

## LEGISLATIVE COUNCIL

Wednesday, 13 November 2019

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

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

### *Bills*

#### LANDSCAPE SOUTH AUSTRALIA BILL

##### *Conference*

**The Hon. R.I. LUCAS (Treasurer) (14:16):** By leave, I move:

That the sitting of the council be not suspended during the continuation of the conference on the bill.

Motion carried.

### *Parliamentary Committees*

#### LEGISLATIVE REVIEW COMMITTEE

**The Hon. T.J. STEPHENS (14:16):** I bring up the 30<sup>th</sup> report of the committee.

Report received.

### *Parliamentary Procedure*

#### RULING, MEMBERS' VOTES DISALLOWANCE

**The PRESIDENT (14:18):** Yesterday, the Hon. Ms Franks asked me a question in question time, which I took on notice, and I have a response which I intend to read to honourable members now.

During question time yesterday, the Hon. Ms Franks directed a question to me concerning a ruling on the matter of possible disallowance of members' votes and participation on committees in relation to undeclared pecuniary or personal interests. Standing orders 225, 362 and 379 in particular provide for dealing with matters where a 'Member has a...pecuniary interest not held in common with the rest of the subjects of the Crown'.

What is important to note is that in this council, and in other jurisdictions, a direct pecuniary interest not held in common with the rest of the subjects of the Crown has not included an interest held by a large section of the community or a group of subjects of the Crown. Not being held in common with the rest of the subjects of the Crown is not to be suggested that it must be held by all subjects of the Crown. This matter is most notably considered by Speaker Abbott in the House of Commons in 1811, to which many parliaments have referred, where he declared:

This interest must be a direct pecuniary interest, and separately belonging to the persons whose votes were questioned, and not in common with the rest of His Majesty's subjects, or on a matter of state policy.

Similarly to that stated by President Whyte in 1978 when the council was considering the Residential Tenancies Bill, a member who may have an interest in property that would be subject to land tax is in no different position to any other person with interest in property that would be subject to the provisions of the legislation.

Further, the relevant standing order does not apply to motions or public bills that involve questions of state policy. The legislation is a public bill that involves the question of state policy. The bill seeks to amend existing laws relating to land tax and, as such, deals with matters of established state policy. The legislation also impacts a large section of the community, and while they may hold interests that could be impacted by the legislation, they hold those interests in common with a significant group of subjects of the Crown.

With matters of state taxation, all subjects of the Crown are subject to the laws. For these reasons, I hold the view that all members are entitled to participate in the debate and vote on the legislation in question. Ultimately, with regard to the disallowance of a vote of any member, such disallowance would be for the council to determine on motion following a division.

In terms of members sitting on select committees, the same assessment applies, that is, that the member holds a direct pecuniary interest not held in common with the rest of the subjects of the Crown. A member may, in the interests of transparency, choose to declare an interest during a contribution in the debate; however, having such an interest does not preclude any members from participating in any debate or a select committee, should one be established.

Of course, members have an obligation under the Members of Parliament (Register of Interests) Act 1983 to declare certain interests in their primary and ordinary returns and the register is publicly available and the registrar's statement is tabled in this house.

### **RULING, MEMBERS IN THEIR PLACES**

**The PRESIDENT (14:21):** I have a further statement on a matter that was raised by the Treasurer yesterday. During question time yesterday, the Hon. Ms Scriven occupied the seat of the Hon. Kyam Maher. The Treasurer posed the question, or openly mused, as to whether it was in accordance with the standing orders for the member to ask her question from another member's place. Standing order 47 states:

Members shall be entitled to retain the seats occupied by them at the time of their taking their seats for the first time after their election, so long as they may continue Members of the Council without re-election.

Standing order 167 states:

Every Member desiring to speak shall rise uncovered, in their place or in the place of some other Member who does not object thereto, and address the President; and may advance to the Table for the purpose of continuing the address.

The issue has been raised in past parliaments, and in particular I refer to rulings by President Duncan in 1957 and 1959 where he declared that members were permitted to occupy another member's place provided no objection was taken by the member concerned.

So unless the Hon. Mr Maher objects to the Hon. Ms Scriven occupying his place—and I understand that he does not—I will recognise her from that place. However, I do encourage members, and have in the past encouraged members, to address the chamber from their designated place and not take licence to attempt to address the chamber from any place where they please. Are there any questions on those statements?

**The Hon. M.C. PARNELL:** I have a question on that second statement. Is there a difficulty with an ability for a member to occupy the same seat when they were elected? For example, a person may have been elected as part of a party that formed government and then they were re-elected and they were part of the opposition. The protocol of this place is that people do change their seats and they are not allowed to keep the same seat that they had when they were first elected. Is that an inconsistency or a problem with the standing orders?

**The PRESIDENT:** No, because the standing orders accommodate the fact that it will change after election.

**The Hon. M.C. PARNELL:** Separately?

**The PRESIDENT:** Yes. The President reallocates the seats post-election. The standing order states that you are entitled to retain your seat between elections.

*Question Time*

### **SUICIDE PREVENTION**

**The Hon. C.M. SCRIVEN (14:24):** I seek leave to make a brief explanation before asking a question of the Minister for Health and Wellbeing regarding suicide prevention programs.

Leave granted.

**The Hon. C.M. SCRIVEN:** Yesterday, during question time, the minister advised the council that questions regarding the cut in funding for suicide prevention programs within MATES in Construction should be referred to the Minister for Innovation and Skills. However, the opposition understands that the minister, the Minister for Health, has personally met with representatives from MATES in Construction to discuss their program and funding needs. My questions are:

1. When did the minister meet with MATES in Construction?
2. What was discussed at that meeting?
3. What was the outcome of the meeting?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:25):** I did indeed meet with representatives of MATES in Construction. My answer yesterday was in relation to what I understand the honourable member was referring to as recent changes in the government's funding of MATES in Construction. On my understanding, that money was coming through the Construction Industry Training Board and so therefore my answer was in that context.

I did meet with a representative of MATES in Construction and, of course, was delighted to hear again about the good work they do. The South Australian government is strongly committed to action in suicide prevention. The appointment of a member of this council to be the Premier's Advocate for Suicide Prevention and the establishment of the Premier's suicide council is a demonstration of that commitment. We will continue to partner with NGOs and community organisations. We have grant rounds in relation to suicide prevention, and other funding sources. We will continue to partner with NGOs.

#### SUICIDE PREVENTION

**The Hon. C.M. SCRIVEN (14:26):** Supplementary for clarification: is the minister saying that he has provided no additional funding to make up for the \$50,000 in funding that was cut via the CITB funds?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:26):** The CITB is an independent board. I did not give an undertaking to replace the funding decisions that they have made. Having said that, I don't know the details. There is a recollection that the funding came to an end rather than it was actually reduced.

#### SUICIDE PREVENTION

**The Hon. C.M. SCRIVEN (14:27):** Further supplementary: has MATES in Construction provided the minister with a funding request in his capacity as Minister for Health and Wellbeing to support their suicide prevention programs? If so, has that funding request been granted?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:27):** I was in no doubt in that meeting that MATES in Construction would welcome any additional funding from the state government.

#### SUICIDE PREVENTION

**The Hon. C.M. SCRIVEN (14:27):** Further supplementary. Thank you for the answer, which was clearly no. Has your department provided you with any advice in relation to the funding needs of MATES in Construction? If so, what was that advice?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:27):** I imagine that I was briefed before that meeting.

#### SUICIDE PREVENTION

**The Hon. C.M. SCRIVEN (14:27):** A further supplementary, asking the same question: what was the advice that he was given?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:27):** I will take that on notice.

**SUICIDE PREVENTION**

**The Hon. C.M. SCRIVEN (14:27):** Further supplementary: as health minister, would the minister advise the Construction Industry Training Board that the MATES in Construction suicide prevention program would have a beneficial impact upon reducing the incidence of suicide, or does he say that is none of his concern?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:28):** What I would say, first and foremost, is that the Construction Industry Training Board is an independent body. My recollection is that the members opposite made a big fuss about that very fact earlier this year in debates in this place. You can't have your cake and eat it too.

In relation to MATES in Construction, whoever is listening, whether it's the Construction Industry Training Board or others, I am happy for people to know that I have huge respect for the work done by MATES in Construction.

**The PRESIDENT:** Further supplementary.

**SUICIDE PREVENTION**

**The Hon. C.M. SCRIVEN (14:28):** Does the minister think that huge respect is more beneficial to MATES in Construction than funds?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:28):** If the honourable member thinks that every good work done in South Australia needs to be government funded, I can understand why the budgets continued to blow out under the former Labor government.

**SUICIDE PREVENTION**

**The Hon. C.M. SCRIVEN (14:29):** Supplementary for clarity: is the minister saying, therefore, that suicide prevention is not the business of government and not the business of him as health minister?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:29):** No.

**AGED-CARE CCTV TRIAL**

**The Hon. E.S. BOURKE (14:29):** My question is to the Minister for Health and Wellbeing. Will the minister advise who will monitor the review and review the CCTV footage from aged-care facilities under the government's specifications for the CCTV monitoring pilot?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:29):** In the documents, one of the mandatory assessment requirements is that there be monitoring staff available 24/7. Clearly, therefore, the monitoring is done by the CCTV provider.

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

**AGED-CARE CCTV TRIAL**

**The Hon. E.S. BOURKE (14:29):** Will the government specify that those people reviewing the CCTV footage as part of the trial in aged-care facilities be required to have any clinical qualifications and, if so, what qualifications will they be required to have?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:30):** In a way, this relates to the issue raised yesterday, I think by the Hon. Justin Hanson, in relation to time frames. This is a tender. People are told what our basic needs are. The better they can do, the better their tender will sit in the evaluation process. We certainly are expecting, as a mandatory criterion, 24/7 monitoring. The professional skills that are available in that monitoring and the like are the factors that would be considered in the evaluation of tenders.

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

**AGED-CARE CCTV TRIAL**

**The Hon. E.S. BOURKE (14:30):** Has the government specified that the people monitoring and reviewing the CCTV footage be mandatory notifiers?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:30):** I am happy to take that on notice.

#### SA HEALTH

**The Hon. I.K. HUNTER (14:31):** I direct my question to the Minister for Health and Wellbeing. Why does the government's contract with consultants PwC on rebalancing the health system state one of the objectives as: 'Care will be provided at a lower cost to previous facility-based beds and may increasingly be provided by the non-government sector'?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:31):** The reason why this government believes that we shouldn't waste money is that, if you save the money that you don't waste, you can buy more services.

**The PRESIDENT:** A supplementary, the Hon. Mr Hunter.

#### SA HEALTH

**The Hon. I.K. HUNTER (14:31):** Is the minister then considering privatising or outsourcing any out-of-hospital programs or patient transfer services that are currently provided within the public health service and, if he is, which ones is he considering?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:32):** I would suggest that the honourable member might read the election policies that this government took to the election. If the honourable member would like to see what we said in opposition, we have been completely transparent that we would rebalance the health system. What we said in our policy was that we would:

...better manage complex health conditions for the populations which are most at risk of being high consumers of hospital care so that their quality of life is better and unnecessary hospital-based care is minimised;

We committed:

To provide as much care in the community as possible, where it is safe to do so...

Later in the same policy, released before the election and resoundingly endorsed by the people of South Australia at the election, we said:

This focus on avoiding hospital admission will be championed by Wellbeing SA, a new prevention-focused team within SA Health.

Wellbeing SA will broker collaborations involving Local Health Networks, Primary Health Networks, general practitioners, non-government organisations and the private sector to jointly deliver prevention, virtual hospital, sub-acute and chronic disease management services to the people they serve.

We are not ashamed of delivering better value-for-money services for South Australians. We will continue to partner with NGOs if that delivers better outcomes for South Australians.

#### SA HEALTH

**The Hon. I.K. HUNTER (14:33):** A further supplementary: has the minister's chief executive, Dr McGowan, relinquished his responsibilities regarding any commissioning of private out-of-hospital programs, given his previous role as the chief executive of private provider Silver Chain?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:33):** I have no doubt that my chief executive will continue to manage all his probity and conflict of interest matters in accordance with the public sector guidelines.

#### SA HEALTH

**The Hon. I.K. HUNTER (14:34):** A further supplementary, trying to get an answer from the minister: did Dr McGowan immediately relinquish any and all roles at Silver Chain upon taking up his role as Chief Executive of SA Health last May?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:34):** It is certainly my understanding that he did but I will take that on notice.

### HOUSING AFFORDABILITY

**The Hon. J.S. LEE (14:34):** My question is for the Minister for Human Services regarding housing. Can the minister please provide an update to the council about how the Marshall government is supporting older people in social and affordable housing?

**The Hon. J.M.A. LENSINK (Minister for Human Services) (14:34):** I thank the honourable member for her question and for her interest in this area. We know particularly from the report that was commissioned by the Australian Housing and Urban Research Institute (AHURI), that in South Australia there is unmet demand in the affordable housing space. For this and a range of reasons the Marshall Liberal government has been very keen to ensure that that unmet demand for people who are experiencing housing stress is able to be met through a range of projects both within the government and the non-government sector. The AHURI report has outlined that the number of older people who are paying off mortgages has doubled in a decade. They certainly don't have the—well, a range of people, younger people as well, don't have the positive housing outcomes of previous generations.

At the same time, we also have the matter of older women becoming nationally the fastest growing cohort of people experiencing homelessness. So for this reason, in the public housing space, I was very pleased to open a new building yesterday at Prospect, which is a 20-apartment building for people entering the public housing system, which has Disability Discrimination Act compliant bathrooms, communal areas, a place for charging and storing mobility scooters, lifts, and a whole range of other features that make it much more friendly.

We also have the Assist program which is targeted specifically at women over the age of 50 to assist them through the HomeStart program to enable them to purchase homes. Older women can often experience relationship breakdowns. They may have provided funding to their children and they find themselves caught without the assets that they might have had, as well as compounding with that the matter of not having had the unbroken work history that a lot of men have. We have released for interest, and now to market to assist people who are eligible—so that is a single person household earning less than \$85,000—to purchase properties which are located at Findon, Kidman Park and Woodville West. Construction for those is going to begin in February 2020.

In relation to our own housing stock, we have an enhanced maintenance program and we also have a housing construction stimulus program from the budget that is continuing to develop affordable homes across the Adelaide metropolitan area, north, south, east and west, to assist people on low and moderate incomes who meet the eligibility criteria. There are a range of things where the government, within our own Housing SA funding envelope, is progressing with those. We also have in the non-government sector a range of tier 1 providers who are looking at providing particularly affordable rental, and potentially with shared equity products to assist people into home ownership.

There are a range of programs taking place and work is continuing. We also look forward to releasing later this year our housing and homelessness strategy which had a lot of input from a whole range of people across the sector, whether it is the private sector, the non-government sector, people with lived experience and, of course, our own public sector to develop that which will guide us over the next 10 years.

### HOUSING AFFORDABILITY

**The Hon. J.E. HANSON (14:39):** Supplementary: the minister outlined that there is a \$104.5 million housing stimulus package. That package includes, I understand, a \$2 million affordable housing program, a \$21.4 million housing construction package and a \$21.1 million preventative maintenance program. That totals about \$44.5 million. My question to the minister is: why is the minister's program missing \$60 million?

**The Hon. J.M.A. LENSINK (Minister for Human Services) (14:39):** I think those figures are available in the budget papers. I am happy to sit down with the honourable member and go through those in much greater detail if he would like to.

**SOCIAL HOUSING**

**The Hon. I.K. HUNTER (14:40):** A supplementary question arising from the minister's answer: the minister reference the AHURI report, talking about the unmet demand for social housing. Minister, what is the level of unmet demand for social housing in South Australia?

**The Hon. J.M.A. LENSINK (Minister for Human Services) (14:40):** In the AHURI report the unmet demand—I think nationally they talk about 727,000 affordable homes, with approximately 50,000 for South Australia, but that is across the potentially social as well as private rental and private ownership. So it is within that particular mix.

**SOCIAL HOUSING**

**The Hon. I.K. HUNTER (14:40):** In relation then to the 50,000 unmet demand for homes—social housing and public housing—how much of this unmet demand, how many South Australians, does the government plan to provide for in this term of government?

**The Hon. J.M.A. LENSINK (Minister for Human Services) (14:41):** As I have tried to explain to this parliament many times, it is a partnership. It is a partnership that is not just the state government's. The solution to this is not just the role of government. I think one of the problems the Labor Party often falls into is that particularly when they are in government they like to be on the white charger, coming in to rescue everyone, and they have some thought, which is not shared by a lot of people—

*Members interjecting:*

**The PRESIDENT:** Minister, through me.

**The Hon. J.M.A. LENSINK:** Mr President, it is very hard to talk when I am constantly being interrupted by members opposite. It is a partnership. It is not just up to the government to play a role in this.

**The Hon. I.K. Hunter:** That's fine, but tell me how many you're going to provide.

**The Hon. J.M.A. LENSINK:** Mr President, I don't wish to have a conversation with the member across the chamber.

**The Hon. I.K. Hunter:** Well, answer the question.

**The Hon. J.M.A. LENSINK:** He is constantly going—

**The PRESIDENT:** Through me, minister. The Hon. Mr Hunter, restrain yourself.

**The Hon. J.M.A. LENSINK:** —backwards and forwards and interrupting me and not actually letting me get to the answer. I mean, I can take the rest of question time, if you will, but I am sure that would not please the President.

**The Hon. I.K. Hunter:** I just want an answer. How many of those 50,000 are you going to provide for?

**The PRESIDENT:** The Hon. Mr Hunter, you asked the question. Let's see what the minister has to say.

**The Hon. J.M.A. LENSINK:** So in terms of affordable housing we know that there are a lot of people who would like to be able to purchase a home who are not able to because there are not a lot of properties available in that affordable space. That is therefore something where within our strategy we have brought in the private sector onto the task force group to assist us with that particular strategy, because it is all part of the mix. What happens when people can't afford to maintain their mortgage or maintain their private rental is that they come back to the public and social housing system. That is unsustainable.

I would urge all Labor members to read the triennial review, which I tabled on 5 July last year. If they had any illusions that they give a damn about people who are in disadvantage, they should disavow themselves of that immediately, because they left the public housing system in a complete shambles. It was broken, it was unsustainable. We have a range of stock which is run-down. When they ran out of money their former treasurer did three things: he reduced the

maintenance budget, he sold properties and he ran down the cash. So the Labor Party have no place in any feigned outrage on this particular issue.

In terms of trying to restore this broken system that the Marshall Liberal government inherited, we have been reaching across the spectrum, because people don't just necessarily want to live in the public housing system. It is there as a safety net, and we need to provide across the system for people who wish to rent and for people who wish to buy. So that is the focus of the strategy which will be released later this year.

### SOCIAL HOUSING

**The Hon. I.K. HUNTER (14:44):** This is my final attempt at a supplementary, sir. I commend the minister for her strategy, and I commend her for bringing in the private sector, but my question is very simple: how many of these 50,000 South Australians the minister tells us are in housing need will this government meet the housing demands for over this term of government? How many of those 50,000 will you provide for?

**The Hon. J.M.A. LENSINK (Minister for Human Services) (14:44):** If the honourable member would like to read the housing and homelessness strategy, when it is released, we will be more than happy to include him on the mailing list.

**The Hon. I.K. Hunter:** You have been in almost two years. How many will you provide for?

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

*Members interjecting:*

**The PRESIDENT:** The Hon. Mr Hunter, we have all got the point. I would like to hear from the—

*Members interjecting:*

**The PRESIDENT:** Have you all finished? The Hon. Mr Hanson is getting tired, standing up there. The Hon. Mr Hanson, let's hear the supplementary.

### HOUSING AFFORDABILITY

**The Hon. J.E. HANSON (14:45):** I never tire, Mr President. On 18 June, minister, you issued a quite substantial media release to the effect of the—

*Members interjecting:*

**The Hon. J.E. HANSON:** Excuse me, Mr President, I require your protection from the Hon. Mr Dawkins, who seems intent on—

**The PRESIDENT:** I can't rule on anything because no-one has made an objection or a point of order. Start again, the Hon. Mr Hanson.

**The Hon. J.E. HANSON:** Supplementary on the basis of the minister's original answer. My question to the minister is: on 18 June this year, the minister issued quite a substantial press release in regard to the \$104.5 million housing stimulus package. Why did the minister issue such a media release about a package if she is not willing to stand up in parliament to be held accountable for \$60 million missing from it?

**The Hon. R.I. LUCAS (Treasurer) (14:46):** Given that I was the minister responsible for the budget and the Treasury, I am happy to provide further detail in relation to that, and also indirectly, via other ministers, with HomeStart reporting to different ministers. There are a number of ministers who have responsibility in the housing area: the Minister for Human Services, the minister responsible for HomeStart, and ultimately—

*Members interjecting:*

**The PRESIDENT:** Order in the opposition benches! The Treasurer is entitled to answer the question.



**The Hon. R.I. LUCAS:** Ultimately, I took responsibility on behalf of all ministers in the cabinet for the \$104 million housing stimulus package, and other ministers just reflected the words that I had incorporated in the budget speech and budget announcements. So there is no missing \$60 million.

We made it quite clear in the budget and in related statements issued by the government in various agencies that the loans that were generated through the announcements the government made would leverage around \$60 million in new lending, including \$28 million in new construction lending to build 80 new homes, and around \$32 million in lending for established properties, leading to 120 housing outcomes for those struggling to buy an established property. All in all, that is \$60 million in new lending for home purchases levied from the provision of up to 200 no-deposit loans.

The government made it quite clear, from budget day onwards, in relation to its housing stimulus package. It was warmly supported by most within the housing industry stakeholder groups and others as a very useful housing stimulus package, using and leveraging loan facilities to generate loan activity in the housing and construction industry.

#### HOUSING AFFORDABILITY

**The Hon. J.E. HANSON (14:48):** A supplementary, I think to the Treasurer?

**The PRESIDENT:** You can't. The supplementary can only be given to the minister, arising out of her original answer.

**The Hon. J.E. HANSON:** I will ask my supplementary. It can be taken on notice and the Treasurer can answer it later. The budget measure—

**The PRESIDENT:** We don't need the commentary.

**The Hon. J.E. HANSON:** The budget measure in this year's budget requires HomeStart to pay 100 per cent of profits back to Treasury. This means, of course, that HomeStart can't reinvest the profits. My question to the minister is: why is the minister taking money off low-income households and HomeStart to be paid back into the budget? You can ask the Treasurer.

**The Hon. J.M.A. LENSINK (Minister for Human Services) (14:49):** I am happy to answer that, notwithstanding that HomeStart is an agency of the Hon. Stephan Knoll. The premise of the honourable member's supplementary is incorrect.

*Members interjecting:*

**The PRESIDENT:** Are we all ready to go? I am anxious to hear a question from the Hon. Mr Parnell. The Hon. Mr Parnell.

*Members interjecting:*

**The PRESIDENT:** He doesn't seem so anxious to ask it but, the Hon. Mr Parnell, you have the call.

#### FREEDOM OF INFORMATION

**The Hon. M.C. PARNELL (14:49):** I'm keen. I seek leave to make a brief explanation before asking the Minister for Health and Wellbeing questions about noncompliance with freedom of information legislation.

Leave granted.

**The Hon. M.C. PARNELL:** During question time in September last year, I asked the Minister for Health and Wellbeing about government consideration of market impacts if the proposed federal deregulation of a number of new GM techniques were to be approved. In the absence of a comprehensive answer, I then applied in October last year to the minister's office for relevant documents under the Freedom of Information Act. I requested access to the regulatory impact statement and other related documents.

My freedom of information application was refused by the minister in December last year. I then appealed to the Ombudsman by way of external review. In July this year, the Ombudsman made

a provisional determination, followed in September by a final determination to reverse the minister's decision, ordering that all of the 18 documents in question be released to me in full.

Under the act, the minister had 30 days in which to appeal against the Ombudsman's decision. That period expired over two weeks ago, on 26 October. No appeal has been lodged. I again wrote to the minister's freedom of information officer on 5 November this year asking for the documents, but still have not received them.

Leaving aside the minister's clear breach of the law, these documents are important because they informed the decision that was made by a ministerial forum earlier this year to deregulate these new GM technologies. That decision was subsequently implemented via commonwealth government regulations, which are the subject of a Greens' disallowance motion which is being voted on in the Senate this afternoon. Senators are now having to vote on a disallowance motion without having been given access to key documents that informed the decision to pass the regulations in the first place.

Noting that this Marshall Liberal government came to office with the promise to the electorate of being an open and accountable government, my questions of the minister are:

1. Why has the minister's office continued to refuse to release these documents in defiance of the Ombudsman's ruling?
2. Is the refusal a cynical political ploy to hide the documents until after the Senate disallowance motion has been resolved?
3. When will the minister's office comply with the Ombudsman's determination and release these 18 documents to me in full?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:52):** I must admit to the Hon. Mark Parnell that I am not anywhere so cunning. I wasn't even aware that there was a Senate vote this afternoon being promoted by the Greens. In relation to the Senate vote, I would stress that we are not the only state in the federation. The information may well have been available from a number of sources.

My recollection of the early stages of the FOI was that concerns were expressed in terms of intergovernmental relations—the participation between the state and the commonwealth and other jurisdictions—but I will certainly consult with my freedom of information officer and seek an update of the progress of the honourable member's application.

#### **DOMESTIC VIOLENCE ACCOMMODATION**

**The Hon. I. PNEVMATIKOS (14:53):** I seek leave to make a brief explanation before asking a question of the Minister for Human Services regarding domestic violence beds.

Leave granted.

**The Hon. I. PNEVMATIKOS:** The government has announced that they will roll out 40 new crisis accommodation beds for South Australians leaving domestic and family violence across Adelaide and the regions, with 75 per cent of those beds run up by the end of the year, and the remainder by April 2020. During the estimates committee process, the minister outlined her plans to have the first nine beds ready for September 2019. My question to the minister is: how many of those nine beds have been actually delivered by the September deadline and will the rest of the beds be delivered by the end of the year, as promised?

**The Hon. J.M.A. LENSINK (Minister for Human Services) (14:54):** I thank the honourable member for her question. Indeed, she has correctly identified that we have experienced some delays in terms of the original time lines for those 40 crisis beds. We have determined that the areas of greatest need are northern Adelaide, southern Adelaide, Murray Mallee, Eyre and Western and the Limestone Coast.

The original proposal that was in the election commitment was for 40 beds, which included 20 I think in the southern region and two lots of 10 to be located in particular regions. The overwhelming feedback that we received at the first domestic violence round table was that that configuration was probably not the optimal one in terms of where the demand was. We then

consulted through the regional round tables about where they should be located, and further feedback from the community was that 10-bed facilities in a region was not the optimal configuration either, that it would be a smaller number in a larger number of regions.

We have mapped data between the domestic violence data and through Housing working in partnership together, together with the non-government sector, to come up with those particular regions, which we are now working through. It is intended that for the perpetrator pilot, which I think I have spoken about in this place before, not all beds should be necessarily for families fleeing violence but that, once a safety assessment has been made, sometimes it is far preferable for the family to stay in the family home and for the perpetrator to be relocated to emergency accommodation. That is something that the sector has spoken about very strongly and which we have supported.

The Housing Authority and the Office for Women continue to work in partnership to deliver those models, and we are hopeful that the revised timetable will be met.

**The PRESIDENT:** The Hon. Ms Pnevmatikos, a supplementary.

#### **DOMESTIC VIOLENCE ACCOMMODATION**

**The Hon. I. PNEVMATIKOS (14:56):** So what is the revised timetable? Clearly, the deadlines haven't been met at all.

**The Hon. J.M.A. LENSINK (Minister for Human Services) (14:57):** The original timetable was that we were hopeful that we would have the first tranche delivered by September. We are now looking at the first quarter of 2020.

#### **DOMESTIC VIOLENCE ACCOMMODATION**

**The Hon. C.M. SCRIVEN (14:57):** A supplementary to clarify: is the minister saying that none of the promised beds have been delivered at all so far?

**The Hon. J.M.A. LENSINK (Minister for Human Services) (14:57):** I will double-check. We were doing them in batches. In fact, I think we have some which have been in contract stage. I would need to double-check whether those contracts have actually been agreed to or not, but I think we were very close to being able to deliver on those and certainly hopeful that the final will be completed by the first quarter of next year.

**The PRESIDENT:** The Hon. Ms Pnevmatikos, a supplementary.

#### **DOMESTIC VIOLENCE ACCOMMODATION**

**The Hon. I. PNEVMATIKOS (14:58):** Of the number of beds which are to be used by perpetrators, will these be located in the same place as other victims or in the same house, and can the minister assure us of the safety of victims living near perpetrators?

**The Hon. J.M.A. LENSINK (Minister for Human Services) (14:58):** This entire process is driven by safety and safety assessment. We have had very deep consultation—I think it was a three-day consultation late last year between the Office for Women and Housing and the specialist service providers and other housing providers—to determine the parameters.

Often in the housing sector there is talked about a housing-first approach. Certainly, when it comes to the specialist domestic service providers, they talk about a safety-first approach. There will be safety assessments done for each of these particular situations and cases to ensure that people are, as far as possible, protected from perpetrators.

The issue that the specialist sector has talked to us about is that what happens under the existing systems is that nobody actually has line of sight over the perpetrator. What is standard practice at the moment is that the family leaves the home, usually to a shelter, sometimes to a hotel or sometimes to some other form of crisis or transitional accommodation. No service has line of sight over the perpetrator unless potentially the police have been involved. We anticipate that perpetrators may be removed where there is a lesser level of crisis within that particular situation and that there will be intervention with that perpetrator. It will not be used in the highest-risk situations, where the perpetrator is really very agitated.

What we are hoping to do with the entire sector, which I spoke about quite recently in terms of the Berri safety hub, and the feedback that I have received directly from visiting them, is that we are moving situations upstream; that is, families are self-managing better because they have the tools to enable them to manage processes and, in some cases, get legal advice, counselling and a whole range of tools that they may need to manage the situation so that they don't get into that crisis situation where the police need to intervene and where families need to be removed. The whole reorientation of the system is all about safety as its priority.

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

#### **DOMESTIC VIOLENCE ACCOMMODATION**

**The Hon. I. PNEVMATIKOS (15:01):** Therefore, is it the case that perpetrators and victims will not be housed in the same location?

**The Hon. J.M.A. LENSINK (Minister for Human Services) (15:01):** I would need clarification about what the honourable member means by 'location' and whether she's talking about suburb or whether she's talking about the same building or the like, but I can assure her that all of the safety considerations are very much at the heart and design of the way these services are being rolled out.

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

#### **DOMESTIC VIOLENCE ACCOMMODATION**

**The Hon. I. PNEVMATIKOS (15:01):** There were 40 beds allocated—I am referring to the beds, wherever those beds are located. Will victims and perpetrators be located in the same area where the beds are found?

**The Hon. J.M.A. LENSINK (Minister for Human Services) (15:01):** Again, I think it depends on what model the honourable member thinks we are talking about. The modern services are less about having a shelter model, if you like. If the honourable member is suggesting that we would have perpetrators co-located with victims, then that is not the case. That is my understanding. If the honourable member is talking about area, she may be referring to suburbs, postcodes etc. These are public housing properties that are being utilised. I certainly can't guarantee that perpetrators aren't located in the same suburb as victims, but I think, in the ordinary course of events, that would be somewhat unreasonable in any case.

#### **DOMESTIC VIOLENCE ACCOMMODATION**

**The Hon. C.M. SCRIVEN (15:02):** Supplementary, for clarification: in terms of the crisis accommodation beds, is the minister saying that not one of those is up and running and they are still only looking at signing contracts?

**The Hon. J.M.A. LENSINK (Minister for Human Services) (15:02):** This comes back to my white knight comment before. We need to get these services right. We need to ensure that the service providers, because these are services that will be provided by specialist domestic violence services—we need to make sure that we have an agreement on where they are going to operate from. It is quite customary, I think, in these things that negotiations will sometimes take longer than we anticipated, but we certainly want to make sure that we get the services right so that, from the day they are operating, people are receiving the right mix of services. I make no apology for that.

#### **SA HEALTH**

**The Hon. J.S.L. DAWKINS (15:03):** My question is directed to the Minister for Health and Wellbeing. Will the minister update the council on staffing initiatives in SA Health?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:04):** I thank the honourable member for his question. SA Health is a large organisation with around 40,000 staff working to provide quality health services to South Australians across our geographically and culturally diverse state. I thank them for their hard work and dedication.

SA Health will shortly award a series of SA Health Awards to celebrate the achievements of the organisation. These awards demonstrate that, amongst all the challenges it faces, SA Health is delivering excellence—often excellent responses to significant challenges. I want to congratulate

everyone who has been named as a finalist for the awards. As individuals, as teams, as projects, they are amazing. To the 40,000 strong SA Health team statewide, I want to thank each of them for the care they provide.

The awards are in 10 categories, from the Minister's Community Award to an award for Excellence and Innovation in Aboriginal Health, and there are three finalists in each of the award categories. Although there would not be time to name each finalist, I would like to mention a couple that I had the privilege of seeing for myself, talking to the staff involved and seeing the difference they make for their patients.

Earlier this year, I visited the Laklinyeri Beach House, which is operated by the Women's and Children's Hospital and built with the generous philanthropic donations through the foundation. The Beach House is a purpose-built home to allow families of children with complex ongoing needs to have some time away from their often difficult daily schedules.

Another finalist I have been able to visit is one of the finalists for the Minister's Research and Innovation Award. The Aged and Extended Care Services at The Queen Elizabeth Hospital have partnered with staff and consumers to co-design a technologically innovative program to prevent falls. Falls are a major risk, especially for older South Australians. Last year, there were more than 22,000 people admitted to a public hospital after a fall, 68 per cent of them over the age of 65.

A third finalist I visited was a finalist in the category of Excellence and Innovation in Aboriginal Health. The Women's and Babies Division at the Women's and Children's Hospital was recently opened and provides a multidisciplinary team crucially involving Aboriginal staff to support culturally appropriate care to Aboriginal families before and after birth in the Aboriginal birthing unit. It brings together services that had previously been scattered around the hospital. It's the first purpose-built facility in the state.

Although I have mentioned those three, I want to congratulate all of the 30 finalists and all of those people who were nominated for the awards. Through these awards, we have the opportunity to thank SA Health staff right across the state for the excellent work being done.

#### SA HEALTH

**The Hon. C.M. SCRIVEN (15:07):** I have a supplementary on this question about SA Health staff. When will decisions be made about voluntary separations, otherwise known as staff cuts, from the Central, Northern and Women's and Children's Health Networks?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:07):** Those processes are being managed by the relevant local health networks.

#### SA HEALTH

**The Hon. C.M. SCRIVEN (15:07):** When will those decisions be made by those relevant health networks?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:07):** I will have to take that on notice.

#### SA HEALTH

**The Hon. C.M. SCRIVEN (15:07):** Supplementary: how many nursing positions will be reduced through the voluntary separations?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:07):** I'm happy to take that on notice, but let me reiterate that this government has made a commitment that no nurse or doctor will be sacked as a result of our budget measures.

**The PRESIDENT:** I need to move on to get to the crossbench, the Hon. Ms Scriven. You can ask the question tomorrow, if you choose. The Hon. Mr Darley.

### PLANNING AND DESIGN CODE

**The Hon. J.A. DARLEY (15:08):** I seek leave to make a brief explanation before asking the Minister for Trade, Tourism and Investment, representing the Minister for Planning, a question about the draft Planning and Design Code.

Leave granted.

**The Hon. J.A. DARLEY:** I understand that the consultation period for the Planning and Design Code for phase 2 is from 1 October 2019 to 29 November 2019. I have been contacted by concerned farmers who have expressed that they may miss out on the opportunity to have their say given the complexity of the code and the time constraints they face during this busy harvesting period. My question is: can the minister advise how the government is assisting farmers to have their say about the Planning and Design Code?

**The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (15:09):** I thank the honourable member for his question and his ongoing interest in the draft Planning and Design Code. I will take his question on notice and refer it to my colleague the Hon. Stephan Knoll, the relevant minister in the other chamber.

### AFFORDABLE HOUSING

**The Hon. T.T. NGO (15:09):** I seek leave to make a brief explanation before asking a question of the Minister for Human Services about affordable properties.

Leave granted.

**The Hon. T.T. NGO:** Last week, the minister recycled a media release regarding affordable properties for women over the age of 50. In her original release of 30 August 2019, she stated that:

The house and land packages have a maximum price of \$407,100.

However, in the minister's release dated 4 November 2019, the minister states that:

...land packages range between \$320,000 and \$395,000.

Can the minister tell the council why the package prices have been reduced by about \$12,100?

**The Hon. J.M.A. Lensink:** Sorry—reduced?

**The Hon. T.T. NGO:** By about \$12,000.

**The Hon. J.M.A. Lensink:** Sorry, I think I must have missed the first part of your question.

**The Hon. T.T. NGO:** Okay, I will start again. The original press release says land packages have a maximum price of about \$407,000 and the recent one says between \$320,000 and \$395,000.

**The Hon. J.M.A. LENSINK (Minister for Human Services) (15:10):** I thank the honourable member for his question. As he has correctly identified, the original release talked about a maximum price of \$407,100. That is a maximum price, clearly. The first nine home and land packages that are going to be made available as a bit of a pilot, if you like, for single women over 50 through the Affordable Homes Program range from between \$320,000 and \$395,000. Those will be located in Findon, Kidman Park and Woodville West. As I stated earlier this afternoon, we are expecting to begin construction in February 2020.

The Assist program, which is the shared equity product, reduces the purchase price for people. On my calculations, which I can double-check, the amount of equity that somebody would need to work towards is between \$208,000 and \$260,000, which is clearly much more affordable than Adelaide's average house price, which I think is in the order at the moment of about \$420,000 or \$450,000.

Clearly, this program puts the purchase price much more within the reach of people on low incomes and people who, for a range of reasons, as I outlined previously, may not have the same equity available as other people. HomeStart has been a very useful vehicle for a range of South Australians to get into the housing market and continues to be a useful vehicle for this partnership with Housing.

### CHINA TRADE MISSION

**The Hon. T.J. STEPHENS (15:12):** My question is to the Minister for Trade, Tourism and Investment. Can the minister update the council on outcomes from his trip to Shanghai and Guangzhou?

**The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (15:13):** I thank the honourable member for his ongoing interest in growing our economy, especially in Asia. As I have mentioned before to the council, the Marshall Liberal government has taken positive steps to grow our relationship with China as our largest partner for trade, tourism and international education. This includes reopening a trade office in Shanghai as part of the \$12.8 million commitment to support South Australian businesses in-market to drive exports and market opportunities.

Delivering on our election commitment, last month we also appointed a trade officer in Guangzhou embedded within Austrade. Now, through the Shanghai and Jinan offices, as well as our representatives in Hong Kong and Guangzhou, South Australian businesses have on-the-ground support across northern, central and southern China.

As well as attending the China International Import Expo that I spoke of yesterday, a key focus of my time in China was to meet our new Guangzhou representative, Ms Joie Liang, and to build on key relationships in that region. It is critical to have someone on the ground assisting exporters with advice and support on local government, customs and quarantine issues.

I had very constructive meetings with the Guangdong ministry of commerce, as well as China Southern Airlines, who operate, as we know, direct flights between Adelaide and Guangzhou and manage a considerable amount of very important air freight from our South Australian exporters to China. I also met with key distributors of South Australian products both in Guangzhou and Shanghai, as well as a number of researchers who are interested in growing their partnerships in South Australia and several entrepreneurs who are considering developing their businesses here.

I was also pleased to witness the signing of an agreement between Shanghai Electric Group and local Adelaide company Consolidated Power Projects Australia Pty Ltd (CPP). This is a significant partnership that enables CPP to provide the electrical design and other services as part of Shanghai Electric's plan to build a high-voltage substation for the Cultana Solar Farm north of Whyalla. I congratulate Dave Evans, Anton Theron and the CPP team for their success.

It's clear that having South Australian trade and investment representatives on the ground in China is delivering results. It has been one year since we opened the Shanghai office. In addition to its work supporting business migrants, trade fairs, inbound and outbound delegations and sourcing trade leads and investment opportunities, to date the office has supported more than 21 new South Australian exporters to enter the China market for the first time. This is on-the-ground support that 21 South Australian exporters would not have received under the previous Labor government.

Looking at the 12-month trade figures to September, South Australia recorded nearly \$2.8 billion worth of exports to China, an increase of 9.7 per cent. I would like to thank Xiaoya, Alice, Javen, Michelle and Joie for their ongoing efforts as well as all our colleagues from Austrade and the Department of Foreign Affairs and Trade. I look forward to sharing more outcomes for South Australia as they follow up on all the business leads generated while I was in China last week.

### AGED-CARE CCTV TRIAL

**The Hon. F. PANGALLO (15:16):** I seek leave to make a brief explanation before asking a question of the Minister for Health and Wellbeing about CCTV cameras and conflicts of interest.

Leave granted.

**The Hon. F. PANGALLO:** Care Protect, a UK-based independent provider of a CCTV camera surveillance system, recently quit its involvement in a pilot program to be run in South Australia's residential care facilities. Care Protect has cited several concerns of probity concerning the conduct of certain key members of the steering committee, particularly in relation to the commercial interests of Mr Bret Morris, the interim chief of digital services in the department. My questions to the minister are:

1. Is he comfortable that, as a senior staff member of SA Health, Mr Morris was until recently, in July, promoting his Metrixcare Healthcare Analytics business to SA Health while still a member of the CCTV team?
2. Did Mr Morris declare his interests when he was appointed to the CCTV steering committee?
3. Why does the minister consider Mr Morris's extensive interest in aged care is not relevant to the CCTV pilot?
4. Has the minister investigated any links that Mr Morris or any other member of the team has to companies that provide hardware and IT data systems, and what were the results of that investigation?
5. Can he detail the SA Health workplace surveillance policy, and when did that come into operation?
6. What type of surveillance detection equipment is currently in place at each of the sites identified as locations for the pilot?
7. Is it correct that Care Protect was told that its cameras, known as Hikvision, were noncompliant with SA Health and commonwealth government laws because they were made in China?
8. Is the minister aware that a member of the steering committee, Mr Chad Khoury, told members of the steering committee those concerns?
9. Is it correct that Hikvision cameras are currently in use in the minister's own department and that a number are installed in sites designated for the pilot?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:19):** I thank the honourable member for a question time full of questions in that cluster. Let me tackle a few. In relation to conflicts of interest, I advised the council yesterday that issues had been raised with me in relation to conflicts of interest of SA Health staff involved in the project. I received information and advice and, on the basis of that information, I did not feel that a conflict of interest had been established. As I said, I am acting on advice and, of course, if any member of this house or any member of the community considers that issues of public integrity need to be looked into, they are free to raise matters with the Office of Public Integrity. In terms of the issue in relation to—

*Members interjecting:*

**The PRESIDENT:** The Hon. Mr Hunter, please. We don't have long to go and there are a lot of questions for the minister to answer.

**The Hon. S.G. WADE:** With all due respect, I am not sure which board the honourable member is referring to because this is not a project of a local health network; it is a project of the Department for Health and Wellbeing, and the Department for Health and Wellbeing does not have a board.

In relation to the Hikvision cameras, the view of SA Health is that it had security vulnerabilities which we have been advised have seen them removed from commonwealth, defence and military facilities. I am also advised that Hikvision cameras that are currently installed in SA Health facilities are being phased out and replaced with new cameras.

#### **HOTEL CAPACITY**

**The Hon. J.E. HANSON (15:21):** I seek leave to make a brief explanation before asking a question of the Minister for Trade, Tourism and Investment regarding hotel supply.

Leave granted.

**The Hon. J.E. HANSON:** Yesterday, Tourism Research Australia released the annual Australian Accommodation Monitor 2018-19 report. South Australia has reported a 1.2 per cent decline in room occupancy rates and a 2.6 per cent decline in revenue available per room. Industry estimates predict an approximate 20 per cent increase of Adelaide's hotel room supply by 2021. The



accommodation industry has called for increased tourism marketing to attract more visitors to South Australia and avoid a glut in hotel rooms.

There are numerous high-profile hotel developments that have been announced, such as the SkyCity Casino 123-room hotel, the Sofitel's 257-room hotel, Crowne Plaza's 326-room hotel, Hyatt Regency's 295-room hotel—I could go on—and, of course, there's the taxpayer-supported 138-room Adelaide Oval hotel. My questions to the minister are:

1. How can the government afford \$42 million for the Adelaide Oval hotel but cannot afford to support the broader tourism industry?
2. Will the government reverse its cuts that it has made to tourism and, if not, what message does the minister have for concerned investors and workers in the hotel industry?

**The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (15:22):** I thank the honourable member for his question and ongoing interest in the tourism sector. As we all know, the 2018-19 accommodation monitor was released last Friday. It is interesting that it reports on worldwide hotel performance metrics and how it is an opt-in measure for properties with 10 or more rooms. I think we need to have that for context.

This means that visitors to our state who stay with friends and family, or stay in caravans or camp, or stay in increasingly popular Airbnb's are not included in the data. The latest data for the South Australian hotel market is relatively flat, with occupancy and revenue per available room down marginally by 2.6 per cent to \$112. This was the case nationally, with the revenue per available room down 2.4 per cent to \$138.

The honourable member talks about investing in tourism. Our government is focused on growing the visitor economy and it is now at a record \$7.6 billion—it has never been that high—some 18,000 businesses across the state and over 30,000 people employed. The plan for the 2030 visitor economy is a \$12 billion visitor economy, with some 51,000 people being employed. We have this wonderful opportunity to take it from \$7.6 billion to \$12 billion. We have an exciting events calendar and are bringing in an exciting range of world-class events and festivals to Adelaide.

Only yesterday, the Premier and I had the great pleasure of announcing South Australia's involvement in the bid to bring the 2023 FIFA Women's World Cup to Australia. I am sure if we are successful we will fill the hotels to the brim in 2023. We also had the Matildas versus Chile here. We are continually looking at ways to bring international events to South Australia.

Of course, we have the festival season coming up, where we have the tennis, a new and exciting tennis opportunity to bring tourists to South Australia; the Tour Down Under; WOMADelaide; the Fringe; and the rest of Mad March. Members can see that we remain committed to growing the visitor economy and making sure that the investors in these hotels continue to get a good return on their investment.

#### *Matters of Interest*

### **INTERNATIONAL CHRISTIAN FAITH PERSECUTION**

**The Hon. D.G.E. HOOD (15:25):** On the first Sunday of every November many Christians worldwide observe the International Day of Prayer for the Persecuted Church. In fact, it is understood that over 100,000 congregations and millions of individuals dedicate this time to praying for believers of the faith who are experiencing various levels of persecution right around the world. It certainly served as a reminder to me personally of the increasingly worse situation countless Christians are facing internationally and the fact that most Australians would not be aware of the extent of their mistreatment, in some countries in particular.

Although I have spoken about this particular matter in the council previously, I was compelled to revisit the issue due to the findings of an independent review into the global persecution of Christians that was recently commissioned by the British foreign secretary of state Jeremy Hunt, which were very concerning indeed. The report arising from this review, which was led by the Bishop of Truro, the Right Reverend Philip Mounstephen, found that out of the one-third of people suffering from religious persecution an estimated 80 per cent are Christian.

According to the document, the killings of Christians in some regions have reached almost—in their words—genocidal levels. It states, and I quote:

The many and egregious acts of persecution that played such a significant part in causing [an] exodus of Christians can, arguably, be classified as genocide according to the definition adopted by the United Nations. Evidence clearly shows 'intent to destroy, in whole or in part' individual Christian communities across most if not all the five sub-sections of Article II of the Convention on the Prevention and Punishment of the Crime of Genocide.

The review discovered that in the 50 countries considered the most hostile toward Christianity, 245 million experienced what is regarded as high levels of persecution, which is an increase of 30 million from the previous year. It also found that within five years the number of countries classified as having extreme persecution of Christians rose from just one, which was previously regarded as North Korea, to some 11. It now includes—perhaps you might call them the usual suspects—Afghanistan, Somalia, Libya, Pakistan, Sudan, Yemen, Iran, parts of India, and Syria.

In 2016, Christians were subjected to persecution in 144 countries, which rose from 125 countries in 2015. The type of persecution experienced throughout the world includes but is not limited to verbal assault, physical attacks, the suppression of public expressions of the faith through discriminatory bureaucratic means, torture perpetrated by the state, extrajudicial killings, enforced disappearances, and mass violence committed by non-state actors, including the bombing of churches.

Foreign secretary Hunt has been determined to ensure the issue of Christian persecution remains a key focus of his foreign secretaryship. In his speech following the release of the independent report, he declared:

...I am not convinced that our efforts on behalf of Christians have always matched the scale of the problem, or indeed have reflected the evidence that it is Christians who frequently endure the heaviest burden of persecution...

Perhaps because of a misguided political correctness...

I am pleased Mr Hunt recognises the current state of affairs and is intent on not only raising awareness of the extent of Christian persecution around the world but initiating appropriate action where possible. I look forward to seeing how the report's recommendations impact the lives of those who are in precarious predicaments due to simply exercising their universal right to freedom of religion and freedom of belief.

It is sobering to realise that, in terms of the number of people affected and the severity of offences committed against these Christians, it is clear that the persecution of this particular demographic is at its worst today than it has been at any other time in history. From time to time, I am made aware of how I can advocate on behalf of other victims of Christian persecution by contacting relevant officials abroad. If other members would be interested in assisting in this particular exercise, I would be more than happy to inform them on how they can do it.

I have been informed of individual Christians who have been simply taken hostage and who have been placed before various judiciary bodies in their own countries and for many, many months have not been aware of what the charges are against them. There are situations where their family members have been taken from them, where they have simply been told not to attend their place of employment and other completely horrendous situations, merely because they have chosen to take on the Christian faith, particularly in those countries that I outlined. This is unacceptable and it must stop.

### REMEMBRANCE DAY

**The Hon. J.E. HANSON (15:30):** It is a great honour that I have the opportunity today to speak in this chamber about this year's Remembrance Day services, particularly the one that I attended, and also the sacrifices made by so many fallen and injured soldiers. On the 11<sup>th</sup> hour of the 11<sup>th</sup> day of the 11<sup>th</sup> month, many of us observe a minute's silence and we pay our respects to the soldiers who fought and served in all wars and armed conflicts—and rightfully so. We pause for a minute to remember all the men and women who served in the defence forces and who made the ultimate sacrifice for the freedoms that we have today, and indeed the freedom to stand here.

This year, I was given the privilege of officially representing the Leader of the South Australian Labor Party, the Hon. Mr Peter Malinauskas, at the Tea Tree Gully Returned and Services League Memorial Gardens service. It was a sombre and quite well-attended service.

Today, further to the good actions taken by so many who attend such services, I met with the member for Light, who is the shadow minister for veterans' affairs, and Dr Richard Matthews, who served our country in the Royal Australian Air Force, obtaining the rank of flight lieutenant. While serving his country, he sustained an injury that has impacted on his life, but Richard Matthews has never let that set him back. He has continued fighting for the interests of other Australian Defence Force personnel who have become injured and who he believes are getting a raw deal. Dr Richard Matthews has essentially been fighting for the improved concessions for veterans in South Australia.

Currently, the veteran concession card has fallen behind and not kept pace with concessions received by the Department of Human Services concession card holders. Fundamentally, there is an inconsistency at the federal level of disability required for the civilian disability support payment and the cards that are then issued to veterans. Of course, this is in no way an argument for the civilian payments to be reduced.

In 2004, veteran entitlements were changed for anyone who served after 1 July of that year. The practical effect of that meant that, for the last 15 years, to receive the same level of cost-of-living concession as a civilian, the veteran service personnel must reach a level of impairment 400 per cent higher than a civilian must achieve. While it is practically hard to measure such things, a real-world measurement of a 400 per cent level of difference of impairment is that a veteran must lose the use of both legs while a civilian must simply be deaf in one ear.

To me, and I expect to many in our community, this is a horrible standard by which we seek to measure ourselves, let alone those who serve our country in a conflict. The simple answer, of course, would be for veterans to apply for the civilian entitlement. In many cases they do; however, due to the level of income replacement many veterans receive for the loss of function they have incurred, they are simply declined, due to too much taxable income.

Furthermore, under the civilian entitlement, if a serviceperson reintegrates into society, as we might expect they should, and works for longer than 16 hours per week, that veteran will not be eligible for the civilian entitlement anyway. Put simply, the civilian entitlement is not fit for purpose for veterans who may suffer a significant impairment. The easiest method to solve this problem, it seems, is instead to extend concessions to veterans by lowering the level of impairment to what every civilian must achieve; in other words, lowering it back to less than 400 per cent more.

In South Australia, this would simply extend concessions to only around 9,000 individuals, or less than half of 1 per cent of our state's population. Such an action would be consistent with the federal government's somewhat Orwellianly named Australian Veterans' Recognition (Putting Veterans and their Families First) Act, which proposed to do just that thing, but it did not. That act, instead of putting money into veterans' bank accounts to assist with reintegration into society, has prioritised discounts on items, such as 15 per cent off the price of a pair of RM Williams boots.

When it comes to the pressures and realities of returned soldiers with significant impairment, we are not doing enough. I would like to personally and sincerely thank Wayne Langford and Mal for their efforts in organising the Tea Tree Gully Returned and Services League Memorial Gardens service, where I was joined by other dignitaries such as Tony Zappia, the member for Makin, the Hon. Mr Hood from here, and Ms Paula Luethen, the member for King in the other place.

From my conversations with those like Dr Matthews, we clearly must do more. It is clear that there are many here and outside this place who will continue to acknowledge the service of people, like Dr Matthews, who have served and did serve in the Australian Defence Forces. They deserve more than just a few discounts at some local stores; they deserve a fair go consistent with the actions we expect them to take on our behalf, both overseas and here at home.

#### **AGED-CARE CCTV TRIAL**

**The Hon. F. PANGALLO (15:35):** CCTV cameras in aged-care facilities is an issue I am very passionate about. As members know, I currently have a related bill on file awaiting a pilot of

cameras in state-run facilities, announced by the health minister, and after SA-Best introduced him to respected UK provider Care Protect.

That company was subsequently engaged by SA Health for the project because of its expertise in providing an independent, resident safety and quality monitoring system that does not exist in Australia, and which has been operating successfully in the UK for several years. This pilot should be an Australian first, should it ever get off the ground, but I have grave concerns about the conduct and ability of the SA Health team in charge to deliver this project, after Care Protect abruptly quit.

The health minister said this was due to 'operational and technical issues that could not be resolved between the parties', but the reasons Care Protect gives go much deeper and raise further concerns about this mismanaged monolith. I seek leave to table a series of emails between Care Protect's MD Philip Scott and SA Health's appointed IT adviser Bret Morris, and others.

Leave granted.

**The Hon. F. PANGALLO:** In these emails, Mr Scott raises serious allegations of probity, conflicts of interest and constantly changing demands and technical specifications by Mr Morris and others, which have created intolerable delays. From implementing Mr Scott's proven system, it has turned into a bureaucratic nightmare being run by people with no real expertise in this highly specialised area.

Mr Scott became increasingly concerned about the excessive due diligence approach by Mr Morris and Mr Chad Khoury, the agency's security adviser, despite already disclosing a significant amount of information about Care Protect's intellectual property. He feared his IP was at risk. The final straw was with the types of cameras to be used for the pilot.

Messrs Morris and Khoury rejected the Hikvision cameras used internationally by Care Protect, which seamlessly integrate with its system, citing largely unsubstantiated 'security concerns'. They wanted cameras with sophisticated in-built analytics like facial and numberplate recognition, loitering technology, and crowd density information.

Mr Scott maintains these features are not relevant in aged care and offered an alternative, but was rejected. Mr Scott's cameras—the very same used at the minister's own offices and other SA Health sites—cost \$100 each. Those preferred by Mr Morris and Mr Khoury cost \$1,000, claiming they complied with 'SA Health workplace surveillance policy', which suddenly materialised in this drawn-out process.

The more expensive cameras would also lead to a significant cost blowout of monitoring each resident from \$20 a week to more than \$52 a week. This demand for new cameras, which SA Health offered to buy, posed more problems, which I do not have time to go into today. Mr Scott was also concerned that if the cameras were owned by SA Health it would compromise the independence of the monitoring system and create further security fears for potential system breaches. But here is where it starts to look quite uncomfortable. In an email to me Mr Scott said, and I quote:

We had identified two individuals (namely Bret Morris and Chad Khoury) during our due diligence process on SAH, both of whom had very material and significant commercial interests in companies that in our opinion either had—or could have had—the potential to take our IP and in time utilise it to set up a service in direct competition with what we do.

Both the minister and SA Health's Cassie Mason have dismissed any conflict with the project and say that Metrixcare, the company in which Mr Morris is involved, has no interest in CCTV nor is he a board member or shareholder. However, Mr Morris, whose initial contract with the Department of the Premier and Cabinet was terminated in 2015, is still listed on his Twitter account as co-founder and director of healthcare analytics companies Gyre Digital and Metrixcare.

Under commonwealth regulations, there are severe penalties for public servants who take part in procurement projects when they have undisclosed outside interests. Those penalties should apply here, especially given the ICAC commissioner has recently identified systemic issues in SA Health. This is not a case of sour grapes. Care Protect made a considerable investment in South Australia and wanted to introduce its service with no capital cost to taxpayers.

It is extremely distressing that while our aged-care crisis, which has cost lives, continues, we remain a long way from seeing a solution that would reduce risks to residents and greatly improve the standard of care. That is why my colleague Connie Bonaros plans to call Mr Scott before the select committee into the state's health services that she chairs. We need to ensure that both sides of the story are heard.

### SUICIDE PREVENTION

**The Hon. J.S.L. DAWKINS (15:41):** In recent weeks, as Premier's Advocate for Suicide Prevention I have had the privilege to participate in a wide range of events. It was an honour to open the 10<sup>th</sup> Murray Bridge Mental Health and Wellbeing Expo on 18 October. It was great to see Adrian Pederick (the member for Hammond), the Premier's Council on Suicide Prevention members Tracey Wanganeen and Janet Kuys, and many others from a wide range of organisations from the Murraylands and beyond. Well done to Cathy Smith and the organising team.

On 22 October, I spoke at the community forum organised by the South Coast Suicide Prevention team at the City of Victor Harbor chambers. Well done to team members Bronwyn Barter, Kirsty Talbot-Male and Sheldon Parmenter. It was excellent to see David Basham (the member for Finnis) and Mayor Moira Jenkins in attendance, as well as Vivienne Maher and Beverley Emerson from the Strathalbyn and Marion networks respectively.

On 24 October, Peter Treloar (member for Flinders) joined me in meeting members of the Far West Suicide Prevention Network at Ceduna. It was great to also hear of the efforts of the Thrive Suicide Prevention Network based at Streaky Bay. The efforts of Hans von Ohle and Suzie Kenny were particularly appreciated. On 28 October, I was privileged to chair a roundtable event here at Parliament House to inform the Prime Minister's Suicide Prevention Adviser on initiatives being undertaken across government and the community in South Australia.

Well done to the Crossroad Connections Adelaide Plains Suicide Prevention Network on a great event on 3 November, featuring the Adelaide Plains Male Voice Choir and guest artists at the Two Wells Community Centre. About 150 people, including Mayor Mark Wasley, were in attendance. As a former singer in the choir and great supporter of networks across the state, I was pleased to say a few words before the musical entertainment commenced. Thanks to Julie Ruiz and the Crossroads team and the APMVC founder, Don Bubner OAM, for all their organisation of the event.

On 6 November, I was pleased to represent Premier Steven Marshall at the opening of the Global Alliance Conference on Post-Traumatic Stress at Adelaide Oval. The following day, thanks to chief executive, Tony Harrison, and deputy chief executive, Lois Boswell, I attended the Department of Human Services' 'Leadership—make it happen' forum at the Convention Centre. I was delighted to have an on-stage conversation with Executive Director of Youth Justice Services, Michael Homden, a member of the Issues Group on Suicide Prevention.

It was good to attend the annual MATES in Construction charity lunch at Adelaide Oval on 8 November at the invitation of MATES in Construction SA chairman, Michael Harper, and company secretary, Alan Suridge. It was great to see the MATES in Construction patron and former premier, Dean Brown AO; national CEO, Chris Lockwood; and the founder of MATES in Construction, Mr Jorgen Gullestrup from Queensland, at the event. That evening, I accepted an invitation from Lyn and Barry Whittaker to speak at the Ashbrook residents social committee function in Ashford.

I think these events and activities are great examples of the support for the suicide prevention efforts across government and across the community that are highly regarded in many other jurisdictions. They are something that I am very proud of. We have a lot of work to do to reduce suicides, but I think the community effort and the willingness of government bodies to take up this work is something that I am very grateful for.

In conclusion, can I mention that on Remembrance Day earlier this week, white wreaths were laid at many Remembrance Day services. Certainly, I did so, along with the Silent Ripples group at Two Wells, and members of my staff did so at Salisbury and Gawler. I know the Remembrance Day service at Palmer, which I think was the first there, included a white wreath, and there were many other places where white wreaths were laid to honour the memory of service personnel who have taken their own lives.

## INGENUITY EXHIBITION

**The Hon. J.A. DARLEY (15:46):** I rise today to speak about my time visiting the Adelaide Ingenuity exhibition at the Adelaide Convention Centre on 31 October. Ingenuity is an interactive event that showcases student projects across the fields of engineering, computer and mathematical sciences. It is the biggest event of its kind and it serves as a fantastic opportunity for students to network and showcase their work to young people, government and industry.

This year's exhibition focused on five key cross-disciplinary themes: transforming technologies, future energy and resources, healthy society, our built and natural environments, and securing our future. These themes were selected based on their relevance and their current impact on our world today.

The event also featured a career zone and a Women in STEM lounge. At the career zone, students and young people were invited to explore the different career pathways open across science, technology, engineering and mathematics. As women are traditionally under-represented in STEM degrees, the Women in STEM lounge provided an opportunity for those interested to talk to women studying in this area and to obtain a better understanding of future opportunities.

This year's event showcased over 300 student projects. I was truly impressed by the wide variety of the projects on display and the knowledge, creativity and passion demonstrated by the students. One interesting project I viewed on the day was a biologically inspired autonomous underwater vehicle, commonly known as an AUV. AUVs are utilised by research and defence organisations in exploration and data-gathering missions.

This particular group of students recognised several issues with the current design of AUVs. Namely, they can be intrusive to the natural environment. They are also limited in their range and their ability to navigate complex environments, like coastal reefs and intricate caves. Their solution was to design and build an AUV inspired by a cuttlefish, as this creature is known for its ability to traverse intricate environments with ease. The finished product was displayed in a pool of water to demonstrate its inspired cuttlefish-like mobility. It was also fitted with an infrared obstacle avoidance system to allow the vehicle to operate with a degree of autonomy.

In the future, the team's AUV can potentially be used for a variety of purposes. For example, it could be used to survey coastal reefs, research the effects of climate change or to monitor marine life. I recently discovered that this team was awarded the innovation award and the mechanical engineering project award. These awards are well deserved and I congratulate the students for their efforts.

Another project that sparked my interest is the development of a weed identification, mapping and spraying system. This particular system involved computer vision and machine learning to identify, map and selectively spray weeds in real-time. The developed system can be retrofitted to a conventional spray boom to reduce the amount of chemical used in broadacre farming.

Another team designed and built an automated bung removal system for Treasury Wine Estates. A bung is a stopper in a wine barrel that is currently removed manually in order to empty barrels. The team's finished project can automatically detect, grip and remove a bung, minimising the risk associated with manual handling. That is just a few of the many interesting projects that were on display at Ingenuity.

I commend all the students and supervisors and the university for their involvement in this important event. I have no doubt that it was inspiring to many of the 3,500 primary and secondary students who attended on the day. It was very pleasing to see so many young people wanting to get involved by asking the university students about their work. With our forever changing world, it is encouraging to see so many students involved and interested in finding solutions to better our future.

## GENERATIONAL CHANGE

**The Hon. E.S. BOURKE (15:51):** I might be continuing on from where the Hon. John Darley has left off. While what I am about to say does not reflect the make-up of this chamber, I feel it is an important statistic we should all be considering. From this year, there will be more Australians born since 1980 than before 1980. I only just scrape into the side of 1980, but by doing so, I am among the many post-1980 generations who comprise more than half of the population.

Why is this statistic so important and worth considering? I am not sure about other members in this chamber, but keeping up with the ever-changing technological and social trends that seem to be moving more rapidly than in any other time in history is an incredibly daunting task. These fast-paced changes in both social and generational transitions mean we need to get out of yesterday's trends and be ready to respond to tomorrow's and the days after.

Quite simply, we as leaders are not keeping up. We are playing catch-up. Yes, there has and will always be generational change, but are our laws equipped to protect the community from the new and even old challenges this growing generational change will experience? Will these fast-moving advances make life easier and will our younger generations be more socially connected and happier than those born before 1980? Perhaps the chamber can answer that question. The answer is quite simply and apparently no.

Reports undertaken across the globe and in Australia show the social media generation are those who are most lonely. New data from NewGov found that 30 per cent of millennials (people aged between 25 and 38) say they are always or often feeling lonely. Just 15 per cent of baby boomers report feeling lonely with the same level of frequency. Despite being more connected than ever before, and thanks to Instagram, Facebook, Snapchat and other social forums that I have never heard of before, we have undoubtedly increased our social circles, but we have also created a phantom one. Why is this important?

The Commissioner for Children and Young People's report popped up on my desk recently, as I am sure it did for everyone else. It displays a graph titled 'Do governments have the responsibility to protect the rights of children and young people?' On average, over 90 per cent of people aged between seven and 25 said yes, with one participant aged between 12 and 14 saying, 'Our government has the responsibility to look after the world's future, which is us.'

Addressing these challenges faced by children and young South Australians needs to be tackled by governments. The answer to providing balance by harnessing the advancing trends and generational change is not going to be solved in this five-minute address—far from it—but we need to be looking at how we can get in front and support generational change. This includes educating students on safe social media interactions, a policy area I am pleased that SA Labor leader, the member for Croydon, the Hon. Peter Malinauskas, is seeking to address.

We may feel, as I mentioned earlier, that the post-1980 generations are more connected than ever before, but it appears they are the loneliest generation. We can talk to this growing generation or we can make them part of the conversation to help change this trend. To be able to make change, we need to understand how to make change and rebuild trust and integrity in public institutions and how society operates generally.

Perhaps we need to look at the past and look at reintroducing civics in schools, and we as leaders need to learn the best methods of communication. This is something I am particularly passionate about. Many members from both chambers, especially the President, have taken part in the Friends of the Library Harry Potter tours of parliament, where politics is pushed aside to better the understanding for young South Australians of how to create political change, and hopefully have a little fun along the way.

No matter the generation, jobs will always be the number one priority. We need to listen to the voice of change so we can keep our young bright minds in South Australia. I am not saying that previous generations have not faced challenges—far from it. I hope the since 1980 generations will not be confronted with the many hardships previous generations have faced but harness the tools that they have left for today's generations.

### **EDINBURGH AIR SHOW**

**The Hon. T.J. STEPHENS (15:56):** I rise today to commend the RAAF Base Edinburgh Air Show, which I attended on Sunday 10 November 2019. The air show marks one of many events on this year's calendar celebrating the epic flight centenary of the South Australian brothers, Sir Ross Smith and Sir Keith Smith. I have previously spoken in this place about the history of the Smith brothers' flight from London to Australia in their Vickers Vimy aircraft, when they won the great air race of 1919 in less than 28 days.

I will also be speaking to a motion moved by the Hon. Frank Pangallo shortly regarding the Vickers Vimy flight centenary, therefore I will not go into the history or details of the Smith brothers' flight on this occasion. However, the theme of the RAAF Base Edinburgh Air Show this year, Vimy to Fifth Generation in 100 years, celebrates not only the achievements of the Smith brothers' flight 100 years ago but the remarkable evolution of aviation since and 98 years of distinguished military service.

South Australia has an important involvement with and makes an ongoing contribution to Australia's defence sector. The Defence Precinct is a key national operational base, research, manufacturing and sustainment hub, which includes the RAAF Base Edinburgh, Defence Science and Technology Group, Edinburgh Parks and the Woomera Range Complex.

The RAAF Base Edinburgh is one of the Air Force's largest and most important air bases, which is driving innovation and integration across the Air Force. Edinburgh boasts a defence presence dating back to World War II, with the largest munitions plant in the Southern Hemisphere established in Penfield, a small village to the south of the base, in 1942. Today, the Defence Precinct has over 6,500 RAAF and Army personnel, defence civilians and contractors working at the operationally-focused joint defence establishment and is the Australian Defence Force's major intelligence, surveillance, reconnaissance and electronic warfare hub.

The air show on Sunday was an exceptional showcase of the Royal Australian Air Force's newest and most advanced aircraft, both in the air and on the ground. One particularly impressive aircraft was the F-35A Lightning II, which is able to fly at speeds in excess of 2,000 km/h, performing right-angle turns at high speed. The F-35A, or Joint Strike Fighter, is the culmination of over two decades of research between the United States, Australia and our allies.

Beginning in 1996, the US set out to turn its fifth-generation fighter into a plane which could perform multiple combat roles and replace its ageing fleet of F-16s, F/A-18s, A10 Warthogs and the AV-8B Harriers. With cooperation from its allied nations, the Joint Strike Fighter program was developed and three variants of the F-35 were created.

Australia will utilise the F-35A variant of the plane to replace its fleet of F/A-18s, and has ordered 72, with the possibility in the future of this increasing to 100 aircraft. South Australia has played an integral part in the development of the Joint Strike Fighter program. Adelaide company Axiom manufactures vertical tails for the F-35, while BAE Systems produces titanium parts for the aircraft at Edinburgh Parks. Australia accepted its first F-35 in 2018 and, with additional planes being delivered as they pass their final tests, this new fighter will soon help to combat ever-evolving threats in a highly technological future.

The air show itself also featured some classic warbirds and museum favourites, showing how far aviation really has come since the great air race of 1919. Not only showcasing some of the Air Force's best aircraft, there was also a range of displays from across our Defence Force, including the Army, the Navy and the Australian defence industry. It was a spectacular event and a great opportunity to meet some of our talented air men and women.

I would like to personally thank Air Commodore Phil Gordon for the hospitality, insight and knowledge he provided to me on the day. I was fascinated to learn about his career to date. He has quite the impressive list of accomplishments and life experiences. Like many of our service personnel, Air Commodore Phil Gordon is certainly someone we can and should be very proud of. To continue showcasing the incredible and ever-evolving technological advances of our defence aircraft, I hope to see more South Australian air show events, such as the RAAF Base Edinburgh Air Show, in years to come.

#### *Parliamentary Committees*

### **JOINT COMMITTEE ON THE VALUATION POLICIES AND CHARGES ON RETIREMENT VILLAGES**

**The Hon. T.J. STEPHENS (16:01):** I move:

That the report of the committee be noted.



I will not make a long contribution; the report basically speaks for itself. I am sure the Hon. John Darley, at some stage, will make quite a lengthy contribution as he was an invaluable contributor to this committee, as were other members. I commend the report to the chamber, and I thank the staff and members of parliament from both the other place and this place for their contributions.

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

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

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

That the report of the select committee be noted.

(Continued from 30 October 2019.)

**The Hon. M.C. PARNELL (16:03):** I rise to support the noting of the report of the Select Committee on Moratorium on the Cultivation of Genetically Modified Crops in South Australia and to make some brief comments on the report and the evidence that was presented to the committee.

Firstly, I would like to thank the Hon. John Darley for moving to establish this inquiry, which was something the Greens had always supported. I am also pleased to have had the opportunity to be part of that committee. I am confident that this inquiry was far more independent than the government's so-called independent inquiry into the GM crops moratorium. I would like to thank all the individuals and organisations who made submissions and also those who gave evidence in person to the committee.

Given the subject matter of the inquiry, the divergence of views and the strength of conviction from each side of the debate was hardly surprising, but I would like to reflect on six particular observations that came out of the evidence presented to the committee. Firstly, the global demand for clean, natural foods is growing, and this means that the demand for non-GM and organic foods is also growing. This provides opportunities for South Australian non-GM and organic farmers and related industries. These are opportunities that we should be capitalising on.

The second observation is that it appears that as a state South Australia has not made the most of the opportunities for marketing our food products as clean, green and non-GM, and we have failed even though we have had a GM moratorium in place. While some businesses like Kangaroo Island Pure Grain have made the most of South Australia's moratorium and they have worked to secure lucrative overseas markets, which are very specific in their requirements for non-GM foods, they have done this through their own initiative. It would be fair to say that the previous state government could have done more during its time in office to promote South Australia and to position our state as the producer of clean and green foods. This is why one of the recommendations that I put forward to the committee was that the state government:

...in consultation and cooperation with the farming and food industries, the Minister develop and implement an international marketing strategy to build and enhance South Australia's international reputation as a clean and green producer of food and Australia's only mainland GM-free State.

That recommendation did not find favour but I think it is still an important principle we should be working towards.

My third observation is that it is a clear fact that there is a price premium for non-GM canola compared to its genetically modified equivalent. According to the state government's own data provided in evidence to the committee by the Chief Executive of PIRSA, Scott Ashby:

...non-GM canola achieves on average \$30-35 per tonne more than GM canola in those States that allow both GM and non-GM canola to be grown.

That price premium is fact, it is clear and it is consistent around the country. In those places that allow both GM and non-GM, the market speaks loudly at the silo and pays the non-GM farmer more per tonne for their canola.

The fourth observation is that we heard evidence that, after 22 years of genetically modified crop development worldwide, Roundup Ready GM canola is still the only broadacre GM crop that

would be available to South Australian growers. The prospects for the availability of other GM crops in the future is purely speculative.

The fifth observation is that some of the farmers who were advocating for the lifting of the moratorium, when asked by the committee if they would grow GM canola said that they would not. One farmer who wrote to the committee said, and I quote:

As a farmer on Eyre Peninsula, I am appalled at the push to allow GM crops to be grown in SA. I can't understand why the push is coming from our own representative body despite most growers I speak with totally against the idea.

Other farmers who expressed a desire to grow GM canola wanted to do so not because it was a desirable crop in itself, but as a weed control measure since they can douse their fields with the poison glyphosate, commonly marketed as Roundup, that kills off the weeds without killing their crop, and that is what is meant by Roundup Ready canola. Given the growing international controversy over glyphosate and its banning in some jurisdictions, this raises an important question about whether increasing reliance on this chemical herbicide is really the smartest way forward for agriculture.

The sixth observation I would make is that we heard a lot in the committee about choice. On one side we had calls for farmers to have the choice to grow GM crops if they wish to. We also heard the flipside of the argument that giving the few farmers who want to take up the option to grow GM crops that choice will impact on the choice and opportunities for those who want to remain GM free or organic. This is due to the very real threat of contamination.

While the committee heard credible evidence about the ability of grain handlers to maintain the segregation of crops at their end, the committee cannot ignore the significant evidence of incidences of contamination in places where both GM crops and non-GM crops are grown. We heard that the cost of contamination incidences are generally borne by individual farmers, by taxpayers, as well as the industry more broadly, where costs are distributed through the whole primary production and food processing system.

We do need to think about this a little bit more. We know that currently the only GM crops likely to be wanted to be grown in South Australia is GM canola. I am advised that GM safflower has also recently been approved, but it is a very minor crop and unlikely to be grown in South Australia. According to the Grain Producers SA Mecardo report, we also know that just 2 per cent of the gross value of broadacre farm commodities in South Australia is derived from canola. We know that only some of those canola growers have any interest in growing GM canola and that those who are interested want it only in order to help them manage weeds.

When we put all that together what we are talking about here is giving up our clean, green, GM-free reputation and risking the opportunities for lucrative overseas markets so that a very small number of farmers can temporarily fix their weed problems.

I would like to now turn to some of the claims that were made by the Minister for Primary Industries, Tim Whetstone, who, according to an article in *The Advertiser* on 4 November, claims that farmers are losing money because they were blocked from planting GM crops that were weather resistant. Perhaps the minister needs to brush up on his facts. There are no weather-resistant GM crops that are commercially approved in Australia.

I am told that all of the work on drought-tolerant grains finished years ago and bore no useful results and that there is nothing else in the pipeline. Instead, farmers are looking at non-GM management strategies and conventional breeding to develop crops that respond to climate change and drought. So for the minister to claim that farmers are losing money because they are being blocked from planting non-existent GM crops is plain ludicrous.

I would also like to challenge the comments made by the minister about the select committee's inquiry. His claim was that the evidence presented to the committee supports his position to lift the moratorium. In fact, the evidence was divergent and there was no consensus view. And if you look at the submissions, even if you put aside the 151 submissions that were received from individuals facilitated by Friends of the Earth Australia, the number of other submissions that supported retaining the moratorium was almost double those calling for its removal. So there was a clear majority in favour of keeping the moratorium.

What is very clear from the committee's inquiry is that there is a lot of support from South Australian farmers and South Australian food businesses, from the large Japanese consumer cooperatives who purchase our South Australian GM-free grain, from the organic food industry, from scientists, from a number of NGOs and from large numbers of South Australian individuals to retain the GM moratorium.

In addition to all of these groups and people, I have had a simple petition on my own website which has been signed by 897 South Australians. The petition reads:

We, the undersigned residents of South Australia, call on the Marshall Liberal Government to retain the current moratorium on the cultivation of GM crops in SA.

So this is an issue that inspires a lot of passion in a lot of people, not just in SA but around the world.

While there were some recommendations proposed that the committee was not able to agree on, we were able to agree on a few recommendations. They were the following:

1. That the Minister work with primary producers and the wider food and wine industry to outline key steps and milestones to enhance marketing opportunities for primary producers and the value adding chain.
2. That the State Government work with all relevant government departments to support and provide marketing assistance to South Australian primary producers, the wider food and wine industry, relevant representative bodies, associations and industry groups which want to remain GM free.
3. That the Minister ensures that a suitable and widely recognised non-GM label is accepted and used by South Australia's primary producers and wider food and wine industry which want to remain GM free and have that status recognised locally, nationally and internationally.

Importantly, the committee did not recommend lifting the moratorium. The Greens agree that this is the right call. We do not think the moratorium should be lifted in any part of South Australia.

Minister Whetstone, in his comments to the media, even about these agreed recommendations, basically said that he will implement them only if he gets his way and the moratorium is lifted. In my view that just highlights his blinkered view that the government has to get its own way on this issue.

The minister's position in relation to providing marketing assistance to non-GM growers is that he will only help them once he has killed off one of their main marketing advantages, namely, the status of South Australia as the only GM-free state in the country. That is quite remarkable. It is like saying, 'I'll only help you once I've hurt you. Once I've undermined some of your most important marketing credentials, then I'll help you to take advantage of what's left.'

The minister would have made a good US military advisor in the Vietnam War: 'We had to destroy it in order to save it.' It is not logical and it is not necessary. The minister should implement these recommendations, regardless of the fate of the moratorium. It is what we should have been doing for the last 20 years: helping our farmers and helping them with marketing.

Finally, I would like to thank the other members of the committee. I have mentioned the Hon. John Darley, the Hon. John Dawkins and the Hon. Emily Bourke. Whilst there were clearly differences of opinion on the committee, it was a very respectful engagement. I do not think voices were raised at any stage of the debate. It was a pleasure to work with my colleagues on this committee. I would also like to thank Dr Margaret Robinson for her research assistance to the committee.

The final thing I would say is that the issue of genetically modified crops will be back on the agenda of the Legislative Council on the next Wednesday of sitting, when my motion to disallow the government's GM regulations will be put to a vote.

**The Hon. E.S. BOURKE (16:15):** I rise to briefly speak to the report tabled by the Chair, the Hon. John Darley, on the Select Committee on Moratorium on the Cultivation of Genetically Modified Crops in South Australia. From KI to Yorke Peninsula, strong arguments were put forward, throughout the committee process, by both sides of the genetically modified crop debate. These arguments were reflected in the committee not reaching an agreement regarding support or opposition for the lifting of the moratorium.

I would like to take this opportunity to thank the many witnesses who took the time to provide a written or verbal submission, and I particularly thank the KI community for sharing their views at the committee meeting that we held in Kingscote. I also thank KI Pure Grain silos for sharing their success story with us when we were there. I would also like to thank Viterra for sharing their unique view of the port from the top of their impressive facilities in Port Adelaide and for taking us on a behind-the-scenes journey of their facilities, from the paddock to lab coats.

As mentioned earlier, there were strong arguments put forward by both sides of the debate. Those advocating for the lifting of the moratorium were calling for the right to choose the tools they will need to support their future farming practices, and they believe that future includes genetically modified technology. However, voices supporting the moratorium highlighted that the removal of the moratorium would destroy the state's clean, green image and lead to a loss in any marketing advantage the state currently experiences in food and wine exports.

Many witnesses also highlighted a need to develop a suitable and widely recognised non-GM label to be used by South Australian primary producers and the wider food and wine industry, as the Hon. Mark Parnell has just indicated. Members of the industry felt that this would help primary producers and the wider food and wine industry to further promote the state's clean and green status locally, nationally and internationally.

When PIRSA appeared before the committee, Mr Ashby pointed out that a 2016 report prepared for PIRSA by the University of Adelaide identified that there is an increasing demand for naturally healthy and clean labelled foods and that the ability to market is not always based on evidence; rather, it is about preference. The South Australia Genetic Food Information Network, among other groups, pointed out that there is a growing demand on the international market for non-GM food and that there is a lack of promotion to overseas markets that South Australia is GM free.

I put forward four recommendations to the committee. Three of these recommendations gained support from all committee members. These were the only successful recommendations put forward. The recommendations are:

- The minister to work with the primary producers and the wider food and wine industry to outline key steps and milestones to enhance marketing opportunities for primary producers and the value-adding chain.
- The state government to work with all relevant government departments to support and provide marketing assistance to South Australian primary producers, the wider food and wine industry and relevant representative bodies, associations and industry groups that want to remain GM free.
- The minister to ensure that a suitable and widely recognised non-GM label is accepted and used by South Australia's primary producers and wider food and wine industries that want to remain GM free and have that status recognised locally, nationally and internationally.

While there was no agreement from the committee regarding the future of the GM moratorium, I feel the successful recommendations will help close the gap that was highlighted by both sides of the GM moratorium debate. I thank committee members for supporting the successful recommendations.

I would like to take this opportunity to again thank all witnesses who appeared before the committee. I also thank the Chair, the Hon. John Darley, for establishing this committee; my fellow committee members; the secretary, Anthony Beasley; and, of course, Dr Margaret Robinson for writing the report.

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

*Bills***PLANNING, DEVELOPMENT AND INFRASTRUCTURE (COMMENCEMENT OF CODE)  
AMENDMENT BILL***Introduction and First Reading*

**The Hon. M.C. PARNELL (16:20):** Obtained leave and introduced a bill for an act to amend the Planning, Development and Infrastructure Act 2016. Read a first time.

*Second Reading*

**The Hon. M.C. PARNELL (16:21):** I move:

That this bill be now read a second time.

This is a simple bill. It only does one thing: it gives the Minister for Planning the ability to postpone the introduction of the Planning and Design Code for South Australia. The Planning and Design Code is quite simply the new name for the bulk of planning policy in this state that is currently contained in tens of thousands of pages of individual local development plans. Development plans also cover areas that are outside councils, such as the outback and coastal waters under state control.

At the most basic level, these development plans are the documents that guide what you can and cannot do in relation to development in South Australia. Development plans consist of maps showing various zones and then written material which explains what kinds of development are envisaged in each zone. Of course, there is a lot of detail, including height limits, setbacks, minimum allotment sizes and a multitude of other rules.

The development plans also help determine who gets notified about development proposals and what rights you might have to object. To give a really simple example, if you propose to build a normal house in a residential zone, or a factory in an industrial zone, or an office in a commercial zone, then you will probably have little difficulty getting approval. On the other hand, if you apply to build a house in an area dominated by noxious industry, or if you apply to build an abattoir in a residential zone in Prospect or Mitcham, the answer quite properly will be, 'No you cannot.' That is the planning system in operation.

Under the new Planning, Development and Infrastructure Act, the policy in these individual council development plans will be transferred to a new Planning and Design Code. The Planning and Design Code is legislated to come into operation fully on 1 July next year. In fact, some of the code is already in operation in relation to the outback, and other parts of the code will come into operation in April—that is, rural areas—with the bulk of the code for Metropolitan Adelaide coming into operation on 1 July.

The reason for the 1 July implementation date is quite simple: it is what parliament decided when it legislated the transitional arrangements. Back in 2017, that seemed like plenty of time to get this document right, but now that we are getting closer to the deadline, it has become apparent to me and to many others that the job is nowhere near complete and is unlikely to be complete by 1 July next year. That means one of two things: firstly, either we are lumbered with a Planning and Design Code that is incomplete, inaccurate, full of errors and generally not fit for purpose; or, secondly, parliament could grant an extension in order to allow time to do the job properly.

This bill takes that second approach. It allows the minister to defer the final implementation of the Planning and Design Code until it is properly ready. I have resisted the temptation to identify an alternative date to 1 July next year in the bill. Instead, my bill gives the minister a discretion as to whether or not to order an extension, and also how long an extension to grant. It does that quite simply by removing all references to 1 July 2020 and replacing them with reference to a designated date, which is something the minister has complete control over.

I know it would have been potentially embarrassing for the minister to have to come back to parliament and asked for this himself, so I am doing it for him. After all, I am from the Greens and we are here to help. I fully expect that this bill will find favour with the Legislative Council before the end of this year, then of course it will be open to the government to decide whether or not to take advantage of it in the new year.

It may be that the government decides to better fund the implementation program for the Planning and Design Code. The minister might decide that it is better to employ more planners to do this incredibly complex job of work and to stick with the original time frame rather than having to eat humble pie and take the extension that is offered by this bill. I understand that there is a very dedicated team working on this difficult project, but clearly not enough resources have been deployed.

I for one will not criticise the minister for taking longer to do this job properly, but I will criticise the minister up hill and down dale if some of the mistakes identified so far are still in the Planning and Design Code when we get to July next year. I am not going to go through all the gaps, the errors and the inconsistencies in the version of the Planning and Design Code that is currently out for consultation, but I want to give some examples so that people can see why this bill is necessary.

The question that we need to start asking ourselves is: does the current version of the Planning and Design Code that is out for consultation accurately and unambiguously tell you everything you need to know about all the planning rules that apply to developments in a particular location? That is the question. The answer for now is clearly no. In fact, not all of the planning policy has been written yet. There are still gaps. There are important overlays and other key documents that are missing.

There are also clear errors in the Planning and Design Code's maps. For example, and I have raised this before, just about every national park in the state has the wrong zoning. I first discovered this in relation to the outback. When I pointed out that most of the National Parks and Wildlife Act reserves were zoned 'remote area' rather than 'conservation'—in other words, they were all zoned in exactly the same way as pastoral leases that are used for grazing sheep and cattle—then people did start to pay attention. Even the wilderness protection areas did not get conservation zone status under the Planning and Design Code.

I will say that, having raised this many months ago, I have had assurances from the department and the Planning Commission, as recently as last week, that this will be fixed, but it has not been fixed yet. Even though they assure me it will be, it has not yet happened. The problem I have is that, whilst I can accept their assurance and I can accept that it is genuine, that they are going to try to fix it, we do not know how and we do not know when. In the meantime, public consultation on that document has finished. There are no more opportunities for people to comment. Hopefully, no harm will be done by these errors in the outback iteration of the Planning and Design Code, but it is a very poor way to implement planning policy.

The problem I raised with national parks and conservation areas in the outback is exactly the same—the same error has been replicated—in phase 2 of the Planning and Design Code. When I looked at maps for Flinders Chase National Park on Kangaroo Island, for example, some were zoned for conservation and other parts were lumped in with zones that were the same as those for private farmland. The same applied for the Seal Bay Conservation Park.

Public comment on these parts of the plan closes at the end of this month, and it is 100 per cent certain that not all the errors will even be found by the time public consultation closes. For my part, when I get a spare moment I dive into the Planning and Design Code and every time I dive in I find mistakes and things that are wrong.

The metropolitan part of the plan is the same again. The eastern part of Scott Creek Conservation Park is in the Adelaide Hills Council area and is zoned conservation, but the western one-third of the park is in Onkaparinga and is zoned peri-urban. Parts of the Onkaparinga River National Park are zoned rural. It goes on and on.

But it is not just about conservation areas. If we look at established urban areas, there are also mistakes and inconsistencies. For example, I have been looking at the Planning and Design Code for parts of the Charles Sturt council area. It is an area that is former industrial land being earmarked for redevelopment.

What that investigation showed is that for the one area I was looking at, the current planning rules provide for a maximum of two storeys, but when you go to the Planning and Design Code maps you find that the maximum building height is now set at eight storeys. It is currently a two-storey zone

and they have set it at eight storeys. But it gets even better than that because there is another maximum building height built in, which says the maximum building height is four metres.

It makes no sense at all. You can build eight storeys, provided you do not go higher than four metres off the ground. Even with a two-storey zoning, four metres makes no sense. You cannot actually fit a two-storey house in a four-metre height zone unless you bury most of the ground floor under the ground. When it comes to an eight-storey building that is subject to a four-metre height limit, we are talking about a hotel for guinea pigs. We are talking about eight levels in four metres—half a metre each level. Take into account the building material and guinea pigs and mice are the only inhabitants of a building constructed like that.

Let me make this clear: these are clearly mistakes. I am not suggesting for one minute that they are deliberate policy decisions that have been made. They are mistakes, but they do need to be fixed and they need to be fixed before the period for public consultation ends. That is in February next year for the metropolitan area.

In conclusion, clearly the Planning and Design Code is not ready. It needs more work and the public needs more opportunities to examine it and to challenge its provisions. My bill enables the minister to postpone the commencement date until the job is done properly. The minister might choose not to, but I want to at least make it easier for common sense to prevail. I commend the bill to the chamber.

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

#### *Motions*

### **FEMININE HYGIENE**

**The Hon. C. BONAROS (16:32):** I move:

That this council—

1. Notes the importance of women and girls hygienically managing their menstruation with confidence, dignity and without stigma;
2. Recognises period poverty is a significant issue for those who are already statistically at greater risk of being unable to afford basic essentials such as pads and tampons;
3. Acknowledges that it is unacceptable that any woman or girl in South Australia is unable, or has difficulty in accessing, menstrual hygiene items;
4. Agrees with the recommendation made by the South Australian Commissioner for Children and Young People in her report *Leave No One Behind* with respect to the provision of hygiene and sanitary items in South Australian schools; and
5. Calls on the government to work with the feminine hygiene industry and community partners to expand the current piecemeal provisions of sanitary product support in South Australian schools and develop a free, accessible and non-stigmatising supply and distribution scheme for a range of hygiene and sanitary items as a matter of urgency.

We, as policymakers and legislators, and as a community generally, must do more to help disadvantaged and vulnerable women and girls to safely and hygienically manage their periods. It is one of the most humane, fundamental things we can possibly do.

It is not uncommon for homeless and disadvantaged women and girls in Australia to suffer the indignity of using newspapers, dried leaves and rolled-up toilet paper as makeshift pads. Some women resort to stealing these items. Some girls stay home from school because their families cannot afford them. We know this is occurring and I, for one, find it very disturbing.

Rochelle Courtenay, CEO and founder of Share the Dignity, a charity that distributes menstrual hygiene products to women and girls in need throughout the country, told former senator Skye Kakoschke-Moore the following harrowing story, which the former senator recounted in a speech. I quote:

She (Rochelle) had spoken to a South Australian doctor who said it was not uncommon for women and girls to suffer significant medical problems because they did not have access to pads and tampons during their periods.

This doctor, who is based at one of Adelaide's major metropolitan hospitals, says disadvantaged women and girls present to emergency departments with toxic shock syndrome, which can be fatal if it's not treated immediately.

For the uninitiated: toxic shock syndrome is a rare and life-threatening form of blood poisoning. For women, toxic shock syndrome most commonly occurs in those who, to put it bluntly, do not or cannot change their tampons often enough.

It's hard to believe that here in the lucky country a woman or a girl could be gravely ill or even die simply because she couldn't change her tampon.

That's not hyperbole; it's not overkill; that's the sad reality for thousands of women and girls. Period poverty is here, and we need to do something about it.

In July 2017, the Scottish government announced it would distribute free menstrual hygiene products to those in low-income households as part of a six-month pilot program in Aberdeen. Launched by the Scottish Cabinet Secretary for Communities, Social Security and Equalities, Angela Constance, the pilot scheme made tampons and other sanitary items easily accessible to those who need them but cannot afford them. Pads and tampons are funded by the Scottish government and provided for free at selected locations, such as secondary schools, shelters and food banks.

At the time, it was the first program of its kind in the UK and was expected to help approximately 1,000 women and girls in its six-month trial. The Scottish government recognised its policies in this area had fallen short of what was needed to even begin to tackle period poverty. The trial's outstanding success saw an expansion of the project in May last year, before the government dedicated £5.2 million to offer free products to all pupils in Scotland in August of last year. In January of this year, the Scottish government committed a further £4 million to tackle period poverty, making free sanitary products available in more public places. The funding is given to councils, which work with other organisations to meet local needs.

The fact is that the situation described in Scotland is not dissimilar by any stretch to the situation right here in Australia and this is why, in an Australian first, the Andrews Labor government in Victoria announced last month that it is rolling out sanitary pads and tampons in every state school free of charge to reduce the stigma of periods, making school more inclusive for girls and young women and saving families money. This initiative represents the first step in developing a sensitive and dignified solution to making these products easily accessible to those who need them.

I for one welcomed the announcement at the time and asked the question in the chamber of the Leader of the Government if the government would follow the lead of the Victorian government on this wonderful initiative. The response from the Minister for Education was woefully disappointing. While it was tabled in the chamber on 15 October 2019, I will repeat it, and I quote:

In most schools it is common practice to have sanitary items available for students in emergencies. The Department for Education is not currently considering funding the provision of sanitary items in South Australian government schools.

The department has information available for schools which provides awareness of menstrual management and access to resources and learning tools.

That response from the education minister was disappointing and inadequate and, strangely, it was also significantly at odds with his written response to me after I formally wrote to both the Premier and the minister on the issue following the question that I asked in this chamber. I seek leave to table my letter of 17 September and the minister's response of 7 October.

Leave granted.

**The Hon. C. BONAROS:** In late 2017, former Senator Skye Kakoschke-Moore facilitated a meeting between Rochelle Courtenay; volunteers of Share the Dignity; Dr Susan Close, the then state Labor education minister; and other departmental officers to facilitate the implementation of its period pack dispensing machines in certain schools in SA free of charge to the government. That meeting was successful and it was my understanding that matters were still progressing, albeit slowly. Indeed, minister Gardner refers to that in his formal written response to me.

Earlier this month, the Commissioner for Children and Young People released her poverty report Leave No One Behind. The report documents a series of discussions and conversations she had with children and young people who explained to her what living in poverty is like for them and what they think needs to be done to address the impact of it right now.



From December 2018 to June 2019, the commissioner consulted with more than 1,400 South Australian children and young people aged 12 to 22 years via workshops, focus groups, a poverty survey and a poverty summit. It included a number who have a lived experience of poverty, with the remainder drawing on their observations of those in their schools and the broader community who they see living with the impact of poverty daily.

Poverty is real in Australia, and the inequity that exists between rich and poor continues to grow in this country. In 2018, SACOSS reported that more than 60,660 South Australian households were living below the poverty line. This represents 9 per cent of all households or 131,945 South Australians, 22,350 of whom are children and young people under 18. This is what the commissioner had to say in her report with respect to the lived experience of children and young people not able to freely access hygiene and sanitary products:

Hygiene participants told us about the impact not being able to afford hygiene products such as deodorant, toothpaste and soap has on young men and women. They commented on how being poor impacts 'whether or not you bathe well and get the right amount of care for your body'...

For young women 'period poverty' was a real issue raised in a number of groups. Girls told us about missing school because they couldn't afford sanitary products.

A number of girls spoke about the products being available at school, but that the process of accessing them was embarrassing and required quite a lot of self-disclosure which many were not comfortable to provide...

For a lot of females in poverty, menstrual products are inaccessible.

A young person also talked about how hygiene needed to be 'role modelled', explaining that if you are not taught how to take proper care of yourself then it is difficult to know what to do, or what and how to ask for help. We learnt that for some families because good hygiene is not achievable, it is therefore not taught.

My heart breaks that there are children and young people in South Australia who do not have access to such basic items the rest of us take for granted.

Just imagine the indignity for a teenage girl of going to the school office when she is menstruating to ask for a pad or tampon—because they are only made available for emergencies, according to the minister—and having to disclose such personal information about yourself, that you are bleeding and in need of a tampon, to whoever it is that you are confronted with at the front office. It would be embarrassing to all of us and just should not happen—not here and not anywhere. The current regime of accessing pads and tampons in our schools is woefully inadequate and must change.

In relation to that and by way of update, I spoke to the commissioner since her report was published regarding the viability of the current process and also the appropriateness of those arrangements in schools in terms of accessing sanitary products, and she advised that her office undertook a test to see what schools are doing in practice.

Twenty-four out of 48 schools were contacted. The commissioner confirmed that most schools do indeed provide products upon request, but these products have to be dispensed by an adult staff member. Staff also reported that the availability of sanitary products is not readily promoted or publicised by schools and moreover that the arrangements at most, if not all, the schools contacted were ad hoc in nature at best. It is a piecemeal process that is offered, one that smacks in the face of ensuring accessibility, affordability and availability in a non-stigmatising environment and, of course, to all cultural groups, a very important consideration in this context.

The need for these products is no different to the need for toilet paper, and they should be universally available, with no ifs or buts. Just imagine the outcry if schools did not provide toilet paper. Just imagine if male students were forced to trot down to the front office, find a staff member and request toilet paper when they used a toilet as opposed to a urinal. That is what young girls in schools are asked to do.

I recently called on the Premier to step in and take the lead on this crucial issue, because his education minister had so far refused to do so. Our education minister will have us believe that the current system in our schools is sufficient. The commissioner's report indicates otherwise and makes very clear the impact period poverty can have on a young woman. It can and does have a

significant and life-changing impact on a young woman's life by adversely impacting her participation in a range of school activities, or she misses out on school altogether.

Young girls and women should be able to manage their menstruation hygienically, with confidence, dignity and without stigma, regardless of their personal and/or financial circumstances. I am sure that all of us in this chamber would agree that it is totally unacceptable that any girl or woman in Australia is unable to access sanitary items due entirely to her financial circumstances. It is imperative that we find ways of making menstrual hygiene products accessible to girls and women who would not otherwise have access to them and that governments assist in the facilitation of such access.

Dispensing machines containing sanitary items should be installed in all public schools in South Australia, not just a select few. The Marshall Liberal government can work with Share the Dignity now to facilitate, as a matter of urgency, its period pack dispensing machines. It would cost the government zero, zilch, nothing. My understanding is that there was a six-month trial in 2017, not with Share the Dignity but with Essentials 4 Women SA, but I do not believe that has progressed any further. So here we are, still trying to make a decision about whether we should roll out these dispensing machines across schools.

I commend Share the Dignity for its valuable work in providing these products free of charge not only to students but to disadvantaged women more generally. They are trying their hardest to get them into as many locations as possible at zero cost. They have sponsors. They have a two-year guarantee in terms of product availability. They have volunteers to stock the machines. They are GPS tracked. There is not much that Share the Dignity has not done to avoid any cost impost on government and to make sanitary products as widely accessible to those who cannot afford them as possible.

The Minister for Health and Wellbeing gets it. I thank him for his cooperation in trying to get these machines into some of our hospitals in this state, an issue that we have been working on with Share the Dignity. My understanding is that, most recently, the implementation of period pack dispensing machines in Flinders Medical Centre is progressing well.

I also met with the Lord Mayor and Share the Dignity staff last week to facilitate the implementation of period pack dispensing machines in the City of Adelaide. I can say that it was a breeze of a meeting because, for the Lord Mayor, it was absolutely a no-brainer. Hopefully, we will have the same opportunity with all local councils following that meeting. I will reiterate that that meeting went exceptionally well because our Lord Mayor, Sandy Verschoor, understands the importance of what we are dealing with.

As a state, we cannot let the rise in period poverty continue. I think it is sad that we have to stand in this place and speak about that issue: period poverty. It just does not make sense that we cannot get something so simple right. Australia can do better. Australian women and girls deserve better. Menstrual hygiene products are a necessity. We do not get to choose whether we use these products or not: we must use these products, so access to them should be a right, not a privilege, and it should be a universal right. South Australia has an opportunity to take a lead role in this vital area. With those words, I commend the motion to the chamber.

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

*Parliamentary Committees*

## **ENVIRONMENT, RESOURCES AND DEVELOPMENT COMMITTEE: REPORT 2018-19**

**The Hon. J.S.L. DAWKINS (16:50):** I move:

That the report of the Fifty-Fourth Parliament, 3 May 2018 to 30 June 2019, of the committee be noted.

South Australia is in the process of implementing the biggest overhaul of its planning system in more than 20 years. The major focus for the Environment, Resources and Development Committee during the Fifty-Fourth Parliament has been in the oversight of these planning reforms. This report, which primarily covers the period from the commencement of this parliament to 30 June 2019, outlines the significant work undertaken by the committee in the review of designated instruments as they are rolled out under the Planning, Development and Infrastructure Act. This includes the centrepiece of

this reform, the Planning and Design Code, which will ultimately replace the state's 72 development plans with one single interactive e-planning system by July 2020.

The scrutiny of development plan amendments has been a significant part of the work of the committee since 1993, with 31 development plans considered since the commencement of the new parliament to 30 June 2019. This number is likely to increase in the next financial year before development plans are fully replaced by the Planning and Design Code in July 2020, marking the end of an era for both the Environment, Resources and Development Committee and the state's planning system.

The committee has reviewed phase 1 of the Planning and Design Code (the outback code) for land not within a council area and recommended to the Minister for Planning a number of changes, many of which are reflected in phases 2 and 3 of the code. The committee continues to monitor phases 2 and 3, as they are currently out for public consultation, and will complete its formal statutory function of scrutiny under the Planning, Development and Infrastructure Act in two phases next year.

In addition to the Planning and Design Code, the committee has been referred five other instruments for scrutiny by the Minister for Planning. The most significant of these was the State Planning Policies, a suite of policies that provide the overarching framework for the new planning system. All but one of the committee's recommended changes to the State Planning Policies were accepted by the Minister for Planning, with these changes incorporated into the amended State Planning Policies and published in the *Government Gazette* on 23 May 2019.

The committee commenced and completed an inquiry into heritage reform, publishing its final report on 30 April this year. The community response and engagement with this inquiry was significant, with 144 written submissions and 29 witness hearings. The Minister for Environment and Water and the Minister for Planning jointly responded to the committee's recommendations on 26 September, supporting four out of the five recommendations either fully or in part.

The transition of heritage to the Planning and Design Code will continue to be monitored by the committee, with both ministers undertaking to report back to the houses in relation to a staged approach to heritage reform by July 2020 in accordance with the committee's recommendations. Following the heritage inquiry, the committee commenced an inquiry into the recycling industry; 53 written submissions have been received and public hearings have commenced. The committee has visited recycling sites in the northern metropolitan area and Whyalla and will conduct further hearings and site visits before reporting to parliament next year.

I would like to thank my fellow committee members and extend thanks on behalf of the committee to everyone who has prepared submissions, presented evidence and provided guidance to the committee. This engagement with stakeholders and the community is key to the effective work of the committee, helping its members to understand and inform themselves firsthand of the issues from many perspectives.

I would like to thank the presiding member, Mr Adrian Pederick; the Hon. Tung Ngo and the Hon. Mark Parnell from this place; the member for MacKillop, Mr Nick McBride; and the member for Playford, Mr Michael Brown, for their work on the committee. I also thank our dedicated staff, Ms Joanne Fleer and Dr Merry Brown. I indicate, in commending this motion to the chamber, that I will bring it to a vote on the next Wednesday of sitting, 27 November.

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

#### **PARLIAMENTARY COMMITTEE ON OCCUPATIONAL SAFETY, REHABILITATION AND COMPENSATION: ANNUAL REPORT 2018-19**

**The Hon. J.S.L. DAWKINS (16:55):** I move:

That the 2018-19 annual report of the committee be noted.

I am pleased to present the report and speak to the noting of the report of the committee's work in that period. In accordance with its legislative obligations the committee continued to monitor existing relevant occupational safety, rehabilitation and compensation legislation throughout the reporting period. In addition, the committee has reviewed the recommendations from and implications associated with several externally conducted inquiries and reviews, including the evaluation of

SafeWork SA conducted by the South Australian Independent Commissioner Against Corruption, the Your Voice Survey undertaken by the South Australian Office of the Commissioner for Public Sector Employment, and the public integrity survey undertaken by the Independent Commissioner Against Corruption/Office for Public Integrity.

The main focus of the committee during the reporting period, however, was our ongoing inquiry into workplace fatigue and bullying in South Australian hospitals and health services. The inquiry was launched in late 2018, and at the end of the reporting period the committee had received over 60 written submissions and had met with more than 20 witnesses.

Given the scope and complexity of the inquiry, the committee is wanting to ensure that it consults widely and fully understands all of the various issues associated with workplace fatigue and bullying. In this context, the committee agreed in the early stages of the inquiry that a final report was not likely to be completed for at least 12 months. At this stage, the committee is aiming to complete its information collection, including all written submissions and witness hearings, by the end of 2019, with a report to be finalised shortly afterwards.

While it is not appropriate at this stage to provide detailed information about the committee's findings, it should be noted that workplace fatigue and bullying in South Australian hospitals and health services appear to be widespread and serious issues which require urgent attention. That being said, the interconnected nature of the issues at play are likely to mean that the implementation of any recommendations arising from this inquiry will be a time-consuming and complex task that will require the commitment and involvement of a variety of stakeholders.

I would like to thank everybody who took the time to contribute to the work of the committee during the reporting period, including those who gave up their time to make submissions or appear before the committee hearings. I would also like to thank all the members who worked diligently to ensure a balanced approach to the work of the committee. Specifically, my thanks go to my colleagues in this place the Hon. Tammy Franks and the Hon. Tung Ngo. From the other place I would like to thank the member for Morphett and presiding member of the committee, Mr Stephen Patterson; the member for Davenport, Mr Steve Murray; and the member for Taylor, Mr Jon Gee.

Finally, I would like to express my appreciation to the various staff supporting the work of the committee during the reporting period, including Ms Anthea Howard, who worked on her own for a very long period of time while also filling responsibilities as an officer of the House of Assembly. The committee very much appreciated her work in the absence of permanent employees to the committee. Subsequently, however, we have been very pleased to have the services of Mr Simon Macdonald and Mr Eugene Braslavskiy as the officers of the committee. I commend this report to the council and indicate that I will bring it to a vote on the next Wednesday of sitting.

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

#### *Motions*

### **GAMBLING REGULATION**

**The Hon. C. BONAROS (17:00):** I move:

That the notice under various acts regarding Gambling Regulation Notice—Systems Criteria—Prescription, made on 11 July 2019 and laid on the table of this council on 1 August 2019, be disallowed.

The variation notice that is the subject of this disallowance has the effect of allowing cashless gaming in the Adelaide Casino. In March last year, the Casino operator, SkyCity Adelaide, made a representation to the now defunct independent gambling authority about using cashless based gaming and made a request for a number of changes, including an increase in initial deposit and ongoing account limits, consistent limits for transfers from cashless accounts to gaming machines and automated table games, an increase in the redemption limit for a cashless account before a requirement to be paid by cheque or electronic funds transfer and an additional delivery method of account statements to a kiosk.

The IGA had given in-principle agreement to the changes requested by SkyCity, but with the movement of the responsibilities from the now defunct IGA to the Liquor and Gambling Commissioner, the matter was further considered. The commissioner has determined that he

considers it necessary and appropriate to allow the changes requested by SkyCity to be granted and to come into operation pursuant to the variation notice, as proposed.

What is astounding is that, during the 28-day representation notice, a joint submission was received by AHA SA and Clubs SA, which had the temerity to ask why similar changes are not being made for cashless gaming in pubs and clubs in South Australia. The commissioner, of course, made his determination based on an application made by SkyCity, and he noted that he would consider making similar changes for pubs and clubs but only if they made their own application.

No doubt, the AHA and Clubs SA will now make similar applications on behalf of their members to allow cashless gaming in their venues, which, when coupled with the gambling legislation we will very soon be debating in this place, will create a firestorm of conditions that will see the expansion of gambling across the state, starting with the Casino, if this variation notice is not disallowed. Increases in initial deposit and ongoing account limits are disproportionate, and they should worry all of us.

Under clause 4(2) of the variation notice, increases in maximum initial limits and the amount a person can have stored on their user accounts are increasing from \$1,000 to a whopping \$5,000, and that is for the average gambler. Under clause 4(4) of the variation notice, increases in the limits of an individual transfer from a cashless gaming account to a gaming machine in the Casino are increasing from \$250 to \$500.

Clause 4(6) increases the limit a person can immediately redeem value held in their cashless gaming account—it is up from \$2,000 to \$5,000 dollars in cash. If they are in a premier VIP gaming room the withdrawal amount goes up from \$2,000 to \$10,000 in cash. Subclause (6) also imposes a new limit that a person can immediately redeem value held in an anonymous cashless gaming account in a gaming area: \$2,500 in cash, absolutely anonymously and no questions asked.

These measures, coupled with the imminent gambling legislation we are due to debate, will, as I said, operate as a firestorm of conditions, making it easier and faster to gamble and lose huge sums of money. I for one do not support the proposed changes. These changes will mean that people will be able to have access to, in some cases, five times the amount of money than they previously had access to, and in a cashless setting.

For those reasons, I advise that I will be taking this disallowance motion to a vote in two weeks. I am sure, by that time, we will also have the gambling legislation before us and members will be able to see that this is part of a much broader raft of changes that this Liberal government is making, which will make gambling, and in particular gambling on poker machines, much more accessible without any consideration or regard for the damage those machines have on our communities. With those words, I commend the motion to the chamber.

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

### **PURPLE POPPY DAY**

**The Hon. F. PANGALLO (17:06):** I move:

That this council—

1. Notes that 24 February 2019 commemorated Australia's inaugural national Purple Poppy Day, acknowledging the outstanding deeds and sacrifices our four-legged and feathered Diggers have made serving alongside our troops in all war conflicts;
2. Acknowledges the crucial contribution that animals make in all war conflicts for safety, transport, communication and companionship; and
3. Calls on the state government to work with other state governments and the commonwealth to ensure that national Purple Poppy Day is recognised as an annual commemorative event.

This week, we paused for a minute's silence to remember the fallen in world conflicts, with many attending ceremonies around the country and overseas proudly wearing the symbolic red poppy. My motion is proposing that, in this state, we also remember with a purple poppy other loyal servants of our Defence Force—those creatures great and small that also served: horses, dogs and pigeons.

Eight million horses, mules and donkeys and one million dogs died on both sides during the Great War. Animals continue to serve in places like Afghanistan, where explosive detection dogs and their handlers bravely work on the front line. Dogs served with distinction in Vietnam but, sadly, none were permitted to return.

You might recall that last year we passed a motion honouring the deeds of Digger, the bulldog that served in the worst theatres of World War I, and Bill the Bastard, the famed Australian Light Horse which was a hero on the battlefield against the Turks at Gallipoli and then the Battle of Romani. Both were awarded the UK's Blue Cross, the animal equivalent of the Victoria Cross.

Earlier this year, the Hon. Terry Stephens and I were honoured to be invited to the West Croydon and Kilkenny RSL Club, where the Blue Cross was presented to the proud family of Digger's handler, Sergeant Harold Martin of the First Company Signal Corps, who was South Australia's first World War I volunteer.

This was all due to the efforts of a wonderful organisation known as the Australian War Animal Memorial Organisation (AWAMO), started by a former Defence member and dog handler, Nigel Allsopp. Mr Allsopp is also the president and recent ANZAC of the Year Award winner. His organisation states that:

Australian war animals have demonstrated true valour and an enduring partnership with humans. The bond is unbreakable, their sacrifice great.

Mr Allsopp has been leading the push for Australia to have February 24 declared as Purple Poppy Day, in recognition of the animals which served. In 2013, the Australian War Animal Memorial Organisation introduced the purple poppy to Australia. It is sometimes referred to as the 'animal poppy' Purple poppies are designed to be worn alongside the traditional red one as a reminder of their bravery and that both humans and animals served together. Mr Allsopp said:

...the 24<sup>th</sup> of February or purple poppy day is a day all Australians can wear a purple poppy and a time to think not only about our soldiers who gave their lives in war, but also spare a thought for the four-legged and winged heroes that fought and died alongside our troops.

Funds raised from donations and the sale of purple poppies are used by the AWAMO to establish memorials. They also fund training of support animals to help soldiers with post-traumatic stress and provide care packages, including paying for the care of war animals retired from service due to illness, injury and old age after active service.

In November last year in federal parliament, the member for Wright, Scott Buchholz, dedicated 24 February 2019 as the first National Day for War Animals in Australia. On that day, I laid a wreath at Digger the Dog's magnificent stone memorial at the West Croydon and Kilkenny RSL Club. I am hoping the occasion becomes more widespread, and I will be encouraging all our RSL clubs to take up the cause and recognise the deeds of those four-legged and feathered diggers who served and still continue to serve. The UK and New Zealand also have a national day to honour war animals.

Last month, the Western Australian Minister for Veterans Issues, the Hon. Peter Tinley, also announced that his state would recognise the National Day for War Animals in Australia on Monday 24 February 2020. In a letter to Western Australia's AWAMO representative, Mr Tinley said that military working dogs saved many lives in recent conflicts and had earned their place in our military history and therefore deserved recognition.

Western Australia has launched the Veterans and Families Strategy, in which commemoration acknowledging service and sacrifice of previous generations to deepen all of Australia's understanding of our nation's history is one of the main themes. Purple Poppy Day is now included in that category.

I will be asking our Premier, as the minister representing veterans, to follow suit and declare Purple Poppy Day in South Australia from 2020. I will encourage all honourable members to next year join me in recognition of our animals of war and wear a purple poppy, which will be made available to us by Mr Allsopp's organisation. I commend this motion to the Legislative Council.

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

## GAMING MACHINES

**The Hon. F. PANGALLO (17:12):** I move:

That the regulations made under the Gaming Machines Act 1992 concerning prescribed day, made on 6 December 2018 and laid on the table of this council on 12 February 2019, be disallowed.

The regulations that are the subject of the disallowance have the effect of extending the prescribed day for the purposes of section 53A of the Gaming Machines Act 1992, providing an extension of time before which certain prohibitions regarding the operation of electronic gaming machines (pokies) and cashless gaming systems on licensed venues take effect. The date has been extended to 31 December 2020.

The background to the regulations is that, from 31 December 2018, it is an offence under the act to operate pokies that are not capable of displaying on-screen messages unless the date is changed by way of regulation, which has occurred by way of this regulation. Further, there is no legislative requirement for the holders of gaming machine licences when operating a cashless gaming system to offer voluntary pre-commitment on any gaming machine in compliance with the voluntary pre-commitment code set out in schedule 4 of the Gaming Machines Regulations 2005.

These harm minimisation methods were introduced on 1 January 2014 as part of the Statutes Amendment (Gambling Reform) Act 2013. Basically, this regulation allows pokies operators to continue to operate with pokies without on-screen message capabilities, an essential tool for harm minimisation, preventing people using the pokies from becoming pokies addicts. Not one stakeholder involved in harm minimisation and counselling of pokie addicts, such as Anglicare, SACOSS, Uniting Communities or Relationships Australia, was consulted about the regulations and their effect. Only industry stakeholders were consulted. That is outrageous.

In addition, there has not been adequate reasoning provided as to why gaming venues have not been able to update their pokies machines in time. They have had five years to do it and failed. I want to advise the chamber that I will be taking this disallowance motion to a vote in two weeks. With those words, I commend the motion.

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

## PARLIAMENTARY COMMITTEES

Adjourned debate on motion of Hon. C. Bonaros:

1. That in the opinion of this council, a joint committee be appointed to inquire into and report on the effectiveness of the current system of parliamentary committees in supporting the role and functions of the South Australian parliament;
2. That, in the event of a joint committee being appointed, the Legislative Council be represented thereon by three members, of whom two shall form a quorum of council members necessary to be present at all sittings of the committee;
3. That this council permits the joint committee to authorise the disclosure or publication, as it thinks fit, of any evidence or documents presented to the committee prior to such evidence being reported to the council;
4. That standing order 396 be suspended as to enable strangers to be admitted when the joint committee is examining witnesses, unless the committee otherwise resolves, but they shall be excluded when the committee is deliberating; and
5. That a message be sent to the House of Assembly transmitting the foregoing resolution and requesting its concurrence thereto.

(Continued from 15 May 2019).

**The Hon. I. PNEVMATIKOS (17:15):** I rise today to speak briefly on the motion by the Hon. Connie Bonaros to establish a committee to review the parliamentary committee system. Labor will be supporting this motion as proposed and amended by the Greens, converting a joint committee into a select committee.

It is appropriate that the committee system be reviewed and is long overdue. On that basis, Labor will be providing our support. In this context, the role of the committee will necessarily look at ways to improve the current processes and structures that surround and support the committee

structures in this parliament. Labor looks forward to contributing constructively to the committee and its deliberations.

**The Hon. M.C. PARNELL (17:16):** I move to amend the motion as follows:

Paragraph 1—Leave out 'in the opinion of this council, a joint committee be appointed' and insert 'a select committee of the Legislative Council be established'.

Paragraph 2—Leave out paragraph 2 and insert new paragraph as follows:

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

Paragraph 3—Leave out 'joint' and insert 'select'.

Paragraph 4—Leave out 'joint' and insert 'select'.

Paragraph 5—Leave out paragraph 5.

I rise to support the motion. Members would be well aware that, for most of my time in this chamber, I have called for reforms to various aspects of parliamentary standing orders and the rules and practices in relation to committees, in particular. I think this committee is a good way to tease those issues out further.

The original plan was to have a joint committee of both houses. My understanding is that there was not sufficient support across the parliament for that to happen. On that basis, I have a number of amendments on file, which I have formally moved as a job lot. The amendments effectively make the motion one for the creation of a select committee of this house, rather than a joint committee of both houses, and they also have the effect of increasing the membership of the committee from five to six.

My understanding of the discussions with other parties is that it is generally agreed that the committee would be well served by having two members from the Liberal Party, two from the Labor Party and two from the crossbench. Certainly, in relation to the Greens, my colleague the Hon. Tammy Franks and I both have a great passion to engage in this issue, but we have decided that if the committee is successful the Hon. Tammy Franks will serve on it.

I hope to work closely with her and, through her, feed some of the ideas I have for committee reform to this particular select committee. With those brief words, I would urge this council to support the motion as proposed to be amended by me, pursuant to the filed amendments.

**The Hon. R.I. LUCAS (Treasurer) (17:19):** I rise on behalf of the government to indicate that we recognise there appears to be a majority of members in this chamber who are going to support the amended motion. The government's position, however, remains in accordance with its joint party room decision to oppose the original motion. We have obviously not had an opportunity to discuss the amendment that was only tabled today and we only became aware of today, because our joint party meeting met earlier this week.

Our position in part was dictated by an understanding we had with the Australian Labor Party that they too would oppose the original motion. We proceeded on that basis and indicated that we would oppose the motion as well. As is their right, the Australian Labor Party yesterday advised that they had changed their position and were now supporting what we understood to be the original motion but as we have now established is an amended motion. We have only become aware today of the amendments that have been tabled.

If we wanted to, we could jump up and down and say that we were unaware of the amendments, but I am sure there will be occasions where other members will find that amendments get moved on the day and I am sure that they, similarly, will not jump up and down and say they were not made aware of these amendments until the last day and will be able to respond quickly on the spot in relation to them.

I have been a passionate advocate of the committee system in the Legislative Council from my maiden speech, which was 150 years ago. I can indicate that the Statutory Authorities Review Committee is a committee of the Legislative Council. I made some contribution to the establishment



of that, having previously written a thesis in my masters on quangos, or statutory authorities. It was modelled on various committees that existed in other upper houses around Australia.

The establishment of the Budget and Finance Committee was something that I drove through the Legislative Council. When in government, I continued to support the establishment of the Budget and Finance Committee, with an acknowledgment that it was an important role of the Legislative Council.

One of the reforms in that particular committee, which I think has gained favour from a number of members, is an innovation we included for non-participating members to be able to be involved in the Budget and Finance Committee, that is, to allow members who were not members of the committee to come along to participate at the discretion of the chair of the committee, which was always given, to ask questions and to be involved in committee debates and questioning, not that there were deliberations for the Budget and Finance Committee because it was a committee of a different nature.

During my time chairing the Budget and Finance Committee, I think almost every other member of the Legislative Council, at one stage or another, participated in a proceeding of the Budget and Finance Committee. That was something I had seen in other jurisdictions and proposed to be used in the Budget and Finance Committee.

I think my record on committees and the importance of committees in the Legislative Council should speak for itself. I do remain a strong supporter. I also acknowledge the need for a parliamentary form of committees, particularly as a result of the changes that were made in relation to remuneration for members of parliament where there has seemed to be, from a number of members of parliament, less inclination to serve on committees when the payment only related to the presiding member of the committee. I think there is considerable scope for rationalisation.

I think one of the challenges for an upper house committee alone will be that clearly it has the capacity to recommend changes in relation to Legislative Council committees but it has no authority in relation to House of Assembly committees or joint committees between both houses. I can indicate that the government will continue to look at various options in relation to committee reform separate from this particular committee, if it is established.

Members of the government have a range of views; there is not a consolidated view. Members of the government have a range of views in relation to parliamentary committee reform. I am but one member of the government and I guess I have more established views in relation to where I see the capacity to reform some of the processes of the committee system.

Ultimately, the government's views may or may not mirror the views of the majority of members of this proposed committee, because that will be dictated to by the group that has established the committee, that is, the non-government members of the committee: the two Labor members and the two crossbench members. Whilst we are always very respectful of the views of other representative bodies in the parliament, ultimately for there to be a successful resolution there will need to be agreement with the government in relation to sensible progress of parliamentary reform.

I am intrigued by the position of the Australian Labor Party, which for a long period in government did not want to engage in relation to reform of the parliamentary committee system. I think I have recounted a long series of meetings that I and a colleague had with the former attorney-general, John Rau, and lower house members in relation to various options for reform. There was almost broad agreement leading up to the last election, but then the former government went cold on the idea of reform and those ideas fell to the wayside.

Let me conclude by saying that I wish the committee well in its deliberations. I note that it will be restricted in terms of its capacity to achieve change. It can certainly recommend and it certainly has the capacity to try to initiate change in relation to the Legislative Council. I will put on the record my very strong view in relation to changes that occur in relation to our operations as a chamber, whether it be standing orders or whether it be committees.

My position, whether in government over many years or in opposition, has been that changes in terms of our standing orders and sessional orders and in relation to our committees have only

occurred as a result of agreement between all parties in the Legislative Council. It is tempting for occasional majorities, or temporary majorities, to force a standing order change, a sessional order change or a committee change, but what comes around goes around in the Legislative Council.

For all of my period in the parliament, I, when I have been the leader for a long period of time, and other Labor leaders such as Chris Sumner and various other Labor leaders of the time, have respected that convention, that if we are going to change the operations of the council in some way we have done so under the convention that all the parties have broadly agreed to that particular change. I would hope that if anything was proposed to occur in relation to the operations of the Legislative Council at the end that convention would be respected in terms of the operations of the Legislative Council.

I think it has served us well over many decades. It is a slippery slope, if it is to be breached, because whoever happens to be in the majority at the moment will not always be in the majority in the future. As I said, what comes around goes around; it is a slippery slope which I advise, very strongly, new members not to engage in. I think the practice and convention has served us well and we will be well served to see it continue.

**The Hon. C. BONAROS (17:28):** I thank honourable members for their respective contributions. I am not 100 per cent sure what to make of the Treasurer's contribution. He has left me a little perplexed. If he is intrigued by the position of the opposition, then I think it is fair to say that I am even more intrigued by the rationale he has just provided to the chamber. The reality is, if we wanted a joint committee we could have had one. That option was on the table, and so for the Treasurer to suggest that the government was not going to support this because the opposition was not going to, I find a little bit odd, especially given its mantra of accountability and transparency.

In relation to the comment that what comes around goes around, for the majors, I think my response to the Treasurer would be that there are also five crossbench members in this chamber and I think they have worked pretty hard at trying to articulate their views about changes to the government since they have come into power. Those views have been well received, but there certainly has not been any action on those fronts.

So we resort to motions like this, where we establish committees—with input from everybody, including the five crossbench members—and hope that we can come up with some sensible suggestions that will lead to a more fluid framework and improved engagement by South Australians with the democratic process, the examination of legislation they are governed by and issues that affect them. We know that committees are absolutely critical to the work we do in this place each and every day. I will not highlight again the reasons why I move this motion—that was done when I moved it—but suffice to say there is no doubt that our committee structure is in need of improvement.

If that need for improvement stretches across both chambers, then I again make the point to the government that they had ample opportunity to make that happen and have chosen not to do so. The reality is that we do not know the best model of parliamentary scrutiny to underpin our committees. There is likely to be not just one correct model of parliamentary scrutiny. It is only when we thoroughly examine and assess what works well that we will be able to establish what refinements could be made to the current system. There is certainly a lot to be learned from jurisdictions both here and abroad, and that is really the intent of this committee.

I indicate for the record that I support the Hon. Mark Parnell's expansion of the membership of the proposed committee, which seeks to reframe it as a select committee, again given the government's lack of willingness to support it in its original form for reasons that have truly stumped me based on the Treasurer's response. I applaud those in the chamber who support the motion. I regret that the government was not willing to look at this more carefully, but I am pleased that it will be going ahead.

Can I say this to the Treasurer, through you, Mr President: Winston Churchill said, 'To improve is to change, and to be perfect is to change often.' My message to the government would be that change is not something to be feared but rather something that we really need to embrace in this place. I know that we on this side of the crossbench are making every attempt to try to get the government to see that change is sometimes, particularly in this instance, absolutely necessary.

The parliament and the committee structure need to be responsive to the needs of members but, more importantly, they need to be responsive to our constituents, to South Australians. Our reputation rests on our capacity to engage effectively with those communities that we represent and to perform our core functions. We know that academics have decried the South Australian parliament's ad hoc approach to the scrutiny of bills, relying on an informal system of extra parliamentary scrutiny of bills through a process that is often shrouded in mystery. It is not open and transparent to all of us and is certainly not in line with the government's mantra of accountability and transparency.

With those words, I indicate again that this is not a new concept. Other governments have done it; New South Wales has done it. It provides a unique opportunity for us to connect with people, listen to their views and hold the executive branch of government to account for its actions. It provides a vital opportunity for the parliament to restore and enhance its reputation within the broader community—something that it could probably use right now—and contribute to parliament's reputation as the pre-eminent institution for defending rights. With those words, I commend the motion to the chamber.

Amendments carried; motion as amended carried.

**The Hon. C. BONAROS:** I move:

That the select committee consist of the Hon. R.I. Lucas, the Hon. T.J. Stephens, the Hon. I. Pnevmatikos, the Hon. J.E. Hanson, the Hon. T.A. Franks and the mover.

Motion carried.

**The Hon. C. BONAROS:** I move:

That the select committee have power to send for persons, papers and records, to adjourn from place to place, and to report on 4 December 2019.

Motion carried.

## GIFT CARDS

**The Hon. F. PANGALLO (17:35):** I move:

That regulations made under the Fair Trading Act 1987 concerning Gift Cards—General, made on 29 November 2018 and laid on the table of this council on 4 December 2018, be disallowed.

Last year, we passed the Fair Trading (Gift Cards) Amendment Bill 2018 which amended the Fair Trading Act 1987 to require that any gift cards sold in South Australia must have a minimum expiry date of three years. SA-Best, of course, supported the legislation. We now have a set of regulations that underpins that legislation, the Fair Trading (Gift Cards) Regulations 2018. Clause 4 of those regulations provide a number of exceptions to the intent of the legislation, being the prohibition on the sale of gift cards with an expiry date of less than three years. Clause 4(a) and clause 4(b) state:

Section 45D of the Act does not apply in relation to—

- (a) an ATM card, charge card, credit card or debit card; or
- (b) a reloadable prepaid card;

A prepaid card means a prepaid card that is redeemable for goods and services through an electronic payment system such as EFTPOS Prepaid, Visa Prepaid and Mastercard Prepaid. My concern is that many of these cards are sold through Australia Post, supermarkets and other stores where other gift cards are sold. In fact, they are sold alongside them and provide an alternative gift card to that of a store card such as for Bunnings or Myer, giving consumers more options when buying cards. It is unclear to me why these types of cards have been exempted from the three-year expiry in the legislation, and they appear to undermine the intent of the legislation. For this reason, I have moved the disallowance. I want to advise the chamber that I will be taking this disallowance motion to a vote in two weeks. With those words, I commend the motion.

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

## GAMBLING REFORM

Adjourned debate on motion of Hon. C. Bonaros:

That this council—

1. Notes that the latest figures from the 34th edition of Australian Gambling Statistics of total gambling expenditure in Australia for 2016-17 show that:
  - (a) the nation's gambling spend was \$23.694 billion for 2016-17;
  - (b) total sports betting increased to a record high of \$1.062 billion, representing a 15.3 per cent increase from the previous year;
  - (c) total race betting expenditure in Australia increased from \$3.099 billion to \$3.313 billion (a 6.9 per cent increase) in 2016-17; and
  - (d) \$12.136 billion was emptied into poker machines by Australians in 2016-17.
2. Acknowledges that the 2010 Productivity Commission report into gambling found that around 4 per cent of the adult population plays poker machines at least weekly, and that 15 per cent of these players are 'problem gamblers' with their share of total spending on poker machines estimated to be between 40 and 60 per cent.
3. Acknowledges that according to figures released from the Australian Electoral Commission covering the 2017-18 financial year, the Australian Hotels Association of South Australia donated \$324,944.43 to the South Australian Liberal Party of Australia (SA Division), the Federal Liberal Party of Australia, the South Australian Labor Party (SA Branch) and the Australian Conservatives.
4. Supports the call by the Alliance for Gambling Reform for a complete ban on political donations by licensed gambling operators.

(Continued from 13 February 2019.)

**The Hon. T.A. FRANKS (17:38):** I rise to welcome and support this motion that has been put before this place by the Hon. Connie Bonaros of SA-Best. This motion notes the latest figures from the 34<sup>th</sup> edition of the Australian Gambling Statistics of total gambling expenditure in Australia for 2016-17 year that show that the nation's gambling spend was \$23.694 billion for that year; that total sports betting increased to a record high of \$1.062 billion, representing a 15.3 per cent increase from the previous year; total race betting expenditure in Australia increased from \$3.099 billion to \$3.313 billion, a 6.9 per cent increase in that year; and that \$12.136 billion was emptied into poker machines by Australians in that year—some very sorry statistics, and sobering statistics, there.

The motion further acknowledges that the 2010 Productivity Commission report into gambling found that around 4 per cent of the adult population plays poker machines—and 'play' is certainly an insidious word—at least weekly and that 15 per cent of these players are what are known as 'problem gamblers', a euphemism if ever you heard one, with their share of the total spending on poker machines estimated to be between 40 and 60 per cent, somewhere around half.

This motion also, importantly, acknowledges that according to the figures that have been released by the Australian Electoral Commission for the 2017-18 financial year, the Australian Hotels Association of South Australia donated some \$324,944.43 to the Labor Party, the Liberal Party and the Australian Conservatives. That is a lot of money for very little return—unless there is a return.

We strongly support this motion and, importantly, while the rest of that was all fact, we note the key here: paragraph 4, which supports the call of the Alliance for Gambling Reform for a complete ban on political donations from licensed gambling operators. We have seen in this place time and again a state government addicted to gambling revenue, addicted to animal cruelty that is supported through that gambling industry, addicted to these donations to help run their political campaigns that buy their favour and leave us as a state with an extraordinary position where we have a bill not yet before this place—so it is not unparliamentary yet for me to comment upon it—where apparently Labor and Liberal have gone off and done a deal to allow note acceptors in poker machines and a range of other measures that are quite extraordinary.

Certainly the Hon. Rob Lucas, as the Leader of the Government in this place, and so far on record the leadership of the Labor Party have said there is no conscience vote on this particular bill. It is quite extraordinary, when previously Liberal Party MLCs in this place have indicated that on gambling legislation they have a conscience vote. The Labor Party once upon a time did have a conscience vote, but now, quite extraordinarily, when it comes to gambling, they no longer have a conscience.

It is extraordinary days indeed when we see a racing industry able to lobby to have part of the point of consumption tax which is now being levied upon them returned to them, because somehow they need it for the prize money and to keep growing their industry, an industry which is based upon the racing of animals for a profit, for people to take a punt on or profiteer from. Yet time and again across those industries we see cruelty against these animals exposed—time and time again.

And we see little delineation in those industries between the integrity sections of those industries and the profiteering sections of those industries, putting those animals in danger and, worse still, putting punters into poverty. Whether it is poker machines or the racing industry, industries designed to part people with their money when we know that many of those people have a problem, an addiction, and cannot afford to be parted with that money are indeed extraordinary things to be propping up with party votes in this place.

All parties should start refusing to take donations from these cruel and calculating and clever industries that have worked out that if they put a few pennies in the pockets of some politicians as they campaign for an election the payoff will come when pieces of legislation pass this place with, lo and behold, bipartisan old party support.

I have to say, I do not know if Shit Adelaide has ever been quoted in this place, but I have noted that they have been commenting on the failure of the sex work law reform bill today. They have asked the question: how on earth has it come to this, where we have bipartisan support from Labor and Liberal on poker machines having note acceptors, but they cannot actually support sex workers' rights?

I welcome this motion today, and I look forward to working with SA-Best and the Hon. John Darley in Advance SA to eradicate gambling donations from our political system. I urge Labor and Liberal to consider where this leaves our political debates. We know that it takes courage and that courage is not something that political parties necessarily embrace. We saw what happened to the Tasmanian Labor Party when they said that they would ban poker machines from their pubs and clubs: the gambling industry came in in force and that Labor Party policy has now been abandoned.

We ask the Labor Party in particular, but also all political parties and all members in this place: do not abandon the very people who most need our support. Do not abandon, for a few pennies from gambling income at election time, the very people that this place should actually be protecting. Ensure that these industries do not unscrupulously profit from South Australians, do not treat animals with cruelty and do not get away with corruption, fraud and profiteering. With those few words, I wholeheartedly support the motion.

**The Hon. F. PANGALLO (17:46):** I rise to speak in support of the motion from my colleague the Hon. Connie Bonaros, and I endorse the powerful words spoken by the Hon. Tammy Franks. Earlier this year, the Australian Electoral Commission published shocking figures that exposed the vulgar amounts of political donations made by the Australian Hotels Association to the two major parties and the now defunct Australian Conservatives.

Money buys influence and it buys elections. It is that simple. You may ask, 'What level of influence?' The proof is in the soon-to-be-debated gambling bill, which will see a turbocharging of poker machine addiction in this state if left unchecked. SA-Best will do everything in its power to stop the worst of the measures from being passed. The government's proposed changes are nothing more than payback to the poker machine barons for their support during last year's elections. It is payback to the Australian Hotels Association for waging a war against Nick Xenophon and the team to prevent SA-Best from getting anyone elected in the lower house at the 2018 state election.

We went into that election with sensible and comprehensive reforms for the pokies industry, including a gradual reduction scheme that would see a 50 per cent reduction of those insidious machines over five years; \$1 maximum bets per spin and reducing the maximum jackpot to \$500, which would reduce losses to \$120 per hour rather than the current capability of over \$1,000 per hour in losses; the removal of EFTPOS machines in gaming venues; and a reduction in opening hours. These were among the many measures proposed. What did the now Attorney-General say at the time of these sensible measures, and let me quote her:

...the most damaging change of policy since Labor broke its promise to 'never, ever close the Repat'.

And she added:

Nick Xenophon's decision to abandon his long crusade against poker machines brings into question exactly what he stands for.

How disingenuous. What does the Marshall government stand for? It stands for more and more of those poker machines and more and more revenue from those who cannot afford to lose. Make no mistake: they are the pokies party, and the AHA loves them for it.

The audacity of the Attorney's comments are especially galling now that, 18 months later, she is responsible for introducing measures that will see a massive expansion of poker machines in this state that will only serve to harm South Australians. SA-Best wants these devastating machines phased out while the Marshall government wants to see a proliferation of them everywhere. They suck money from workers' wallets and pensioners' purses.

The Attorney has not consulted with those battling at the coalface of gambling addiction about the many harmful measures in the bill. She has simply taken her cues from the AHA, that note acceptors and EFTPOS facilities in gaming venues will only turbocharge the industry. That is exactly what the AHA and Clubs SA want and the Attorney has delivered.

Poker machines are already in the majority of the state's pubs and clubs, housed in 511 venues in South Australia, with a staggering 12,210 machines still taking money from South Australians. As of June 2017, there was an average of nine poker machines per 1,000 South Australian adults.

Poker machines are concentrated in South Australia's most disadvantaged areas, with South Australians losing \$680 million over 2016-17. We know from the Productivity Commission's report into gambling that 15 per cent of regular poker machine players are so-called 'problem gamblers'. It is these gambling addicts that provide the lion's share of profits to poker machine barons. If there was any doubt about the power and influence these poker machine barons have over the major political parties, you just need to look at the upcoming gambling bills.

Money buys influence. South Australians are not stupid; they can connect the dots. Playing the pokies is not entertainment for our elderly citizens, as the Attorney-General seems to apply, it is an addiction. We also know through the Productivity Commission's report that the majority of money lost in these machines comes from pokies addicts.

If you still think playing the pokies is fun, go to the pub underneath the Myer Centre, which is a few metres from this place, and observe the people playing the machines. Most exhibit addictive behaviours that addiction gambling expert Paul Delfabbro and others have reported in their research in detail. As Tim Costello, chief advocate of the Alliance for Gambling Reform, has said so eloquently:

What happened in Tasmania and South Australia in early 2018 was nothing short of disgraceful and now that we've seen the size of the pokies money that was poured into those campaigns, we need Labor and Liberal to agree to a complete ban on gambling donations similar to what they have done with tobacco.

It is time to unplug from poker machines and cut ties with political donors from the gambling industry, as the Hon. Tammy Franks has already pointed out. I implore my colleagues to vote with their conscience on this motion. Do not take the party line. I will be moving a small amendment to the motion to include not only licensed gambling operators but also their industry bodies, such as the Australian Hotels Association and Clubs SA. As such, I move:

Paragraph 4—After 'operators' insert 'and their industry bodies'

With those words, I commend the motion.

**The Hon. R.I. LUCAS (Treasurer) (17:53):** It does me no good to be continually opposing motions being moved by the Hon. Ms Bonaros; nevertheless, on behalf of the government, I will do so. The government opposes the motion that the Hon. Ms Bonaros has moved. Given the lateness of the hour—and I know a number of members have very significant engagements ahead—I will not speak in great detail. My views on gambling in general are well known in this chamber. I describe myself as having a 'small c' catholic view about gambling.

I acknowledge the problems of the small percentage of people who are problem gamblers. I think the Hon. Ms Bonaros in her own motion says that 4 per cent of the adult population play poker

machines and 15 per cent of those are problem gamblers. Well, 15 per cent of 4 per cent is 0.6 per cent, so it is a very small percentage. A lot of the prevalent studies have demonstrated over the years that, interstate and in South Australia, it is around that order. Some of them sometimes show it as a little bit higher, but the overwhelming majority of gamblers are recreational gamblers who do so as a form of recreation.

They do not become problem gamblers and it is their choice as to how they spend their money, as opposed to going to the movies, eating at fine restaurants, drinking fine wine, trail bike riding, riding \$15,000 bikes, or whatever it might happen to be. It is their money and if they do not cause any grief to themselves or to their nearest and dearest, and it is manageable, then, as I said, I have a long-held view that people should be allowed to make that choice.

I have been flagging for 20 years the concerns about interactive gambling and online gambling, and I am pleased to see that this motion at least acknowledges the prevalence of sports gambling. The preponderance of people concentrating on attacking gaming machines as the sole source of problems in terms of gambling, in my view, for 20 years has missed the point.

I remember having the debate with the Hon. Nick Xenophon more than 20 years ago in relation to a select committee, highlighting the fact that in those days I was only talking about interactive television sets and sitting in your lounge room at home. I had not contemplated the circumstances today where young people in particular are just betting on their mobile phones, or their computers or tablets, on all sorts of sports betting options not only here but around the world.

We can control some of those sites but we cannot control the sites from around the world in terms of the gambling. The Hon. Mr Xenophon was elected on a platform of gaming machines. That was his concentration and I respect that but, as I indicated then, and I think the proof of the pudding has been in the eating, the issues of the future will be in terms of online gambling—not just sports betting but online gambling—in relation to mobile phones and the like.

The honourable member has referred to the Australian Gambling Statistics. While she has quoted some figures in terms of the total gambling spend, I have not checked this personally but my advice is that those figures demonstrate that while South Australia has about 7 or 8 per cent of the population base, only 4.5 per cent of total expenditure for all gambling comes from South Australia, so we have much less than our population share in terms of total gambling expenditure.

It is of no great significance, nor is the figure of \$23 billion in terms of gambling spend because if the overwhelming majority of that gambling spend is by people who are not getting themselves into trouble and it is their recreational pursuit, why should we the parliament stop people having a recreational pursuit which they enjoy, which is causing no grief to them or indeed to their nearest and dearest? The final part of the resolution is the full-fledged assault from SA-Best on the hotels industry. The honourable member says:

During the state election, both major parties, flush with funds thanks to this group of wealthy poker machine barons, aimed all their venom at SA-Best...because we have a policy to reduce the scourge of poker machine addiction in this state.

Can I make two points in relation to that. I have not checked this, but the honourable member says that in the days leading up to the March election, SA Liberals received \$12,500 on 8 March and \$12,500 on 14 March. That was what she quoted. I am assuming there might have been other small donations in the period leading up to March. I have not taken the trouble to go back to that but, given the cost of election campaigns, if the honourable member thinks that contributions of that size dictate a political party's policy direction, she is sadly misguided.

What I can say, and say proudly, is that people who donate funds to the Liberal Party do so on a clear understanding that they do not dictate policy direction of the Liberal Party. The debate that we are having in relation to land tax is the perfect example of that. We were criticised at the first meeting after the budget speech, when people stood up at the Property Council meetings and said, 'We donated to the Liberal Party and we expected this.' I made it clear then and I make it clear again today: this government is not to be bought. This government makes decisions, as we see it in our view, in the best interests of the people of South Australia.

On some occasions, our views will coincide with people who support us financially, morally and otherwise. On other occasions, they will be different from the views of people who support us financially, morally and otherwise. People donate to the party, support the party or volunteer for the party in the full knowledge that they cannot buy policy decisions from the Liberal government.

That is a clear and understandable position, amply demonstrated publicly by our position on legislation such as the land tax and indeed some would say, for example, the position that we adopted on the mining legislation. We have been criticised that we have ignored the views of some of the people who have supported us for many years, financially, morally and otherwise.

It is a clear demonstration, contrary to the views that SA-Best is putting, that the Liberal Party—I will let the Labor Party speak for themselves—are capable of being bought in relation to donations for policy direction. We are not, have not and will not put ourselves into that position in relation to policy direction. We, therefore, do not support paragraph 4 of the motion, which is that there be a complete ban on political donations by licensed gambling operators, although I am not sure why unlicensed gambling operators should not be banned as well.

The simple issue is, compared with some other jurisdictions, we have a very robust public disclosure regime in South Australia. It is one that was supported in a bipartisan fashion by the Liberal Party when introduced by the former Labor government. It was negotiated between the major parties and I think maybe supported by all the parties at that particular time. We believe that people are able to donate to political parties but should do so on the clear expectation that they cannot buy policy direction or influence in relation to the decisions of the political parties.

That disclosure regime is robust. If it needs to be improved on occasions, we should debate that. As to this whole notion that we can pick off particular industry sectors and say, 'We don't like you and because you support parties that have views different from ours on gambling, you should be banned,' but anyone who supports views that support the views of SA-Best should be allowed to continue to donate, I can give examples of prominent industry sectors that have supported, both financially but also in kind, through the provision of voluntary labour on polling booths on election day, crossbench parties who supported their particular policy position on a number of important political issues in the state.

Again, I do not say or assert, as SA-Best have done towards the Liberal Party, that that necessarily bought policy influence of the crossbench parties. It may well be that their views were that anyway and these particular industry sectors were prepared to support those parties as a result. If you wanted to be unfair about all of this, you could make the same assertion that the mere fact that someone provided in kind support to a crossbench party, and their position was the same as that on an important issue to be debated by parliament, meant that in some way influence was bought.

I do not make that assertion and I think it is unfair for SA-Best to make the assertion about me as an individual and my colleagues as individuals that we are capable of having policy positions bought through the mere provision of political donations leading up to an election campaign. With that, I indicate our strong opposition to the motion before the house, even as amended.

**The Hon. C. BONAROS (18:04):** I thank honourable members for their respective contributions, in particular the Hon. Tammy Franks, the Hon. Frank Pangallo and the Treasurer. As we know, the motion supports the call for a complete ban on political donations for reasons articulated well by both Ms Franks and Mr Pangallo. I do want to clarify that it is intended to capture profit-making gambling operators and they are plentiful. It is not, for example, intended to capture charities and charitable organisations running a lottery, and I did undertake to provide that clarification on the record. In response to the Treasurer's point, it does not cover unregulated gambling because that is already in breach of legislation.

I note that I will be supporting the amendment moved by the Hon. Frank Pangallo. We have all spoken now at length about the quantum of political donations from the AHA and the trend of donations in the lead-up to the election. Despite what the Treasurer says, I maintain that those donations are obscene.

I am bitterly disappointed that the opposition has decided to not even speak to this motion today. It is a cowardly move and I know that there are many of them who feel sick to their stomachs knowing that the political party to which they belong happily accepts money from gambling entities



and operators but does absolutely nothing about it. Their stony silence today is a clear indication of how they will vote.

Despite what the Treasurer says, gambling addiction is devastating South Australian families. Poker machines continue to outstrip all other forms of gambling, despite the rise in online gambling. In terms of some of those statistics, we know that Australia has 20 per cent of the world's poker machines, yet only 0.3 per cent of the world's population. We lose more at gambling than any other nation, with \$1,000 in per capita losses, mostly because of the prevalence and ferocious hunger of poker machines.

I make no apologies for the comments that I have made in relation to the Liberal Party on this. They have been dubbed the pokies party, not us. The Treasurer's words come as no surprise to me today. Of course, the Labor Party is responsible for introducing these insidious machines into this jurisdiction 25 years ago and since then South Australians have lost \$15 billion. I ask the question: how many lives have to be devastated as a consequence of the cash grab in gambling tax revenue by the Liberals and lapped up by the previous Labor government? I have met with them and I would question how many our Treasurer has met with and whether he mixes in those circles.

I think Ian Horne summed things up really well last week on David Bevan's program on the ABC when he referred to the gambling legislation that this government is proposing as 'our' legislation. It was not the government's legislation. It was not the Liberal Marshall government's legislation. He referred to it as 'our' legislation, and that in itself says everything about this government's policy direction when it comes to gambling.

Every story of gambling addiction is a tragedy and every loss of life is heartbreaking. I say that those who continue to support the industry through sympathetic legislation and political parties that happily receive donations from the state's poker machine barons should really think about who they are meant to be serving in this place. We will soon be debating the legislation that Ian Horne referred to as 'our' legislation—not the government's legislation, 'our' legislation. We will see then where we all sit in terms of gambling in this jurisdiction.

I am going to finish by quoting once again Tim Costello, the chief advocate of the Alliance for Gambling Reform, who said that Australia would not begin to tackle 'our world's worst levels of gambling harm' until political funding by licensed gambling operators was banned. He said, and I quote:

What happened in Tasmania and South Australia in early 2018 was nothing short of disgraceful and now that we've seen the size of the pokies money that was poured into those campaigns, we need Labor and Liberal to agree to a complete ban on gambling donations similar to what they have done with tobacco.

I am disappointed with the opposition. There is still the opportunity to side with SA-Best and the Greens in support of the motion and vote with your conscience to support a ban on gambling donations derived from the poorest and the most destitute, and those addicted to problem gambling and poker machines in particular.

Amendment negated.

The council divided on the motion:

Ayes ..... 5  
 Noes ..... 15  
 Majority ..... 10

AYES

Bonaros, C. (teller)  
 Pangallo, F.

Darley, J.A.  
 Parnell, M.C.

Franks, T.A.

NOES

Bourke, E.S.  
 Hood, D.G.E.  
 Lensink, J.M.A.

Dawkins, J.S.L.  
 Hunter, I.K.  
 Lucas, R.I. (teller)

Hanson, J.E.  
 Lee, J.S.  
 Ngo, T.T.

## NOES

Pnevmatikos, I.  
Stephens, T.J.

Ridgway, D.W.  
Wade, S.G.

Scriven, C.M.  
Wortley, R.P.

Motion thus negatived.

*Bills***SUPREME COURT (COURT OF APPEAL) AMENDMENT BILL***Second Reading*

**The Hon. R.I. LUCAS (Treasurer) (18:15):** I move:

That this bill be now read a second time.

I seek leave to have the second reading explanation and detailed explanation of clauses inserted in *Hansard* without my reading them.

Leave granted.

Mr President, today I introduce the Supreme Court (Court of Appeal) Amendment Bill 2019.

The Bill will establish the Court of Appeal as a separate division of the Supreme Court. The benefits of a Court of Appeal to South Australia include developing specialist appellate expertise in the judiciary leading to greater efficiency and higher quality judgments.

Mr President, the jurisdiction of the Supreme Court includes hearing first instance civil cases and serious criminal matters including trials for offences such as murder and treason.

In its appellate jurisdiction, the Supreme Court reviews and determines errors which may have occurred in other courts of the State and interprets and expounds the law for the guidance of other courts.

Under the current arrangements, the judges of the Supreme Court work on a rotational basis in the Full Court to hear civil appeals and in the Court of Criminal Appeal to hear criminal appeals.

They also sit as a single judge when hearing and determining first instance civil and criminal matters.

The functions of an appellate and a trial judge are significantly different.

The trial function involves hearing evidence, making findings of fact and making rulings on evidence.

The appellate function involves a much greater element of theory, principle and conceptualisation of the law.

Pursuing this reform simply recognises that appellate work involves functions and skills different from those performed in trial work, and is therefore better performed in a separate court of permanent members than in a court of changing membership.

By appointing judges to a Court of Appeal on a permanent and ongoing basis, the development of specialist appellate expertise will be fostered, leading to greater efficiency in our justice system and higher quality judgments.

Mr President, South Australia remains one of the only jurisdictions yet to establish a dedicated Court of Appeal.

When considering this reform, the Government has looked to the advantages that have been borne out in New South Wales, Victoria, Queensland and Western Australia following the successful establishment of Courts of Appeal in those jurisdictions.

In particular in Western Australia a high-level committee was established in 2001 to consider the desirability and feasibility of establishing a Court of Appeal there.

The Court of Appeal Committee's final report concluded that the long-standing Courts of Appeal in New South Wales, Victoria and Queensland were successful, working effectively and efficiently, and were superior to a Full Court comprising several judges of a Supreme Court sitting on appeals in rotation (as is currently the case in this State).

The committee found that Courts of Appeal raised standards generally in the courts and the legal profession, improved the quality and consistency of appellate judgments, increased the speed of delivery of such judgments, and involved shorter hearings.

The committee's report also found that the principled development of the law was facilitated and that the Court of Appeal had developed a status and authority not previously enjoyed by Full Courts.

For these reasons, the report concluded that the establishment of a Court of Appeal in Western Australia would advance the administration of justice in that state.

Mr President, the Bill has the following major features to achieve these objectives:

- The Court of Appeal is established as a division of the Supreme Court, with a separate General Division for the matters that are not to be heard by the Court of Appeal. This is consistent with the situation in New South Wales, Victoria, Western Australia and Queensland, whose Courts of Appeal are integrated with their Supreme Courts. The other jurisdictions (Northern Territory, the Australian Capital Territory and Tasmania) do not have a Court of Appeal.
- The Chief Justice remains the principal judicial officer of the Supreme Court, including of the Court of Appeal.
- The Court of Appeal is comprised of the Chief Justice, President and the judges of the Supreme Court who have been appointed to the Court of Appeal.
- The President of the Court of Appeal is responsible to the Chief Justice for the administration of the Court of Appeal.
- The jurisdiction of the Court of Appeal will be the existing jurisdiction of the Full Court of the Supreme Court of South Australia and of the Court of Criminal Appeal.
- To hear matters, the Court of Appeal will be constituted by at least three judicial officers.
- The General Division will be comprised of the Chief Justice and the judges of the Supreme Court who are not appointed to the Court of Appeal.
- The jurisdiction of the General Division will be the current jurisdiction of the single judges of the Supreme Court. It will also include the current jurisdiction of the Land and Valuation Division of the Supreme Court which is to be abolished and subsumed within the General Division.
- To hear matters, the General Division will be constituted by a single judge.
- The Chief Justice and the President will jointly be able to authorise a judge of the Court of Appeal to temporarily sit in the General Division and authorise a judge of the General Division to temporarily sit in the Court of Appeal.
- The Bill also makes a number of consequential and transitional amendments to legislation to reflect the new structure.

I commend the Bill to Members.

#### Explanation of Clauses

##### Part 1—Preliminary

###### 1—Short title

###### 2—Commencement

###### 3—Amendment provisions

These clauses are formal.

##### Part 2—Amendment of Supreme Court Act 1935

###### 4—Amendment of section 5—Interpretation

This clause inserts definitions for the purposes of the measure and deletes the definition of 'Full Court'.

###### 5—Insertion of section 6A

Proposed new section 6A provides that the Supreme Court will be constituted of the General Division and the Court of Appeal.

###### 6—Amendment of section 7—Judicial officers of the court

This clause provides that the Court of Appeal will consist of the Chief Justice, the President, the puisne judges that are appointed to the Court of Appeal as well as the masters and judicial registrars.

###### 7—Amendment of section 8—Qualifications for appointment as judges and masters

This clause provides that a person is not qualified for appointment as President unless the person is a practitioner of the court of not less than 12 years' standing or a puisne judge of the court

## 8—Amendment of section 9—Appointments to the court

This clause is consequential.

## 9—Insertion of section 9B

Proposed new section 9B provides that the President is a judge of the Supreme Court and is responsible, subject to the Chief Justice's directions, for the administration of the Court of Appeal.

## 10—Substitution of section 10

Proposed new section 10 deals with acting appointments during any absence of the Chief Justice or the President.

## 11—Amendment of section 11—Acting judges and acting masters

This clause makes consequential changes and updates subsection (6) (which currently still refers to the Industrial Court).

## 12—Amendment of section 12—Remuneration of judges and masters

This clause is consequential.

## 13—Substitution of heading to Part 2 Division 1

This clause is consequential.

## 14—Amendment of section 17—General jurisdiction

This clause provides that the court does not, in its General Division, have jurisdiction in respect of the matters that are required under proposed new section 19B, to be heard and determined by the Court of Appeal.

## 15—Insertion of Part 2 Division 1A

This clause inserts new provisions on the proposed Court of Appeal as follows:

## Division 1A—Court of Appeal

## 19A—Establishment of Court of Appeal

The Court of Appeal is established as a division of the Supreme Court.

## 19B—Jurisdiction

This section lists matters that will fall within the jurisdiction of the Court of Appeal.

## 19C—General requirements as to constitution of Court of Appeal

The Court of Appeal will generally be constituted of at least 3 judges.

## 19D—Powers

The Court of Appeal may, in determining matters within the jurisdiction conferred by section 19B, exercise any jurisdiction or powers that the court has in its General Division or that are currently exercisable by the Full Court.

## 16—Amendment of section 45—Time and place of sittings

The Court of Appeal will sit at such times and places as the President may direct.

## 17—Substitution of sections 47 and 48

This clause deletes the current sections 47 and 48 (which relate to the Full Court) and substitutes new sections as follows:

## 47—Distribution of business

The Chief Justice may authorise a judge to act in another division of the court.

## 48—Jurisdiction of single judge, master, etc

Subject to this or any other Act and to rules of court, the jurisdiction of the court may be exercised by 1 or more judges sitting in court and may be exercised by a judge in chambers or by a master or judicial registrar to the extent authorised by this or any other Act, or by the rules of court.

## 18—Amendment of section 49—Questions of law reserved for Court of Appeal

This clause is consequential.

## 19—Amendment of section 50—Appeals

This clause is consequential.

## 20—Repeal of Part 3A

This clause repeals the Part dealing with the Land and Valuation Court.

## 21—Amendment of section 72—Rules of court

This clause provides that rules of court relating only to the practice and procedure of the Court of Appeal must be made by 3 or more judges of the Court of Appeal.

## Schedule 1—Related amendments and transitional provisions etc

The Schedule:

- makes related amendments to various Acts, principally to remove references to the Full Court and the Land and Valuation Court
- inserts a definition of 'Court of Appeal' in the *Acts Interpretation Act 1915*
- includes transitional provisions dealing with references in instruments to the Full Court and to the Land and Valuation Court and allowing the Governor to determine the initial remuneration payable to the President and judges of the Court of Appeal.

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

**LOCAL GOVERNMENT (ADMINISTRATION OF COUNCILS) AMENDMENT BILL**

*Introduction and First Reading*

Received from the House of Assembly and read a first time.

**SUMMARY OFFENCES (TRESPASS ON PRIMARY PRODUCTION PREMISES) AMENDMENT BILL**

*Introduction and First Reading*

Received from the House of Assembly and read a first time.

**GAMBLING ADMINISTRATION BILL**

*Introduction and First Reading*

Received from the House of Assembly and read a first time.

**STATUTES AMENDMENT (GAMBLING REGULATION) BILL**

*Introduction and First Reading*

Received from the House of Assembly and read a first time.

At 18:19 the council adjourned until Thursday 14 November 2019 at 11:00.