

133 The Hon. K.J. MAHER (Leader of the Opposition) (30 April 2019). Can the Attorney-General advise—

1. How much funding did the government provide to the Port Augusta K9 dog patrol program in both 2017-18 and 2018-19?

2. How much funding does the government intend to provide to the Port Augusta K9 dog patrol program in 2019-20?

3. Have any representations of support for the Port Augusta K9 dog patrol program been received from the local member, the Hon. Dan van Holst Pellekaan MP?

4. Have any representations of support for the Port Augusta K9 dog patrol program been received from the Premier, who also has responsibility for the Aboriginal affairs portfolio?

The Hon. R.I. LUCAS (Treasurer): I have been advised the following:

The Department of Treasury and Finance can confirm:

1. No government funding was provided towards the K9 dog patrol program in 2017-18 and 2018-19;

2. No funding is allocated for the K9 dog patrol program in 2019-20;

The Attorney-General has advised:

3. No

4. No