

LEGISLATIVE COUNCIL

Wednesday, 27 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.

Parliamentary Procedure

SITTINGS AND BUSINESS

The Hon. R.I. LUCAS (Treasurer) (11:01): I move:

That standing orders be so far suspended as to enable petitions, the tabling of papers, question time and statements on matters of interest to be taken into consideration at 2.15pm.

Motion carried.

Bills

LAND TAX (MISCELLANEOUS) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 12 November 2019.)

The Hon. J.A. DARLEY (11:03): For decades, South Australia has had the most uncompetitive land tax system in the country. As many would know, it is largely due to land tax that I entered this place. I find it ironic that, over 10 years later, I am standing here talking about the same thing. Back in 2007, when I came into this place, one of the major problems was the scale of rates. If I remember correctly, the scale of rates had not changed for about 20 years and, in that time, property prices had shot through the roof. Land tax bills that had been a few hundred dollars very quickly inflated to thousands of dollars over the course of a few years.

We do not have quite the same situation now, as the scale of rates were adjusted in 2009-10 and indexed annually to keep up with changes in property values. However, our scale of rates is still uncompetitive when compared with those of other states.

The government has tried to address this by making a number of changes to the scale of rates. It has now increased the bottom threshold, reduced the tax rates for certain thresholds and increased the top threshold. These changes are very positive and I am completely supportive of these amendments. These changes will benefit many land tax payers; however, for many, the benefit they would receive from a lower scale of rates is negated when coupled with aggregation as outlined in the bill.

When I entered this place at the end of 2007 the then Labor government had amended the Land Tax Act to allow the commissioner to disregard minority interests in a property; that is to say, if someone had an interest of less than 50 per cent, the commissioner could disregard the minor interest and aggregate the property's value with the holdings of the person with a majority interest. This move caused stress and anxiety to many people because they had structured their property holdings in such a way as to minimise land tax. These people were not breaking the law; they simply had a look at the rules and played within them.

Now, 10 years later, we face a similar debate. This bill will expand aggregation to a model which will be similar to what they have in New South Wales and Victoria. Property holdings of associated companies will be aggregated. It is worthwhile noting that the other states also have aggregated ownership for land tax purposes. All interests that individuals hold in properties will be aggregated together, along with any other interests they hold as a beneficiary of a trust.

This is, of course, a simplified explanation of these changes, as the specific details are much more complex than this. This is perhaps one of the biggest problems the government had in selling their land tax reform. Land tax is complex in nature, which has made it very difficult for people to understand what effect amendments will have on them.

I have been contacted by many constituents who think they will be worse off; however, when my office has sat down with them and examined their holdings it turns out that they will benefit from the changes. This is true even of the major stakeholders that I have consulted with who have been very outspoken opponents of the package. Understanding of the details was outdated, and it seems that inadvertently a lot of incorrect information has been circulated in this debate.

On the other hand, I have spoken to many constituents who have fared worse under the changes. These constituents have often spent hundreds or even thousands of dollars on specialist taxation accountants and lawyers to determine the effect of these changes. In many cases their accounts have also been calculated by my office to confirm the outcome.

At this point, I want to say a special thanks to Dejana Graziano in my office for having dealt with the barrage of constituents who have contacted me. I am always very grateful to people for making the time to contact me but, as we all know, we cannot do this job alone, and Dejana has worked tirelessly to assist constituents with their inquiries. Dejana is not a taxation specialist and I think the difficult job she has had over the past few weeks needs to be acknowledged.

Getting back to the subject of land tax, the government has argued that the aggregation proposed in this bill is to address inequity—that if two people hold \$1 million in property holdings then they should be paying the same amount of land tax, regardless of how these properties are held. However, in delivering this message the government has, whether intentionally or not, made many ratepayers feel like criminals. They have been accused of exploiting a loophole in the legislation. This is unfair. These people merely structured their holdings as they are allowed to do under the law. Much like those who had created minority interests prior to 2007, they looked at the rules and they played within them.

The government is now changing the manner in which the tax is calculated, which is something it is allowed to do. It is not saying that people are unable to hold their properties in different legal structures; however, what it is going to do is change the manner in which the tax will be calculated. In an ideal world, aggregation would have been considered when land tax was initially introduced in South Australia in 1936. If introduced at the beginning, aggregation would not have had as big an impact on people, as they would have made different decisions based on those rules. From what I understand, this is what they did in New South Wales and, as such, they have never gone through this headache of having to unscramble the egg.

It is interesting to note that the original 1936 act was much stricter in who paid land tax. The only land that was exempt was Crown land, parklands, public roads, public cemeteries, public reserves, hospitals, land used solely for religious or charitable purposes, public libraries, museums and art galleries. Land tax was charged at the rate of three farthings for every pound on the unimproved value of the land. If the value of the land was over £5,000, a further three farthings per pound was applied. Absentee owners paid an additional 20 per cent and there was a minimum amount of one shilling per property.

My biggest issue with this bill was the effect aggregation would have. Whilst I recognise that there was inequity amongst those who paid land tax, I also recognise the changes as being proposed would have a very significant impact on many people. People have not done the wrong thing; they have merely worked within the existing rules. Of most concern to me was those taxpayers who had accumulated modest property holdings over a lifetime in order to have some financial security in their later years. I am mainly talking about those who emigrated to Australia after the two world wars and invested in property as their form of superannuation. Property holdings were often split across couples and the family in order to minimise tax.

As I see it, the introduction of this aggregation hurts these mum-and-dad investors the most. Their property portfolios usually consist of about half a dozen low-value properties which are rented out to low-income tenants. By doing this, they are providing a service by offering low rent properties

for many who cannot get into the public or community housing. They know that they cannot pass this cost on to their tenants as their tenants will simply be unable to afford rental increases.

I have spoken to many constituents in this position who are fearful about the changes. They are worried that they will have to abandon what they have worked so hard for. They have advised that they will have to sell their properties as they simply will not be able to afford land tax under this bill. They have advised that they will move and invest interstate or they will stay in South Australia and will apply to receive the pension.

This is in stark contrast to their personal ethics of wanting to provide for themselves in old age rather than being a burden on the public purse. However, when their land tax was calculated against the new tax scale of rates, over half found that their land tax actually decreased. I want to make the point that these are people who were fundamentally opposed to the reforms. I understand the modelling undertaken by Treasury has estimated that the vast majority of those who pay land tax will be better off under the changes. There was also concern that if these owners are forced to sell as they cannot afford to pay the land tax, these tenants would be forced to find alternative accommodation.

South Australia already has a rental crisis with many finding it difficult to find an affordable rental property, especially given the length of public housing waiting lists. There are serious concerns that this will contribute to homelessness in the state; however, if the vast majority of landlords who pay land tax will experience a reduction in land tax then there would be no reason for them to put the rents up. It will be interesting to see if anyone experiences a decrease in their rent because their landlord has received a reduction in their land tax.

In discussions with the Master Builders Association, the Housing Industry Association and developers, they have indicated that new building construction has largely stopped due to the uncertainty surrounding land tax. Similarly, the Real Estate Institute of South Australia has provided information that investors are not purchasing properties due to the uncertainty around land tax. It warned that the market may be flooded with properties that are being sold because people cannot afford to pay the land tax. Others who expressed concern about this advised that there would no longer be investment, especially in the lower end of the residential market in South Australia.

However, the lessons learnt from interstate do not support these scenarios. Victoria changed their land tax rules with regard to aggregation in 2005. There is still investment in lower end residential properties in Victoria, and South Australia did not experience a boom in interstate investment because of our disaggregated land tax rules.

The response to this is that property in South Australia does not have the capital growth that Victoria's does, that is to say that the capital growth of property experienced in Victoria offsets the negatives of land tax. Without fail, every stakeholder or constituent who has made this point to me has said that South Australia does not have the population to push capital growth and it is for this reason that these reforms are necessary.

South Australia's top land tax rate of 3.7 per cent has been a disincentive for the top end of town to invest here. If big businesses and companies are incentivised to come to South Australia, this brings jobs. Jobs bring people and these people need somewhere to live. Some may choose to buy in South Australia and others will rent, but undoubtedly there will be a trickle-down effect of attracting big investment to South Australia.

There are many landowners who will benefit from these changes. These landowners have not spread their property holdings over multiple ownerships, but instead have them in a single ownership. These people will benefit from the changes in the threshold and the lowering of the rates. As I have said before, I have spoken to quite a few constituents who were surprised to learn that they would actually be better off under these changes.

I have also been contacted by several business investors who will benefit from the changes in the threshold. Whilst it is easy to dismiss these submissions because they are from the 'richies' and many feel that these people should not be the ones who benefit from the tax reform, it is these people who fund developments and investment that create employment and therefore attract people to come to South Australia.

The changes made to the scale of rates in this bill are undoubtedly better, but when coupled with aggregation it is very difficult to support the proposal. I have been working with the government to try to find a compromise and thank the government for assisting with information requests and making themselves available.

A few weeks ago, I approached the government with an alternative scale of rates, which had the support of almost all stakeholders I consulted with. It was more in line with the scale of rates in Victoria and New South Wales; however, without access to land tax data, it was not known what the revenue impact would be. The government ran the numbers and came back to me advising that the revenue impact would be too great.

I understood this and thought that it would present an alternative scale of rates; however, it did not do this. It came back with a number of measures to address affordable housing. Whilst it is good that the government is thinking about ways to improve affordable housing, it did not address the issue of the land tax and in particular the effect aggregation will have on a particular cohort of people.

In the spirit of compromise, I suggested to the government another alternative to help soften the blow of aggregation, which would involve capping land tax increases over a number of years. Capping increases would also address the issue of the revaluation initiative, which could see values increase dramatically.

In combination with this, I suggested a flat land tax of \$1.95 for all income-producing properties that would be subject to land tax if the site value was under the land tax threshold; that is to say, that is only because the site value is below the threshold that there is no land tax payable. Exemptions for principal place of residence, primary production and so forth would still stand. Even though this was a measure which would not have had a negative impact on the budget, the government did not agree to this, even though, again, it had the support of all stakeholders that I consulted with.

To try to address my concerns about aggregation, the government suggested a one-off \$10 million transition fund to offer a subsidy to those who would be worst affected by the aggregation measures. I commend the government for this suggestion and note that it is more than what the Labor government did when they introduced aggregation of minority interests in 2007. The transition fund was a good start, but more needed to be done to help those at the bottom end who would be most severely affected.

As I said, I have spoken to constituents who will still have to find a significant amount of money even if they were to receive a substantial subsidy for the first year. This in itself highlights another problem: that there are people who have structured their holdings in a way that they are not paying the same amount of land tax as others who are holding their properties in another way. Even though both parties own the same amount of property, they are paying different amounts of tax. This is the inequity that the government is trying to address.

The contentious issue of the bill obviously comes down to aggregation. However, the problem we face is that we are trying to amend an existing land tax system rather than starting afresh. If starting afresh, then these measures would not have as big an impact. If we had the opportunity to rewrite the Land Tax Act at the beginning, then it would be very different with the benefit of hindsight. Given that the government was unwilling to negotiate on removing aggregation, it was clear that measures needed to be put in place to offset the effect of aggregation.

Over the past few months, the government has changed its position considerably. The most notable was when a compromise was reached with the Property Council which inserted an additional threshold between \$1.098 million and \$1.35 million at a rate of 2 per cent. This threshold would increase to \$1.6 million in 2022-23. Again, this was a move in the right direction and was successful in gaining the support of one of the biggest critics of the plan; however, it was widely panned as a backflip and only benefitted the big end of town.

The Property Council has received harsh criticism for changing its position, but I think it should actually be applauded in its approach. Whilst I did not think that the package it negotiated was good enough to win my support, I applaud the manner in which it approached the issue. With any decision, a position should be decided based on the facts and offer at the time. If what is laid on

the table changes, it is imperative that consideration is given to see if the new proposal is good enough to support or if it is better to go back to the original position. To blindly refuse to consider any new proposal and continue to oppose it based on principle shows a stubbornness that could result in failure to support a better package.

Similarly, Business SA has received criticism for saying that it would support the package if there were further changes made to the scale of rates. I commend Business SA for the approach it has taken on this issue in considering what would be acceptable in order to offset the impact of aggregation for its members.

I would like to note at this point that these changes and negotiations should have been made prior to the budget announcement and introduction of the bill. The manner in which this has been handled has been perhaps the best demonstration I have seen in over a decade in this place of how not to do it. Time in which to consider complex changes has been very short, which has put an immense amount of pressure on any party, including stakeholders, their members, as well those who have to determine the effect of each iteration of the bill. I believe it is largely because of this that has led to the blind opposition to the proposal. The entire process has been mismanaged and the government should learn from this terrible experience.

I know there are some who have suggested that the package should be opposed based on this alone. However, it would be very obstinate of me to reject what could be something good for the state because I have issues with the procedure. The government wants to create a fairer, more competitive land tax system, but does this bill achieve this?

In considering this issue, I had to determine whether South Australia would be better with the government proposal, which is far from perfect but would help the majority of land tax payers, or go back to the status quo, which is equally flawed and has inequities. I wholeheartedly acknowledge that there are some mum-and-dad investors who will be worse off under this package, and it was on those that I focused my attention.

The government's current package will lower the rate for the second tier from 1.65 per cent to 1.25 per cent next year. This rate will be further reduced in the following years to 1 per cent. This will mean that those with total site values between \$755,000 and \$1.098 million will pay tax at a 1 per cent rate, a significant improvement from 1.65. This change not only assists those within this tax bracket but it will also help those who have more holdings as the effect of any tax rate at the bottom flows up and results in reductions for bigger holdings as well.

The new proposal will also increase the top threshold from \$1.35 million in 2021 to \$2 million the following year. I specifically asked for this because I acknowledge that it does not take much to have over \$1.35 million in property holdings where you would be subject to the highest tax rate. It is important to note that the highest tax rate has also been reduced significantly from 3.7 per cent to 2.4 per cent which will help attract investment to South Australia.

But all of this was still not enough. As previously mentioned, the government offered a one-off transition package, which would give those affected by aggregation a one-off discount on their land tax of up to 50 per cent. Whilst this was a good start, it still was not enough to help those hardest hit. I went back to the government and am pleased that they have agreed to a bigger transition package which would step in the increase over the course of three years.

There are also other concessions the government has given but it is essentially the three mentioned above that have managed to secure my support for the bill. From when this started at the budget announcement, there has been a significant change to the original package. The rates and thresholds have changed so significantly that I believe it is a more equitable system. For those who will be affected and who are least likely to afford it, there is a transition package to assist them.

I do not for a second think that this system is perfect. There are still issues that need consideration. The Master Builders Association and the Housing Industry Association have raised the issue of being taxed on the tools of their business, which is land. They have called for a tax concession for trading stock; that is, land they need to hold in order for them to undertake their work. I am very sympathetic to this and urge the government to consider a scheme similar to Queensland's where a concession of 40 per cent is given to subdivisions.

In the end, I could not ignore the fact that the vast majority of land tax payers, consisting predominantly of mum-and-dad investors, would be better off under this plan. I am satisfied of this, based not solely on the information provided by the government, but rather from my own conversations with constituents whose land tax I compared to the existing scheme and the new scheme. In most cases, these calculations were done on constituents who had contacted me who were rigidly in opposition to the changes but changed their mind once it was demonstrated that they would be better off.

I know that there will be people who will be worse off. They have been very vocal in speaking to me and contacting my office. This has been a very difficult decision for me and I have listened openly to everyone who has contacted me. On balance, I believe these changes will be better overall, not only for the majority of individual land tax payers, who will pay less, but also for the state's economy overall. With that, I commend the bill to the house.

The Hon. F. PANGALLO (11:29): Thank you, Mr President, for indulging me and I thank the Hon. John Darley for speaking before me. It has enabled me to hear more of his conflicting and confusing views.

I believe the people of South Australia, in particular those affected, are fed up with how this mess has unfolded since it was announced by the Treasurer in his June budget. I can not ever recall a piece of complex fiscal legislation to be so badly managed by its proponents. The Treasurer and the Premier have been unable to sell it. Those directly impacted just will not buy it.

On Monday, our desperate Treasurer unfurled his fourth version of his proposed land tax reforms, making further concessions and reductions to the rates plus a few other sweeteners in a sweetheart deal constructed with the Hon. John Darley, one of the fiercest opponents of the reforms who has now totally caved in on the numerous threats and promises he has made publicly for the past five months, and now he reckons it is a great deal. This is the same Mr Darley who said, and I will use his words:

...it was rubbish; the Liberals had shot themselves in the head; Aggregation was aggravation; they wouldn't win Government again; they needed to scrap the whole thing; it would take a miracle to change my position; And I'm going to kill it.

His own words—and there are plenty on record and particularly at forums he attended—have come back to forever haunt him and his credibility. As builder Ben Fitzsimmons said on ABC radio on Tuesday, when asked what his message to Mr Darley was, and I will quote:

...to look in the mirror and see if he can find the man that's been around for the last five months telling us he's going to kill it, because he has told us hand on heart that he understands how destructive aggregation changes will be to the South Australian economy. And yet, miraculously after a meeting last Thursday he's managed to change his mind...

Was this the miracle Mr Darley had been praying for? If it was, then we should all get down on our knees and praise the Lord Chancellor of the South Australian Exchequer, our Treasurer the Hon. Rob Lucas. The former Deputy Lord Mayor and prominent Liberal Party member, councillor Houssam Abiad, posted on Facebook yesterday, and again I will quote:

This is the worst kind of policy development I have ever seen, especially when we have a Liberal policy dictated and finalised by the Independents and Greens.

What we now have, Mr President, is, to use one of the Treasurer's often-used sayings, a dog's breakfast. It bears no resemblance to the first version. It is a fiscal version of Frankenstein's monster. It has been chopped up and changed so many times that everyone is confused, bewildered and bemused. It also comes with convoluted conditions of some kind of rebate for those who might suffer losses from the changes. This is an admission that people will be hurt by it. However, we have seen absolutely no detail on how this is going to work, if indeed it can work. It is couched with 'mays' and 'ifs'.

Mr Fitzsimmons, who, along with a group of other builders, met with Mr Darley on Monday to talk sense as well as dollars with him, says the new version will see his land tax go from around \$7,000 to \$46,000—almost seven times. There has been a \$125 million turnaround in the Treasurer's forecasts. Remember, the budget originally allowed for \$40 million a year to be returned to Treasury under the aggregation changes. That was then revised to \$86 million a year after an external review

of the government's modelling. Now, after the Darley miracle, we learn there is going to be a \$39 million net hit to the budget over three years. So why is this government even considering a range of reforms that delivers absolutely nothing to Treasury's bottom line? It makes no sense.

I will go back to what Mr Fitzsimmons said on the ABC's David Bevan and Ali Clark program, and I quote:

This has just been a ridiculously convoluted process that's going to see the government raise less money than it's currently doing. So, we're making something more difficult, harder to understand, more challenging, more destructive to the economy, all so the government can collect less money. It's confusing...

You're telling me! And everyone else who has followed this madness. The government still steadfastly refuses to release all the details of its reform package. We still do not know who is going to be impacted, how much they will pay and the types of properties to be impacted. How can anyone in this place vote on such a massive tax exercise without being given the detail to digest? Why is it being withheld?

Respected economist Darryl Gobbett, from the Centre for Economic Studies, reckons the new plans are a step in the right direction and a bit of a free kick to the big end of town, but he says he wants to see the numbers and how much is going to be raised from the lower end of town—the mum-and-dad investors who will be the ones hardest hit by the government's measures.

Mr Gobbett, too, agrees with Councillor Abiad that this has been bad policymaking with increased complexity and, with it, likely poor implementation that will create extra cost to the taxpayer. Trying to explain all this complexity to the layman is a real challenge. Craig Strawhan, who has been involved in the property industry for more than 40 years, provided this insightful overview.

- In brief, the Treasurer wants to tighten the use of trusts in company structures to own investment property, where property owned by the same trustees and directors are pulled together and captured by the multiple holding land tax requirements of the legislation.
- It is the actual rate of multiple holding land tax coupled with the aggregation of multiple interests that is the issue. The elephant in the room is the revaluation of site values currently being undertaken across the state by the Valuer-General.
- Despite the Treasurer's proposed decrease of the current multiple holding land tax rate, investors are still slugged with an enormous land tax impost.
- This land tax impost bears no relationship with the income or potential income generated from the investment, as market forces dictate rental income, not landlords.
- Mr Strawhan says coupled with the ongoing revaluation of site values currently being undertaken by the Valuer-General and the proposed aggregation of ownership, the resulting increase in land taxes will be catastrophic for South Australia's investment and development community.
- It is noted that properties with a land value of between zero and \$450,000 pay zero land tax, pushing the burden of land taxes onto those with properties with land values of greater than \$450,000.

To be more equitable, Mr Strawhan says the multiple holding land tax should be more in line with or the same as the single holding land tax, if it is to be charged at all.

As it stands, he believes the MHLT in South Australia acts as a huge disincentive for those wishing to invest in multiple residential properties in South Australia. He rightly asks: why are investors in real estate being targeted? If shareholders of companies were targeted with a tax on dividends as much as 35 per cent of their income, there would be blood in the streets. Why are we not looking to adopt world's best practice when it comes to land tax in this state? The MHLT in South Australia penalises a minority section of the South Australian community.

Here, I would like to take issue with the Hon. Mark Parnell over the remarks he made in his own second reading speech, and in the media, where he lumps all property investors collectively on Millionaires' Row and asks why anyone should have any sympathy for them. It is the type of

bolshy remark you would expect to come from the Greens, although I am still a little surprised that the Hon. Mr Parnell, a person I consider fair and reasonable on so many matters, would mock property investors.

Yes, there are those that are extremely wealthy. They are the same people responsible for cranes on our city and suburban skylines, who build towers, hospitals, shopping centres and houses. They create the jobs our economy relies on and provide opportunities in our communities. I know many who are philanthropic. They are generous with their time and money. They contribute to charitable causes. They also pay their considerable share of taxes.

And yes, they stand as beneficiaries of the land tax largesse at the top end, but these are not the investors I am concerned about. I did not see the Hon. Mr Parnell or any other Greens member attend any of the forums SA-Best and Labor held. If they were there, they would have met the law-abiding, hardworking mums and dads, grandmums and granddads, and retirees I am talking about and am worried about. They are not millionaires as such. They might have large portfolios in six-figure brackets, but they remain assets which still have debt and ongoing costs.

These properties are rented to small business or to low to medium-income families. Can I point out the figures released today showing that rental housing affordability in some parts of Adelaide is now higher than Sydney. Their returns are not huge in today's tough economic climate. They are reluctant to increase rents. These were properties accumulated when there were no super schemes and were intended to see these hardworking decent people through to their retirement years in order that they not be a burden on our welfare system.

As it stood, the land tax regime that was proposed would have severely damaged their plans and their investments, a future they counted on because what they did was perfectly legal. I had an elderly widowed grandmother literally cry on my shoulder because she faced hefty bills she would not be able to pay for. You might recall the Treasurer saying at one point, 'If you can't afford to pay, sell up.' He also accused them of being tax dodgers—easy for him to say. It is so easy to dismiss these people when you have not met them or heard their personal circumstances.

These are people the Urban Development Institute of Australia calls the bedrock or foundations on which the property investment chain is built. Take them out of the equation and the system starts to get very wobbly. They will all tell you that they are happy to pay taxes, and they have paid plenty just to get and keep their investments. They just want a fair and even playing field, not the one currently laid out. Instead, when those opposed to his proposal raised their ire we had a Treasurer prepared to shame their success and spark a class war, something you would not expect to come from blue-ribbon Liberals.

I will touch on one of those who was targeted, an Unley dentist by the name of Timothy Goh. He came to Australia, from Vietnam, with nothing and had a real go. He is successful, he is wealthy, and there is nothing wrong with that. From being a quiet member of the community who expressed his view on land tax on Facebook and elsewhere, he has since become one of the loudest hecklers of the Treasurer, and who can blame him?

Nobody knew that much about Dr Goh until a story suddenly materialised in a national newspaper, which essentially stood him up for ridicule because he owned lavish luxury cars, including a Bentley, and was complaining about his new tax burden. From my own extensive past experience, I have no doubt this was a hatchet job from a government source designed to quell the increasing outrage and unpopularity of their tax measures. This was a dirty trick to shame Dr Goh and blacken his good name and standing in the community, but it did not work out that way.

That brings me to the Property Council, the organisation that ignited an out of control land tax bushfire, only to abandon all its supporters, including various industry heavyweights, when its biggest members were happy to bank a reduction in their top rate of tax if that was as good as they were going to get. It was a classic act of selling out, Judas Iscariot style. Back in July, its very outspoken executive director, Daniel Gannon, was writing to everyone warning that changes to aggregation for investors with property in trusts could result in small property owners going broke and a fire sale of assets across the state. He wrote:

If this is not corrected:

- Property owners may urgently shed their assets, therefore devaluing the property market
- Many local 'mum and dad' investors could go broke and see their retirement plans crumble
- Investors could flee South Australia or keep their interests interstate
- Rents will increase for many South Australian businesses and residential tenants
- Many small businesses will go under with some costs passed on from landlords
- Low income residential tenants could be at risk as property owners sell or increase rent

From being the Treasurer's archenemy, these turncoats, including Mr Gannon, suddenly became the closest of bedfellows once again. Aggregation was no longer their main concern, neither were the local mum-and-dad investors they initially rallied to their cause. Greedy self-interest was now their priority—it probably was from the start—and bugger the rest of them.

The Property Council has since tried to sway other groups to show support to the government. Business SA, a week or so after coming to see my colleague Connie Bonaros and I and urging us to hold our position for the sake of small business, quickly folded, too. At least the UDIA, MTA and MBA have kept faith with their membership base.

Mr Darley asked what we had to offer as an alternative to the detritus that we now have before us. There are many alternatives, some of which were put up to the Liberal government when it called for submissions recently as a token gesture in the consultation process it ignored. Predictably, it took no notice of them. Here is a perspective I received from one investor, David Bernardi, this week:

Investors purchase property for many reasons.

Some include, to increase wealth, as a source of income and for some security into the future so as not to have to rely on government handouts, pensions and the like in retirement.

They simply don't want to have to rely on Government handouts!

When purchasing an investment property, investors

- pay Stamp Duty on the purchase (residential)
- pay income tax on any income they derive from it
- pay Land Tax along the way
- and they pay Capital Gains tax after the sale

One has to argue they are certainly paying their share of taxes.

I think if Land Tax is kept very low and affordable and paid by a broader base:

- one can then entertain reducing or abolishing Stamp Duty
- Land tax becomes a somewhat acceptable tax paid by more taxpayers
- investors no longer have to hide behind complex structures to minimise it

and

- Governments can manage it easily and cost effectively!

Complex taxes are Complex to manage.

This one came in this morning from Chris Summers:

I am a self employed earth mover/landscape gardener that has spent my life providing for my family and building wealth to sustain me into the future as a self funded retiree.

I am increasingly angry at the direction that politicians are taking in regards to 'solving housing problems' and creating new taxes to be wasted on government spending that ends up not being for the public's good.

I have based my investment strategy over 30 years on the [land] tax rules that politicians created. I do not see that it is reasonable that because of a whim you wish to completely decimate everything that I have striven to accrue for my future.

If you want to change the rules from this day forward with no penalty being applied to those of us that have lived by your rules in the past till now then so be it, that would let us examine what the best strategy forward is.

To implement this accrued land tax will cripple me and force me to sell properties that were intended for my future because to hold them I would have to raise rents above where the market is at the moment hence causing tenants to move elsewhere and new tenants would not rent the premises because the cost compared to small time investor properties would not be comparable as they would be paying a smaller land tax bill.

The media says that it is too hard for people to break into the housing market and the government is looking at this tax as a way to 'fix' this problem. All I can see from this is rent increases making it even harder for the first home owners and hardship for current property owners when investors around the state are forced to dump their properties because they are no longer able to service their debt.

If you spent your life planning for your retirement and the government said to you that because you have been diligent and played the [land] tax game based on the rules that government has made that you will be penalized with more taxes...how would you feel?

Hoping for some common sense and decency

Chris Summers

The SA Centre of Economic Studies and the UDIA had a sensible reform involving a flat rate for property owners. We suggested to the Premier and the Treasurer that its newly created Productivity Commission could look at land tax reform. They rejected that. I proposed a parliamentary committee into tax reform. Again, it was flatly refused by this arrogant government, along with Mr Darley, who told me committee inquiries are talkfests and a waste of time that achieve nothing.

With proper consultation and engagement with all sectors, I am sure desirable and workable reforms in our state taxation system can be achieved. The lesson here is: do not leave it to a group of high paid public servants in Treasury and Finance, who have no idea about the real world or how people in the real world work and live, to tinker, tweak and twist to massively increase revenues, unless you want a train wreck. SA-Best opposes the bill.

The Hon. T.A. FRANKS (11:50): I rise not as the lead speaker for the Greens, because my colleague the Hon. Mark Parnell, I think, did an outstanding job in putting the Greens' position on our support of this package and the land tax bill at the second reading. I would like to just add some commentary from the perspective of the Greens, who have held firm from the beginning in our position that we support the fundamental changes to aggregation in this bill, as has been consistent all the way through and as is consistent with our policy.

I will also start by declaring that I have no personal pecuniary interest in this bill. I know that it was ruled by the President under our standing orders that members did not need to declare their interest in this bill. I note that the member for Hurtle Vale in the other place did, indeed, declare her interest in the bill when it was debated in that place. I heard very few other members do so, though I hope to be corrected that there was a flurry of them.

I heard a lot of debate in the other place about the title of the bill. I heard references to parliamentary counsel of the Senate of our federal parliament with regard to the use of the word 'miscellaneous' in the title of this bill. I have not, however, heard people speak to the substance or declare their particular pecuniary interest in this bill.

I will go further than that, though. When it comes to the development issues, Queensland and New South Wales have addressed that with prohibitions on the ability of developers to donate to politicians at state and local council level. That is something that I also think should be declared in this debate. We have seen, as other members have mentioned, forums held, conducted by the Property Council largely and other developer-heavy groups in this debate. Indeed, one, I remember, was held at the same time as the Greens AGM, and that is why we were unable to attend at the very late notice we were given to attend one of those very first forums.

I note that one wag on Facebook dubbed it the 'panel of men'. I note that there were no community or NGO sector community housing voices or social justice voices on that panel of men at that time. Where were the voices in those panels of those who are not part of the development lobby? We have listened to many voices, but what I would like to do is actually go straight to the heart of this and talk about aggregation. We have heard a lot of anecdotal claims about support or otherwise for the aggregation measures in this bill.

I draw members' attention to the Australia Institute, which has conducted a survey that has actually found strong support among South Australians for land tax aggregation, strong support being over 50 per cent, over 60 per cent, over 70 per cent—well, actually, four in five South Australians who were polled supported the land tax aggregation measures within this legislation: four in five. A very strong majority, 81 per cent, supported property portfolio aggregation for taxation purposes.

Just on that note, nine out of 10, 91 per cent, believe that politicians should be forced to declare and disclose whether they will personally benefit from these changes before they vote, something very out of kilter with the way that this parliament has then operated. Only 3 per cent thought that politicians should not be declaring any personal pecuniary interest before they voted on this bill. Indeed, 72 per cent of South Australians believe that property tax should be progressive and 78 per cent of South Australians believe that some or all of the money going to property investors should instead be used on affordable housing, so let's talk about affordable housing.

Today, on the news, we heard the terrible announcement that we are racing to the bottom on affordable housing in this state: the state of Playford, the state of the Housing Trust, the state where housing was affordable, was accessible, because of our state policy direction, deliberate and decisive, to ensure that all South Australians had access to affordable housing.

I note that there will be a lot of talk about attendance at panels and so on, but when I attended the Shelter AGM at the height of this debate—I must say well before any bill was tabled in this parliament—everyone in the room at that Shelter AGM who came and spoke to me, and there were dozens, expressed their strong support for the principles behind these changes and their strong support particularly for the aggregation treatment proposed in this particular bill.

Shelter SA stakeholders include those who represent the most vulnerable, the homeless and those struggling to access housing, renters who get a raw deal and do not get the rights that they deserve in this state, and those who really do live with the reality of that news we heard today that we are the second least affordable for housing provision in mainland Australia.

I also received much of the correspondence that has been mentioned by other members but one that I did receive that possibly other members are not privy to was just this morning, Wednesday 27 November, from Maria Palumbo, CEO of Junction, and Michael Lennon, Managing Director of Housing Choices South Australia. They wrote to my colleague the Hon. Mark Parnell and to the Treasurer:

...to provide clarity of position from the perspective of Tier 1 Community Housing Providers in South Australia, who collectively manage more than 80% of social and affordable community housing in SA.

They have also included in this email and cc'd in their other tier 1 community housing colleagues. The email reads:

The community housing sector in South Australia has, at its core, a mission to provide high quality housing for those who are vulnerable and/or on low incomes. We are an exceptionally collaborative sector who works hard to deliver solutions to increase the supply of low cost housing as well as improve the quality of social housing for those who are in most need.

Critical to our core mission is constructive partnerships with the building and development sector, who are very supportive and often, incredibly generous in enabling our cause. A stable and predictable investment climate is critical for the sector. Agreed rules, regulation and tax are crucial factors for all investors. In the near future, sector expansion is dependent on key partnerships and alliances with [not for profit]...providers; government; the development and construction industries and financiers.

South Australia must be stable and competitive with other States and Territories. In this context, the sector's key relationships are commercial. We support the stability and fairness in the land tax package, which the most recent draft appears to provide. Our experience with builders and developers is very important to our collective social purpose and we, as the 5 Tier 1 providers, depend on the ongoing collaboration with this sector to continue to deliver successful solutions for low cost housing.

The email ended with the line, 'We urge support for passing the Land Tax (Miscellaneous) Amendment Bill 2019.' It is based on the review of the latest draft and dated this morning. I draw that correspondence to members' attention.

I also note that there has been a lot of hyped debate not in the chambers of this parliament. Many anecdotes have been used as evidence without the scrutiny that they deserve. Some of these

changes were feared by those who made plans before the era of compulsory superannuation. There has been a softening, with the transition package that the Hon. John Darley negotiated with the government. There is some easing and there is a longer time frame for those people to establish that their affairs are in order.

This has not been the dog's breakfast that the Hon. Frank Pangallo claims, in terms of other efforts at taxation reform in this place. The Greens well remember the banking tax and the car park tax, and I will tell you, if you think this is a dog's breakfast, that was the cat's pyjamas of substance being sacrificed to spin. The Greens supported the banking tax, the Greens supported the car park tax and the Greens support the aggregation measures within this land tax reform, because we do support a fair and progressive taxation system.

We are concerned that many of the gains have been eroded. Indeed, you cannot have your cake and eat it too. If you are going to the media saying that this land tax will whack everybody and hit people hard but then also go out and claim that now it is not collecting enough revenue so it is not worth supporting, you really cannot have it both ways is what I say to the opposition benches. One of those things does not fit with the other, as they used to say. One of those kids is not like the other, as they used to say on *Sesame Street*.

It is back to basics at this point, where this parliament considers the proposal before us. The Greens will put access to housing, affordable housing and support for those who will not be paying this tax, but will be affected if we do not have a fair taxation system, at the forefront of our minds, as we progress through this debate. With that, I support the second reading of the bill.

The Hon. R.I. LUCAS (Treasurer) (12:02): I thank honourable members for their contributions on this important bill. At the outset, I want to briefly highlight the hypocrisy of the Labor Party in relation to this whole issue. I will not be as strong as the Hon. Mr Parnell, who said, and I quote, 'the Labor Party's moral bankruptcy never surprises me', amongst other things, in relation to their attitude to this land tax bill.

If I can briefly summarise their position, the mere fact that in the debate in the House of Assembly they spent four hours of parliamentary time filibustering and debating the short title of the bill was extraordinary in and of itself. An issue of critical importance like this and the best that the Leader of the Opposition, the shadow treasurer and the shadow infrastructure minister could do was to debate, filibuster and delay in a discussion about the short title of the bill, rather than debate the important issues of principle, which are to be discussed in this chamber. I acknowledge that, in this chamber, members with varying views on this have at least addressed the fundamental issues that need to be addressed, albeit with different perspectives.

What I will say about the Labor Party—and I am in furious agreement with the Hon. Mr Parnell and indeed others—is that for 16 years, the former Labor government had the opportunity to tackle the difficult issues in relation to tax reform and did nothing. The 3.7 per cent—the investment-killing, job-killing, uncompetitive 3.7 per cent top land tax rate—remained and they were unwilling to tackle that. They were unwilling to tackle the clear unfairness of the aggregation provisions, which have been demonstrated and I will refer to again later. The Hon. Mr Parnell and other members have referred to the unfairness of the existing arrangements in relation to land tax.

If I could just summarise the hypocrisy of the Australian Labor Party on this issue, it is that for the last five months they have attacked the government because the government was proposing a tax increase. Now in the last week they attacked the government because the government, in their view, is proposing a tax cut. There is nothing like being infinitely flexible in terms of the Labor Party's position, depending on which particular stakeholder group or audience they happen to be addressing at any particular point in time.

I will not address the individual contributions of most members. I do just want to correct the record, albeit briefly. Much of the Hon. Mr Pangallo's contribution I obviously do not agree with, but it is his right obviously to disagree with the government's position and, indeed, my right to disagree with his position. He did make a number of claims which just have no basis in fact. One is that he claims, as others have—and I suspect he is just repeating what others have told him—that I told various stakeholders, 'If you can't afford it, just sell up.' I never, ever said that. I never would say that.

I have denied that on a number of occasions. It is unfortunate that that has been repeated in this chamber by the Hon. Mr Pangallo. I want to correct that record.

The Hon. Mr Pangallo also said that I had referred to some individuals as 'tax dodgers'. Those two words have never passed my lips. They never have and never will. It is unfortunate, again, that the claims on social media from some of the social media warriors have found their way into the Hon. Mr Pangallo speech. I do not profess to be an expert on Mr Timothy Goh, but I think the claims from Mr Pangallo about his country of origin might not be quite accurate, but I will leave that for Mr Pangallo to establish with Mr Goh in relation to that. As I said, I am not going to spend too much time, because the Hon. Mr Pangallo's position and the government's position is obviously implacably opposed.

As the government has announced in the last week, the government has now made further changes to its land tax reform package to provide even greater assistance to smaller, mum-and-dad property investors. The government is retaining the key elements of the package announced thus far, including reduction in the top tax rate to that investment-attracting, job-creating 2.4 per cent; the increase in the tax-free threshold to \$450,000, which is being opposed by many commentators in relation to the government's position on tax reform; and changes to aggregation rules to create a fairer, more equitable system in line with the law in Victoria and in New South Wales.

The government has always had the view that the 3.7 per cent top land tax rate was uncompetitive in South Australia. Long before we were elected to government in March 2018, we had a long line of property investors and others saying that it was uncompetitive and that they were already investing in the western suburbs of Sydney and latterly in the western suburbs of Melbourne because the top land tax rate in both of those capital cities was significantly lower than the uncompetitive 3.7 per cent. It was 2 per cent and 2.5 per cent.

The Liberal Party's view when in opposition, and the view we still maintain in government, is that if we are a government that wants to see economic growth, if we are government that wants to see investment, if we are a government that wants to see jobs growth, which indeed we are, then we believe that something needs to be done in terms of driving down the top tax rate from 3.7 per cent.

The 2.4 per cent rate, as I have alluded to publicly on many occasions, the government strongly believes is an investment-attracting, job creating major policy change in South Australia. It is consistent with the government's overall economic strategy and economic growth policy package. That is, if we want to export more goods and services from South Australia, if we want to be nationally and internationally competitive, if we want to grow jobs in South Australia, the cost of doing business in South Australia has to be nationally and internationally competitive. We cannot expect businesses in South Australia to compete with national and international businesses in terms of goods and services sales if their cost of doing business in this state are uncompetitive.

The changes we have made to payroll tax, ESL, land tax, workers compensation—credit to the former government which we supported in terms of the costs of workers compensation in South Australia—the changes we will be making from July next year in relation to water pricing and the ongoing policy changes to try to drive down the costs of electricity in South Australia are all part of an overall economic strategy of being nationally and internationally competitive in terms of our cost base for businesses to operate in South Australia. So these changes, the government strongly believes, are consistent with its overall economic growth strategy. The amendments that are now being moved to the bill are as follows:

- a reduction in the existing marginal tax rate for the taxable value of land between around \$755,000 and \$1.1 million from 1.65 per cent to 1.25 per cent in 2021, and then a further reduction to 1.0 per cent from 2022-23;
- an increase in the threshold for the top 2.4 per cent marginal tax rate to \$2.0 million subject to indexation from 2022-23;
- an extension to the company degrouping provisions contained in the bill to all companies holding land for the purposes of a residential development of 10 or more allotments or lots; and

- an extension to the beneficiary nomination period for discretionary tasks to 30 June 2021.

There are also two proposed ex-gratia schemes which will be established should the bill be enacted. The government will introduce a \$25 million three-year land tax transition fund for individual and company group taxpayers impacted by changes in the bill, including the changes to aggregation provisions. The government will also set up a 12-month land tax concession for developers of affordable housing, with eligible developers receiving ex-gratia relief equivalent to the affordable housing land not being aggregated with other landholdings.

I will now explain each of the amendments and other changes in turn. There are two proposed changes to the rate structure to reduce the tax rate for the \$755,000 to \$1.1 million bracket and to further increase the top tax threshold. It is proposed to reduce the existing 1.65 per cent marginal tax rate for the taxable value of land between around \$755,000 and \$1.1 million to 1.25 per cent in 2020-21 and 2021-22. It will then be reduced further to 1.0 per cent from 2022-23 onwards. The threshold for the top marginal tax rate of 2.4 per cent under the current bill before the parliament is set at \$1.35 million in 2020-21 and 2021-22, increasing to \$1.6 million from 2022-23. It is now proposed that the top threshold will now be increased to \$2.0 million from 2022-23.

The current bill includes provisions for the Commissioner of State Taxation to degroup property developers from the company grouping provisions where land is being held in a fixed or unit trust and treated as a related corporation subject to certain criteria. The scope of the existing company degrouping provisions will be changed to include all companies holding land for the purposes of a residential development of 10 or more allotments or lots. It will not apply to commercial or industrial developments. Extending this degrouping provision to all companies, and not just land held in trusts subject to the company grouping provisions, will allow developers who have not structured their affairs using trusts to also be eligible for the exemption.

Existing criteria for the degrouping provision will continue to apply, including the exemption being available for an initial maximum period of up to five years and development commencing within two years of application unless the commissioner considers an alternative period is required. The current bill provides for transitional measures in relation to discretionary trusts. Trustees have until 30 June 2020 to nominate a designated beneficiary such that they can avoid paying the higher surcharge rates of land tax.

Where a nomination is in place, the land will be taxed at the general rates instead of the trust rates and aggregated with any other land the designated beneficiary also owns as an individual. This is an optional measure only and trustees are not required to nominate a designated beneficiary. The date to nominate a beneficiary will be extended from 30 June 2020 to 30 June 2021. This will allow trustees, taxpayers, a longer period to consider their options under the new arrangements.

If a nomination is made during 2020-21, a trustee can elect if nomination will take effect from 2020-21 or the following year. In addition to those amendments to the bill, the government also proposes to establish two ex gratia funds to provide additional relief to taxpayers. Firstly, a three-year, \$25 million land tax transition fund will be introduced to assist taxpayers who face an increase in their land tax liability due to the proposed changes.

Relief will be available for individuals and company groups who have an increase in their land tax bill as a result of the changes in aggregation of properties owned at the time of introduction of the bill into parliament subject to the criteria outlined as follows: relief will not be provided on higher surcharge rates of land tax and may be payable by trusts, as relief is only provided for land tax bills that have increased as a result of the changes in aggregation of different ownerships.

The value of the relief will be calculated on the difference in land tax payable on the relevant properties in the current land tax year compared with the land tax that would have been payable on the properties owned by the taxpayers at the time of the introduction of the bill under the proposed aggregation approach tax rates and thresholds that applied in the 2019-20 land tax year.

The following broad criteria will apply: the taxpayers' increase in the land tax bill, subject to the criteria, must be above \$2,500 to be eligible for relief. Relief equivalent to 50 per cent of the increase in the land tax bill in 2020-21, 30 per cent of the increase in 2021-22 and 15 per cent of the

increase in 2022-23 will be provided on the increase in land tax above \$2,500. The maximum level of relief provided will be \$50,000 in 2020-21, \$30,000 in 2021-22 and \$15,000 in 2022-23.

Any taxpayer with an increase in their land tax bill above \$102,500, as that is the point where the percentage of relief would be above the maximum level, is not eligible for any relief. The relief will be administered as an ex gratia scheme, with eligible taxpayers required to apply by 31 March in the relevant year. Taxpayers will also need to be up to date with their land tax payment instalments.

Based on the scheme parameters, it is estimated that transitional relief will be provided to around 1,600 company groups and 1,000 individuals, representing approximately 63 per cent of company groups and 23 per cent of individuals that are estimated to have an overall increase in their land tax bills as a result of the total land tax changes introduced by the government.

Secondly, to assist in incentivising the provision of affordable housing, a 12-month land tax concession for developers of affordable housing will be introduced. A developer will be able to apply for ex gratia relief equivalent to their affordable housing land not being aggregated with other land that they hold, with each affordable land parcel taxed individually within the 12-month ex gratia period.

The 12-month ex gratia period will provide time for the developer to develop the land and sell as affordable housing. The developer of affordable housing would need to enter into a land management agreement with the South Australian Housing Authority, agreeing to the affordable housing requirements to qualify for ex gratia relief. This measure will complement other affordable housing measures being considered separately by the government as part of its affordable housing strategy. I will have further comment about that later on in my contribution.

In summary, this amended package will provide further relief to thousands of smaller mum-and-dad property investors whilst achieving a fairer and much more competitive land tax system. If this amended package is approved by the parliament, the government will have achieved a number of key objectives it set for its comprehensive land tax reform. The government has refused to compromise on its objective to massively slash the top land tax rate in South Australia.

This rate will now be slashed from 3.7 per cent to 2.4 per cent and will help create an investment-attracting and job-creating land tax system. At 2.4 per cent, the top rate will equal the average top rate of all mainland states in Australia, and the increase in the threshold to \$2 million, at which the top rate applies, also makes our system more competitive, although the government acknowledges other states do have higher thresholds.

The government has also been resolute in refusing to compromise on its objective to introduce changes to aggregation rules in South Australia. The amended package represents a fair and more equitable system as it introduces changes to aggregation rules similar to most other states. The changes will mean it will no longer be possible for an investor to own \$3 million in property in seven separate companies and not pay a single dollar in land tax.

Throughout the debate, the opponents of the reforms, and I refer in particular to the Labor Party and others, have completely and utterly failed to defend the inequity of the current law which allows that to happen. They have continued to fail to defend their position. The inequity of the current law will not be allowed to continue under the government's land tax reforms. To that end, I was pleased to note the comments from the Hon. Mr Parnell in his second reading contribution. He supported and quoted comments from the CEO of SACOSS, Mr Ross Womersley, when he said:

The proposed changes to the legislation to stop tax avoidance are good, sensible policy—both for fairness and to limit existing incentives that encourage investors to 'crowd out' low income and first-home buyers in the housing market.

I repeat that as an important aspect of this because I will be addressing some further commentary in relation to an affordable housing policy. Mr Womersley has addressed that issue, not only in those comments but in discussions I know he has had with other members, and certainly with myself and the Premier, as well. The Hon. Mr Parnell also quoted Mr Womersley as follows:

Changes to the land tax aggregation will be good for the housing industry, good for the economy and good for South Australia—we just need the political good will.

The Hon. Mr Parnell, in making his own statement on the second reading, then said, and I quote:

However, some landowners have been avoiding paying their share of land tax by using multiple legal entities, such as private companies and trusts, to split the legal ownership of property to get around rules that require tax to be paid on the total value of an owner's property holdings. So the Greens will support closing these legal loopholes. Other states have done this already, and it is time for South Australia to do the same. We will be supporting the aggregation provisions of this bill.

The Hon. Mr Parnell and, today, the Hon. Ms Franks, on behalf of the Greens, have again strongly indicated evidently longstanding Greens' policy, repeating it again today in this debate in relation to this particular measure.

I make the obvious point that the only way that policy imperative can be achieved is that this bill, in an amended form, has to pass the parliament. Should it be defeated, the inequity of the aggregation provisions will remain for another 20 or 30 years before some other government or, indeed, treasurer takes it on the particular—

An honourable member: No, never.

The Hon. R.I. LUCAS: It will not be for 20 or 30 years, I can assure you. Over many months now, many requests have been made of the government and of me as the Treasurer in relation to the government's position on a variety of issues. Before I address those requests, I do want to make some further comments in relation to the aggregation issue but also affordable housing as well.

Just in concluding the summary of the government's proposed package, I have said often, and I repeat it again in the closing debate today, that the government analysis demonstrates that of individual taxpayers who own property, 92 per cent of those individuals will be better off as a result of these reforms and 8 per cent will be worse off. For company groups, 75 per cent will be better off and 25 per cent will be worse off.

During the passage of this debate, as has been noted by other members, previous opponents of the reform, such as Business SA and the Property Council, have now come out and supported it. In addition, some other business stakeholders—but not all; I acknowledge that a number of business groups are still opposed to the measures—and an increasing number of individual businesspeople who had been vocal opponents of the government's package, whether on social media, in the public arena or otherwise, are now supporters of the amended package.

They have been urging their industry stakeholder groups to now support the amended package. They have indicated that to me and I know to other members, such as the Hon. Mr Darley, in terms of their changed position. I will not go through the long list of those individuals, but I acknowledge that there are still many within the business community who oppose the government's changes and make their opposition well known on social media and otherwise.

In the last week, there has been a most important new development in relation to this public debate, which has thus far been dominated mainly by those involved in the property investor market, in that we have seen an increasing number of community-based organisations urging support for the bill. Last evening, I spoke to Mr Peter Sandeman, the CEO of Anglicare. This is hot off the press, so I do not know that I have a hard copy of it. At 11.53am, I received a copy of a view from Mr Peter Sandeman, addressed to the Hon. Mr Parnell but also addressed to me, which I place on the record.

Mr Peter Sandeman is well known to members as a passionate advocate of social reform and social issues right across the board over many years. On some occasions he has agreed with the government and on other occasions he has disagreed, so he is certainly not a toadie to the Liberal government. He is a person well prepared to speak his mind on behalf of not only himself but also, more particularly, his respected organisation, Anglicare. The email goes as follows:

Dear Mark,

I write to express my support for Land Tax (Miscellaneous) Bill 2019.

As the Chief Executive Officer of a Tier 1 community housing provider, as well as a major community services agency, I believe that, while not perfect, these measures are a step in the right direction when it comes to crucial housing reform in South Australia.

In particular, I applaud the inclusion of a concession for eligible developers for affordable housing, which is based on land for affordable housing not being aggregated with other land holdings.

I believe this is a great incentive for development of more affordable housing, which will help support those in our community doing it tough.

Further, I believe the provision for a transition fund is a fair mechanism to allow for current investors to restructure their holdings ahead of this reform. As you would be aware, restructuring land is much more complex than other finances.

This measure would allow adequate timeframes for investors to navigate the reform.

It is clear that South Australia needs progressive tax policies. While there are clear short-term budget implications in this iteration of the reform, I believe it will serve our state well in the long term.

It is vital that South Australia has a revenue base for the provision of services. It is my understanding that this reform, along with other measures from the State Government, will provide for this into the future.

I urge you to support this Bill.

Once again, thank you for the opportunity to speak with you this morning. Please do not hesitate to contact me should you have any further questions in relation to this correspondence.

Yours sincerely,

Peter Sandeman

Chief Executive Officer

AnglicareSA

The Hon. Ms Franks has placed most, if not all, of an email from Maria Palumbo from Junction Australia and Mr Michael Lennon, the Managing Director of Housing Choices South Australia, on the record. However, given that I suspect my contribution, on behalf of the government, might be transcribed and circulated, I, too, wish to place on the record a copy of this email. It looks like the email was sent at 12.33am on Wednesday 27 November.

The Hon. M.C. Parnell: Yes, they are working late.

The Hon. R.I. LUCAS: Okay. It says:

Dear Mark and Rob

Firstly, thank you Mark for our conversation yesterday about the most recent amendments to the Land Tax (Misc) Bill 2019.

I write to you, and to the Treasurer, Rob Lucas MLC, as CEO of Junction, and on behalf of Michael Lennon as MD of Housing Choices South Australia, to provide clarity of position from the perspective of Tier 1 Community Housing Providers in South Australia, who collectively manage more than 80% of social and affordable community housing in SA. I have also included my Tier 1 CHP [community housing provider] colleagues in this email, from whom you can seek confirmation on specific views from the perspective of these organisations also.

The community housing sector in South Australia has, at its core, a mission to provide high quality housing for those who are vulnerable and/or on low incomes. We are an exceptionally collaborative sector who works hard to deliver solutions to increase the supply of low cost housing as well as improve the quality of social housing for those who are in most need.

Critical to our core mission is constructive partnerships with the building and development sector, who are very supportive and often, incredibly generous in enabling our cause. A stable and predictable investment climate is critical for the sector. Agreed rules, regulation and tax are crucial factors for all investors. In the near future, sector expansion is dependent on key partnerships and alliances with NFP providers; government; the development and construction industries and financiers.

South Australia must be stable and competitive with other States and Territories. In this context, the sector's key relationships are commercial. We support the stability and fairness in the land tax package, which the most recent draft appears to provide. Our experience with builders and developers is very important to our collective social purpose and we, as the 5 Tier 1 providers, depend on the ongoing collaboration with this sector to continue to deliver successful solutions for low cost housing.

To this end, may I reiterate that the most recent views expressed by SACOSS are not in alignment with the community housing sector's interests, and that we collectively, urge support for passing the Land Tax (Misc) Bill 2019.

Sincerely,

Maria Palumbo and Michael Lennon

I have a much shorter email from Mr Wayne Gibbings, who represents Community Housing Ltd:

Dear Mr Parnell and Treasurer,

I refer to the email from Maria Palumbo, CEO of Junction Australia outlining the views of the Tier 1 community housing providers to the current Land Tax legislation before Parliament. Community Housing Limited, the largest nationwide community housing provider in the nation providing over 11,000 homes for the disadvantaged, supports the views expressed by Maria. It is vitally important for us to continue to develop further housing for those in need that there be a competitive regime in South Australia given the importance of our relationship with the development industry, and I would urge you to support the passage of the Land Tax (Miscellaneous) Bill 2019.

The Hon. Ms Franks placed on the record the views that she picked up at a recent meeting of Shelter SA. They are on the public record in relation to that. I have had conversations and notifications of views expressed by a number of other community service organisations that are expressing similar views to the ones that I have just placed on the public record.

It may well be that, in the next 24 hours as this debate continues, both the government and other members will receive other expressions of views in relation to these issues. Importantly, there will be views on the other side of the equation, I am sure. As I indicated earlier, in the business industry there are now differing views on it, and I am sure that within the community services sector there will be differing views. I think it is important, in particular when we talk about affordable housing and its importance, that the views of the community housing provider sector and other related sectors are placed on the public record as well.

As with other members, over recent months the Premier and I have had a series of discussions with SACOSS and The Australia Institute on a number of issues but particularly this issue. I thank both those organisations for their ongoing contribution to this important debate. I know that an important issue for SACOSS, in terms of the discussions I had with Ross Womersley and Greg Ogle, has been the issue of fairness and equity. I have quoted their views on that, as has the Hon. Mr Parnell.

Also, one of the critical issues for SACOSS in particular has been their request to government that land tax reform would be in some way a mechanism for the new government, the Marshall Liberal government, to be able to announce new initiatives, directions and policy on affordable housing options in South Australia. I know that this has also been an important issue for the Greens. It is an issue that the Hon. Mr Parnell and the Hon. Ms Franks have raised in discussions.

But can I also say that there are other stakeholders who, maybe for slightly different reasons, also share the views as well. The HIA and the MBA are mightily interested in this and have been raising with me and with government ministers for many months now the important need for stimulation of the building industry in South Australia. Whether that is stimulation of the affordable housing sector or the housing sector generally or a combination of both, what is driving them is that they do want to see, for obvious reasons—it is important for the state's growth as well in terms of jobs—a healthy building sector in South Australia. So together with SACOSS and others, there are another a number of groups within the business sector, such as the HIA and MBA, who have a similar interest in the government announcing new initiatives in this space.

So on behalf of the government and with the agreement of the Premier I do want to announce, a little earlier than we were going to announce, that in the coming weeks the government will be releasing a major new initiative in a state housing, homelessness and support strategy. Can I at the outset indicate that over many months the Minister for Human Services, my colleague Michelle Lensink, together with the support of some other ministers and together with the support of key government agencies such as the South Australian Housing Authority, Mr Michael Buchan, and HomeStart, Mr Storkey, has led government consideration of a considered strategy.

I am advised that the first meeting of that task force, which did involve some other non-government representatives at varying stages, was held in February of this year, so this is not an issue that has generated in the last days or weeks. The first task force meeting was held in February of this year, and it has been a strategy of—what is that—10 months in terms of its development.

This strategy has now been approved by the Premier, most importantly, and the Budget Cabinet Committee of the government. Whilst the final details are still being undertaken, the essential components I will now outline. The essential components will be funded from about \$450 million of

the South Australian Housing Trust existing cash reserves and the existing budget resources of the South Australian Housing Authority. About \$400 million of those cash reserves will be targeted for affordable housing initiatives to deliver about 1,000 new affordable houses in South Australia.

In the first instance the strategy will use existing government owned land; that will be utilised for this initiative. I note that in previous governments, some of the major initiatives—development of new affordable housing options—were predicated on the basis of knocking down significant numbers, equal numbers, of existing housing stock. So in the first instance the government will be utilising the existing land being held within government agencies for this particular initiative.

Secondly, any profit generated from the development activity for these 1,000 homes will not be returned to the budget and will not be returned to Treasury—the Hon. Mr Parnell has a smile on his face, and I say that with a smile as well. There will be a guarantee that any profit generated from the activity will be ploughed back into essential maintenance for existing public housing stock within the Housing Authority. As members will know, there has been a critical demand for additional maintenance and upgrade of existing public housing stock, and the profitability of this particular activity will be regenerated into that activity.

There will also be announced a major expansion of the HomeStart Starter Loan scheme, which covers the up-front costs of buying or building a home for low income earners. It is predicated on those who are eligible for a low income loan from HomeStart. These five-year loans cover the up-front costs of buying and building a home. This expansion will involve 500 new loans at a cost of \$5 million.

Again, it may well require an increased borrowing capacity for HomeStart, for which I have the authority to give. If that is the case, that will be generated through a decision that I will take as the Treasurer. There are some other smaller elements of the strategy for which members will have to stay tuned in the coming weeks when it is finally released, but the other elements will be released when that final strategy document is released.

I do need to note that the \$400 million of cash reserves that are going to be utilised for the new affordable homes initiative has no impact on the net operating balance of the general government sector, as the cash reserves of the South Australian Housing Trust are in the public non-financial corporation sector, which is outside the general government sector, and it is using their balance sheet to generate extra building activity within that particular sector. There will also be no increase in general government sector net debt but there will be an increase in the non-financial public sector net debt, and the details of that will be outlined when the final strategy is released.

The government accepts that the Labor Party will be critical of this strategy, as they have been roundly criticising the government for increasing debt levels in South Australia. That has been a constant focus the Labor Party has addressed, and this will further increase non-financial public sector debt, so we fully expect that the Labor Party will further criticise the government for having the courage to further increase debt in the non-financial public sector to generate much-needed housing activity but, more importantly, to try to address the critical issue, as the Hon. Tammy Franks addressed today, that our current system, which many people argue is so perfect, is leading to such bad outcomes in terms of housing affordability.

Some of the affordability figures released today in terms of rental have us as second highest on some of the measures, and that is under the existing system that opponents of the government's reforms have been trenchantly defending for such a long period of time. We accept that the Labor Party and others may well attack us on this but we believe the issue of affordable housing initiatives is something on which we are prepared to absorb the criticism, the ongoing criticism, from the Labor Party about increase in debt levels in the non-financial public sector.

I have provided the details of these initiatives because I know the views of SACOSS are important in relation to this particular debate, and the views of members in this chamber for which affordable housing is such a key priority. As I said, with the agreement of the Premier and other ministers, I have taken the unusual course of putting it on the public record a couple of weeks prior to the public release of all the final details of the strategy that has been worked on since February this year, so that when we debate this issue finally tomorrow all members will be fully aware of the fact that, as SACOSS wanted—they wanted to get rid of aggregation, they wanted a fairer land tax

system, but they also wanted major initiatives from affordable housing, and what I am saying to SACOSS is, and what I say to those who share the views of SACOSS, the government is putting both on the table.

The government is putting on the table a fairer land tax system, which you have fought for for nearly 20 years and you have not got, but we are also for the first time in a long period of time putting what we believe is a very attractive, affordable housing package which we are very hopeful that you will support. We also believe that industry groups such as the Housing Industry Association and the Master Builders Association are likely to be strongly supportive once these details are made clear to them as well.

In leading to a conclusion as we get nearer to lunch, another issue is that over many months the government has received many requests, from many industry groups in particular, in terms of further concessions. I want to place on the public record that one of the most common demands or requests that we got from industry groups was that they wanted the government to commit whatever additional revenue comes to the government from land tax from the revaluation to further land tax reductions in the future on the basis of that. I place on the record today that the government has not agreed to those submissions from industry stakeholder groups to commit to further reduce land tax as a direct result of extra land tax collected through the revaluation exercise.

In the former Labor government, former treasurer Mr Koutsantonis already budgeted for an extra \$19 million per year to be collected from the revaluation exercise in 2020-21 when he first approved the revaluation exercise. Some industry stakeholders believe that that estimate will be an underestimate. The reality is that no-one knows. The government does not know. Industry stakeholders do not know. We will not know until the Valuer-General and her officers complete the revaluation exercise.

Because the Valuer-General has now delayed by a further 12 months the revaluation exercise for the CBD, which I believe her office and most industry groups believe may well, potentially, be the most significantly impacted from the revaluation because for some reason over many years there is a view that property values in the CBD have been significantly undervalued, we will not know until 2021-22 what the uplift in revenue will be. Whatever that is, as I said, many industry groups have requested or sought from us a commitment that the government would further reduce land tax as a result of that. We have not agreed to that particular request.

What I do want to say to those many constituents who have contacted me and others about their concerns about the revaluation is that the Valuer-General has indicated to me that three-quarters of local government council areas in the state will not be subject to this revaluation exercise. All regional council areas will not be subject to the revaluation exercise and some of the metropolitan councils in the far north and the far south of the metropolitan area will not be subject to the revaluation exercise. Only one-quarter of councils will be subject to the revaluation exercise.

The reason the Valuer-General has given me for that is that she is confident that the current system of valuation in those three-quarters of council areas—that is, using algorithms and computer models and looking at past sales in the particular area—accurately reflects the true valuation of those properties in those 75 per cent of council areas. So they are confident that the values are fair and therefore should continue.

There is the issue of the remaining one-quarter. As I said, until we see the end result of the CBD revaluation we are not going to know what the end result of the revaluation exercise will be. That will be an important issue in 2021-22, as the government is legislating for a review of all of the land tax changes in this bill, should it pass, in 2023. I am sure that during that particular review and discussion the issue of the whole land tax system and, clearly, some of the implications of the revaluation will be raised in submissions to that particular independent review.

Let me conclude by saying that the government believes that the investment-attracting and job-creating 2.4 per cent top rate will lead to increased investment activity in commercial industrial property in South Australia. We believe passionately that that increased activity will also lead to increased valuations of commercial industrial property in South Australia over future years and will lead to future increases in land tax as a natural result of increased investment activity.

Lots of numbers have been thrown around in recent days in relation to this land tax debate, based on the history of this particular debate, but the point that I want to make in concluding is we are where we are now. This chamber has a pretty simple decision in terms of the end result of the implications of the land tax debate. It is a pretty simple choice in terms of the numbers. If this bill is defeated, then the state will be left with a budget cost of \$150 million over three years because of the already legislated changes in last year's budget.

We will have a budget cost of \$150 million over three years, we will still have the most unfair system in the nation with aggregation, with all its inequity and unfairness, and we will still have a 3.7 per cent investment-killing, job-killing, top land tax rate in South Australia. That is the one choice. If this bill is defeated, that is what we are left with. We are left with the situation where no government, Labor or Liberal, for the next 20 years will take on land tax reform in South Australia, given the complexity of this particular debate.

In the alternative, what this parliament and this chamber confront and what members confront is a much better alternative, from the government's viewpoint. For a net cost additional of \$39 million over three years—that is, a budget cost of \$189 million dollars over the three-year period instead of the \$150 million—we will have an investment attracting, job creating, economic growth supporting 2.4 per cent top land tax rate instead of 3.7 per cent.

But we will also have got rid of the most unfair, inequitable land tax system that exists in the nation. Aggregation rules will have been changed. There will be a transition arrangement. As some community service providers indicated—I think it was Mr Sandeman—it gives people three years to manage their affairs and to restructure, should they so wish, in terms of moving to the future.

That is the stark choice that is left to this chamber. You can talk about all the other sorts of numbers that you want to, but the stark reality is, if this bill is killed, we are left with a cost of \$150 million, we are left with 3.7 per cent and we are left with the unfair aggregation system. If this amended bill is passed, we actually have a \$189 million cost, which is \$39 million extra over three years, but we have got rid of the unfair aggregation provisions and we have a 2.4 per cent top rate rather than 3.7 per cent.

We think the choice is stark; it is clear. We would urge members at the second reading and, we hope, also at the third reading after the committee stage tomorrow, to support the passage of this amended bill.

The council divided on the second reading:

Ayes 10
 Noes 9
 Majority 1

AYES

Darley, J.A.
 Hood, D.G.E.
 Lucas, R.I. (teller)
 Wade, S.G.

Dawkins, J.S.L.
 Lee, J.S.
 Parnell, M.C.

Franks, T.A.
 Lensink, J.M.A.
 Stephens, T.J.

NOES

Bonaros, C.
 Hunter, I.K.
 Pnevmatikos, I.

Bourke, E.S.
 Ngo, T.T.
 Scriven, C.M. (teller)

Hanson, J.E.
 Pangallo, F.
 Wortley, R.P.

PAIRS

Ridgway, D.W.

Maher, K.J.

Second reading thus carried; bill read a second time.

STATUTES AMENDMENT (LEGALISATION OF SAME SEX MARRIAGE CONSEQUENTIAL AMENDMENTS) BILL

Introduction and First Reading

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

MARRIED PERSONS (SEPARATE LEGAL STATUS) BILL

Introduction and First Reading

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

LEGAL PRACTITIONERS (FOREIGN LAWYERS) AMENDMENT BILL

Introduction and First Reading

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

Sitting suspended from 12:59 to 14:15.

Parliamentary Procedure

PAPERS

The following papers were laid on the table:

By the President—

Report of the Independent Commissioner Against Corruption on Evaluation of the Practices, Policies and Procedures of the City of Playford Council
[Ordered to be published]

By the Treasurer (Hon. R.I. Lucas)—

Freedom of Information (Miscellaneous) Amendment Bill 2019—draft for comment

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

Government Response to the Report of the Select Committee on Moratorium on the Cultivation of Genetically Modified Crops in South Australia

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

Guardian for Children and Young People—Report, 2018-19
Parliamentary Committees

LEGISLATIVE REVIEW COMMITTEE

The Hon. T.J. STEPHENS (14:15): I bring up the 31st report of the committee.

Ministerial Statement

NYRSTAR

The Hon. R.I. LUCAS (Treasurer) (14:16): I seek leave to make a ministerial statement on the subject of Nyrstar Port Pirie.

Leave granted.

The Hon. R.I. LUCAS: I would like to update the council on the current status of the financing arrangement for Nyrstar's redevelopment project of its smelter in Port Pirie. The Marshall Liberal government has successfully secured the agreement of Trafigura Group, the new majority owner of the Port Pirie lead smelter, to repay the remaining \$262.125 million owed under a \$291.25 million SA taxpayer-guaranteed loan.

In July 2019, as Treasurer, I granted formal consent for the smelter's change of ownership from Nyrstar to Trafigura, which included an agreement for the repayments of the guaranteed loan to be made compulsory. However, rather than repaying the remaining balance in instalments until November 2022, Trafigura has today repaid the total \$262.125 million outstanding, in full, three years early.

This is an excellent outcome for the taxpayers of South Australia. No longer do we have the exposure of \$262 million swinging in the breeze. This agreement allows the Port Pirie smelter to return to a business as usual basis without reliance on, and the conditions of, government-guaranteed support. As part of the agreement, Nyrstar Port Pirie has also agreed to work proactively with the Independent Environment Protection Authority to develop a closure management framework to manage its environmental impacts, which will be incorporated into the smelter's environmental authorisation at an appropriate time.

This has occurred at the same time as Nyrstar is expanding its local workforce, recruiting a significant number of people to fill expanded roles across the entire operations, from mechanical, electrical and project engineers, to tradespeople and administrative roles. The repayment also coincides, I am advised, with the successful restart of the new primary top submerged lance furnace following an extensive refurbishment earlier this month. The smelter, along with its employees, their families and the entire Port Pirie community, now has a strong foundation for a successful commercial and sustainable operation into the future under Trafigura's stewardship.

Finally, I wish to acknowledge the hard work and dedication of all the state team, in particular SAFA's general manager, Mr Kevin Cantley, and Miss Margot Gall, in bringing this early repayment to fruition. As Treasurer, I do want to acknowledge publicly the outstanding contribution over a long period of time by Mr Cantley to this successful outcome for the people of Port Pirie and South Australia.

Question Time

STANDING ORDERS COMMITTEE

The PRESIDENT (14:21): Before I call on questions without notice, I will take this opportunity to respond to a question the Hon. Ms Bonaros asked of me yesterday. The Hon. Ms Bonaros directed a question to me in question time concerning the Standing Orders Committee. It is true that the Standing Orders Committee has not met during the current session. In fact, the Standing Orders Committee last met in 2007 to consider certain matters.

Most likely, members will be aware that the committee does not have a history of meeting frequently, so the absence of the committee meeting during this session is not an unusual or isolated occurrence. The last major amendments to the standing orders adopted by the council and approved by the Governor occurred in 1999, when they were rewritten to incorporate gender-neutral language.

The Standing Orders Committee may convene on the initiative of its membership, and this may come from the persuasive urging of other members of the council to consider the standing orders and possible amendments thereto. I understand, at various times in debates in the council during this session, individual members have reflected on the value of reviewing certain standing orders and their application.

I am aware of some particular matters that members have raised or communicated requesting consideration by the Standing Orders Committee, and the Clerk has advised of one formal request he has received for the committee to consider a particular matter. As such, I will be speaking with members of the committee, canvassing their views on convening a meeting of the committee at a convenient time, appreciating the heavy workloads that members experience around this time of the year.

Lastly, while I note the brief explanation to the question made reference to the Standing Orders Committee of the House of Assembly, the proceedings of that committee are a matter for that house and not necessarily something by which the council needs to measure itself.

MCGOWAN, DR C.

The Hon. C.M. SCRIVEN (14:22): I seek leave to make a brief explanation before asking a question of the Minister for Health and Wellbeing regarding Silver Chain.

Leave granted.

The Hon. C.M. SCRIVEN: Yesterday, in the other place, the Premier was asked whether chief executives are expected to answer truthfully to parliamentary committees. The Premier responded, and I quote, 'Yes, I'm sure that is the case.' In this chamber, the minister yesterday refused to answer that simple question. My questions to the minister are:

1. Will the minister explain why he has a different opinion from the Premier's opinion that chief executives are expected to answer truthfully to parliamentary committees?
2. Why hasn't the minister satisfied himself that his Chief Executive of SA Health, Dr Chris McGowan, has not misled a parliamentary committee?
3. Will the minister provide a full explanation of this matter, including any conversations he has had with Dr McGowan, and clarify whether he continues to have confidence in Dr McGowan.

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:23): I thank the honourable member for her questions. Let me answer her last question first: yes, I do have confidence in Mr McGowan. Obviously, I did not suggest to the parliament yesterday that public servants are not required to speak truthfully to parliament. The—

Members interjecting:

The PRESIDENT: Order! I cannot hear the minister.

Members interjecting:

The PRESIDENT: Just wait, minister.

The Hon. E.S. Bourke: The minister spoke very loudly yesterday. I can't hear him today.

The Hon. S.G. WADE: I thank the honourable member for her protection; I appreciate it. I just want to clarify what happened at Budget and Finance Committee. At the meeting of parliament's Budget and Finance Committee on 28 October 2019, Dr McGowan took on notice some questions relating to any potential involvement with RDNS Silver Chain. A response to those questions, I am advised, has been provided to the secretary of the committee. The response says:

In fulfilment of my undertaking to take questions on notice at Budget and Finance Committee on 28 October 2019 and provide answers to the Committee, I have reviewed the SA Health contracts awarded to Silver Chain since being appointed Chief Executive, Department for Health and Wellbeing. From the documents I have reviewed, there has been one contract extension and two briefings for the Minister involving RDNS Silver Chain. In all three, RDNS Silver Chain was one member of a panel of providers. I can advise that:

- On 30 November 2018, I endorsed a request for authority to expend funds for the execution of sexually transmissible infections and blood borne viruses program. The authority covered eight suppliers, including RDNS SA. The agreement with RDNS SA was for a 2.5-year contract extension with a value of \$1.28m.
- On 27 May 2019, I endorsed the continuation of an existing contract for a panel of four suppliers, including RDNS SA, for the delivery of the SA Community Care program. I was not involved in the procurement of the original contract, which was over a five-year period and involved a one year, plus one year, plus three-year extension. The 2019/20 budget for the program, across all four suppliers, is \$24.98m.
- On 19 July 2019, I authorised financial approval for the Long Stay Patient: Short Term Transition to Discharge Project. This Project was jointly funded by the Commonwealth and State Governments, providing funding over two years to a panel of providers. Subsequent to my authorisation, and without my involvement, the Project progressed to procurement and RDNS SA was among the selected providers.

In this process I did not amend any recommendations on any of these authorisations.

All of the relevant documentation regarding these authorisations has been provided to the Commissioner for Public Sector Employment for her review.

That is the end of the answer. The Commissioner for Public Sector Employment is undertaking an investigation after Dr McGowan referred himself to her for such an investigation, and I understand that the commissioner has asked an independent investigator to undertake this for her.

MCGOWAN, DR C.

The Hon. C.M. SCRIVEN (14:27): Supplementary: I thank the minister for that answer. Can he now confirm that he thinks that it is necessary for chief executives to answer truthfully to parliamentary committees?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:27): Yes, I do.

The PRESIDENT: The minister has affirmed that.

MCGOWAN, DR C.

The Hon. C.M. SCRIVEN (14:28): My question is to the Minister for Health and Wellbeing. Was the minister's Chief Executive of SA Health, Dr McGowan, telling the truth when he gave evidence in response to a question put to him on 23 July 2018 that he had 'certainly not' attended any Liberal Party fundraisers?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:28): I am happy to take that question on notice.

MCGOWAN, DR C.

The Hon. E.S. BOURKE (14:28): My question is to the Minister for Health and Wellbeing. Is the minister aware that his Chief Executive of SA Health, Dr Chris McGowan, joined the Premier and the Speaker at a fundraiser on 22 October 2013 in a private room at The Robin Hood Hotel, Norwood at a cost of \$500 a ticket?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:29): I am happy to take the honourable member's question on notice.

The Hon. C.M. SCRIVEN: Supplementary.

The PRESIDENT: You are not going to get a supplementary out of that.

The Hon. C.M. SCRIVEN: I am asking for clarification.

The PRESIDENT: I am going to listen to it—clarification.

MCGOWAN, DR C.

The Hon. C.M. SCRIVEN (14:29): Is the minister saying that he is not aware of that attendance at \$500 per head?

The PRESIDENT: The Hon. Ms Scriven, that is not a supplementary because he actually didn't say anything. He is taking it on notice.

An honourable member interjecting:

The PRESIDENT: I know. The minister has given his answer. The Hon. Mr Hunter, you have a go.

The Hon. I.K. HUNTER: Sir, I was asking another question. If there is a supplementary, I will sit down.

The PRESIDENT: We have gone through three Labor questions.

Members interjecting:

The PRESIDENT: When we have all finished our private conversations, I intend to give the Hon. Ms Lee the call.

The Hon. J.S. LEE: Thank—

The PRESIDENT: I haven't given you the call, yet, the Hon. Ms Lee.

Members interjecting:

The PRESIDENT: I want silence before the—

Members interjecting:

The PRESIDENT: Right. Are we all ready to go? The Hon. Ms Lee.

DOMESTIC AND FAMILY VIOLENCE

The Hon. J.S. LEE (14:29): Thank you for your call, Mr President. My question is to the Minister for Human Services regarding domestic and family violence. Can the minister please provide an update to the council about new steps the South Australian government is taking to address domestic and family violence?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:30): I thank the honourable member for her question and for her ongoing interest in this area. Last Friday, the Assistant Minister for Domestic and Family Violence Prevention and the Office for Women hosted our first annual community safety round table.

The community safety document, as honourable members may be aware, is this government's key policy framework for addressing violence against women. It was formulated following a range of consultation we have undertaken both in Adelaide and in regional areas, particularly involving the specialist sector and a number of organisations such as the National Council of Women, Zonta, Soroptimists and other organisations that take a key interest in this area.

It provided an opportunity for those attendees to help to shape our policy going forward, and it leads into, of course, the anniversary, which takes place on 25 November, which kicks off 16 days of activism to tackle domestic and family violence where we have been pleased to advise that the state government program for government agencies is being undertaken through the leadership of the Equal Opportunity Commission—that is, the Workplace Equality and Respect Project.

A number of members attended the White Ribbon breakfast on Friday, and we are pleased to continue to support that organisation, which has a very important role in terms of men leading initiatives to address domestic and family violence. The White Ribbon organisation nationally has had its own issues, and we are pleased that that is being resolved through an organisation from Western Australia taking that over. But White Ribbon Australia has been a key partner in terms of accrediting South Australian government agencies. Clearly, that arrangement has had to be changed, so we are pleased that the Equal Opportunity Commission has that ongoing role.

We have also been working on improving data collection through our partner agencies. The trial of the Domestic Violence Disclosure Scheme also is in continuation, which has meant that we are reaching out to a range of people who have never before sought assistance in terms of services and potentially have been unaware of a partner's history. We also have the continuation of the hubs. We are also working on the rollout of the crisis accommodation. The funding for the crisis hotline continues, as does the personal protection app.

Last night, the Assistant Minister for Domestic and Family Violence Prevention, Carolyn Power, and I were also very pleased to be with the peak body which has been heretofore known as the coalition of women's domestic and family violence services. They have undergone a name change and will now be known as Embolden. The assistant minister spoke at that event. We were very pleased that as part of our range of election commitments we committed to funding that peak body, who hadn't actually been funded in the past, so that they can continue that very important work in terms of advocacy for the sector.

So a range of measures are taking place, and we speak to members of the sector every day, as we are rolling out services, to continue to shape them into the future.

OVERLAND TRAIN SERVICE

The Hon. M.C. PARNELL (14:34): I seek leave to make a brief explanation before asking a question of the Minister for Trade, Tourism and Investment about the *Overland* train service.

Leave granted.

The Hon. M.C. PARNELL: A number of constituents have contacted me concerned about the fate of the *Overland* rail service. It is an issue that has been raised in this chamber a number of

times in the past, but we are now coming towards the end of 2019 and coming to the end of the Victorian government's rescue package for the *Overland*. According to media reports, the operators of the *Overland*, Great Southern Rail, are not taking any bookings for the year 2020. The South Australian government has made no commitment to funding the service, and the Victorian government has made no commitment to funding the service.

The constituents who contact me are a range of people. Some of them just like trains, but some of them have serious health issues and other reasons why flying is not an option for them, and we know some people are even just plain scared of flying. More important than any of those groups is possibly the tourism sector and so my questions are:

1. Has any decision been made about a South Australian contribution to continue the *Overland* train service to Melbourne?
2. Are any discussions underway, or have any discussions been held with either the Victorian government or the train operator?
3. Does the minister think that the closure of the *Overland* will be good for tourism in South Australia?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:36): I thank the honourable member for his ongoing interest in the tourism sector and, as a Hills resident, I guess, in the noise from trains the Hills residents sometimes endure. It is no secret that in our first state budget we announced that South Australian taxpayers shouldn't have to subsidise a privately owned company to run this service. We made that very clear. The *Overland* is a privately owned and operated tourism service and therefore its continuation really is a matter now for Great Southern Rail. Of course, we know that the Victorian government did provide some funding, which continued this service.

All of those discussions are a matter for the Minister for Transport and Infrastructure, the Hon. Stephan Knoll. The funding was always provided through that department, and so any discussions that have taken place are not a matter for the tourism minister. One of the aspects of the honourable member's question asked me whether it was going to be good for tourism. It is interesting to note that the patronage on the service has been declining for some years, so really the passengers are voting, if you like, with their feet; they are not using the service.

However, Journey Beyond I think is the company that is actually doing—and the name of the actual tour escapes me—a journey that will use that line for a tourism experience similar to *The Ghan*. It will still be operating. They are able to offer quite a unique experience to their patrons. I expect that we will still see some use on that line, but from the state government's point of view, we don't believe it will have an adverse impact on tourism numbers.

As members would know, I lived in that part of the world and am very familiar with the *Overland* on both sides of the border and also the town of Bordertown, where it used to stop. Even in those days, the amount of patronage on that service was declining, simply because of the amount of time it took to get to Adelaide. Even on the *Bluebird* that used that line, it was over five hours from Bordertown to Adelaide and you could drive there in about three hours. It may be a little shorter now that you have better roads and better cars. The government doesn't believe the cessation of this service will have any dramatic negative impact on tourism numbers.

OVERLAND TRAIN SERVICE

The Hon. C.M. SCRIVEN (14:38): Supplementary from the minister's answer: is he suggesting that the *Overland* no longer stops at Bordertown, and can he tell us what opportunities there are for people who do not drive and who obviously cannot fly from Bordertown to get to Adelaide?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:38): My recollection is that you could book a ticket to Bordertown and get on in Bordertown. I think there were a number of places in Victoria you could. I am not sure of any others in South Australia, whether you can do it in Keith or Tintinara, but there is a bus that travels between Adelaide and Melbourne,

through Mount Gambier and up through Naracoorte and also along the Coorong, so there are a number of ways that people can get to Adelaide.

OVERLAND TRAIN SERVICE

The Hon. C.M. SCRIVEN (14:39): Further supplementary: the Equal Opportunity Commissioner raised concerns about those who have mobility issues and therefore cannot use the bus, whereas a train is more accessible. Does the minister have any alternatives for those who cannot use a bus?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:39): I thank the member for her further supplementary. I think it may have been last year that those matters were raised. I am certain that, while there is some easier access on the train, the bus services will always service the need, if it's there, to look after members in our community. We see accessible tourism, not just from a transport point of view but for some of our destinations, as particularly important. There are more and more people in our community who have mobility issues and so I am very confident that both the tourism operators and providers, and the transport operators, being the bus lines, will, over time, continue to cater, and cater to a greater degree, for people with mobility issues.

MCGOWAN, DR C.

The Hon. I.K. HUNTER (14:40): I seek leave to make a brief explanation before directing a question to the Minister for Health and Wellbeing on the subject of his chief executive.

Leave granted.

The Hon. I.K. HUNTER: A little earlier, the Hon. Ms Bourke directed a question to the Hon. Mr Wade about his chief executive attending a Liberal Party fundraiser at the Robin Hood Hotel on 22 October 2013. The honourable minister took that question on notice.

1. Will the minister confirm that his Chief Executive of SA Health, Dr Chris McGowan, has also attended at least a further three Liberal Party fundraisers: one with Tony Abbott on 3 July 2013, one with Peter Dutton on 20 February 2013 and one with Malcolm Turnbull on 23 June 2017?

2. Will the minister confirm that Dr McGowan was also provided with these dates of these invitations by Silver Chain staff on 23 September 2018—the dates and times of the invitations for these Liberal Party fundraisers?

3. Will the minister now explain why his Chief Executive of SA Health did not correct the record for the last 14 months, from when he was informed by Silver Chain staff of the correct information regarding attending Liberal Party fundraisers?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:41): I thank the honourable member for the question. Considering that I myself have been misquoted by members of the opposition earlier today, I am certainly not going to take their word for other statements of Dr McGowan. I will persist in what I have already undertaken to do, which is to take it on notice.

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

MCGOWAN, DR C.

The Hon. I.K. HUNTER (14:42): With your indulgence, can I also ask the minister, perhaps to take on notice, to ensure that the information regarding the Liberal fundraisers that the chief executive attended, once he has confirmed the record, will be provided to the independent investigator appointed to investigate Dr McGowan's conduct?

The PRESIDENT: The minister doesn't have to answer that because it is not really a supplementary, but the minister may wish to respond.

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:42): The first thing I would say is what I said yesterday, which is if any members have any matters that they think should be considered by the Commissioner for Public Sector Employment, they should refer them to her.

Members interjecting:

The PRESIDENT: Have you all finished? Last chance for a gratuitous comment whilst seated. The Hon. Mr Dawkins, you have the call.

EMERGENCY SERVICES WORKERS

The Hon. J.S.L. DAWKINS (14:43): I seek leave to make a brief explanation before asking the Minister for Health and Wellbeing a question regarding support for emergency services workers.

Leave granted.

The Hon. J.S.L. DAWKINS: Recently, I represented the Premier at the Global Alliance Conference on Post-Traumatic Stress and witnessed the participation of emergency services personnel in that forum. I have also welcomed the very proactive contributions of the various emergency services agencies in the cross-government issues group on suicide prevention.

The PRESIDENT: Hold on, the Hon. Mr Dawkins; the Hon. Mr Wortley has to answer his phone. The Hon. Mr Dawkins, please continue.

The Hon. J.S.L. DAWKINS: My question is: will the minister update the council on support for emergency services workers?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:44): I thank the honourable member for his question. The Marshall Liberal government has a strong commitment to suicide prevention, as is clear through the appointment by the Premier of his Advocate for Suicide Prevention, the honourable member, and the investment of \$2.5 million to support suicide prevention networks across the state.

Today, I note the challenges particularly faced by our emergency services workers. This morning, with the Minister for Police and Emergency Services, I was present at the South Australian launch of a national campaign by R U OK?, specifically directed towards emergency services workers. The campaign is called Are They Triple OK? This initiative has its roots in 'Answering the call', a national survey by Beyond Blue, into the mental health and wellbeing of police and emergency services personnel.

The survey took in over 21,000 responses and showed that this particular group is under significant stress. Among the disturbing findings are that police and emergency services workers report having suicidal thoughts at a much higher frequency than the general Australian population—more than twice as often—and at the same time the chances that they will have made a suicide plan are three times as high.

While the nature of the work these men and women do and the pressure they are under through the work environment mean they are going to be under greater stress, they deserve all the support we can give them. I pause to note the work being done by the Jamie Larcombe Centre at the Glenside precinct, which provides support to people who are experiencing post-traumatic stress disorder. This support is available for former members of the military, but also is available for police and other first responders.

I also pay tribute to the important work done by The Road Home, an organisation that grew out of the Repat Foundation and an organisation which, too, responds to post-traumatic stress across the whole domain of first responders and military. Are They Triple OK? seeks to continue this support through the provision of resources targeted to police and emergency services personnel to assist colleagues in spotting the signs that one of their colleagues might be struggling, asking R U OK? and beginning a meaningful conversation with that colleague.

These resources are available online without charge to enable wide dissemination amongst these personnel, as well as their family and friends. I thank all these personnel for the contribution they make to this state and this nation, particularly the first responders within my portfolio, members of the South Australian Ambulance Service. I would encourage them to seek out the resources provided through Are They Triple OK?, whether they are feeling under stress themselves or whether they are worried about a colleague. It is important for each of us to care for those who care for us.

KALIMNA HOSTEL SITE

The Hon. C. BONAROS (14:47): I seek leave to make a brief explanation before asking the Minister for Health and Wellbeing a question about the Kalimna Hostel in Strathalbyn.

Leave granted.

The Hon. C. BONAROS: I wish to revisit a question I asked the minister earlier this month about the Kalimna site. As I have said previously, aged-care residents in the region were left stranded when the hostel was closed in 2016 due to its not meeting fire safety standards. In opposition, the Liberals said that, if elected at the 2018 state election, they would invest \$1.1 million in the hostel and would 'see the community decide its future as either for accommodation for the aged or transform it into an aged allied health centre'.

We know that the issue has gone out to a request for information process to determine the future of the hostel, and was due to make public findings of the RFI process and its recommendations by October/November. My questions to the minister are:

1. What has the government done to ensure the community decides its future as either for accommodation for the aged or transform it into an aged allied health centre in accordance with its own policy position at the time of the election?
2. Why has the government failed to disclose the outcome of its request for information process, given that the RFI document states that an announcement will be made in October/November?
3. Have any recommendations been made about the future use of the Kalimna site at Strathalbyn as a result of the request for information process?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:49): I thank the honourable member for her question. I may well provide further information once I have gathered the information, but let me in broad terms suggest that we have engaged the community not only in community forums before and after the last election but there was a community meeting, I think in Strathalbyn, as part of the public consultation about the residential aged-care facility on the western side of High Street.

My understanding is that there were a lot of comments at that forum indicating that the community view has not changed. The community has consistently said to the Liberal Party—if you like, to all political parties—that they would prefer that the Kalimna facility continue to provide accommodation for the aged. There certainly are other proposals around. For example, there are members of the community who are interested in it being an allied health hub. I certainly continue to have the view that the community of Strathalbyn strongly supports an aged accommodation use of the site.

As I said to the honourable member in answer to her earlier question, the government is committed to delivering on the commitment in relation to Kalimna. It committed the \$1.1 million, whatever it is; it is in the budget. I thank the Treasurer for his commitment to this government being a government that delivers on its election commitments, and that funding is on stand-by. As I said, the RFI process is continuing. The honourable member asked me whether or not the decision had been delayed. I don't know whether the RFI will be finalised by the end of this week but I have no reason to believe that the RFI process will not have a successful conclusion.

KALIMNA HOSTEL SITE

The Hon. C. BONAROS (14:51): A supplementary: have any final decisions been made about the future use of the Kalimna site at Strathalbyn? If so, does that potentially involve the development of a healthcare centre on that site?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:51): The honourable member is really asking me: has the RFI process been concluded? My understanding is that we are continuing to have discussions with our party as a result of the RFI process. I am not going to announce the outcome of the RFI process until the RFI process is complete.

MCGOWAN, DR C.

The Hon. R.P. WORTLEY (14:52): I would like to ask a question of the Minister for Health and Wellbeing. Will the minister explain why, after attending a Liberal Party fundraiser for the Premier, Dr McGowan was appointed as the highest paid chief executive of any government department within weeks after the Liberal Party formed government? How does the minister explain that it took just one month to hire Dr McGowan as SA Health chief executive but it took the Liberal government 4½ months to hire a new chief of the CFS?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:52): The first point I would make is that I don't appoint the chief executive of my department. He was appointed by the Premier. My understanding is that the Premier made that appointment after a selection process.

MCGOWAN, DR C.

The Hon. R.P. WORTLEY (14:53): A supplementary: did the minister discuss with Dr McGowan at any point prior to 18 March 2018 the possibility of his becoming the Chief Executive of SA Health if he became minister?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:53): I am not accountable to this parliament for my operations in opposition.

The PRESIDENT: A further supplementary, the Hon. Mr Wortley.

MCGOWAN, DR C.

The Hon. R.P. WORTLEY (14:53): Does the minister now concede that it is no longer tenable for Dr McGowan to remain in his role as Chief Executive of SA Health and will you ask him to stand down?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:53): I cannot see how this is a supplementary but the fact of the matter is, I am not going to ask him to step down.

MCGOWAN, DR C.

The Hon. R.P. WORTLEY (14:54): Last supplementary: does the minister have complete confidence in Dr Chris McGowan as the Chief Executive of SA Health?

The PRESIDENT: The Hon. Mr Wortley, it has actually been asked a number of times today. The standing orders are clear that there are only so many times you can ask a question.

MCGOWAN, DR C.

The Hon. C.M. SCRIVEN (14:54): A supplementary: will the minister speak to the Premier to suggest that Dr McGowan should stand down given that his position is now absolutely untenable, given he has attended various fundraisers and given contrary evidence?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:54): No.

Members interjecting:

The PRESIDENT: I just remind honourable members, particularly the opposition benches, this is your question time, not my question time. So you can talk away amongst yourselves—I am happy with that—or we can have some questions. The Hon. Mr Hood.

RED CROSS TELECROSS REDi SERVICE

The Hon. D.G.E. HOOD (14:55): My question is to the Minister for Human Services about the Red Cross Telecross REDi service. Can the minister please inform the chamber about this potentially life-saving service?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:55): I thank the honourable member very much for his question. It was activated, of course, last Wednesday 20 November when we had exceptionally hot weather. It was my great pleasure, along with the Premier, to attend the call centre run by Red Cross. They have a service that is available for people who are frail or aged, people with disabilities, or anybody who needs a call on a daily basis. Several hundred people are registered.

There is, in addition, the REDi service, which the honourable member referred to. This is activated on days of extreme heat and dangerous weather. A number of volunteers will telephone people to ensure that they are okay. They make the phone call to the individual. If they don't get an answer, they try three times. If they don't get hold of the person, they then go to the emergency contact numbers. If they can't get hold of the emergency contact person, they will then escalate that and potentially call out an ambulance.

They will make this series of phone calls—probably three sets of phone calls—in a day. When they speak to the people, they check that they are okay, make sure that they are hydrated and that they're feeling alright. We've been encouraging people to register for that service, either for themselves or for people that they are aware of who may need this assistance. There are about 700 people registered for this service at the moment. There are something like 15 volunteers who are active at any one time making those calls.

We are aware, through having spoken to people who are users of this service, that there have been people whose lives have more than likely been saved, as the ambulance has been called out and the person has not been in a very good state. So, it is an invaluable service. We thank the Red Cross for its leadership in this area and for the many dedicated volunteers who have been involved, and encourage anyone who knows of anyone who may benefit from this service to register so that it can be used in the future.

MEDICAL CANNABIS

The Hon. T.A. FRANKS (14:57): I seek leave to make a brief explanation before addressing a question to the Minister for Trade, Tourism and Investment, the Hon. David Ridgway, who I understand now has carriage of medicinal cannabis issues, a question on the topic of the SA government's support to the medicinal cannabis industry.

Leave granted.

The Hon. T.A. FRANKS: The Office of Drug Control, a federal body, has recently published a list of 11 companies with manufacturing licences and 15 companies with import licences around the nation. It only includes all those businesses that have consented to be listed, and does not include all licensed operators. My question to the minister is: can he update the council on which of these companies that have medicinal cannabis manufacturing licences are operating, or intend to operate, in South Australia, and can he outline what state government supports have been given to these companies?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (14:58): I thank the honourable member for her question and her ongoing interest in medical cannabis. Just as a matter of update, I will provide the honourable member with a few facts in relation to this particular sector. As of 31 October 2019—so less than a month ago—20,300 applications Australia-wide have been approved for legal access to medical cannabis through the Special Access Scheme category B by the Therapeutic Goods Administration. Clearly, there is a large number of people wishing to access this.

As of 8 November 2019, across Australia, 81 medical cannabis licences are current: 26 for cultivation and production, 18 for research and 37 for manufacture. Two cultivation and production licences, two manufacture licences and one research licence have been approved in South Australia. Other applications are under assessment by the commonwealth Office of Drug Control.

As of 30 October 2016, we know that changes to the commonwealth Narcotic Drugs Act established a national licensing scheme for the cultivation, production and manufacture of medical cannabis. The act is currently under review and the review report was tabled in federal parliament on 5 September 2019. The final report contains some 26 recommendations to improve the cultivation and framework. Minister Hunt has accepted all 26 recommendations, which broadly aim to reduce the regulatory burden on industry and promote and allow greater flexibility in the administration of the legislation to support industry innovation and development.

I know the honourable member is more interested in South Australia. We recognise the importance of the safe and legal patient access to medical cannabis in South Australia. Recreational use of cannabis—often referred to as marijuana—still remains illegal. In South Australia access

requires a medical specialist to prescribe the product and dosage and the commonwealth Therapeutic Goods Administration's approval or notification. There are no other state-based approvals required. No authority is required for patients aged over 70 or who are notified palliative care patients or patients who are not drug dependent for regular use of medical cannabis for a period of less than two months.

The potential for the industry's development was recognised by the Australian government's introduction of regulations, and in particular there are some good opportunities in South Australia. There are a number of companies, and I don't have that list in front of me at the moment, that are wanting to manufacture the products from medical cannabis. LeafCann is one, but I don't have any of the details in front of me. At this point I will take that part of the question on notice and provide an answer to the member.

I will also say that this is something that I will refer to later in the debate today in that this is a classic example of why we need to look at genetically modifying plants in South Australia. This is a medical opportunity, a bit like opium, where we can grow a product and there is a great wellbeing benefit for the broader population. As far as the detail of the actual companies, we do provide some support, but I think, in fairness to the honourable member, I will bring back a reply for her detailing which companies have sought to grow the product and what sort of support the government is giving those companies.

MEDICAL CANNABIS

The Hon. T.A. FRANKS (15:02): Supplementary: the minister managed to name one company, which was LeafCann. I understand there are more and would appreciate further details on all of them. With regard to LeafCann, my question was specifically about what South Australian government support has been given to this industry, particularly with regard to LeafCann, which now employs the former case manager—the state government's own Office of Industrial Hemp and Medicinal Cannabis' case manager—as one of their employees, and boasts on their website that they have acquired state government property.

My questions are: how did that come about, what property have they acquired, and what measures have been taken to ensure that the department's trust for all the other players in the industry is not harmed by LeafCann now employing the former single point of contact for this industry?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (15:03): I thank the honourable member for her question. Yes, Mr Martyn England is employed now by LeafCann. I know some statements have been made in relation to the protection of IP and the confidentiality of any of the matters that Mr England may have been working on while he was working for the South Australian government so, in fairness to the member, in giving an accurate answer, I will take that on notice and provide her with the details.

TRADE, TOURISM AND INVESTMENT DEPARTMENT

The Hon. J.E. HANSON (15:03): I seek leave to make brief explanation before asking the Minister for Trade, Tourism and Investment a question regarding contracting arrangements with DTTI.

Leave granted.

The Hon. J.E. HANSON: According to the DTTI annual report, the department is engaged in more than \$120,000 of consultancy work with TBWA. Three separate projects were identified: immersion, research and analysis, strategy, identity and naming project; the DTTI production material; and activation of services regarding the Tokyo office opening in March 2019.

TBWA is the Victorian firm that the SATC has contracted for marketing creative—the Victorian firm that is also responsible, of course, for the disastrous 'old mate' campaign and providing advice on how to sell SA to the world. My questions to the minister are:

1. What exactly are the nature of these projects and what was the procurement process for them?

2. Is the work provided by TBWA for these projects finished or completed or are they still ongoing?

3. Has TBWA been given any other work by DTTI in this financial year?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (15:05): I thank the honourable member for his question. It's interesting, Mr President: TBWA of course is a company that has set up an office in South Australia, employing South Australians and doing work in South Australia, so it's interesting there is always this sort of, if you like, negative undertone about attracting a company to come to South Australia to set up here and employ South Australians. Nonetheless, the members opposite are entitled to their opinion. I am also intrigued, Mr President, that the member opposite talks in his question about the disastrous 'old mate' campaign, which actually provided record—and I repeat, record—hits on the website. The current data shows—

Members interjecting:

The Hon. D.W. RIDGWAY: It is interesting the members opposite laugh when things are going really well. That's their only response. It is \$7.6 billion to the visitor economy, and the members opposite laugh. They are a joke, Mr President, an absolute joke. In relation to—

Members interjecting:

The Hon. D.W. RIDGWAY: Mr President, I know it's out of order to respond to interjections, but I'm going to just respond to one—

The PRESIDENT: No, you just said it's out of order, right? Don't declare it's out of order and then say, 'I'm going to do it,' because you know what happens.

The Hon. D.W. RIDGWAY: Mr President—okay, I will take your advice. I'm sure a proper procurement process would have been followed. When he talked about the three projects, I am not aware of all of the details on two of them, but the Tokyo office launch was an important event that we needed to have some quality branding to make a splashback in the market. We had the Governor, the Hon. Hieu Van Le, up there. We had our ambassador. We had a very high-powered group of Tokyo and Japanese business people together, so we wanted to make sure we had an excellent offering for South Australia when we were up there. I know that was particularly good.

The other two projects—I will bring some advice back on exactly those two projects. I don't know whether the work is complete and whether some work is ongoing. Of course, we had a new agency form after a change of machinery, changes of government, last year on 1 July. There is a process that you need to go through of rebranding and re-establishing and repositioning that particular department, so there was always going to be some expenses around that, and I expect some of that work will still be carried on.

I'm not sure whether TBWA will be having that work or whether there's another agency, but of course we have our new growth state, our growth agenda, that members will be seeing a lot more of over the next couple of years. There will be some work done by a range of government agencies and non-government agencies as we tell the story about the great economic opportunities that lie ahead for South Australia.

TOURISM ADVERTISING

The Hon. F. PANGALLO (15:08): Supplementary in relation to the response: can the minister tell us if the 'old mate' campaign will continue or will he be retired?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (15:08): He's kind of retired—a retired gentleman as he is. We look at opportunities to position South Australia in a creative and edgy way, and 'old mate' certainly was that. At the end of the day, as I said earlier, we have record hits on the website. I will say to the honourable member we have had record numbers of tourists coming here and record visitor expenditure, so clearly it has been a success.

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

TOURISM ADVERTISING

The Hon. F. PANGALLO (15:09): Yes, it is. Can the minister explain: since the start of the 'old mate' campaign, does he have figures on the number of tourists that have come to South Australia?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (15:09): If I have a quick look, I may have some figures at my fingertips. From a figures point of view, I may not have the actual number of tourists who have come, but we have seen some responses from a number of commentators who have said that it got people talking about South Australia. We know the extent of the free publicity for the 'old mate' campaign. It attracted some \$2.5 million of free marketing activity. It was targeted at 25 to 55 year olds. It was a message we wanted to say: 'Don't put off coming to South Australia.'

At \$7.6 billion, we are at the highest this state has ever been for visitor expenditure. People like Waleed Aly have said, 'What better way to sell Adelaide than telling people the story through old mate?' David Koch of *Sunrise*, a prominent South Australian, said, 'Given we are all talking about it, it's a bit quirky, but, hey, looking at these young people having a great time, the good message is: go to Adelaide and enjoy it.' They go on, including Mark Beretta from *Sunrise* as well. We know that, at \$7.6 billion, this marketing campaign is one of the strongest—

The Hon. I. PNEVMATIKOS: Point of order, sir: what is the relevance of the response the minister is making when he was asked a question simply on tourism figures? Nothing in that response refers to tourism figures.

The PRESIDENT: The minister has some latitude.

The Hon. I. PNEVMATIKOS: Yes, extreme latitude.

The PRESIDENT: The minister is attempting to answer the question. I am going to allow the minister some further latitude. Minister.

The Hon. D.W. RIDGWAY: As I said, we have a record spend in visitor expenditure. I am trying to quantify it. I do not have the figure of the exact number of people who have travelled to South Australia, but the numbers when it comes to visitor expenditure and the dollars that are spent in the mum-and-dad businesses in this state are at record highs.

TOURISM ADVERTISING

The Hon. J.E. HANSON (15:11): A supplementary to the minister: if the ad was so successful and the numbers are so high, why was the third version of the 'old mate' ad canned?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (15:11): I made it clear in the last week of sitting that it didn't make it through the approval process.

TRADE, TOURISM AND INVESTMENT DEPARTMENT

The Hon. J.E. HANSON (15:11): A supplementary based on the original question: when was the minister briefed that TBWA were given the contract I referred to in my original question and, if he was briefed, on what date did that occur?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (15:11): Given our ongoing projects, I will have to check the records of when I was briefed on various matters. A lot of these things are operational matters. We are going to open a Tokyo office; we need some collateral; we get an agency to do that for us. I will check the records as to if and when I was briefed and bring back an answer for the honourable member.

HEALTH AND MEDICAL INDUSTRIES

The Hon. T.J. STEPHENS (15:12): My question is to the Minister for Trade, Tourism and Investment. Can the minister update the house on new innovations in the medical sector?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (15:12): I thank the honourable member for his ongoing interest in this very important sector. In fact, the health and medical industries sector is attracting a lot of attention, and that is why the Marshall government has

identified it as one of our nine priority sectors and an important part of our Growth State Plan. It is why we are currently engaged in a comprehensive consultation process with industry to identify the best opportunities for growth, which will eventually come together in the form of an industry-backed sector plan.

One company doing great things in South Australia and attracting international attention is Fusetec and its director, Mark Roe. I had the great pleasure of meeting Mark last year in China, where he had a 3D-printed heart that he was taking around to show some of the Chinese medical specialists. Mr Roe describes himself as an entrepreneur looking for a challenge. He saw an opportunity in 3D printing to provide technological 3D-printed body parts for the training of surgeons.

It was this morning that I had the great pleasure to attend a demonstration surgery on a Fusetec product. It was in a practice theatre in a building just next to SAHMRI, the Adelaide Health and Medical Sciences Building. An international documentary is being filmed about Mark Roe and Fusetec. There were cameras everywhere. Dr Adam Wells, a well-known surgeon, performed the surgery, removing a tumour from a model brain in a 3D-printed head. It was unbelievably special to see a South Australian company and a South Australia surgeon do a world first. I thank the members opposite. I was given a pair to go and attend that, and I do thank them for that.

An honourable member interjecting:

The Hon. D.W. RIDGWAY: No, I think it was important to have the support of the whole parliament for this particular event. I thought it was important to be there. It is really something special. We have had some people like the Braggs and Florey and others who have led the globe in medical technology and research, and now we have a 3D printing business that will provide opportunities for surgeons globally—globally—to practise and perform a whole range of procedures. This technology allows paediatric surgeons to practise on children's hearts. It allows normal surgeons to practise on any body part that Mr Roe and his company are able to print.

Interestingly, other companies overseas have tried to copy his technology and they have been unable to do so. He is now partnering with his R&D team at Adelaide University. So this is something that I think all members should be made aware of. This is a great South Australian man and his great company, Fusetec—and I should pay tribute to his whole team—has developed this technology. It will lead the globe in this particular field of, if you like, models for surgeons to practise on. Of course, we know that in Muslim countries they can't practise on human body parts, so this will provide a wonderful opportunity for people to practise and surgeons to be skilled.

I am absolutely sure that hundreds of thousands of people worldwide will get the benefit of quality surgery because they have been able to train using the products that Mr Roe and his team at Fusetec have printed.

TEACHERS DISPUTE

The Hon. F. PANGALLO (15:16): I seek leave to make a brief explanation before asking the Treasurer and minister for industrial affairs a question about student report cards.

The PRESIDENT: I am trusting you here, the Hon. Mr Pangallo.

The Hon. F. PANGALLO: Sorry?

The PRESIDENT: I am trusting you here with this one.

Leave granted.

The Hon. F. PANGALLO: It is brief, Mr President. It is brief.

Members interjecting:

The Hon. F. PANGALLO: It is brief, but you are eating up time by interrupting. It has been reported in the media today that some school students will be sent home in the next couple of weeks with report cards with subject grades given but no written comments to support them. This appears to be a deliberate measure by the teachers union, the Australian Education Union, and it ups the ante against the government over its bid for better pay and working conditions for members. Frustrated and disgruntled parents are calling for an end to the stalemate between the union and the state government. My questions to the Treasurer are:

1. Do you think it is appropriate that students are used as pawns in protracted enterprise bargaining negotiations between the state government and the teachers union?
2. Has the government requested the teachers union desist from such practice?
3. What is the latest development in the government's negotiation with the teachers union?
4. Do you see a deal being done with the teachers union in the foreseeable future?

Pretty short.

The Hon. R.I. LUCAS (Treasurer) (15:17): I am delighted to receive that question from the Hon. Mr Pangallo. We are on a unity ticket on this particular issue. We speak on behalf, collectively, of the parents of South Australians, who collectively are expressing great concern, indeed in some cases outrage, that their children are being used as pawns in an industrial action by the union bosses of the teachers union. Yes, we have called on the union bosses to desist that particular form of industrial action. We have made it quite clear that that sort of industrial action, from the government's viewpoint, is unacceptable, but the union bosses have great control over some worksites, not all.

We have had the unfortunate circumstance in one particular school where one child came home to their parents with a comprehensive report card with commentary from his or her teacher, because that particular teacher was not a member of the teachers union, and the other sibling came back with a report card which had been, in essence—sanitised is not the right word, but which really only had the grading and no commentary at all, which is useful to the parents in terms of student progress. That was because that particular teacher, at the same school, same family, happened to be a member of the teachers union.

So I am delighted to join with the Hon. Mr Pangallo, a comrade in arms on this particular issue, in solidarity, opposing the actions of the union bosses and supporting the parents. What I can say in relation to this is that I am pleased that through the hard work of the Minister for Education and his hardworking officers and indeed the officers—

Members interjecting:

The Hon. R.I. LUCAS: I'm not sure whether he might be able to hear these comments, but I hope if he can't, they are relayed to him. Together with the hardworking officers in Treasury, we are optimistic that there are some positive signs. After almost—whatever it is—15 months of singing Johnny Farnham songs and protesting, we have made it quite clear that the government has made a generous offer to teachers of 2.35 per cent and 3.35 per cent for principals and preschool directors.

We have talked to them about a significant increase in funding to assist teachers in supporting students in the classroom through a complexity allowance, which is additional support for teachers, because the teachers union indicated that was of great importance to them. It was not just about salary; it was about the conditions. We have heard that message loud and clear and we have indicated quite clearly that, whilst we don't have the capacity on behalf of taxpayers to offer 3 and 3½ per cent salary increases, we are prepared to provide additional support for hardworking teachers within the classroom who do need support.

We are great supporters of the hardworking teachers within our schools. We know they have a difficult challenge and we are hopeful that the more optimistic signs in recent days of increased intensive negotiations between the AEU leaders and education and Treasury officers may well lead to a positive resolution of this in the not-too-distant future.

MCGOWAN, DR C.

The Hon. C.M. SCRIVEN (15:21): I seek leave to make a brief explanation before asking a question of the Minister for Health and Wellbeing.

Leave granted.

The Hon. C.M. SCRIVEN: Earlier in this question time, the minister referenced a statement that he said was from Dr McGowan, his Chief Executive of SA Health, to the Budget and Finance Committee. Given that members of that committee have not received that correspondence, can the

minister explain how he has a copy and can he advise the chamber if that statement includes Dr McGowan referencing the fact that he said he certainly had not attended a Liberal Party fundraiser, when in fact Silver Chain had provided him with a statement that he had attended at least four?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:21): My understanding is that SA Health has provided the responses to the Budget and Finance Committee.

The Hon. C.M. Scriven: SA Health? You said Dr McGowan personally.

The PRESIDENT: The Hon. Ms Scriven, allow the minister to answer the question.

The Hon. S.G. WADE: The statement related to questions asked on 28 October 2019. I am not aware of any questions being asked in relation to a Liberal Party fundraiser, but I am happy to take that on notice and see if there were.

ADELAIDE HILLS

The Hon. T.J. STEPHENS (15:22): My question is to the Minister for Trade, Tourism and Investment. Can the minister give the council an update on his recent Adelaide Hills visit?

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (15:22): I thank the honourable member for his question and his ongoing interest in that spectacular region known as the Adelaide Hills. The Adelaide Hills is home to some of South Australia's best businesses and tourism operators. Last Friday, I had the opportunity to visit for the first time the expanded Beerenberg family farm, Sidewood Estate and the Adelaide Hills Convention Centre.

Tourism flourishes in the Adelaide Hills, and the tourism operators continue to adapt to the ever-changing needs and interests of both interstate and international tourists. Members would all know that Beerenberg, especially, has been an institution in Hahndorf, but in the last few years they have expanded and built a big factory at the back of their existing facilities.

Of course, they now sell their products in international resorts and to international airlines in 24 countries around the world. It is a wonderful facility of some 6,500 square metres and they are able to shift some 15 tonnes of products in a single shift. Beerenberg are looking forward to our expansions into the US market and our trade office opening in Houston.

I also had the pleasure of visiting Sidewood Estate's development at the entrance of Hahndorf. The development will be home to a 150-seat restaurant, a cellar door and a retail shop, another stunning example of the Adelaide Hills tourism operators diversifying the offerings that further enhance a fantastic region.

The Adelaide Hills Convention Centre is a wonderful credit to the owners, Brian and Lynn Schirripa, who bought the property when it was run down, after they sold their mushroom farm at Monarto, and have developed it into a spectacular facility that has now won three best business events awards at the South Australian Tourism Awards and is in the Hall of Fame.

It has won two of those awards nationally and now is in line, if it wins it in February next year, to go into the national Hall of Fame as the best business event facility in Australia. I think we should be very proud of those three businesses that continue to offer a wonderful diverse and quality product in the Adelaide Hills.

Matters of Interest

ENVIRONMENT PROTECTION AWARDS

The Hon. M.C. PARNELL (15:25): For conservationists, the highlight of the year would have to be the annual Conservation Council Jill Hudson Award for Environmental Protection. This is an event that is held every year around this time. It recognises those people who have made a substantial contribution to the protection of the environment.

Over many years, there has been a wide and varied range of winners—a number of Indigenous people, journalists, people who are employed by conservation groups but overwhelmingly people who make their contribution to the environment in a voluntary way. The awards this year were

held at the Conservation Council's headquarters at the Joinery. I was very pleased to be there, along with the Hon. Ian Hunter.

The Hon. I.K. Hunter: Tandanya.

The Hon. M.C. PARNELL: Sorry; the awards were held at the Tandanya National Aboriginal Cultural Institute, not at the Joinery. The Joinery, of course, is the Conservation Council's headquarters. The Hon. Ian Hunter was there and Minister for Environment, David Speirs, was there as well.

The highlight of the night is the principal award, the Jill Hudson award. That award was in memory of Jillian Hudson, who lived from 1948 to 1997. She was born, lived, studied and taught and died in South Australia. Most of her working life was spent teaching primary school children. She had strong concerns for the environment, and she made sure that she passed on an environmental ethic to students.

The winner this year was Mr Bunna Lawrie. Bunna was nominated for his lifelong work to protect nature and the continuity of culture that protects the environment with a particular emphasis on the Great Australian Bight. He is a highly respected senior Mirning elder and is the whale songman and ceremony man for the Mirning people. That is the area around the Nullarbor and the coastal areas and the sea beyond. People might not have met Bunna Lawrie, but you are certain to have seen him in films and videos because he has featured in a number of documentaries around the issue of drilling for oil in the Great Australian Bight.

Bunna Lawrie was a founding partner in the Great Australian Bight Alliance. As such, he has participated in many events, including paddle-outs, walks and other events not just in Australia but around the world. He has represented his people, and represented the environment that he is responsible for, in Norway, where he has been to speak with Norwegian people, the Norwegian parliament and the board of the oil company Equinor in relation to their plans to drill in the Great Australian Bight. He was a very worthy winner and a very popular choice.

One of the reasons why I said at the start that this is the highlight of the year is that these awards are peer awards. In other words, they are determined by others in the conservation movement as opposed to being determined, for example, by government officials or even by politicians. So congratulations to Bunna Lawrie.

The second award was the Young Achiever Award. I will acknowledge that sponsorship for this award was provided by the South Australian Department for Environment and Water. The winner of this award was a young woman, Doha Khan. She was nominated and ultimately successful because of her inspiring contribution as a climate activist and a community leader in the School Strike 4 Climate. She was only 16 years old when she co-founded the South Australian branch of the School Strike 4 Climate, and she is now one of the national leaders.

The events, as members know, that Doha Khan and her colleagues organised attracted crowds of more than 26,000 people. She has been an absolute inspiration in empowering young people to participate in the political process and to stand up for what is important to them and their generation. To cap it off, she did all this while studying for her year 12 exams. What a powerful achievement, so congratulations to Doha Khan.

Another award is the Unsung Hero Award. One of the prerequisites of this award is that not many people know about you, because you are in fact unsung. The winner of that award is a person who some members here might have heard of before: Margaret Hender. Margaret is one of the people behind the movement that is now global to declare climate emergencies in various parliaments, other legislatures and local councils.

Margaret has been at the forefront of that campaign for a very long time. She is one of the founders of an organisation known as CORENA (Citizens Own Renewable Energy Network Australia), and that is a community organisation that has crowdfunded nearly \$300,000 for community energy projects. Margaret has also been involved with the Getting off Gas campaign, and she has led political action with Fossil Free SA to advocate for a future for South Australia free of fossil fuels.

The final awards I wanted to acknowledge were the Lifetime Achiever Awards. These awards recognise people who are either living or have passed on and who have made an important contribution to the environment in South Australia. I will just go through the winners this year of the Lifetime Achiever Award: firstly, Dr Helen Caldicott, who many people would know was prominent from, I think, the 1970s onwards in her advocacy for protection of the community from ionising radiation and the nuclear industry.

The second recipient was Dr John Coulter, who people would remember was a former Australian Democrats senator for South Australia and a former president of the Conservation Council of South Australia and also a former client of mine in a post-retirement role as president of the Stirling District Residents Association. The third recipient was Professor Mike Tyler, commonly known as 'the frog man'. Amongst his many claims to fame was dispelling the myth that frogs are stupid enough to allow themselves to be boiled in a pot of water, given that that is an analogy often used to describe the human reaction to climate change.

The final two acknowledgements were posthumous awards: one to Eileen Kampakuta Brown AO for her work on behalf of her people in relation to nuclear waste dumps up near Coober Pedy, and her award was collected by her great-grandchildren: Jessica, Joshua and William Hughes. The final Lifetime Achiever Award went posthumously to Henry Jones, whom all members would recognise as a powerful force of advocacy for the protection of the Coorong and the Murray. His award was collected by his wife, Gloria Jones. On behalf of all the winners, and those who were nominated but did not win, my congratulations, and I look forward to next year's event when we again celebrate the work of some of South Australia's prominent environmentalists.

WOMEN IN POLITICS

The Hon. J.S. LEE (15:33): I rise today to speak about women in politics. This year marks the 125th anniversary of women's suffrage, and it is a special milestone to pay tribute to trailblazers such as Mary Lee, Catherine Helen Spence and many others for their strength and enduring campaign to allow the passage of the bill that changed the history of the world forever in 1894.

This historic piece of legislation granted women in South Australia the right to vote and the right to stand as members of parliament. I take this opportunity to congratulate the Minister for Human Services, the Hon. Michelle Lensink, for her outstanding leadership in chairing the Joint Committee on the 125th Anniversary of Women's Suffrage, and acknowledge other members on the committee for their wonderful contribution.

I want to express my appreciation to those who have always championed for more women to be involved in politics and for breaking down barriers for women to play their full part in public life. As a female politician and from a culturally and linguistically diverse background, I have encountered my fair share of barriers that are faced by many women in coming to this place.

As a migrant who arrived with my family in 1979, I did not see many people in positions of power who looked or sounded like me when I was growing up. While progress has been made on gender equality in the public sphere, many actions are required to ensure that women and men who represent us in office represent the full diversity of our society. As reported in *The Sydney Morning Herald* by Mr Bagshaw on 19 January 2019, it is interesting to note that:

Parliament is no more diverse than it was in 1988, as the government and opposition benches swell with white men, political staffers, unionists, lawyers and bankers.

Similarly, in South Australia we have 27.5 per cent female representation in our parliament. As long as women hold one seat for every three held by men, it is difficult to achieve gender parity in political officeholding. Our nation's most visible policymaking body must be more reflective of the population it is meant to serve. Three things must take place in order to get more diversity and women in politics: women must exercise our voting rights, women must run for office, and women must be visible and loud.

On the point that women must be visible and loud, I am incredibly honoured and privileged to be elected to represent the people of South Australia. I am fully committed to serving our multicultural communities, as it is the portfolio which the Premier has entrusted me to assist him with. In order to keep our diverse South Australian community informed about what is happening in our

state, I have taken the liberty to produce a community engagement report to provide a summary of the population data and ancestry profiles of South Australia and to showcase the diverse cultural activities that we all should be proud of.

Yesterday, Labor member the Hon. Russell Wortley asked me a question about my community engagement report. In his explanation, let me quote what he said:

I am not sure whether the name 'Advance Together' was plagiarised from the joint propaganda campaign between China and North Korea.

I found those remarks to contain innuendos that are unparliamentary, inappropriate, offensive and insulting. As a former president of the Legislative Council, we would have thought that he would know better than to use objectionable or offensive words, as per standing order 193.

Today, it is a privilege again to declare that I am a proud Australian. I have used the slogan 'Advance Together' because those words are in line with the spirit of *Advance Australia Fair*, our proud Australian national anthem, which reflects those words. I am elected to this place to serve the people of South Australia and I will not accept any intimidation or bullying by other members in any way. I call for all elected members to be more respectful to each other so that we can get on with the job of better serving the people who elected us to this place.

ADELAIDE SMALL BARS

The Hon. T.T. NGO (15:37): I rise to speak about Adelaide's thriving small bar scene which has become an important part of Adelaide's CBD. The Liquor Licensing (Small Venue Licence) Amendment Bill, introduced by the Labor government in 2012, made it easier for small bars to open in our city's underused laneways. No doubt, this reform helped to stimulate Adelaide's nightlife, bringing more people to once quiet lanes. These small venues add appeal to our city and I am told Peel Street and Leigh Street are attractions for visitors to South Australia. Bars have also opened throughout our CBD including in Bank Street, Gresham Street and Union Street.

These small bars proudly showcase South Australian produce, craft beer, spirits and wine. I expect this has important flow-on benefits for our producers and economy. Local signature drinks also bring national attention to our bars. Big Seven Travel published online this year the 50 best cocktail bars in Australia, which featured nine local cocktail spots. Almost one-fifth of Australia's best are in Adelaide. Despite growth and benefits, this popular scene is threatened by the Marshall Liberal government's small bar tax.

Following a 2016 review of the liquor licensing bill, the Marshall Liberal government decided to implement a new risk-based licence fee structure. The Liberal government's new high-risk location fee will hit all bars situated in areas deemed to be in a high-risk location. This fee might apply to Hindley Street now, but there is no protection against it creeping into Hindley Street's connecting laneways, such as Peel Street and Leigh Street.

We must remember the small venue licence changes gave entrepreneurs the opportunity to start up small businesses. Given other initiatives of the former government, it was a chance to bring more energy and vibrancy to our commercially underused laneways. This was win-win. Now, Treasurer Lucas and Premier Marshall are essentially telling entrepreneurs and small business owners to be careful if you want to take a chance of a new business idea that requires a liquor licence, and if you do have a go, especially in a potentially risky location, make sure you have a contingency budget for higher liquor licence fees.

Most concerning is that this new fee structure puts Adelaide's popular laneway bars and nightlife culture at risk. If fees continue to rise and high-risk locations expand, small bars might be forced into earlier closing times and wage or job cuts just to increase the government's takings.

I understand the 2016 review also identified small venue licences should be made available beyond the CBD to include North Adelaide. This suggestion, which could grow local small businesses, has not been implemented. Instead, this government found a way to money grab through a scheme originally aimed at stimulating growth and supporting small business.

For other small bars not licensed as a small venue, the new fee scheme hits harder. Bank Street Social bar co-owners expressed that they expect their liquor licensing fees to rise by over

\$5,000, which could cause price increases for patrons. It is unfortunate that a small business that has worked so hard to make a name for itself is being hit with significant and unexpected fee increases. For some venues, such increases could be the difference between just surviving and shutting the doors.

Our unique laneway bars support local producers and our venues have grown to flourish over the past seven or eight years. Imagine what we could accomplish if we focused on supporting their innovation and growth instead of punishing them by increasing fees because of their location.

CHILDLIKE SEX DOLLS

The Hon. C. BONAROS (15:42): I rise to speak on my recent trip to Japan last month. I went to Japan to draw attention to the recent passage of my private member's bill with the effect that anyone found guilty of producing, disseminating or in possession of childlike sex dolls now faces a maximum of 10 years' imprisonment and to effect change in the places they are manufactured.

We know that these objects are predominantly manufactured in Japan and China, with Japan producing high-tech; realistic; completely customisable childlike sex dolls that, as I have previously said, can have a heartbeat, use artificial intelligence and programming to give verbal cues, track eye movement and assume sexual positions.

During that trip, I met with several non-government organisations advocating against child sexual abuse, child abuse material and child sexual exploitation in Japan. I met with Shihoko Fujiwara and Aiki Matsukara of Lighthouse: Center for Human Trafficking Victims; Junko Miyamoto, advocate with Kyofukai Japan, which is an affiliate of ECPAT/STOP Japan; and human rights lawyer Kazuko Ito of Human Rights Now.

These remarkable women are working in difficult circumstances with absolutely no government funding and are up against a system that does not view child abuse material in the same way we do. In fact, they were left gobsmacked when they heard about the extent of our laws here in regard to these same issues.

They all welcomed assistance from external sources and were grateful that an Australian politician was keen to support them and assist in any way to achieve legislative change with respect to child abuse and child exploitation laws in Japan. They are desperate for pressure to be exerted on the Japanese government in order to bring about meaningful change because, ultimately, child exploitation knows no borders.

It is a global problem heightened, of course, by modern technology, and we all have a critical role to play in stamping it out. There is much to be done. I advise members that up until 2014 child abuse material was completely legal in Japan—2014, that is just five years ago. Since the law changed, conviction rates remain low and sentencing is light, with paedophiles often receiving suspended sentences or fines—not sentences, but fines—and there are also a lot of exceptions to that as well.

Childlike sex dolls are legal in Japan as what can only be described as kiddie porn manga. Manga is Japanese animation and comics; kiddie porn manga drawings feature wide-eyed depictions of children from the pages of the manga books, childlike in stature but engaged in extremely explicit sexual activities. The content often involves shocking sexual scenes apparently involving minors.

I can say that during that trip I visited a number of sex shops in Japan and the content in those shops depicting children—and there was no question that they were depicting children—was extremely alarming. Some of the predominantly female characters in manga wear school uniforms, they have little hairclips and innocent expressions as they engage in sometimes very violent sex acts with dominant characters.

At the time of the 2014 changes to child pornography laws, lobbyists on behalf of the Japan Cartoonists Association argued that a total ban on explicit content would damage the entire industry, arguing that imaginary images, so unlike real child abuse, meant that no-one was actually hurt. However, the NGOs that we met with say that those images found on the pages of some of Japan's kiddie porn manga are so disturbing that they should be banned, and I agree wholeheartedly. They also said that the police have told them that they have interviewed thousands of paedophiles who have said that their predilection for children started with that kiddie porn manga.

A 2015 visit to Japan by the UN Special Rapporteur on the sale of children, child prostitution and child pornography, argued the same in her report in relation to kiddie porn manga. They acknowledged the challenge of finding the right balance between freedom of expression and child protection by concluding that material that depicts children as sexual objects and is created for the purpose of fulfilling sexual gratification must be considered as child pornography.

Noting that Japan will be at the centre of the world's attention with preparations for the 2020 Olympic Games in Tokyo, I express my hope that, like the UN's Special Rapporteur, the Japanese government will seize this opportunity—

Time expired.

COUNTRY FIRE SERVICE

The Hon. D.G.E. HOOD (15:48): I rise to speak about the Country Fire Service, an organisation I am sure all South Australians are particularly grateful for and proud of following the catastrophic bushfire conditions our state experienced last week and, of course, on several other occasions. Last week in particular, the fires ravaged parts of Yorke Peninsula, Eyre Peninsula, the Barossa Valley and the Mid North.

On Wednesday, the CFS battled over 45 fires across South Australia and although, unfortunately, a number of properties were damaged or destroyed, along with the loss of livestock and crops, the situation could have been much worse had it not been for the courageous efforts of our volunteer firefighters. Their willingness to risk their lives by placing themselves in direct danger in order to protect others in our community is nothing short of extraordinary.

The CFS is a community-based organisation which delivers professional fire and rescue services to outer metropolitan, regional and rural South Australia, where it responds to bush, grass, building and motor vehicle fires, as well as road crashes and hazardous materials spills. It currently comprises some 13,500 volunteers operating from 425 brigades across the state, with a fleet of over 800 fire trucks.

The CFS volunteers dedicate in excess of three million hours to contributing to the safety and resilience of our community each and every year and attend approximately 8,000 incidents. It works alongside the South Australian Metropolitan Fire Service, of course, and the State Emergency Service during a range of events and closely collaborates with local government to assist with strategies to educate the community about bushfires and to provide fire safety.

For those members who are unfamiliar with the history of the CFS, it is interesting to have a look at it—and I will take a few moments to briefly touch on some of it here. Its current operations evolved from a long and complex partnership between volunteers, local government and the state government over many years to meet community safety needs. In colonial times, the government's focus was on the control of wildfire through legislating against the careless use of fire. Firefighting in that period was left to local residents, who would band together to fight fires as they arose, without any formal organisation or authority to support their efforts.

In 1913, the government gave councils the right to appoint fire control officers, who had the power to undertake whatever was necessary, expedient and practical to prevent fires, protect life and protect property. After the Second World War, technological advancements that resulted in the use of radios, telephones and motor transport revolutionised rural firefighting, and residents began to form local or district firefighting associates. Eventually, the state government established and equipped volunteer Emergency Fire Service (EFS) brigades in metropolitan Adelaide, followed by various country areas.

From the mid-1950s, these organisations grew stronger and volunteers began to campaign for the EFS to be established as a statutory authority. In 1976, the state government passed the Country Fires Act, which set up the SA Country Fire Service (CFS) and, further, in 1989 it revised the SA Country Fires Act and regulations to enable the development of a standardised service that could respond swiftly to emergencies across the state rather than individually run local service centres.

The SA Fire and Emergency Services Act is of course now the governing legislation for the CFS. As is the case with all our incredibly remarkable emergency service agencies, the CFS fulfils a critical role in protecting our rural and regional communities and, indeed, major centres and fulfils a critical role in protecting those communities and areas from many forms of devastation and disaster.

I take this opportunity to wholeheartedly commend all those who are involved in the organisation's crucial functions for their time, energy and fortitude as they confront some of the most challenging, extreme and even life-threatening predicaments on our behalf. I understand some of the CFS's volunteers needed to be treated for smoke inhalation and heat stress this past week and certainly my thoughts and best wishes go out to them, as well as to all South Australians who were affected by the recent tragic fires.

SIKH COMMUNITY

The Hon. R.P. WORTLEY (15:52): I rise today to talk about the recent celebration of Guru Nanak Dev Ji's 550th birthday anniversary. The history of the Sikh migration and settlement in Australia goes back more than 100 years. They have brought with them the best of their culture, and the values they live by make our state stronger. They have built harmony, understanding and friendship with other communities, which has enabled them to settle successfully in Australia. Guru Nanak Dev Ji's 550th birthday celebration gives us an opportunity to thank the Sikh community for all the positive contributions they make to our state.

Today, there are over 8,500 Sikhs living in and making valuable contributions to South Australia's economy. They are hardworking and value honesty and compassion, which are just some of the ways they are contributing to our positive multicultural community in South Australia. Guru Nanak Dev Ji was the first guru and the founder of Sikhism. His spiritual teachings embrace unity, compassion and equality of all humankind.

He rejected the notion of divisions between people based on religion and was against discrimination and did not believe in race, cast or status, believing that all human beings contain God within themselves. Undertaking at least four separate spiritual journeys, he continuously preached peace and harmony. His teachings called for the equality of women in society because he believed all human beings are born of women and so women should be equal to everyone they help create.

This year marks the 550th birth anniversary of Guru Nanak Dev Ji. His birth is celebrated every year on the Pooranmashi (full moon) day in the lunar month of Kartik, which is October and November, with the Guru Nanak Gurpurab festival. This celebration includes a religious procession led by Panj Pyare, the five beloved ones, carrying the Sikh flag, the Nishan Sahib. The celebration includes a free communal lunch, which reinforces the idea of unity irrespective of class or caste.

Guru Nanak and his friend, the Muslim servant Mardana, established a canteen where both Hindus of different castes and Muslims could eat together. Today, his birth celebrations represent his teachings and reaffirm his belief in equality. Four years ago, I was proud to be part of the first celebration of his birth at Parliament House in South Australia. I was pleased to recently host representatives and members of the Sikh community at Parliament House to celebrate this special occasion. The celebrations and festivals are open to all communities in South Australia, making this a proud multicultural event.

Guru Nanak Dev Ji's spiritual teachings are being showcased today through these celebrations as a sample of friendship, unity and harmony amongst all communities in South Australia. The birth anniversary is also a showcase for the best of the Sikh community, with one group, EcoSikh, bringing together all communities to plant 550 trees at 1,820 locations around the world, including in Australia. Once again, I want to congratulate all the Sikh community and the volunteers who have worked hard to bring these celebrations together and share them with all of South Australia.

DECRIMINALISATION OF SEX WORK

The Hon. T.A. FRANKS (15:56): I rise today to share some good news with the parliament about Labor governments standing up for workers in other states. I note today that the Andrews government has announced—at the behest of the quite extraordinary, hardworking and inimitable Fiona Patten—an inquiry into the decriminalisation of sex work in Victoria. The Andrews government

has today announced—just today—that they will investigate moving from their system of licensing to a decriminalised model, with a six-month inquiry, to report back in 2020, to consider the Andrews government continuing to support workers in that state.

It comes on the back of an announcement by the Palaszczuk government some months ago that they will, at the behest of the Queensland police force, drop their pursuit to give police greater regulatory powers over the sex industry in that state. Indeed, they will investigate a decriminalised model as the best model for workers.

It should come as no surprise that the Andrews government and the Palaszczuk government are considering these options. Sex work and the industry being regulated through a decriminalised model is, of course, supported by groups such as the International Labour Organization, Human Rights Watch, Amnesty International, the World Health Organization and the workers themselves, their unions and representatives.

To put a cherry on top of the good news for Labor governments standing up for workers in other jurisdictions in Australia, I bring the council the welcome news that, just yesterday, late last night, the Northern Territory parliament—the Labor government, led by the Attorney-General there, Natasha Fyles—passed a bill that will now become an act to decriminalise sex work in the Northern Territory.

That bill was passed 16 votes to five. Not a single one of the noes was a Labor Party member. The majority of the 16 ayes were, indeed, from the Labor Party. They were led by the Labor Party, with an appropriate inquiry prior, to bring a decriminalisation bill before that parliament. As was quoted by Mr Sievers, the member for Brennan:

This bill recognises our sex industry workers as workers who have rights and are able to expect good health and safety requirements in a workplace. All workers are entitled to work in a safe environment with good health standards and practices.

Businesses will be required to be in line with the laws and policies that support good health and safety standards, with a legal obligation to protect our workers and reduce risks to the worker and the workplace.

Offences in the bill aim to prohibit exploitation of workers, along with provisions for workers' rights so they can refuse to undertake sex work; that consent is required for the provision of sex work; and importantly, prohibit the use of children for, or in, sex work. Every worker deserves the right to work in a safe place, no matter how dangerous or different the work is. It is a fundamental right and one that I will—

said Mr Sievers—

and I know my Labor colleagues will—

said Mr Sievers—

always support.

These are Labor governments in Queensland, in Victoria and in the Northern Territory supporting workers, recognising that sex work is indeed work. I note that the Scarlet Alliance has welcomed this news. Ms Jules Kim said it is a:

...momentous day for all sex workers and sets a positive example that sex workers are valued members of the community, deserving of rights and protections. We applaud the NT Government for listening to sex workers and the evidence in fully decriminalising sex work in the NT. Sex work is work...

I note that the Northern Territory shares the same time zone as South Australia: we have the central standard time zone in common. But today in South Australia, because of the votes of some in the Labor Party—although I do commend the Labor left in particular and those brave members of the Labor right who stood up for workers' rights—and the lack of leadership, we have not seen the workers and sex workers supported. So we may have the same time zone, but we are certainly centuries apart in terms of our labour laws.

Motions

COUNTRY FIRE SERVICE

The Hon. E.S. BOURKE (16:02): I move:

That this council—

1. Congratulates the over 200 CFS volunteers from across South Australia for coming together to support the Yorke Peninsula community by fighting the recent fires that broke out and destroyed pastoral lands, livestock and homes;
2. Acknowledges the work of all community services, including the local police force, CFS and health services, in supporting individual families and the community to evacuate safely and in a timely manner;
3. Calls on the Minister for Emergency Services to work with regional communities to increase the number of local CFS volunteers;
4. Thanks all CFS volunteers for risking their lives to protect South Australians; and
5. Wishes all CFS volunteers a safe fire danger season.

Wednesday 20 November 2019 did not start like any normal Wednesday, and unfortunately it did not end like any normal Wednesday for communities on Yorke Peninsula. Warnings went out on Tuesday night from the SES and CFS to residents that Wednesday would be a catastrophic fire day. By midnight, the distant hum of harvest had disappeared and there were no header lights dotting the horizon. Farmers had adhered to calls sent out from people, like Lyall Schulz, the Yorke Valley unit manager of the SES, to stop harvesting.

As many local residents mentioned to me, people were talking up the warnings, but it was worse: you woke up thinking this was not going to be a normal day. Lyall Schulz is no stranger to keeping on top of the weather forecast. He has dedicated most of his life to the CFS and SES over 50 years. Since the age of 16, Lyall has volunteered on the ground fighting fires or monitoring calls for support in his role as the Yorke Valley SES unit manager. But the weather conditions on Wednesday the 20th were a scary combination Lyall had not seen before.

As part of Lyall's role, he sends out the text alerts to families, schools and business from Kadina to Warooka. It is the text to put people on alert and to help prevent unnecessary risks. It would be the text calling for help in Price that would see the start of one of the worst fire days in 40 years on Yorke Peninsula for Lyall and also the Yorke Peninsula community.

An alert popped up on my phone on Wednesday from the CFS, which had issued an emergency warning for the fire that was burning in a southerly direction towards Tiddy Widdy Beach, Ardrossan, Price and the Yorke Highway. Conditions were described as dangerous, and firefighters were unable to prevent the fire spreading. The CFS went on to say:

Anyone in the area is in danger. Take shelter in a solid building. It is too late to leave as the roads will not be safe. Shelter before the fire arrives as heat can kill you well before the flames reach you.

It was at the last line that I thought I had best check in with Mum and Dad back on Yorkes, near Ardrossan. I was not surprised to learn from my mum that my dad and brother were on their way to help with the Price fires. This was always the case when fires broke out in our community, as it is for many families. Locals drop whatever they are doing to help fellow neighbouring communities. They are not trained, they are not paid, and they do not receive any financial support to have equipment on their properties to protect their interests or their neighbours'.

Their vehicles come in many shapes and sizes, from decked-out utes to old CFS trucks. As Lyall mentioned, the private resources used on the Yorke Peninsula are second to none, but no matter the vehicle, farmers and other volunteers arrive, and they arrive because a message is put out for help. As the Price fires were coming under control, calls for help were coming from the bottom end, resulting in resources supporting the Price fires being stretched, as local and CFS crews from across the state were called to Yorketown, leaving much of the mop-up in Price to farmers, volunteers like my dad and my brother.

Lyall, as did many people, mentioned the severity of the Yorke fires did not need to be explained. The calls coming through from the bottom end were not calm voices. People were literally screaming, 'This house is going to go. We need help. We need bombers.' For half an hour, Lyall recalls, you could hear the emotion in others' voices over the radio. As the fire burnt towards the coast and towards Edithburgh and Coobowie, family homes were lost, livestock was lost, crops ready for harvest were lost; sheds, vehicles and much more was lost.

Thursday morning did not bring much relief for these communities. A CFS volunteer from Sandilands, Steve Launer, was supporting crews in Edithburgh when the fire broke the front line. Steve is 25 and started volunteering for the CFS some eight years ago. In between harvests, Steve has spent time in Queensland as part of a strike team fighting fires, and just days before the Yorketown fire he lost over \$300,000 in crop value on his own property. He was now returning the favour, the favour that was given to his family, the favour of time.

It was during this time that over 200 local residents were evacuated by local police and took shelter on the Edithburgh foreshore. A stone's throw away from Steve was my sister Bronwyn and her family in Coobowie. They woke up to an alert advising it was too late to leave: 'Shut doors and stay where you are.' My sister recalls it feeling surreal, and seeing the bombers flying over just made the severity of the problem so very real.

Like Lyall, many were surviving on little to no sleep to make sure resources were where they needed to be, as were my dad and brother, who had now joined efforts in Edithburgh. My brother said he had not experienced anything like the bottom end fires. I quote, 'Normally when you go to a fire you can see where it has started and hopefully where it could end, but it just felt like you were a needle in a haystack.' By late Thursday, the fire was declared under control, but it was at this point that residents could see the path of destruction left by the fire.

Wednesday the 20th was a catastrophic fire day. It was a catastrophic day for many families, but thankfully no families were lost. While the support vehicles—the small and the professional—have returned home, we now see resilient communities and families coming together to start the rebuild. Historic stone fences that have been an iconic part of the landscape for over 150 years have been destroyed. Families have experienced the emotional burden of having to put down livestock, and over 11 properties were destroyed. As my sister said, people were fighting to save homes while their homes were at risk.

The devastation on people's faces will be something hard to forget, but it is so heartening to see the community coming together to provide support. From the local Foodland to the Salvation Army, everyone is pitching in. People are coming together to share meals and to collect items to give to those who have lost everything.

On a lighter note, I thought I would share a message that was found on a kitchen bench at one of the homes, left by a CFS member, which stated, 'Sorry, I had to use your toilet while saving your house—thanks.' Apparently this brought a smile at a much-needed time to the homeowner, so I do say thank you to whoever you are.

Whoever the government of the day is needs to do whatever they can to support those who support their communities—something similar to what the Minister for Health said today. We need to support volunteers in taking the steps to, as Steve Launer said, give back, because if we give back just a little, it will go a very long way.

How we do this is a challenge. It is a challenge whether it is a footy club, a CFS unit, a netball club or a political party. Finding volunteers is a challenge. I recognise the government has taken steps to provide grants of \$700 to families affected by the fires to purchase food and other essential items, but we cannot get trapped in the short-term emotion of this catastrophic event.

No-one can put a price on volunteers—they are the nation's treasures. But we cannot take volunteers for granted because, as many have mentioned, the population of regional SA is getting thin, and I welcome any efforts to addressing volunteer shortage in the CFS and generally in the community.

It is in times of need that country footy and town rivalries are put aside and people come together to support their neighbouring communities. People came together from across the road, across the state, in utes, in trucks and in planes to support Yorke Peninsula communities. When thanking Steve, Lyall and my brother, they made the same humble statement: 'I didn't do much, I just helped.'

The devastation of the 20 and 21 November 2019 fires could have been much worse if it were not for the efforts of people like Lyall and Steve volunteering their time for the CFS and the SES. The recovery could not have been achievable if it was not for the community coming together

to rebuild, and it would not be possible to support the Price and the bottom end communities if it were not for the contributions made by farmers to fight for their neighbours.

I could not put this any better than Lyall Schultz, so I will steal his words: 'The contribution farmers personally make to fight fires is substantial. You put the call out and they drop everything and rock up to give their support, and once the job is done, they don't sit around, they don't wait for recognition, they just leave and return to their normal jobs.'

To the many farmers, the CFS and many other community volunteers, may your recognition always live on in *Hansard*. My thoughts are with the many families who have lost their homes, livestock, crops and so much more.

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

BOOCHANI, MR B.

The Hon. C. BONAROS (16:15): I move:

That this council—

1. Acknowledges that author, journalist and filmmaker Behrouz Boochani will be appearing at the WORD Christchurch literary event on 29 November 2019;
2. Notes that Behrouz Boochani is also a Kurdish refugee who fled persecution in Iran, sought asylum in Australia and spent 2,269 days held by Australia's offshore processing regime;
3. Pays tribute to all those involved, including Amnesty International and the United Nations High Commissioner for Refugees, in securing a visa to New Zealand to attend the Christchurch literary event;
4. Denounces Minister for Home Affairs, Peter Dutton's insistence that Behrouz Boochani will never step foot in Australia, even if he is granted asylum in New Zealand; and
5. Supports Behrouz Boochani's commitment to never return to Papua New Guinea.

This motion is a motion about the politics of hope. In late 2018, Picador Australia published the book entitled *No Friend but the Mountains*, written by Kurdish refugee and former Manus Island detainee, Behrouz Boochani. Remarkably, the book was written on a mobile phone using WhatsApp and smuggled out of Manus Island sentence by sentence as thousands of PDF files. It was then painstakingly translated from Persian into English by Dr Omid Tofighian at the University of Sydney.

It is a profound piece of writing, an act of defiance and resistance by a man interred on Manus Island by Australia's cruel and deliberate offshore processing regime. The book, chronicling Mr Boochani's boat journey from Indonesia to Christmas Island in 2013 and his subsequent detention on Manus Island, has been celebrated the world over, as it should be. It has resulted in him winning Australia's richest literary award, the \$100,000 Victorian Prize for Literature, as well as claiming \$25,000 first place in the category of non-fiction.

In addition, Mr Boochani has won the Victorian Premier's prize for non-fiction, the prize for press freedom and the 2017 Amnesty Media Award, and his work has been published and featured around the world in *The Guardian* and other international newspapers. At the time of winning the Victorian Prize for Literature, Mr Boochani described his win as:

It is a victory not only for us but for literature and art, and above all it is a victory for humanity, a victory for human beings and human dignity, a victory against a system that has never recognised us as human beings. It is a victory against a system that has reduced us to numbers. This is a beautiful moment.

Mr Boochani was not allowed to attend the award ceremony for the Victorian Prize for Literature in Australia because of his continued offshore detention since 2013, put there by the Australian government.

However, over the past few months an incredible international effort helped coordinate Mr Boochani's flight to freedom. It was nothing short of a miracle, and I pay homage to Amnesty International, the United Nations High Commissioner for Refugees and all those involved for achieving this amazing feat. It was a long and arduous process to get Behrouz out of offshore detention. Nothing was certain, not even when he got to the airport.

Mr Boochani travelled on a UNHCR passport and his trip involved a transit stop in Manila on the way to New Zealand, where he is due to appear at a literary festival in Christchurch. He was asked a multitude of questions in Port Moresby. Immigration officers made numerous phone calls, treating him suspiciously, despite having all his paperwork in order. I do not think any of us can imagine how much of a nerve-wracking experience this would have been for all involved, but especially of course for Mr Boochani. He could have been stopped in transit and upon his arrival in New Zealand he might have run into issues, despite being granted a visa by the New Zealand government.

Normally, Mr Boochani would have transited through Australia, but clearly that was not an option for him and his team. They had to find a government that would allow him to make the onward journey and, in the end, they found a way to New Zealand via the Philippines. Mr Boochani stayed at Manila's Ninoy Aquino International Airport for 19 hours before boarding the flight to Auckland and then took another flight from Auckland to Christchurch, his ordeal finally over.

He tasted freedom for the first time, having survived six years in offshore detention. In total, he spent 2,269 days held by Australia's offshore processing regime. I repeat: 2,269 days. He has a one-month visa to stay in New Zealand and is hopeful that he can resettle in the US, which has accepted him as part of Australia's refugee swap, in a deal struck between former prime minister Malcolm Turnbull and former US president Barack Obama.

I, like many other Australians, was deeply moved by images of a smiling Behrouz Boochani standing in the sunshine in Christchurch Botanic Gardens. He was welcomed by the City of Christchurch with a civic reception and a traditional Maori welcome, a formal welcome. His presence and freedom in New Zealand poignantly underscores the country's political divide with Australia over our immigration policies. Mr Boochani was formally greeted from the plane by the Mayor of Christchurch and the city's Maori leaders who told him he was welcomed by the mountains, the rivers and the people of the city. New Zealand Greens MP Golriz Ghaharaman, herself a former Kurdish refugee from Iran, was also on hand to greet Mr Boochani. She said that New Zealand was a nation that stood against 'hate and division'.

The happy, hopeful and incredibly moving images of Mr Boochani's arrival in New Zealand were a stark contrast to his time in offshore detention. Weighed down by bouts of depression and dispirited by incarceration, he was gaoled for eight days for reporting on a hunger strike in the centre and twice tortured for several days in the notorious Chauka solitary confinement block in the now demolished Manus detention centre. He was put in solitary confinement for reporting the torture of detainees to the world outside, for lifting the veil of secrecy that many in the government sought to hide. In Australia, respective governments treated him like a criminal, despite having committed no criminal offence. He and the many others were political collateral in a race to the bottom by the major parties for their cruel and inhumane offshore processing and detention regime.

As an author, filmmaker and journalist, Mr Boochani saw it as his duty to report on what was happening in the detention centre in which he was interned. The uncertainty and inhumanity of indefinite detention certainly took its toll. It is etched on his face and in his eyes. Over the six years he was held on Manus Island and in Port Moresby, he witnessed friends shot, stabbed and murdered by guards on Manus Island. He saw others die through medical neglect and he watched others descend into mental anguish and suicide.

Mr Boochani has done more than any other person to document Australia's offshore detention regime, giving a unique and heartbreaking account from the inside. His future, though uncertain, is now filled with hope. Imagine if we did not have Mr Boochani's eyewitness accounts of the inhumanity occurring in offshore detention. We would still be absolutely in the dark about the worst abuses that have been condemned the world over.

But now he says that finally he feels free. The future might still be uncertain for him, except for one thing: he is never going back to PNG, the place of his incarceration at the hands of the Australian government. About three-quarters of the refugees and asylum seekers sent to PNG by Australia from 2012 onwards have left, either to Australia, the US or other countries, according to Mr Boochani.

Seven have died, and Mr Boochani says he remains distraught that some are still trapped in Papua New Guinea—in particular, 46 men who are being held in Bomana Prison in Port Moresby. While we are happy for Behrouz Boochani, our thoughts must not stray from those whose future remains in limbo. At the time of winning the Victorian prize for literature, Mr Boochani said:

A victory against a system that has never recognised us as human beings. It is a victory against a system that has reduced us to numbers. This is a beautiful moment.

I recall another time and another place where the government reduced people to numbers; lest we forget. I am not alone in this thinking, and like many Australians, I say sorry. I hope this abuse of humans stops and we become a saner, more compassionate nation with a leadership that reflects the basic human qualities of care, compassion and empathy.

I join with my federal Centre Alliance colleagues in calling on key senators to reject the repeal of the medevac bill, which is currently being debate at the federal level. Medevac is working. We know it is working because sick people are receiving the health care they need, despite the government's propensity for falsehoods about the legislation.

Before medevac was introduced, the Minister for Home Affairs, Peter Dutton, ultimately determined if and what medical treatment people held in offshore detention received, and when they received it. I place my trust in the medical profession and medical professionals to make these judgements, not in a politician. In this place, we must all fight against the politics of fear and always strive for the politics of hope.

Politics that rests on popular anger and authoritarianism is sure to fail. History will ultimately judge the pain inflicted by the cruel and inhumane experiment that is Australia's offshore processing regime. I note, for the record, a similar statement was today delivered on this issue by my colleague Senator Griff. I commend him for his continued advocacy on this most important issue concerning our world's refugees. With those words, I commend the motion to the chamber.

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

Bills

STATUTES AMENDMENT (FREE MENSTRUAL HYGIENE PRODUCTS PILOT PROGRAM) BILL

Introduction and First Reading

The Hon. C. BONAROS (16:27): Obtained leave and introduced a bill for an act to amend the Education Act 1972 and the Education and Children's Services Act 2019. Read a first time.

Second Reading

The Hon. C. BONAROS (16:29): I move:

That this bill be now read a second time.

It gives me great pleasure to co-introduce the Statutes Amendment (Free Menstrual Hygiene Products Pilot Program) Bill 2019, with my parliamentary Labor colleague, the Hon. Irene Pnevmatikos. The bill allows for a trial of dispensing machines providing free menstrual hygiene products in South Australian public secondary schools. I am proud to say that I have worked on this private members' bill with the Hon. Ms Pnevmatikos, who will also rise to speak on it today as co-sponsor.

The government's response to date to news of the bill has been utterly disappointing but not surprising. It has repeated that it is satisfied with the piecemeal arrangement currently operating in schools with respect to the provision of pads and tampons in schools. To that, I say that our students deserve more respect and dignity than this pitiful response.

I have already explained at length, when speaking to my motion on the issue, why the current system is not working and is in desperate need of change, and I know that I am not alone in this. Last month, the Commissioner for Children and Young People released her poverty report, Leave No One Behind. As previously noted by me in this place, the report documents a series of discussions and conversations the commissioner 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 impacts 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 had 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 South Australia and across the country more broadly. The inequity that exists between rich and poor continues to grow in this country. In 2018, SACOSS reported 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 the age of 18. This is what the commissioner had to say in her report with respect to that 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.

I find it appalling and heartbreaking that there are children and young people in South Australia who do not have access to such basic items that the rest of us take for granted. I know I have said that before and I will keep saying it on this very issue. Just imagine the indignity of a teenage girl 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 for any of us, and it should not happen. The current regime of accessing pads and tampons in our schools is woefully inadequate and must change. The issue of access is one that the government just does not seem to get. In her report, the commissioner made the following recommendation that, and I quote:

Government, Feminine Hygiene Industry, and community partners expand the current piecemeal provisions of sanitary product support and develop a free, accessible and non-stigmatising supply and distribution scheme for a range of hygiene and sanitary products.

The government is yet to respond, of course, to the commissioner's report, and I have already outlined the government's position to my questioning on this issue in the chamber as being woefully out of date and dismissive of our young girls attending South Australian schools.

I also previously noted that I have met with 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. She advised that her office undertook a test to see what schools are doing in practice.

She contacted 24 schools, and the commissioner confirmed that most schools provide products upon request, that those products have to be dispensed by an adult staff member. Staff reported that the availability of the products themselves is not readily promoted or publicised by schools, that the availability of the products is not often guaranteed and, moreover, that the arrangements at most if not all of the schools were at best ad hoc in nature.

It is appalling that students do not even know what the current process is in terms of obtaining a pad or tampon at their school and that the arrangements across schools is not consistent. In fact,

there were reports of teachers buying sanitary products and keeping them at the school so that they could provide to students who they knew could not provide them, such is the piecemeal approach to this issue. It is a piecemeal approach that smacks in the face of ensuring the three As—accessibility, affordability and availability—in a non-stigmatising environment and, of course, to all cultural groups, which I have said before is a very important consideration in this context.

Again, as I have said before, the need for these products is absolutely no different to the need for toilet paper, and they should be universally available without exception. Again, as I have said before, 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 over 18, and request toilet paper when they used a toilet as opposed to a urinal. That is what we are expecting young girls who cannot afford menstrual hygiene products to do in our schools and it is completely and utterly unacceptable.

I called on the Premier to step in and take the lead on this crucial issue because his education minister has so far refused to do so. He will have us believe—and I will say this again—that the current system in our schools is sufficient. The commissioner's report clearly indicates otherwise and makes very clear the impact period poverty can have on a young woman. It can and does have significant and life changing impacts on their lives by adversely impacting their participation in a range of activities or resulting in missing out on attending school altogether. So I am very disappointed in the Premier for not leading on this issue to support our female students in schools.

Young girls and women should be able to manage their menstruation hygienically with confidence and dignity and without stigma regardless of their personal and/or financial circumstances. And I will keep standing up in this place and banging on about a young woman's period until we get some action from the government. It should be the unanimous agreement of this chamber that it is totally unacceptable that any girl or woman in Australia is unable to access sanitary items due entirely to their 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 the government assists in the facilitation of such access just as they do with toilet paper.

This private member's bill builds on the premise of my motion, which we will vote on shortly in this place today. I am calling on the government to fix the current system, and I look forward to hearing the government's response in relation to that motion. I was concerned that there would be no support for it, so I have developed this bill in consultation with my colleague the Hon. Irene Pnevmatikos, and I am pleased that the opposition is supportive of this.

I also recognise and acknowledge the work that the former minister for education did on this issue when the opposition was in government. I commend them for that work. I find it completely mind-boggling that, after almost two years, those arrangements have not been put in place, arrangements concerning a memorandum of understanding between the education department and schools so that these products can be more universally available for our young girls. It is our intention to take the bill to a vote soon, whether we prorogue or not.

If successful, the effect of the bill will be to establish a pilot program for free menstrual hygiene products, including the rollout of dispensing machines across the state-run secondary schools. It provides for that program to commence within six months of the passage of the bill and to run for not less than two years. The Commissioner for Children and Young People will then prepare a report on the pilot to be provided to the minister and tabled in parliament within six days after receipt of the report. I note that the Education Act and the Education and Children's Services Act have both been amended in this bill, a reflection of the fact that the latter act has yet to commence.

As I have said before on the record, we all know that the Victorian Labor government has already announced a world-first program to provide students in every government school in the state with access to free pads and tampons. They did not need legislation to get that measure up because common sense prevailed. That is something that seems to be lacking in South Australia on this issue. It is a government-led initiative, which I think all of us welcomed at the time, but one that, again, has not prevailed in South Australia.

As I have said before, we also know that, in July 2017, the Scottish government announced that it would distribute free menstrual hygiene products to those in low-income households as part of a six-month pilot program in Aberdeen. That program was 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. It was 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 of its kind in the UK and was expected to help about 1,000 women and girls in its six-month trial. The Scottish government recognised that its policies in this area had fallen short of what was needed to even begin to tackle period poverty. I just wish that the Marshall Liberal government would do the same. The trial's outstanding success saw an expansion of that 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. If we cannot get a pilot up in this state, let alone free access across all schools in a timely manner, then something is seriously wrong.

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, who work with other organisations to meet local needs. As I have said before, the fact is that the situation described in Scotland is in no way dissimilar, by any stretch of the imagination, to what is happening right here in Australia, which is why we need to act. If it takes a bill like this to get the government's support, then that is what we will debate.

Regrettably, we have been forced to drag the Marshall Liberal government to the table on this issue via this bill because it has not had the tenacity to do so itself. I am not alone in this. *The Advertiser* just today reports that parents and teachers are also demanding the state government fund free pads and tampons from dispensing machines in schools. About 80 per cent of 1,362 respondents to a survey by parent group SA Association of State School Organisations were in support of a scheme that provided those products.

Soon after being elected to this place I indicated that I have been working with Share the Dignity, an organisation which operates with an army of dedicated volunteers and helps provide menstrual hygiene products for underprivileged women and girls across Australia. It does so by installing period pack dispensing machines in schools and hospitals across Australia and other public places, or private places indeed. They have plans to expand that program in South Australia and are in current negotiations with the Department for Education, although they are progressing slowly. I have also spoken of another not-for-profit group that is doing the same.

So I am urging all sides of politics to support this private member's bill. Again, I am extremely grateful for the opposition's co-sponsoring of this bill. A young woman getting her period should not be an impediment to receiving a wonderful education that has the potential to lay the foundations of a wonderful life and career. It is a well-known fact that an inability to access pads and tampons can negatively impact on young persons' education, sporting pursuits and other activities.

I can stand up here every single week and repeat this same message until it finally filters through to those who need to get it. I have no qualms in doing that whatsoever, because in a society as rich as South Australia such a circumstance is completely unacceptable. So I hope honourable members on this side of the bench grow accustomed to listening to the problems that young women have in tackling something that is as natural as getting their period but not being able to access the products they need in order to take part in daily activities that we all take for granted.

With those words, I commend the bill to the chamber. I commend the Hon. Irene Pnevmatikos and the Hon. Emily Bourke for their support and in fact the opposition as a whole for their support on this most important issue, and I look forward to the government coming on board with this amazing initiative.

The Hon. I. PNEVMATIKOS (16:47): Thank you for the opportunity to speak through the contingency motion on the menstrual hygiene pilot bill to facilitate Labor's co-sponsoring of this bill. Today, we are presented with an opportunity to assist in normalising and destigmatising an issue that too many have been too uncomfortable to discuss. It is way overdue.

According to census there are approximately 100,686 girls aged between 15 and 19 in South Australia; there are also 60,660 households in our state living below the poverty line. This bill is an opportunity to encourage better learning outcomes for the students who may fall in either catchment and to reduce the pressure and strain on teachers to fund the needs of students through their own personal resources.

It is about supporting access to sanitary products because it absolutely should not be an additional barrier to getting a good education. It is an issue of access and equity for young girls. Periods are a fact of life, but for students in school it can cause inconvenience, frustration and embarrassment, especially if you are unprepared or unable to resource source adequate products.

This bill has the ability to have a positive impact on all. Thanks to the investigations undertaken by the Commissioner for Children and Young People, we are clear that schools, teachers and youth alike strongly support adequate resourcing of sanitary items for girls in schools. It was a position so strongly felt that the commissioner deemed it important to investigate the matter further and conduct a follow-up report involving 48 public secondary schools in metropolitan and regional areas.

That report found that in 55 per cent of the schools word of mouth is the only way students find out about getting access to sanitary items. Seventy-four per cent of schools believe that access to sanitary items is an issue for their students. Thirty-seven per cent of schools rely on a manufacturer, charity or community group to fill the gap in supply. Almost 20 per cent of schools report that teachers—all female—are purchasing for students with their own money, and 88 per cent of schools want the department to resource sanitary products.

The commissioner recommended the need for a free accessible supply and distribution scheme for a range of hygiene and sanitary products, in an environment that did not stigmatise girls. This is further supported by the South Australian Association of State School Organisations, which has also conducted a survey on this very matter, as referred to by my colleague the Hon. Connie Bonaros.

In essence, of the over 1,300 respondents, around 80 per cent were in support of reducing period poverty by funding free sanitary items in public schools. These reports and surveys led to collaborative efforts being undertaken by the Hon. Connie Bonaros and the Labor opposition to explore how we can best respond to this issue. It flows on from the then Labor government's 2018 election policy commitment to work with federal Labor to remove the GST imposed on menstrual hygiene products and from Victorian Labor, which also saw the need to introduce policy to address period poverty.

I thank my Labor Party colleagues—in particular, Emily Bourke and the shadow cabinet—and the Hon. Connie Bonaros for the opportunity to transcend our differences to work collaboratively to achieve a better opportunity for girls in our state. Just like soap and toilet paper, sanitary items should be considered a necessity for students in schools. The state government has a duty of care to all students in its care and needs to do what it can to support students on this matter.

I am concerned by the education minister's comments in today's paper, citing it is 'already common practice in schools to have sanitary items available to students who need them'. The statistics brought to light by the commissioner do not mirror this statement. In fact, 100 per cent of the schools surveyed confirmed that they only have some form of informal or semiformal response to address the issue. In most cases, these are emergency measures, and in many cases they are reliant on the goodwill and pockets of our teachers.

It is totally unacceptable that any girl in a secondary school is unable to access sanitary items in a discreet and timely manner, due entirely to their financial circumstances. It is important to clarify that this bill does not require free pads and tampons to be rolled out in all schools. That would be ideal if it did, but I acknowledge that there are steps that need to be undertaken in order to reach that point. We need to ascertain the dimensions of the matter and be able to cost it before instituting a broader universal scheme.

What this bill does do is start the process by initiating a pilot program to determine the balance between supply and demand. It also does not dictate how the Minister for Education should

roll out the program, although one would expect the minister to undertake a pilot to lay the groundwork for the rollout of a more universal scheme, having regard for demand and cost factors.

It is imperative that we find ways of making menstrual hygiene products accessible to girls and women who are not able to access them or would not otherwise have access to them. I do not want to read more reports where girls, mothers and grandmothers are calling for action because girls are missing school when they have their periods because they do not want to change pads at school. Often there is no soap, there are often no rubbish bins or there is one rubbish bin outside the toilet, which is really embarrassing to use.

Australia has made a global promise to end period poverty. We have the responsibility to address access to sanitary products not only in our aid and development efforts overseas but also in South Australia. If a girl or woman cannot afford the appropriate items she needs, she will use alternative methods or take extreme measures to access sanitary items. Her learning outcomes will be jeopardised and she is likely left feeling isolated and alone.

This is not the impression we want to instil in our young girls and our education system. It needs to be supportive, non-discriminatory and safe for our girls. It may be difficult to determine the extent to which poverty impacts on the daily life of girls and women, but it is not hard to see the impact a program like this would have on the hardships associated with poverty.

Periods are a normal part of life for most women. We as leaders have the responsibility to lay bare the taboo subject of menstruation. We have a responsibility to make it normal and give women and girls the best access to menstrual hygiene and provide opportunities and choices for our young people.

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

Motions

GENETICALLY MODIFIED CROPS

Adjourned debate on motion of Hon. M.C. Parnell:

That the regulations made under the Genetically Modified Crops Management Act 2004 concerning Designation of Area, made on 10 October 2019 and laid on the table of this council on 15 October 2019, be disallowed.

(Continued from 31 October 2019.)

The Hon. J.A. DARLEY (16:57): On 4 July last year, I moved a motion to establish a committee to inquire into the moratorium on the cultivation of GM crops in South Australia. I did this in response to the Hon. Mark Parnell's 2017 bill to ensure the GM moratorium in South Australia would be enshrined in legislation rather than being in place by way of regulation. At the time I supported the Hon. Mark Parnell's bill but gave an undertaking that I would move to establish a select committee to inquire into the matter. At the time I did not have a strong opinion one way or the other on GM crops and South Australia's moratorium but believed it warranted further investigation.

The committee has now finished its inquiry, and the government has also had an independent review into the same matter. As a result of being a member of the committee, I learned a great number of things and have ultimately formed the position that the moratorium should be lifted on mainland South Australia but should be maintained for Kangaroo Island.

South Australia is the driest state in the driest continent in the world. This year, we have seen drought west of Cleve, north-east of Hawker, and east of Eudunda as bad as we have ever seen. I believe we need technology to find ways to help farmers with their business. GM technology can provide crops that are drought and frost resistant with better yields, especially with the advent of climate change. I believe that farmers should be given the choice as to whether they want to use this technology or not. Indeed, this week a number of scientists wrote an open letter supporting the lifting of the GM moratorium. Just like any experts, I know there are a range of opinions on this matter, but I did read what they wrote with interest.

The government's amendments to the regulations lifts the GM moratorium on mainland South Australia but maintains it on Kangaroo Island. I understand there is opposition to the manner in which the government has gone about this in that it amended the regulations rather than bring the

matter to parliament for scrutiny. However, I also understand that there is a timing issue here and that, if farmers did not know whether they would be able to grow GM crops or not in the next few weeks, then they would be unable to utilise this technology for another year.

It is because of this that I am not supporting the disallowance motion. I do not agree with the way in which the government has achieved its aim; however, I do not believe farmers should be the ones who are penalised for the government's actions.

The Hon. C. BONAROS (16:59): I rise to speak in support of the Hon. Mark Parnell's disallowance motion on the government's plans to use regulations to lift the moratorium on GM crops on mainland South Australia. Let me make it crystal clear from the outset, as I have done multiple times this week, that our decision is not based on whether we support the lifting of the moratorium or whether we do not support the lifting of the moratorium, or whether we support GM crops or whether we do not support GM crops. That, we have said, is a debate for another day and one that SA-Best absolutely welcomes.

Our decision is based entirely on ensuring the due processes of parliament are maintained, in fact followed, because to do otherwise would be setting a very bad precedent, which could have dire consequences in the future. As we have said, the government is trying to use a backdoor method of using regulations to get the moratorium lifted. They know only too well that this approach is fraught with danger. It sets a bad precedent. It is bad lawmaking. As I said just yesterday on radio, or it might have been today, it is a bit rich and totally disingenuous for the Minister for Primary Industries and Regional Development to accuse us of playing politics with this issue and failing our farmers by not falling in line behind the government.

I will set the record straight once again because our record in terms of our support for farmers speaks for itself. Minister Whetstone knows only too well that he has himself to blame for the predicament in which he finds himself. He alone has created this mess, nobody else. Anyone would have thought, listening to the minister this morning on radio, that this was an SA-Best motion, because we supported it.

I do not know if my colleagues opposite were invited on to radio this morning, but it was clear from his interview that he needed a scapegoat for the government's ineptitude, and it appears that we are it, and that is fine. I am more than happy to hang my hat on the principles underpinning our party's policies, but I have to say that the minister's failure—complete and utter failure—to appreciate the ramifications of what we have been discussing with him is mind-boggling.

The government appeared to understand and appreciate process in opposition, but now in government that has gone completely out the window. I have been giving one example over and over again. It is an example of bad law and bad precedent and it is one that we are dealing with right now in this place. It is also one that the Attorney is all too familiar with, in fact.

Members will recall that in 2011 the former government introduced, against all good advice, a change to the threshold that applies under the retail and commercial leases regulatory regime, and despite repeated pleas from landlords and tenants alike, and the legal fraternity, the government sought to increase, with the stroke of a pen by regulation, the rental threshold from \$250,000 to \$400,000. Why? Because the legislation had not been reviewed for a number of years, and someone somewhere in their agency thought that there was no other mechanism for CPI increases, so they would use the only one available to them—clearly not in the way it was intended.

That decision created massive uncertainty as to whether, during the term of a lease, it could be within or outside the operation of the act. It has created much debate and judicial consideration. It has resulted in a number of problems for landlords and tenants alike. The 2017 Supreme Court case of *Diakou Nominees Pty Ltd v Gouger Street Pty Ltd and Ors* [2017] provided some but not absolute clarity on the issue.

The former government then had to introduce a new bill to clean up its mess for using a regulatory regime that resulted in that problem. But that bill lapsed once parliament was prorogued and now the current Attorney has been left to finish the clean-up to the detriment, I might add, of a number of landlords and tenants alike. That is what bad law-making looks like and that is precisely what we are dealing with now, bad law-making. The minister can, like the former Labor minister did,

agree that we have Crown law advice, and it is solid, but we all know that that advice is only as good as the next legal challenge. That is what we saw with retail and commercial leases.

If we voted against the Greens' disallowance motion this time and sided with the government, as they have asked us to do, then who knows what we could be considering next. Imagine if we had a similar regulatory regime that applied to fracking and the government tried to lift the moratorium that applied on fracking across the state instead of GM crops. Imagine the outcry that we would be hearing in this place then.

Our decision, as I have said time and time again despite the government's refusal to accept it, is based on principle, on parliamentary process. It is based on the fact that the state government is ignoring the parliamentary due process in terms of having this issue debated here in parliament. If the government wants to lift the moratorium, it knows full well it needs to go through the normal parliamentary processes and introduce a bill into this place so that it can be properly, fully and transparently debated.

It was parliament that set the original moratorium and it is parliament that needs to debate the lifting of that moratorium. You are not attempting to lift a moratorium for a region. You are attempting to lift a moratorium across the entire state bar Kangaroo Island. When the moratorium was extended—and I am sure the Hon. Mark Parnell can confirm this for me—the intent of parliament was crystal clear. It may not have been in line with Liberal policy, it may not have been in line with any number of members' policies, but it was crystal clear nonetheless. If you want that changed, then my message to the government is go through the proper process.

The minister has been bold enough to suggest to me personally that that is what regulations are for and that we use regulations to overcome legislative obstacles. Maybe in Queensland but in this state we have an upper house and we have these things called disallowance motions, both of which exist for good reason. If this Liberal government is frustrated by the role of the upper house, then perhaps they need to rethink their approach to members of the upper house.

On the issue of certainty, which the minister keeps harping on about, let me say this. Whichever way you look at this, there is only one thing that remains certain—crystal clear, in fact. We will be back here in this place debating GM crops next year, either through another disallowance motion or a government bill or a private member's bill. If this situation has given rise to uncertainty, it is of the government's doing, not ours.

This is not a cop-out. I would have thought I have made it abundantly clear to the government and the opposition that, if you want a debate, bring it on because we are ready for a debate. We are ready, willing and able to appropriately consider the merits of any debate put before us. What we will not engage in as a party is bad law-making and the setting of bad precedents which will inevitably come back to bite us, every one of us.

Again, in terms of the certainty argument and in terms of the issue of time frame, it is flimsy at best because we all know that, if we were to vote against this disallowance motion and allow GM crops into the state now, as the minister says, it would not be a free-for-all, it is not open slather.

The situation, in terms of whether the moratorium is lifted, would come with some caveats. These are not caveats that I have come up with; these caveats have been put to me by the industry experts the government is relying on in terms of their support for GM crops.

These experts say that (1) farmers have already prepared for next year's harvest, so there is nothing this side of Christmas that will change that; (2) nobody is going to get GM seed this side of Christmas; and (3) regardless of whether the moratorium is lifted, suppliers have indicated they will be adopting a cautious approach in South Australia, which will see only a select few farmers have access to GM crops—they will undergo a stewardship program, which comes with measures and controls and contamination issues. They say the earliest this could occur would be in early April of next year.

So if anyone has been selling false hope and uncertainty to our farmers, it is not us; it is the minister himself. The only cop-out in this debate is his cop-out for not having the intestinal fortitude to properly debate this matter in this place. We fully support our farmers and their right to make decisions and choices about how to best manage their properties, but that is not what we are

debating. If you want to debate GM crops, then bring on a debate about GM crops; do not bring us a set of regulations that undermines our legislation and ask us to vote in favour of them.

I will not be lectured to by the minister—or any other member of the government, for that matter—about the rights and wrongs of our position. I will say this: even if all those issues I have just pointed to were to occur, in terms of timing and whatnot, the fact remains that we will be revisiting this issue next year. If we voted with the government now, then next year—in February, March, April, or whenever it may be—we would be back here having the same debate. We would be back on the same merry-go-round, going round and round on the issue of GM crops. If you want to debate GM crops and if you want to thrash it out in this place, then bring on a bill and determine the merits of GM crops.

The Hon. F. PANGALLO (17:12): I will keep my remarks brief—

Members interjecting:

The Hon. F. PANGALLO: Well, if you would like me to keep going, I will. I rise to support the disallowance motion by the Hon. Mark Parnell and endorse the words of my colleague, the Hon. Connie Bonaros, particularly about the parliamentary process and its possible abuse. I am amazed at the gall of the government and the minister to imply that we are blocking something that would benefit the farmers of South Australia. We are not because, as the Hon. Connie Bonaros said, this is not about the GM debate.

Let me make it quite clear. I will not speak on behalf of the Hon. Connie Bonaros, but I am certainly not a luddite. I can see the enormous benefits of biotechnology, synthetic biology, nanotechnology and gene editing, which is saving lives and helping to battle disease. There are so many technological advancements going on in our world that are for the benefit of humankind. Incredibly, over the past few days, the government has decided to get activate its spin doctors and put out furchies about what we and the Greens are doing to the farming sector.

I heard on radio this morning attacks on what was going on with the process. They were making light of the fact by saying, 'What are we doing using this as an excuse to hold up something that would benefit farmers?' I picked up the paper this afternoon, or I went online, and the spin doctors have obviously got into the ears of *The Advertiser* and journalist Cameron England.

Members interjecting:

The Hon. F. PANGALLO: Quite clearly, here is the press release that went out from the Hon. Tim Whetstone accusing us and the Labor Party of putting the handbrake on the South Australian economy. We are not doing that, and to read this article today, 'Why do our gutless politicians keep ignoring science on issues such as GM crops, fracking and nuclear waste?'—he goes on to say that South Australian politicians have once again put evidence to one side and let their ideological biases drive the agenda, continuing to block genetically modified foods being grown by our farmers.

We are not debating that today, quite clearly we are not. In the last few weeks, since all this has come up—as I do with any topic that comes up in parliament, because we are not all experts on everything and the Hon. David Ridgway told me that I am not a farming expert, and I am not, and I never said that I was—through the experience of my previous working life, I always try to immerse myself in as much research and information on a particular topic as I possibly can, and that is what I have been doing on GM crops.

I have sought out a lot of information, probably more so than we see here on the government benches. I am currently going through this book *Seeds of Science: Why we got it so wrong on GMOs*. It was written by Mark Lynas. People in here probably do not know or remember Mark Lynas but you might recall that back at the time when GM crops started being planted overseas, Mr Lynas—along with a number of other environmentalists—was probably the most active destroyer of GM crops to be seen. He would go out with his fellow activists and deliberately destroy GM crops because they felt that they were a danger to the environment and also to human health. Here we are today, in 2019, and Mr Lynas has done a total about-turn. His book—

The Hon. J.M.A. Lensink: And you can too.

The Hon. F. PANGALLO: I didn't say I had not. This is the thing: I have not made my case. I am talking about—

The PRESIDENT: Through me, the Hon. Mr Pangallo. Ignore them.

The Hon. F. PANGALLO: I will ignore them, Mr President. Let me finish the story about Mr Lynas. He has done a total about-turn and these days he spends most of his time debunking the myths that have been going around about GM crops. It is quite an entertaining and informative read, if anyone would like to have a look at it. I am looking at it and I am also in contact with people in Canada where GM crops have been grown. When it comes time next year to formulate our position formally, I hope that I will be up to speed and able to make a rational judgement about it.

The argument that has been put up is: why don't we just wave this through and then let the government come up with a bill next year? Here is *The Advertiser* saying that our gutless politicians keep ignoring stuff; they are attacking politicians. Would you actually put your trust in something like that? Saying, 'Okay, we'll do that today. We'll let you pass this through and we'll wait for the legislation to come next year.' That is not what parliamentary process is all about.

I have only been in this place for a year and a half and I take this job really seriously. I actually want to see, when bills come up, that they are properly debated, that all the information is at hand and that we can make a proper judgement on this rather than having to rush things through because the minister and the government could not get their act together. Let's make it quite clear: that is the reason they are rushing it through now. They could not get their act together and now they just want to rush the whole thing through.

I saw the minister last week and I said to him, 'Why didn't you put a bill into the parliament? You had plenty of time; you've had months,' and he just shrugged his shoulders. I thought, 'Well, that's not good enough.' We do not want to see a situation like we saw in the British parliament, where Prime Minister Boris Johnson decided to just override and bulldoze parliamentary process and suspend the parliament, and then it goes to court and there was a massive judgement against his judgement. That is not what we want here. We want to see the proper parliamentary process put through and I think that is what the people of South Australia want. They want to see their politicians do what parliament is supposed to do: debate bills, pass the bills, and pass them on their merits, and that is what we want to do.

I think the government really needs to take stock. When they bring up regulatory issues before the parliament, they need to take into account what the bill was intended to do. The parliament made a decision to not allow GM crops into South Australia. That is what the parliament decided. What we are wanting to do, if there has been a change of views and if this is the will of the parliament, is debate it. Let's put it to the test like other bills, other pieces of legislation, are put, not merely try to ram it through because the government made a promise to farmers.

We have met with all the various interest groups in relation to this. They came in and saw us. They came in to basically give us a lesson on GM crops and the science and where it is at the moment. My response to them was, 'No, you don't have to give me that because I know where it is today. I know where the science of GM is.' This is not what this debate is all about. It is actually about getting the proper process done to enable this to be lifted, if that is what they want. After we explained it to them, they understood.

I can understand that farmers are missing out because that is what they explained. Some of them say it is costing them money, even though we know that some non-GM crops are getting premium prices. We know that researchers in South Australia—and South Australia is probably a world leader in this type of biotechnology—are losing contracts to companies interstate because of what is happening here. I empathise with them. I can see their frustration that they are unable to use their skills for the betterment of our agri-sector.

I keep saying in this place that I think the two most important things that will really impact on the world, particularly in a world where there is climate change, are food and water. They are going to be the two most important things that the world is going to be needing in years to come—food and water—and there will probably be wars fought over it. There is a lot of technology at the moment that is improving the type of crops out there. There is data that shows, particularly in the United States,

that the GM crops there have been a benefit to the environment. Fewer insecticides are being used, they are getting higher yields and they do not need to clear as much land.

There are parts of the United States and Canada where the amount of land that has been saved from clearing because of the use of GM has been the equivalent of half the size of Wales. We have read all that. I have read the report that was done by the select committee, and I see where they are going. We will have an open mind on this when the bill comes up—we definitely will—but this is not what it is about today. It is about—

Members interjecting:

The Hon. F. PANGALLO: What did I say? Anyway, this is not what it is about today. GM crops are for another time. I hope that the minister gets the message that he needs to prepare a bill, put it before the two houses of parliament and allow the debate to take place when that time comes, and everything will be taken into consideration. With that, we will be supporting the disallowance motion.

The Hon. J.S.L. DAWKINS (17:25): I will be very brief. I will not occupy the chamber quite as long as you did, the Hon. Mr Pangallo, but I respect your ability and capability to do that; we do not have time limits in this house. I was a member of the select committee, and I spoke to that report some weeks ago. I refer members to the comments that I made on that. I stand to indicate that I do not support this disallowance motion.

It has been about 20 years since I was an active farmer, but I have an enormous amount of contact with farmers. There is an overwhelming wish from the farmers of this state, who are amongst the best in the world, for us to get on with this. We have had some discussion very recently this afternoon about the role of regulations. Regulations are part of the legislative system of the Westminster democracy and very much so in this state.

I am speaking as someone who has been on the wrong end of the development of regulations. The Hon. John Rau as attorney-general hid behind the development of regulations in the complex matter of surrogacy to delay the implementation of an act passed by the parliament; however, there is a significant distinction here in that the regulation that has been put in place by the minister is very clear.

It is very clear in relation to the fact that the wishes of mainland South Australia to grow GM canola will be respected along with the will of the Kangaroo Island farmers who put good evidence to the committee that they wish to remain out of it. Not all Kangaroo Island farmers want to remain out, but the great majority do, and that is the way this regulation operates. That is what it does. It is very clear. It is not the complex regulation that some have been talking about. I have great experience with the development of regulations in a complex area being used to delay a matter. I do have a bit of background in this.

Regarding the timing of what the minister has done, the way he has operated and whether he should have brought in a bill or not, the reality is that the minister has consulted widely. He brought in the economic report; we delivered that as promised. The minister respected that, consulted upon that report, has consulted upon the development of the regulations and has waited on the deliberations of the committee. So when my friend the Hon. Mr Pangallo says that it has been rushed, I think the minister has actually consulted this issue to death almost, so I respect the reason that it is being done.

In conclusion, can I say that I think it is time that South Australia allowed the growing of GM canola and, potentially in the future, maybe other crops. But as I have said in this place before, if you go over the border into the West Wimmera you will see thousands of acres of canola grown, and my organic farming friends tell me that it is 100 per cent GM. With those remarks, I indicate that I do not support the disallowance.

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (17:30): I rise on behalf of the government to speak on this disallowance motion. I must say I was hoping that members opposite had been listening to the farmers and the researchers and the evidence before them to provide bipartisan support to lift the GM moratorium on mainland South Australia. The government wants to give our farmers the choice to grow GM crops. If farmers do not want to grow

GM crops, it is their choice, and they will continue to access any non-GM markets, as has been done in every other mainland state for years. It is a lot about choice. It is interesting that Labor and Centre Alliance are now saying, 'It's all about the process.'

Members interjecting:

The Hon. D.W. RIDGWAY: SA-Best, I beg your pardon. They are hiding behind the process. They are saying it is about the process. This is just another excuse, especially from Labor, to deny our farmers the right to this GM technology for the 16th consecutive year. We are in the driest state in the driest continent, and members opposite think it is good to lock our farmers out of the latest technology. The regulation has been made legally, transparently and openly, following the statutory process, while listening to our agricultural industries, expert advisers and the general public.

I find it quite ironic that the Greens and Labor are also arguing about the process. For those members who were not here in the previous parliament, I will remind them that in late 2017 the Greens and Labor extended the GM moratorium to 2025. It is my view that there was no consultation done with industry and with the farming community. In fact, they did not even consult their own GM crop advisory committee.

If we are talking about process, we had some legislation rushed through the parliament with no consultation with industry, no consultation with their own GM advisory committee. So when other members in this chamber say, 'It's all about the process,' what they are doing is supporting bad process—the absolutely bad process—that was followed by the Labor government and the Greens in 2017.

Mr President, I am sure you will recall also that when pressed about the issue—to lift the GM moratorium—the former premier said, 'Well, the truth is there are not a lot of votes in that out there in country South Australia for us, so in some ways we're free of the electoral imperative to listen.' What an arrogant way to approach one of our biggest industries and one of our longest standing. South Australia was established as an agricultural business and colony and experiment, and that was the sort of arrogance that we were faced with.

Following the 2018 election, the opposition promised to listen to regional communities and the very people who are the backbone of the state's economy, yet here we are: it is just the same old Labor. They actually have not changed at all. It is funny: those opposite often talk big on climate change, and there we see, even right now, members opposite reading *New Scientist*. Former minister Hunter says you should always trust the science. Well, where is the trust in the science on this particular issue? Here is an opportunity to give farmers a vital tool helping them to adapt to climate change, and the Labor Party again is denying them this.

Lifting the GM moratorium will put the choice of what to sow back in our farmers' hands. They can make informed decisions on the individual businesses and specific environmental and seasonal conditions. It is interesting that we will see here today a group of people, none of which come from a farming background, who will vote, probably, I suspect, given where the numbers are, to support the disallowance. None of them have come from an agricultural background. The Hon. John Dawkins and I are the only two in this place who have come from an agricultural background.

South Australian farmers should have the choice of using new and improved crop varieties that farmers enjoy in our neighbouring states. I took the Hon. Tung Ngo to Victoria a couple of years ago, where we could see canola growing on both sides of the border, probably no further apart than the two backbenchers in this chamber. The one in South Australia was non-GM. I did not speak to the farmer on the Victorian side, but it could legally be grown as GM canola, yet there was no problem with the farmer in South Australia still having the non-GM benefit.

It is a bit of a furphy to say that if we keep GM free, you can do that on the state border. You can do it in Keith, in Kimber, Kyancutta, Cleve, Yorketown; anywhere you go, you can have the same segregation between two farmers. Here is what a couple of farmers said during the process. Mr Wayne Hawkins said:

We farm on the Victorian-South Australian border at Frances SA, it has always been difficult to understand why I can grow a crop in Victoria without worries but when I grow the same crop in South Australia I could be fined or put in gaol.

Russell Zwar, a sixth-generation Upper North grain grower, said:

As growers of canola I find it frustrating when farming acquaintances in other states of Australia have access to more varieties, different weed control options and potential new traits when choosing canola varieties. They successfully grow both GM and non GM canola on the same property and alongside neighbouring farmers with no issues of cross contamination and receiving virtually the same price for their end product as we do here in SA... The current extension of the GM Moratorium until 2025 leaves SA growers way behind other states of Australia not just for current GM crops that are available but also new and exciting opportunities in development.

Heather Baldock from Buckleboo said:

If our state is to embrace the science of climate change, be truly clean and green, and remain competitive with sustainable, safe and nutritious food production then we need GM technologies to facilitate our adaption and to support farmer's choice to grow varieties that best suit their markets, climate and agronomic challenges while remaining good stewards of the environment.

We need to be able to give our farmers the choice to take advantage of any new GM crops and pastures that may come on the market, particularly given the challenges with drought and frosts and, of course, uncertainty with rainfall. Lifting the moratorium will increase farm profitability and drought resilience, create job opportunities in our region, grow our state's economy and attract greater research investment.

It is interesting that the Centre for Plant Functional Genomics at Waite has closed. I could not believe that after the work that had gone into that, the researchers there have now left because of the former Labor government's policy. I think the Hon. Mr Pangallo alluded in his contribution to the researchers who are no longer here. One of the sectors that we are hoping to grow in our sector plan to grow the state's economy is the tech sector—agtech especially—yet this decision, if it goes the way we think it will go, will deny that part of our economy an opportunity to grow.

I would quickly like to touch on the process the government is undertaking to get to the decision we have made on lifting the GM moratorium on mainland South Australia. As an election commitment, we undertook a high-level independent expert review of South Australia's GM moratorium, which was undertaken by Emeritus Professor Kym Anderson AC. The review received 216 public submissions, with the reviewer consulting with experts in the field as well as the Labor-appointed, but rarely consulted, GM Crop Advisory Committee. The review found many of the submissions, including those from organisations representing South Australian farmers, favour the immediate removal of the moratorium.

The independent review's final report was released in February 2019, with 19 findings. Another round of public consultation was undertaken, with a total of 31 submissions received. The review found that the GM moratorium had cost South Australian grain growers at least \$33 million since 2004 and will cost the farmers at least another \$5 million if extended to 2025, harming the state's ability to attract investment in agricultural research and development.

GM crops are obviously licensed by the federal body and there are no health impacts, so the only aspect that a state can use is an economic one, and now we have independent proof that there is no economic benefit. The moratorium also found that it has discouraged public and private investment in agricultural research and development. We have world-leading dryland research in South Australia at the Waite campus, and our universities, we know, have lost millions of dollars of interstate and experienced research personnel because of the moratorium.

After considering the findings of the independent review and the subsequent consultation, the minister released a proposal to amend the regulations of the Genetically Modified Crops Management Act 2004 and to lift the moratorium on mainland South Australia but leave it on Kangaroo Island, recognising the existing non-GM markets in Japan. Under section 5 of the act, the government undertook a six-week statutory consultation on the proposed amendments to the regulations and held two public meetings, one in Adelaide and one on Kangaroo Island.

The views of the GM Crop Advisory Committee on the draft regulations were also sought, and the committee supported the making of the regulations. Of the 218 submitters who provided written submissions to the statutory consultation, 129 were in favour of the draft regulations, including one submission seeking to lift the moratorium across the whole state; 74 were opposed; and 15 were out of scope.

We have the respectful select committee of the Legislative Council inquiring into the moratorium, chaired by the Hon. John Darley. As we know, the committee handed down its report and made three recommendations relating to supporting greater marketing opportunities and assistance of non-GM produce. The government will support these recommendations only if the moratorium is lifted on mainland South Australia.

Labor had 16 years to demonstrate there were marketing advantages for South Australia on GM. Where is the evidence showing that South Australia has received an economic advantage of having a moratorium in place? It simply does not exist.

Clearly those opposite, and particularly the Labor Party, have made a decision. I am really not quite sure what has forced them to make the decision. There is a lot of speculation that the member for Mawson, Mr Leon Bignell, had threatened to resign from the Labor Party and become an Independent. More importantly, he may have resigned from the parliament. That might be an incentive for everybody to support it.

I thought Peter Malinauskas might have been stronger than this. He has shown his true colours. He is a weak Leader of the Opposition. He could not even stand up to a backbencher, a former minister who said that he knew all about agriculture because he grew up on a farm. He left there when he was six, and he is in his 50s now. A lot has changed in the best part of nearly half a century.

You have the opposition leader, Peter Malinauskas, not even listening to people like the Hon. Ian Hunter, who said 'trust the science'. He is not even listening to the people like the Hon. Emily Bourke, who I know, deep down, actually supports GM crops. She sticks up for the farmers when it suits her, but does not stick up for them in this particular way.

Through the independent review and numerous rounds of consultation and a select committee hearing, it is clear that other mainland states have proven that coexistence is possible, segregation is strong and the sale of non-GM canola can continue. The Marshall government has a strong reform agenda to strengthen the state's economy. This decision will enable it to grow our agriculture sector. We are committing to supporting the \$2 billion—\$2 billion, Mr President—South Australian grains industry. We want it to be vibrant and productive.

It is interesting that, as I said, 11 people in this place will probably vote shortly. None of them come from an agricultural background. We have what we call it a representative on democracy. None of them represent the people that this will impact the most. We have talked about medical cannabis. I am certain from what I am told that there are a number of different clones and traits. Some are good for epilepsy, some for cancer, some for pain. I am certain in the evolution of that industry there will be genetic engineering to make sure we get exactly the right attributes from those plants to provide the absolute best medical benefit to the patients, yet we are saying we cannot have that sort of research in this place.

There are a couple of things quickly I will touch on before I wrap up. It relates to something the Hon. Mark Parnell said in his speech in relation to the select committee. He made a statement that farmers douse their paddocks in Roundup. That is a joke and an insult to farmers. The word 'douse' is like flooding and all of it. If you actually read the label on Roundup and talk to farmers—which I am not sure he would have ever done—you use about 1 litre to 1½ litres of Roundup per hectare. Applications rates with water can be as low as 25 litres per hectare. There are 10,000 square metres in a hectare. It is about a third of a teaspoonful per hectare of total spray—not Roundup; Roundup is a fraction of a millilitre. I think it is really a bit inflammatory to make statements such as 'douse their paddocks in Roundup.'

He then touched on some of the concerns around Roundup. In other parts of the world there will be some opportunities for a whole range of new generations of herbicides. Glyphosate is an interesting chemical. It has been reported to me, and I would agree with this, that it is the greatest invention for agriculture since the invention of the tractor. The benefits to farmland, the reduction in emissions from tractors, the lack of damage to the soil, the more organic carbon in the soil and improved opportunities for farmers to sow, as you would say, canola dry—and it rains, the weeds come up and they can spray it with Roundup. They get every millimetre of rain that falls on their farm to grow a grain to make them more profitable.

So this chemical that members opposite see as nasty and horrible has been the greatest benefit to modern agriculture of anything we have seen. It is interesting to see that the former minister, who obviously has some hold over the weak Leader of the Opposition, marched against Monsanto. That would be like a doctor marching against the discovery of penicillin. It is just unbelievable that you would have an agriculture minister march against a company that produces goods that make his sector more profitable. It is insane! I do not know what hold Leon Bignell, the member for Mawson, has over the opposition, because clearly he has some hold over them, and it just shows how weak and gutless they really are.

It is interesting to talk about organics. There are more organic farmers selling organic product in the other states where GM canola is grown. So that is clearly a furphy. It is about farmers' choice, and I know that members talk about price: it is about a management tool and about choice. Considering the future impact on farmers, it is time to lift the moratorium on the mainland and allow farmers the opportunity to make informed choices about what to sow based on their individual business and scientific conditions.

We have fought world wars for people to have the right to choose on their own farms to do what they would like to do. There are no damaging health aspects to GM crops: it is simply an ideological view that the Greens have taken and they are now supported by an absolutely weak and gutless opposition.

The Hon. M.C. PARNELL (17:46): I begin by thanking the members who have contributed: the Hon. John Darley, the Hon. Frank Pangallo, the Hon. Connie Bonaros, the Hon. David Ridgway and the Hon. John Dawkins. I thank them all for their contributions. As tempting as it is to go through each of the issues that were raised, especially those just now by the Hon. David Ridgway, I am going to resist the temptation and will limit my remarks to an update of things that have happened since I introduced the motion, because I think that is appropriate.

The first thing I will say is that, in this game of numbers that the Hon. David Ridgway likes to play when he says, 'Well, 129 people put in a submission saying they wanted the GM moratorium lifted', it is a question of meet you and raise you one because I said last time that we had 900 South Australians who had signed a petition saying they wanted to keep South Australia GM free. Since I made those remarks I have collected another 500 on the steps of parliament today—another 500 South Australians who want the moratorium to remain in place.

The other thing I would say, in relation to the question of whether this is about process or about the merits of the issue, certainly for some members, from what we have heard today, the process has been the dominant consideration. For me—and I think no-one would doubt this—it is a question of both. We have argued and debated the merits of the GM issue for at least the last 14 years I have been in parliament, but the process issue is not unimportant. I know it has been the defining factor for our colleagues in SA-Best.

I remind members that the process that this parliament goes through in relation to regulations is a blunt instrument—it is one of disallowance or not. We have a statutory committee of parliament whose job it is to have a look at regulations. I urge members to go back and have a look at the ground rules for that committee to operate. If you go to the website of the Legislative Review Committee, it says that 'the committee scrutinises regulations in accordance with the following principles'.

One of those principles is whether the regulations contain matter which, in the opinion of the committee, should properly be dealt with in an act of parliament. That is one of the criteria for the Legislative Review Committee to determine to disallow regulations. I think the list of rules, (a) through to (g), that the Legislative Review Committee relies on are a good guide for us as well.

As the Hon. Connie Bonaros said, and I will paraphrase her, what parliament giveth only parliament should be able to taketh away, and that is how it should work. Only one-third of this parliament is actually getting to debate this issue; there are two-thirds who are not. The government needs to bring back a bill.

The other thing I would say is that the Hon. David Ridgway and others seem to think that this is somehow a question of belief or non-belief in science. He no doubt has in mind the fact that five scientists who work in the field of genetics published a full-page letter in *The Advertiser*. I do not know what it would cost these days to put in a full-page letter. One suggestion was \$10,000 at least

and it would have been out of their own pockets, I am sure. I do not know who paid for that letter by those five scientists.

People are thinking they had better pay attention to the science. Well, I will meet you and raise you one. I have a letter here by 30 international scientists from around the globe who urge us, as members of this South Australian parliament, to keep the moratorium in place. Because they do not have the capacity to put a full-page ad in *The Advertiser*, I am going to read the letter to members of the South Australian parliament about the moratorium on the cultivation of genetically modified crops in South Australia. The letter reads:

An open letter was recently written by five scientists making claims about the SA moratorium on GM crops, seeking to end the moratorium. The following should be noted.

The five scientists have vested interests in the matter that they have not declared.

In contrast to the claims by the five scientists, the moratorium does not prevent research into GM crops in South Australia. Nor does it prevent scientists from growing GM crops in trial sites in SA. The moratorium does not prevent the development of more resilient crops, or more sustainable farming.

The letter from the five scientists suggested that the moratorium has harmed scientific research and innovation in the State more generally. In fact, the GM crop research sector undertakes a tiny proportion of all scientific research conducted in the State, and employs a tiny proportion of all scientists in the State. Most SA scientists are not even aware that the sector exists in SA.

Crops that are genetically engineered to allow farmers to adapt to a changing climate are still undergoing research and are not currently available for farmers to plant. Such GM crops may never be commercially available. It is absurd to end a moratorium now, in order to plant crops that are actually not available.

Much of the debate in SA is about whether to grow GM canola. Yet GM canola is a small fraction of SA's agricultural produce, and those who want to grow GM canola are a small fraction of all canola growers. GM canola costs more to grow, has no yield advantage and routinely sells for a lower price. Consequently, GM canola remains a minority crop compared to conventional canola in States that allow it to be grown.

An argument has been put forward that ending the moratorium will allow non-GM farmers to market their produce as non-GM, which will allow them to get a premium for their crop, and therefore increase their income. This ignores the inevitable contamination of non-GM crops by GM crops, and the subsequent loss of any premium.

GM crops easily contaminate other crops. In North America alone, there have been contamination incidents from growing GM canola, wheat, flax, corn, rice, alfalfa and creeping bentgrass. Some of these have been from trial sites, before any commercial production. Losses have been in the billions of dollars.

GM canola has also contaminated non-GM crops in Australia. Pollen from herbicide-tolerant canola has been found to travel up to 5km in Australia.

If the moratorium ends, any initial freedom to choose to grow a GM crop or a non-GM crop will end once contamination occurs. Then farmers will be growing GM crops whether they want to or not. Under Australia's system, farmers who have been contaminated with a GM crop can be charged an end point royalty and fined for growing a GM crop without a licence. This is expected to push farmers into the arms of GM crop companies, to grow GM crops under licence rather than facing such costs from contamination.

GM crops have not increased yields compared to non-GM crops. Europe (which does not grow GM crops but invested in conventional plant breeding instead) and North America (which grows GM crops) both grow corn (maize) and canola, allowing yields to be compared between the two systems for these crops. Yield improvements in Europe have significantly outperformed those of North America for these crops since GM crops were introduced. Europe also reduced herbicide and insecticide use to a greater extent than the USA.

Repeated surveys show that consumers prefer not to eat GM crops. Why would SA drop its moratorium in order to plant crops that people don't want to buy?

Dropping the moratorium will allow all GM crops to be planted, including GM wheat. GM wheat has never been commercially grown anywhere in the world, and any escapes of GM wheat varieties from old trial sites are quickly eradicated. This is because wheat is eaten by people on a daily basis and is labelled in many countries. When Canadian farmers asked their markets whether they would accept GM wheat from Canada, they found that: 'The international customers that buy 82% of Canada's wheat crop say that they will stop buying if Canada introduces GM wheat. These customers have been clear—they will stop buying all wheat from us—GM and non-GM alike. This market loss issue applies to all GM wheat, not just RR wheat.' Any introduction of GM wheat into South Australia therefore risks losing an industry, that is worth \$7.1 billion per year nationally (5-year average).

We urge the South Australian Parliament to maintain the GM crop moratorium until there is evidence that contamination can be prevented and farmers and the SA economy can benefit from its introduction.

I could read the list and all the qualifications and titles of the 30 signatories, but I undertake to provide that full list to any member who wants it. I will point out that they come from University Paris-Sud in France, the Swiss Federal Institute of Technology in Zurich, Switzerland—I just make the point that a number of these signatories are from Switzerland. The scientists from Switzerland who signed this letter said in their replies that their country has been thriving under a GM moratorium and they could not understand why we in South Australia would want to drop ours.

Other signatories come from King's College, London; Ithaca, New York; California; University of Canterbury, New Zealand; and the Health Research Institute in Iowa. I will not go through all of them, but you need to get a feel for the calibre of the institutions in which these people work—University of Edinburgh, Coventry University—

The PRESIDENT: The Hon. Mr Parnell, do you wish to table it?

The Hon. M.C. PARNELL: Yes, I will table the letter, but that will not appear in *Hansard* so I just wanted some of these institutions—

The PRESIDENT: I understand that.

The Hon. M.C. PARNELL: Thank you. I seek leave to table the letter; I will provide a copy. Leave granted.

The Hon. M.C. PARNELL: I will not go right to the end of the list, but there are signatories from American universities, European universities—it is an extensive list of scientists, and they debunk the paid advertisement placed in the newspaper by those five scientists on Monday. The final thing I will point out is the government's official response to the parliament's Select Committee on Moratorium on the Cultivation of Genetically Modified Crops in South Australia.

We have previously discussed the tabling of that paper and I have spoken to that. The government response was tabled today, just a few hours ago. Effectively, it says that the three recommendations that did find unanimous support by the committee did not relate to lifting or keeping the moratorium; they related to helping farmers. For example, they related to working with primary producers and the food and wine industry:

...to outline key steps and milestones to enhance marketing opportunities for primary producers and the value adding chain.

These are recommendations to help farmers. The government's response is that if we, today, disallow these regulations, the government will not support any of these pro-farmer measures. If we allow the moratorium to be lifted, the government will support these recommendations. The government's support for farmers is conditional on this regulation not being disallowed. What a pathetic response from the government. What a pathetic 'take your bat and ball and go home' response to say, 'We like these recommendations but we are not going to support them unless you play our way and don't disallow these regulations.' It is remarkable.

Members interjecting:

The PRESIDENT: Order, particularly from the government benches!

Members interjecting:

The PRESIDENT: The Hon. Mr Ridgway, I have said 'order'!

The Hon. M.C. PARNELL: That was the final thing I wanted to put on the record, other than to thank the 1,400 people who engaged with me on my website and through my petition. I would particularly like to thank—

The Hon. D.W. Ridgway: Are they all South Australian?

The Hon. M.C. PARNELL: Yes, they are all South Australian; I have their addresses. I would like to thank Dr Judy Carman from the Institute of Health and Environmental Research. I would like to thank those 30 international scientist who, on a day's notice, agreed to sign this letter to correct the scientific record. I thank them, and I would also like to thank Cate Mussared in my office, who has researched this issue for well over a decade. Cate knows more about GM than, I would suggest,

almost everyone else in this room. I thank her for her research. I thank those members who have agreed to support this disallowance motion and I am confident that it will shortly pass.

The council divided on the motion:

Ayes 11
Noes 8
Majority 3

AYES

Bonaros, C.
Hanson, J.E.
Pangallo, F.
Scriven, C.M.

Bourke, E.S.
Hunter, I.K.
Parnell, M.C. (teller)
Wortley, R.P.

Franks, T.A.
Ngo, T.T.
Pnevmatikos, I.

NOES

Darley, J.A.
Lee, J.S.
Ridgway, D.W. (teller)

Dawkins, J.S.L.
Lensink, J.M.A.
Stephens, T.J.

Hood, D.G.E.
Lucas, R.I.

PAIRS

Maher, K.J.

Wade, S.G.

Motion thus carried.

Sitting suspended from 18:04 to 19:45.

Parliamentary Committees

JOINT COMMITTEE ON THE VALUATION POLICIES AND CHARGES ON RETIREMENT VILLAGES

Adjourned debate on motion of Hon. T.J. Stephens:

That the report of the committee be noted.

(Continued from 13 November 2019.)

The Hon. J.A. DARLEY (19:45): In the lead-up to the 2018 election, the Liberals gave an undertaking that a parliamentary committee would be established to inquire into the valuation policies and charges on retirement villages. In my contribution to the motion to establish this committee, I gave quite some background to this matter and outlined some of the problems, including the interaction between valuations and charges levied by councils, by RevenueSA in respect of the emergency service levy and by SA Water.

In short, the valuation determined by the Valuer-General has an effect on these charges, especially if an assessment is made on the value of each individual independent living unit within a retirement village, rather than having a value for the entire village as a whole. There was a shift in valuation policy in 2015, which resulted in huge increases for some retirement villages. Although I met and contacted the Valuer-General repeatedly about this issue, it remained unresolved. A memorandum of understanding was signed between affected agencies, which served as a bandaid solution to the problem.

The committee heard evidence from a range of witnesses, including the South Australian Retirement Villages Residents Association, SA Water and the Valuer-General, and received submissions from a range of stakeholders, including the Local Government Association, the Property Council and individuals. The Local Government Association and Onkaparinga and Adelaide Hills

councils all provided submissions that outlined potential revenue implications if villages were valued as one with a tenancy apportionment allocated to each unit.

Onkaparinga and Adelaide Hills councils are the only metropolitan councils that charge a fixed charge. However, the Local Government Association noted that shopping centres have a tenancy assessment for each individual shop and that each tenancy is subject to a fixed charge, as councils are able to charge separate rates on separate occupancies. If councils are able to do this for shopping centres then I can see no problem as to why it cannot be done for retirement villages also.

It is important to note that, at the beginning of 2019, South Australia appointed a new Valuer-General, Ms Katherine Bartolo. Not long after starting in the position, Ms Bartolo appeared before the committee and was questioned about a policy she did not make. This was an issue that Ms Bartolo inherited when she took the position. Ms Bartolo identified three different ways to resolve this problem and indicated that her preferred method was to create one assessment record for each retirement village as a whole and provide a tenancy apportionment for each individual living unit. This would result in one assessment record for government rating authorities, but would still satisfy local government requirements.

The Property Council were also supportive of single assessment for an entire village, but with the caveat that the value should be the total value of all individual units bundled together. Ironically, this is the very solution I had been suggesting to the previous Valuer-General for 4½ years and had been repeatedly rejected. Even more ironically, had the joint committee not been established at the end of 2018, the new Valuer-General may have changed the valuation policy for retirement villages when she took the role, and residents would not have had to wait so long for a response to this issue.

I am pleased that this is ultimately the solution that the committee has recommended going forward. In acknowledging that such a change will have an almost immediate impact on rating agencies like SA Water, RevenueSA and councils, the committee recommended that transitional provisions be provided for by way of a bill and that consultation with key stakeholders on the bill should occur before the introduction of the bill. As part of this process, consideration should be given to concession payments and what impacts such a change would have, if any.

Finally, the committee also identified issues with regard to waste management in retirement villages and has recommended that further consultation be undertaken on this issue to better understand the issue. I want to thank other members of the committee: the member for Waite, Mr Sam Duluk, who served as the Chair; the member for Morphett, Mr Stephen Patterson MP; the member for Lee, the Hon. Stephen Mullighan; the Hon. Justin Hanson; and the Hon. Terry Stephens. I also want to thank the committee staff, Mr Shannon Riggs and Ms Kate Bryson, for their hard work. I commend the recommendation of the joint committee to the council.

The Hon. T.J. STEPHENS (19:51): I would like to thank the Hon. John Darley for his contribution. We were always pleased that the Hon. John Darley really did lead the discussion in the committee. I thank him for his contribution.

Motion carried.

Motions

FEMININE HYGIENE

Adjourned debate on motion of Hon. C. Bonaros:

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.

(Continued from 13 November 2019.)

The Hon. I. PNEVMATIKOS (19:52): I rise today to speak in support of the Hon. Connie Bonaros' feminine hygiene motion. Considering that in the last 125 years women have been underrepresented in this parliament, it is no surprise that we have barely talked about menstruation in this place. I commend the Hon. Connie Bonaros for bringing the issue of period poverty to our attention and, in doing so, setting an example to normalise and destigmatise menstruation. Our society finds it difficult to talk about menstruation. Our cultural shame around periods has led to larger issues ensuing.

Menstrual hygiene management has become a low priority in health education. Our cultural shame and personal embarrassment around talking about and purchasing sanitary products and ensuring women and girls have proper access to the sanitary products they need has not been properly addressed. Australia has made a global promise to end period poverty. By signing the United Nations' Sustainable Development Goals we have a responsibility to address access to sanitary products not only in our aid and development efforts overseas but also in our own country.

More than 130,000 people, including 22,000 children, are living in poverty in South Australia. About half of these people are female, many of whom will have their period on a monthly basis. Often, these women and girls are forced to forgo adequate sanitary items. The Commissioner for Children and Young People, Helen Connolly, agrees. The Leave No One Behind report uncovered that period poverty is prevalent in South Australia. In an interview, the commissioner stated:

Girls talked about how these items were expensive and that on a limited income, a choice between sanitary pads and food on the table, food always won.

If a girl or woman cannot afford the appropriate items she needs, she will use alternative methods or take extreme measures to access sanitary items. Alternatives for women in Australia include using old fabrics or cloths, leaves and underwear to act as makeshift pads. Women have also been known to take dangerous measures, including stealing, to get sanitary items.

A report released by the University of Queensland's Global Change Institute stated that girls and women who were normally law-abiding felt forced to steal sanitary pads from local stores because packets could cost up to \$10.

Instead of using alternatives, many girls and women disengage from their day-to-day lives and remove themselves from everyday activities. The largest and most worrying indicator of this is girls missing school because they do not have the adequate needs to manage their periods. Mothers and grandmothers in Indigenous communities have been quoted in reports saying that girls were not attending school for several days each month because they felt they could not manage their period at school.

Girls missing out on school did not just blame access to sanitary items, they also said the schools lacked education and appropriate facilities. Bathrooms in schools are not equipped to deal with menstrual hygiene. Mothers and grandmothers in remote Indigenous communities have said:

...girls are missing school when they have their periods...because they don't want to change [pads] at school...[at schools] often there's no soap...there's often no rubbish bins or there's one rubbish bin outside the toilet which is really embarrassing to use.

The Labor government of Victoria's scheme to give free pads and tampons to help girls thrive at school is a truly amazing program. Girls receive important health information about how to manage their periods, free bins for sanitary product disposal and a discreet way to access the sanitary items they need. The program makes it possible for girls to access the items they need without stigma, without embarrassment, and breaks down that barrier so they can get a great education. I admire

the Hon. Dan Andrews, member for Mulgrave and Premier of Victoria, for leading such a powerful initiative to help reduce the stigma around sanitary products.

Girls having to take time off school begins a vicious cycle of events. We know that poor school attendance reduces a girl's economic potential over the course of her life and impacts upon her health, which extends also to the girl's sexual and reproductive health outcomes. Her self-esteem will be affected, her sense of self-control damaged and her dignity knocked down. This issue is almost hidden in our community but it is common among those who are homeless and those experiencing poverty.

Without limited quantitative data around period poverty, it is hard to determine the exact extent of the issue; however, it is not hard to imagine the hardships that not having access to sanitary items would bring. Periods are a normal part of life for most women. As leaders, we have the responsibility to lay bare the taboo subject of menstruation. We have a responsibility to make it normal and give women and girls the best access to menstrual hygiene. The fact that anyone should have to forgo having adequate sanitary items is not only unacceptable but intolerable.

The Hon. E.S. BOURKE (19:58): I rise to briefly express my support for this motion that notes the importance of women and girls being able to manage their periods with confidence, dignity and without stigma. I thank and congratulate the Hon. Connie Bonaros on bringing this important motion to the chamber on the back of the findings regarding period poverty in the Commissioner for Children and Young People's report, Leave No One Behind.

The report highlighted that some girls and young women are missing school because the household cannot afford sanitary products and that almost 20 per cent of schoolteachers (all being female) have purchased sanitary products for students with their own money. This includes going to the chemist or supermarket in their own lunchbreak.

The commissioner's report also provides concerning statistics raised by 48 public regional and metropolitan high schools, with 74 per cent of schools believing that access to sanitary products is an issue for their students. In 55 per cent of schools, word of mouth is the only way students can find out about accessing sanitary products, and 88 per cent of schools want the department to resource sanitary products in their community. Periods are a fact of life. Sanitary items are a necessity, not a luxury. It is time to get serious about periods.

As I mentioned earlier, I will not be speaking at length on this motion today as I will expand on my contribution when discussing the free menstrual hygiene products pilot program bill, which was introduced today by the Hon. Connie Bonaros and co-sponsored by the Hon. Irene Pnevmatikos and the SA Labor team. This bill, if successful, will be an important step in ensuring that girls and young women in SA schools participating in the pilot program have access to free pads and tampons, and it will help young women to no longer feel embarrassed about managing their periods at school.

While I agree with the Hon. Connie Bonaros that period poverty is real—and it is disheartening that so many young women in our community are going without basic necessities like female sanitary items due to affordability—I do feel for all the women and young girls who are caught out when they unexpectedly get their period at school and have no products to support them. As both the Hon. Connie Bonaros and the Hon. Irene Pnevmatikos have already stated, as leaders we need to acknowledge that sanitary items are a necessity, just like toilet paper.

We need to provide a level of confidence to girls and young women that sanitary items are accessible to them when they are at school. A young student confronted with getting her period unexpectedly at school without the support of products being available or easily accessible will feel embarrassed, have anxiety and ultimately feel that she will just skip school to avoid any discomfort, especially if she has to do physical activities that day. This is why the bill Labor is supporting seeks to make pads and tampons accessible by installing product dispenser machines within school grounds, removing the embarrassment of having to ask a teacher for products.

Many parents might feel uncomfortable talking about managing menstrual hygiene with their children. I know this has certainly been the case for a number of single fathers who are raising young women. If girls and young women feel embarrassed to talk about sanitary products in their own home, I doubt they are going to go to the front office and ask for sanitary products there. As indicated in the commissioner's report, it is simply too much for some students to emotionally confront and, as I said

before, they will just skip school instead of trying to tackle the problem. I look forward to supporting this motion and discussing the bill further at a later point.

The Hon. M.C. PARNELL (20:03): I rise to support this motion as well. I note that, within the Greens team, education falls within the portfolio area of my colleague the Hon. Tammy Franks, but I am keen to make sure that this debate is not conducted only amongst the women in this chamber, so I will add a few comments.

We had already decided that this was a motion we were going to support, but what added to that support and was helpful for me was the newsletter that many of us received in our inboxes today from the South Australian Association of State School Organisations (SAASSO). They took the Commissioner for Children and Young People's recommendations about the free, easily accessible and non-stigmatising provision of sanitary products to female school students and asked their readers what they thought about it.

They had a high response rate. They had 1,362 people who responded. Of those respondents, nearly 80 per cent—79.41 per cent—agreed that this was an overdue initiative and only 20 per cent said no. Interestingly, nearly 90 per cent of school principals thought that this was a good idea. SAASSO have helpfully extracted not all of the 1,362 responses but a selection of the comments that people made.

Some of these people are teachers and some of them are parents of schoolchildren. They point out that the comments were generally supportive, but some people thought that the conversation was a little bit tacky. That goes to what the Hon. Irene Pnevmatikos said, which is that it is not a subject that we are comfortable talking about. So I have found some of these quotes that I would not normally be comfortable talking about, but I am going to do it anyway. Some of the comments that came back were:

It's a basic necessity that more and more families are unable to afford.

I wish that it had been provided when I was at school. Would have saved a lot of embarrassing moments!!

Another one:

Not all students can afford to access them...simple as that...this is a basic need.

Another one from a teacher:

I keep them in my desk for students.

But then another teacher says:

Great idea. Better than us teachers paying for them out of our pockets. Thanks SAASSO.

And the one that is a little bit more confronting, but let's not call a spade a Geoprobe:

If you want students to be at school and learning, they need to be not starving and not worried about blood running down their legs. This is really a no-brainer.

I support the motion.

The Hon. T.A. FRANKS (20:05): I rise on behalf of the Greens to also speak in support of this motion. This year, we have seen Victoria become the first state in Australia to roll out the supply of free pads and tampons in schools. Menstruation has been, and is still being used, against girls and women to disenfranchise them, to stigmatise them and to oppress them in countries all around the world.

Recently, I was at an Australian Association of Social Workers national conference in South Australia and one of the projects that really struck me was the provision of sanitary products for girls in particular where there had been conflict or natural disasters, because, until recently, people had not thought that perhaps that might be something that girls and women at that particular point of those emergency and crisis situations might need.

It is important work when we know that, in some villages, to this day, women and girls are ostracised, are pushed out of a village, are put into certain rooms or are excluded from school once they start to have their periods, and it is not just on those days that they have their periods in some

cases but for the duration after when they should be getting the education that we know is so important for girls and women and certainly for the Millennium Development Goals as well.

This social stigma is the cause of fear, embarrassment and anxiety. Listening to the speeches earlier today, I was actually a little bit emotional about this because I remembered the first day I got my period. I was at school and I was bleeding and I did not quite know how to manage it. I certainly did not have sanitary products. I had a light blue uniform and I bled through the back of it. Fortunately, there was a jumper. I do not even know if it was my jumper. I know that I wore that jumper around my waist for the entire day. I remember how long the walk home was that day and sitting in places all day at school so that nobody knew I had just got my period. That was in year 7 and it sticks with me to this day.

I am very pleased today that I do not have shame in telling you that story. I just have emotion because I remember how stressful and difficult that day was. My mother had put pads in a cupboard, so when I got home, I had pads in a cupboard. That was the best part of that day really. Had there been pads in a place where I knew I could have gone without talking to a teacher, without asking one of my friends—none of whom, by the way, had sanitary products—without having to roll up a whole bunch of toilet paper and deal with the mess that was already there that day, that day possibly would not stick out in my memory so vividly.

So thank you, the Hon. Connie Bonaros, for the bill that you brought in. I got quite emotional listening to the speeches and remembering that earlier on today, but I have no fear and shame in saying that. I am really glad that, in Australia in 2019, we have come to a place where we can talk about endometriosis, which I was very proud to champion in this parliament.

I had somebody formerly on my staff who is now part of the PPEP Talks, going out to talk to girls—and boys—in schools about how not all period pain is normal and natural and how some period pain we need to talk about because it is in fact a medical situation that needs addressing and that we should not be telling those girls to harden up and deal with their pain, just as we should not be telling these girls that they need to be ashamed and stigmatised and hide and suffer if they are caught in situations where they have their periods.

For anyone who has had to buy pads every month on a low income budget, you know that these are significant costs and that adds to the burden, particularly for girls from poor families. Poor families are doing it damn tough. They are living well below the poverty line if they are on an income payment, and we all know that Newstart needs to be raised. But adding to that burden means that girls do things like stretch out the use of their sanitary products, which is both unhealthy and is not conducive to them getting the education that we know they need. They are missing out on things like sport. They are missing out on excursions. They are missing out on going to the swimming pool. They are missing out on having social times with their friends. They are missing out on life, absolutely.

I have a young daughter of this age, and I know. I look at her and her peers and I see the fear, I see the planning. I know that I used to look at the calendar and work out whether or not the swimming carnival was going to be on that day or another day. All the women in this place are nodding because we know that that is how we have to manage this.

The idea that somehow we can control it, that somehow we can stop this, that somehow we will always know the exact time and date and location we will be in when it starts is part of the mythology. We know that is simply not the case. We know that it is a barrier to participation in the fullness of life: of social life, of private life and of education. I think this is the easiest way that we can remove a very significant barrier that never gets discussed, certainly not in places like this.

Many women in their lifetimes have experienced that situation where they have been caught off guard without sanitary products on hand. When this happens, we know that the girls at the moment in schools are expected to go and ask a parent, teacher, another girl or the office staff. Many of them, as the previous speakers have noted, are embarrassed enough about the fact that they have their period, let alone having to go and ask somebody for sanitary products.

Pads and tampons should be available to everyone who needs them, when and where they need them, at no cost, not hidden away in a school office or a first aid kit. While menstruation should not be something to be embarrassed or ashamed about, we do need to know that actually it still is for many girls and even some women. Living in poverty, in particular, will only add to this. Water is a

necessity, and it is provided in schools for free and is readily accessible. Toilet paper is a necessity, and it is provided in schools for free and is readily accessible. Pads and tampons are a necessity, and they should be provided in schools for free and be readily accessible.

The Hon. J.M.A. LENSINK (Minister for Human Services) (20:13): I rise to make some remarks in relation to this motion and thank the honourable member for bringing this matter to the parliament's attention. I echo many of the comments of previous speakers in terms of yes, it is a modern day when we can talk about these things openly. Yes, that is a fantastic thing.

Obviously, women have been menstruating for centuries, so in that sense it is not a new issue, and there have been for a number of years calls to make hygiene products more accessible and more affordable for all women and girls. There have been a number of organisations who have been in that space of which I think a number are known to members in this place, particularly for their work in terms of providing services to women who are experiencing homelessness.

I understand that Hutt St Centre and maybe Essentials 4 Women, who provide these services, have certainly had outlets in MPs' offices and other places for some time, so I think it is part of a community movement. It is also pleasing to note that, in more recent years, the GST has finally been removed from hygiene products, which I think took place last year. Our Treasurer was involved in those negotiations.

In relation to the matters that are in the motion, the Department for Education is committed to providing a supportive environment for the healthy and dignified management of menstruation and has a number of resources and learning tools available to students, parents and teachers to assist in menstrual hygiene management.

The advice I have received is that the department has been liaising with Share the Dignity, which is one of the charities in this space. Following their interest in providing a number of schools with free vending machines containing sanitary pads and tampons, the department is supporting the development of a licence agreement to enable Share the Dignity to operate vending machines in schools when they become available.

The government is continuing to work with schools and non-government organisations, including but not necessarily limited to Share the Dignity and Essentials 4 Women, on increasing the support given to vulnerable young women in our schools. I also look forward to making some more comments in relation to the bill that is before this place, which I understand will be called to a vote in the near future. I move to amend the motion as follows:

Paragraph 4—Leave out 'Agrees with' and insert 'Notes'

Paragraph 5—Leave out paragraph 5 and insert new paragraph as follows:

5. Calls on the government to continue to work with the feminine hygiene industry and community partners to expand the current provision of sanitary product support in South Australian schools.

The Hon. C. BONAROS (20:17): I thank all honourable members for their contributions. I think we have extensively exhausted the issue of periods in this place today. For the benefit of sharing in what the Hon. Tammy Franks has said, I was wearing white, I missed out on swimming that day and I hid in a toilet block until somebody ran to the front office to save me by requesting one of those products. Above all, when I finally emerged, red faced, I remember Mr Schneider, the deputy principal, telling me, 'It's okay. I have two females at home.' So there we go, and I am sure we all have a very similar story to that.

I would like to thank all honourable members for their contributions. I really look forward to debating this issue further when the bill that has been introduced today is dealt with in this place. With regard to the minister's amendment, I have to admit that that has only just come to my attention. I am pleased to hear that there is work underway with Share the Dignity. I understand that there may be work underway with Essentials 4 Women.

I have not had the opportunity to consider the amendments that have been proposed, and I apologise for that. I think the point that we are trying to make with this motion is that, up until now, this has been a very piecemeal approach, and that is not good enough. We need a coordinated approach to ensure universal access to these products across schools. For that reason, my

preference would be that the motion remain as is. With those words, I thank the honourable members again for their support and their contributions.

The PRESIDENT: I put the question that the amendment to paragraph 4 moved by the Minister for Human Services be agreed to.

The council divided on the question:

Ayes 7
Noes 12
Majority 5

AYES

Dawkins, J.S.L.
Lensink, J.M.A. (teller)
Wade, S.G.

Hood, D.G.E.
Ridgway, D.W.

Lee, J.S.
Stephens, T.J.

NOES

Bonaros, C. (teller)
Franks, T.A.
Ngo, T.T.
Pnevmatikos, I.

Bourke, E.S.
Hanson, J.E.
Pangallo, F.
Scriven, C.M.

Darley, J.A.
Hunter, I.K.
Parnell, M.C.
Wortley, R.P.

PAIRS

Lucas, R.I.

Maher, K.J.

Question thus resolved in the negative.

The PRESIDENT: The next question is that paragraph 5, as proposed to be struck out by the Minister for Human Services, stand as part of the motion. It is put this way because the minister is seeking to replace one paragraph with a new paragraph.

Question agreed to; motion carried.

Parliamentary Procedure

VISITORS

The PRESIDENT: I acknowledge the former deputy premier, the Hon. Stephen Baker, who is in the gallery.

Bills

PLANNING, DEVELOPMENT AND INFRASTRUCTURE (TRANSPARENCY) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 30 October 2019.)

The Hon. M.C. PARNELL (20:26): I rise on behalf of the Greens to support this bill. It will come as no shock to members, because I have spoken about the State Commission Assessment Panel in this place many times. I am not sure if I am on their Christmas card list, but I am certainly a frequent flyer when it comes to attending meetings of the State Commission Assessment Panel, and I have been critical of that body over a period of years, long before they achieved their new name, back when they were the Development Assessment Commission—way back. I have appeared before the SCAP and its predecessor many times, and I have been very critical of many of their operations.

The bill that the Hon. Clare Scriven has put before us is a very simple reform in relation to SCAP. It requires that body to meet and deliberate in public, as local council development assessment panels do, and also requires that the members who serve on that panel are accredited to the same standard as those who serve on council assessment panels; so it is pretty straightforward.

Whilst I am not proposing to move any amendments to the honourable member's bill, there are a number of other reforms that could equally have been put in here, not the least of which amendments would be to require them to publish more of their materials and to keep those materials available in an archive.

What I am talking about here is that when someone applies for a development approval, the SCAP will usually put the plans and the planning officer's report and all of the supporting documentation on their website, and they will put it on their website for a brief period of time. The day that public consultation ends, they pull those documents off the website, and a snide little comment goes up saying, 'If you want to see these documents, you must go through freedom of information.'

These are documents that were publicly available for download on the SCAP website. The minute that they can hide them, they hide them, and they tell you to go through FOI. That says a lot to me about the culture of that organisation. They do not really welcome community input, they do not provide reasons for the decisions that they make, and that is one of the reasons the Hon. Clare Scriven has moved this bill. Even the Law Society agrees that if you are not providing any reasons for your decision you might as well allow people to sit in and hear the deliberations. It is a very logical position.

The fact that they do not provide reasons for their decision is an insult to those who take the trouble to make written submissions and who take the trouble to turn up to hearings and have their say about the future of development in this state. To then only find out some period of later that it was approved with no reason whatsoever given for that decision, I think is appalling. I support the Hon. Clare Scriven's introduction of this very simple bill, and I look forward to its passage through the Legislative Council tonight.

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (20:29): I rise on behalf of the government to speak to the Planning, Development and Infrastructure (Transparency) Amendment Bill. As we know, this bill is designed to achieve the following:

1. Require all members of the State Commission Assessment Panel (SCAP) to be accredited professionals.
2. Mandate public access to all SCAP meetings.
3. Require details of all development applications to be published on the SA planning portal within two business days after the application is made.

All three of these measures are unwarranted and, in some cases, fundamentally problematic.

Firstly, a key element of the act is the creation of an accredited professionals' scheme to lift the performance of, and improve confidence in, professionals undertaking functions in the planning system. Accredited professionals are able to undertake assessment functions under regulation, with the intent being to depoliticise decisions at a local level by allowing for objectivity and skills-based assessment.

The State Commission Assessment Panel, or SCAP as it is better known, is appointed by the independent State Planning Commission, members of which are appointed by the Governor. The commission must have the necessary skills and qualifications as set out in the act. All SCAP members are currently accredited under the scheme, though the act provides for additional expertise to be brought in to assess complex matters as required. Given the range of matters SCAP deals with, wider expertise is required from time to time and should not be limited by specificity of the accredited professional scheme only.

Secondly, in regard to public access to SCAP meetings, following an internal review in 2018, the State Planning Commission and the Marshall Liberal government has supported improvements

to public access to information and enhanced transparency in the planning system. It was recommended that, with few exceptions, all information before SCAP should be made publicly available before assessment decisions are made. In response to the review, new operating procedures have been established to require all meetings to be open to the public, except for the deliberation and decision-making, which are in camera. Decisions are recorded and minutes are made available to the public online.

Enshrining the operational requirements in legislation in a way more onerous for SCAP than other assessment bodies may be too rigid an approach and may not provide SCAP with the flexibility it needs to operate effectively.

Thirdly, the act seeks to shift the focus of public participation in planning and development up-front to the strategic planning and policy stages of the process, and away from the scrutiny of individual development applications. This is because development applications are assessed against policies which have already undergone extensive public consultation and have been determined to be appropriate for their location and zone.

To require all details for all applications to be published on the portal may in effect make all applications subject to scrutiny and review by anyone. People who are otherwise not entitled to be notified may be able to view plans and make unsolicited representations outside of the current process. This may undermine the spirit of the act and may create a significant burden on assessment authorities. Given the majority of development applications are for dwellings, many home owners might be unhappy to have their house plans published for the whole world to see.

There are some 30,000 to 35,000 development applications every year, with the total number of plan drawings running to hundreds of thousands. The resources required to vet every application to determine what specific plan or plans should or should not be published may be significant. The opposition does not appear to have considered or costed this in their proposal.

The act and regulations enhance online access to information via a central point register for plans to be viewed when a development is publicly notified. This keeps proponents easily up to date with the status of their application and reduces red tape, allowing for the status of applications to be determined without the need to physically attend council offices. Such measures enhance public access to development information while ensuring privacy, security and intellectual property rights are appropriately maintained.

Based on the departmental review of the online application registers in all other states and territories, the best advice is no other Australian jurisdiction allows for online public access to all development application plans. To allow public access to all development application plans would be unprecedented and may also cause conflict with the federal Copyright Act 1968. With those few words, the government will not be supporting the bill as proposed tonight.

The Hon. C.M. SCRIVEN (20:34): I thank all speakers for their contributions to the debate and I particularly thank SA-Best and Greens MLCs for their indications of support for this bill. This bill will greatly improve the transparency of the SCAP's development assessment processes. Indeed, it will require the SCAP to be subject to the same transparency provisions as already apply to council assessment panels as well as the same professional accreditation standards for its members.

These are important reforms because they are likely to bolster the public's confidence in our state's planning system. As mentioned during the debate on this bill, the experience of council assessment panels has been that when the public is given the opportunity to hear their deliberations, there is a greater understanding and a greater acceptance of their decisions. That is something that has to be positive for the transparency of the planning system.

The Hon. T.J. Stephens interjecting:

The PRESIDENT: The Hon. Mr Stephens, please, giving advice.

The Hon. C.M. SCRIVEN: Yes, I did, thank you. I thank the Hon. Mr Stephens for his advice; always appreciated. Conspiracy theories, which sometimes surround some development approvals, can be avoided through the opportunity to have access to the documents so that the decision-making process can be more transparent.

I will briefly respond to a couple of the objections raised by the Hon. Mr Ridgway. Firstly, essentially, wider skills are needed on occasion than would be provided through people having the mandated professional accreditation standards. That is a line of argument that has been prosecuted, I understand, by the Urban Development Institute of Australia (SA Branch) but it is not a view shared by the Law Society nor by the LGA SA whose representatives at a building communities forum could not understand why the business of SCAP was qualitatively different from that of council assessment panels.

In fact, representatives of these organisations are of the view that, because the SCAP assesses more complex development applications, the onus on its members to be professionally accredited could be even greater. The government also referred to their existing reforms, which they claim should be sufficient, essentially. Recent experience has revealed that the public's access to development assessment documents considered by SCAP, in addition to public access to meeting proceedings, remains limited; that has been alluded to by some of the speakers in this debate. Public access to SCAP deliberations is also not granted.

An example of the deficiencies of the current arrangements includes one of the processes that was referred to during the debate involving the Australian Walking Company's recent development application for the construction of tourist accommodation dwellings on Kangaroo Island. In that example, development plans were slow to be uploaded to the SCAP's website and the SCAP's deliberations were held in private. Clearly, those objections have been addressed already in this bill. As the Hon. Mr Parnell said, this is quite a simple bill. Therefore, I commend the bill to the chamber and look forward to its swift passage.

Bill read a second time.

Committee Stage

Bill taken through committee without amendment.

Third Reading

The Hon. C.M. SCRIVEN (20:39): I move:

That this bill be now read a third time.

Bill read a third time and passed.

Parliamentary Committees

LEGISLATIVE REVIEW COMMITTEE: HEALTH PRACTITIONER REGULATION NATIONAL LAW (SOUTH AUSTRALIA) (REMOTE AREA ATTENDANCE)

Adjourned debate on motion of Hon. T.J. Stephens:

That the Legislative Review Committee inquiry report on the Health Practitioner Regulation National Law (South Australia) (Remote Area Attendance) Variation Regulations 2019 (SA) be noted.

(Continued from 16 October 2019.)

The Hon. I. PNEVMATIKOS (20:40): I rise today to put on the record my thanks and brief evaluation of the Legislative Review Committee. Over the past year, the committee has achieved a considerable amount. I thank the Hon. Terry Stephens, as Chair of the committee, for driving the fruitful and diverse discussions. I would like to thank the Hon. Connie Bonaros, Mr Dan Cregan, Mr Joe Szakacs and Mr Josh Teague for their contribution to the committee. Each member brings their own experiences and skills to the group.

Behind the scenes, there are two important figures I would like to recognise: committee secretary, Matt Balfour, and research officer, Lisa Baxter. I thank these two members for supporting the committee. I am personally thankful for the work they do. Their exceptional work ethic shows how much they value the parliamentary process and they provide invaluable assistance on legislation.

The committee's structure is strong and capable of looking into a larger range of issues than we do currently. Being a member of this committee, we have a responsibility to ensure we have a large scope of activities to review. The newly established committee into committees will help us finetune the role we as a committee hold, and how we can be most effective in dealing with legislative

review. I look forward to continuing the important work we do as a committee and look forward to continuing in its important agenda: reviewing legislation and regulations.

The Hon. T.J. STEPHENS (20:41): I would like to thank the Hon. Irene Pnevmatikos for her contribution, and for her contribution to the committee, as with other members, and commend the report.

Motion carried.

ENVIRONMENT, RESOURCES AND DEVELOPMENT COMMITTEE: REPORT 2018-19

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

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

(Continued from 13 November 2019.)

The Hon. T.T. NGO (20:42): I rise to support the motion to note the third report of the Environment, Resources and Development Committee (ERDC) of the Fifty-Fourth Parliament. I am pleased to sit on this committee and contribute to the management of environment, resources and development in our state.

When moving this motion, the Hon. Mr Dawkins explained that our committee spends much of its time on changes to planning rules and processes. This committee has looked at discrete micro changes affecting relatively few people, but sometimes it affects those people in big and serious ways. The committee has looked at systemic issues, such as how heritage is managed in this state, and government policies for planning and development statewide.

Planning and development impacts our lives significantly and in ways I do not think we appreciate as a community—or, at least, not until something happens that we do not like. Planning and development is both visible and invisible. It is the rules telling us what we can and cannot build, and where. It is a system of rules and guidelines that protect our health and safety while also determining fence heights and setbacks.

Planning and development is the combination of physical and definite infrastructure, buildings and spaces around us: things that we see, touch and use. It is also an invisible force, strongly influencing how we live, function and engage with our surroundings.

This committee performs an important role in an important social policy area. On behalf of this parliament and our state's citizens, we scrutinise planning and development, which affects all our lives in multiple ways. Outside this role, one of the most exciting things this committee instigated during this reporting period falls within our resources remit. How we use and re-use our limited resources is one of the most serious global issues and has a profound impact on international matters. This does not just affect South Australia, but I believe that actions of individual communities like ours will lead to better use of the world's resources.

Lots of small changes will contribute to the global solution we need. As such, the ERDC embarked on an inquiry of the recycling industry in South Australia. We are currently listening to the community and visiting sites to gather as much information as we can. I look forward to when this committee can bring together our information and insights about how recycling works, or perhaps how it may not work, and how we can do better in South Australia.

I think tackling an issue like this is some of the most pressing and necessary work this committee can do, that is, working on a problem that faces our generation and that has a profound impact on future generations and those beyond our state borders. I look forward to working with other committee members on this challenging issue and uncovering what reforms we might be able to make in this state. I am eager to see what the ERDC can deliver for the people of South Australia.

In closing, I thank the staff who have provided administrative support to the committee over this reporting period: Ms Lisa Baxter, Ms Lauren Williams and Ms Joanne Fler. I also thank Dr Merry Brown, the research officer for the committee. Lastly, I thank committee members for our frank and robust discussions: Mr Nick McBride MP, member for MacKillop; Mr Michael Brown MP, member for Playford; Mr Adrian Pederick MP, member for Hammond who, as the Presiding Member, keeps the ship sailing forward as we work through these complex issues; the Hon. John Dawkins MLC; and,

for his particularly enlightening contributions and depth of knowledge not only in this area but others, the Hon. Mark Parnell MLC. I endorse this report.

The Hon. J.S.L. DAWKINS (20:48): I thank the Hon. Tung Ngo and other members of the committee who have contributed to the work of the ERD Committee. I commend the motion to the council.

Motion carried.

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

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

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

(Continued from 13 November 2019.)

The Hon. T.T. NGO (20:49): I am pleased to speak in support of council members noting the 2018-19 annual report of the Parliamentary Committee on Occupational Safety, Rehabilitation and Compensation (OSRC). As a committee member, I acknowledge the important functions the OSRC committee performs. This includes monitoring the state's crucial workplace health and safety legislation.

During this reporting period, much of the committee's attention has been on its inquiry into workplace fatigue and bullying in South Australian hospitals and health services, which was initiated last year. The committee has determined to consult broadly for this inquiry and currently aims to finalise its information gathering this year.

During this reporting period, the committee also considered outcomes of some external inquiries, including the Your Voice survey by the state's Office of the Commissioner for Public Sector Employment and the Public Integrity Survey by the Independent Commissioner Against Corruption and the Office for Public Integrity. Engaging with these reviews broadened the committee's knowledge, increasing our collective insights for future inquiries.

Thanks to all who contributed to the work of the committee during this recent reporting period. I thank those who made submissions and presented material for the committee's consideration. I also thank committee members for their commitment in examining these issues. While we come to the committee with different experiences, I believe through our forthright discussion we work together respectfully to balance our different viewpoints.

I especially acknowledge and appreciate the efforts of other members of the committee. I recognise and thank the Presiding Member, Mr Stephen Patterson MP, the member for Morphett; Mr Steve Murray MP, the member for Davenport; Mr Jon Gee MP, the member for Taylor; the Hon. Tammy Franks MLC; and the Hon. John Dawkins MLC.

I also thank the parliamentary staff who ably assisted the committee in performing its functions over this last reporting period: our parliamentary officers and research officers, Ms Anthea Howard, Mr Simon Macdonald and Mr Eugene Braslavskiy. I thank them for their research, thorough preparations and scheduling to accommodate our many busy diaries, which I am sure is not always easy. Their attention to detail, diligence and administration make the work of the committee much smoother. I ask that council members note this report.

The Hon. J.S.L. DAWKINS (20:52): I thank the Hon. Mr Ngo for his remarks and I am sure they are echoed by other members of the committee, particularly around the efforts of the staff. As I mentioned, before we had the two permanent staff, the work of Anthea Howard while she was also doing other duties in the House of Assembly was outstanding.

One thing many of us who have served on a lot of committees have found is that, sometimes when you are in the community, things are brought back to you that you did on a committee some distant time ago. In recent times, I have had a number of comments in my work in suicide prevention about people who contributed to or read of the work of the Occupational Safety, Rehabilitation and Compensation committee in its inquiry into mental health and suicide prevention in the workplace a

number of years ago, back under the chairmanship of the Hon. Steph Key. That committee helped a number of those state agencies to lift their game in that area.

Sometimes we wonder about the value of the work we do, but it is worth putting on the record that those remarks have been brought back to me several times in recent weeks. With those remarks, I commend the motion to the council.

Motion carried.

Motions

GAMBLING REGULATION

Adjourned debate on motion of Hon. C. Bonaros:

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.

(Continued from 13 November 2019.)

The Hon. T.T. NGO (20:54): I rise to speak on behalf of the opposition today on the disallowance motion moved by the Hon. Connie Bonaros MLC. The variation notice that is the subject of the disallowance motion has the effect of allowing cashless gaming in the Adelaide Casino. The Casino commenced operating account-based cashless gaming systems in early 2014, with requisite automated risk monitoring and precommitment systems. This was due to changes made to the Casino Act 1997 and the Gaming Machines Act 1992 on 1 January 2014, which allowed account-based cashless gaming to be offered in hotels, clubs and the Casino from that day.

This formed part of comprehensive reforms to the gambling sector in South Australia in 2013. Transitional regulations impose the following requirements if an account-based cashless gaming system is used: gaming machines must be operated in conjunction with a recognised automated risk monitoring system, and gaming machines must be operated in conjunction with a voluntary precommitment system which complies with a voluntary precommitment code.

These transitional arrangements were originally in place until 31 December 2018, when automated risk monitoring was to become mandatory for all gaming machines and automated table games operating in South Australia regardless of whether an account-based cashless gaming system is being used. These transitional arrangements have been extended to 31 December 2020 pending the outcome of a broad review of gaming regulation in South Australia, which is currently being undertaken.

The changes concerning the use of account-based cashless gaming were supported by the now defunct Independent Gambling Authority due to the likely outcome of the changes, giving the customer the benefit of making an informed decision relating to their gambling behaviour. With this in mind, the authority agreed that changes should be made to the criteria for account-based cashless systems. The Australian Hotels Association and Clubs SA have indicated that cashless gaming machines are not proposed to be operated in hotels and clubs. With that, the opposition will not be supporting the disallowance motion.

The Hon. R.I. LUCAS (Treasurer) (20:58): I rise to speak on behalf of the Attorney-General and the government. The notice in question varies the Gambling Regulation—Systems Criteria—Prescription Notice 2013. Its primary purpose is to amend the criteria for an account-based cashless gaming system to be recognised by the Liquor and Gambling Commissioner for operation in the Casino. Under changes made to the Casino Act 1997 and the Gaming Machines Act 1992 on 1 January 2014, recognised account-based cashless gaming was allowed to be offered in hotels, clubs and the Casino from that day. This was part of comprehensive reforms to the gambling sector in South Australia in 2013.

Transitional regulations impose the following requirements if an account-based cashless system is used: gaming machines must be operated in conjunction with a recognised automated risk monitoring system, and gaming machines must be operated in conjunction with a voluntary precommitment system which complies with the voluntary precommitment code.

Those transitional arrangements were originally in place until 31 December 2018, when automated risk monitoring was to become mandatory for all gaming machines and automated table games (in the Casino) operating in South Australia regardless of whether an account-based cashless gaming system was being used. The transitional arrangements have been extended to 31 December 2020 pending the outcome of a broad review of gambling regulation for South Australia, which is currently being undertaken and which is the subject of legislation before the council.

The former Independent Gambling Authority first recognised an account-based cashless gaming system to be operated in the Casino on 1 May 2014 until 31 March 2019. On 28 March 2019, the commissioner recognised that same account-based cashless gaming system for use at the Casino until 31 March 2020. The Casino commenced operating its account-based cashless gaming system and requisite automated risk monitoring and precommitment systems on 1 May 2014.

In March 2018, the licensee of the Casino made representation to the authority about the usage of account-based cashless gaming. The authority supported measures designed to increase the take-up of account-based cashless gaming, which gives the customer the benefit of making an informed decision relating to their gambling behaviour. With this in mind, the now-defunct authority had agreed that changes should be made to the criteria for an account-based cashless gaming system to be recognised for operation in the Casino.

The regulations before us put these into effect. The Casino has taken a lead in this space and implemented the automated risk monitoring system throughout its venue, which looks at spending patterns and alerts staff to those who have spent too much time at a machine. The AHA, too, has rolled out this system across its venues and is very supportive of the role it has played in assisting venues to monitor potential problem gamblers. For the reasons outlined, the government therefore opposes the disallowance motion.

The Hon. T.A. FRANKS (21:01): Mr President, you will be very happy to know that I am going to be very brief. The Greens rise to support the disallowance put here today by the SA-Best Party and the Hon. Connie Bonaros. We are sick of seeing the two majors collude to be silent as it is made easier and easier for particularly problem gamblers to lose money more quickly. On this account-based cashless gambling at the Adelaide Casino, we support the disallowance of the motion and we look forward to next week's debate on the pokies bills.

The Hon. C. BONAROS (21:02): I think the Hon. Tammy Franks has summed up my views on this issue particularly well. I do not know whether I am actually surprised by the position of the opposition, but I am disappointed, especially given that what they say today is completely at odds with the proposals in their amendments to the gambling legislation, which makes it even harder to comprehend the position they have taken. That said, I accept that the two major parties in this instance have come to a neat and cosy arrangement, but I indicate that I will be dividing on this motion.

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.
 Pnevmatikos, I.

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

Hanson, J.E.
 Lee, J.S.
 Ngo, T.T.
 Scriven, C.M.

NOES

Stephens, T.J.

Wade, S.G.

Wortley, R.P.

Motion thus negatived.

KURDS IN SYRIA

Adjourned debate on motion of Hon. I. Pnevmatikos:

That this council—

1. Condemns the military operation Peace Spring launched on 9 October 2019 by the President of Turkey, President Erdogan, and the Turkish military against the Kurdish people and calls on them to immediately cease their invasion and all military operations in Syria targeting the Kurdish population;
2. Notes the sacrifice of the Kurdish people in assisting Australia and its allies to defeat ISIS and calls on the international community to immediately send humanitarian assistance to the Kurdish population targeted by the Turkish military and their allies; and
3. Expresses its deepest sympathies to the South Australian Kurdish community on the senseless loss of innocent lives at the hands of the Turkish military.

(Continued from 16 October 2019.)

The Hon. R.P. WORTLEY (21:07): The irony of having a military operation called Peace Spring is lost in the tragedy that such an assault continues to be inflicted on the Kurdish people. So-called Operation Peace Spring, which was launched in north-eastern Syria in early October by Turkish President Erdogan, needs to be condemned across the globe. More importantly, it needs to be stopped immediately. I am compelled to add my voice to that message, as are my fellow members on both sides of the house, I am sure.

President Erdogan needs to know that this action is not just unacceptable; it is inhumane and wrong on a massive scale. Since the Turkish Air Force conducted its first strikes on towns along the Syrian border eight weeks ago, we have seen a humanitarian nightmare that has led to the displacement of more than 300,000 Kurdish people. More than 70 civilians have been reported killed, and that number can only be expected to rise.

While investigating widespread reports of human rights violations, Amnesty International gathered evidence of war crimes carried out by Turkish-backed military forces. Amnesty International said that the atrocities showed a callous disregard for civilian life and cited instances it referred to as 'summary killings' of civilians. These include the brutal execution of Hevrin Khalaf by Turkish-backed militants.

Hevrin Khalaf was a 34-year-old Kurdish civil engineer turned politician who gave her life trying to make a better Syria that was tolerant of various cultures and religions, all while helping to assist with the basic education of children liberated from the Islamic state. Her killing, after being dragged from a car carrying civilians, has already been listed by sources, such as *The Washington Post*, as a war crime. It is a terrible story and it is one of many.

This attack on an entire people came just three days after President Trump withdrew American troops from Syria. Before 6 October, the US had been supporting its Kurdish allies. These are the same people who sacrificed so much to help the US, Australia and our mutual allies fight to eradicate the scourge of ISIS, and their support in that effort cannot be understated.

When the attacks cease, the Kurdish people are going to need help from nations all around the world. To put it into perspective, a population a quarter of the size of Adelaide has been made homeless. Many have been brutalised and many more are starving. They do not have safe drinking water and they have virtually no medical care. I am not alone in calling on the international community to immediately send humanitarian assistance to the Kurdish population. We need to act now.

In closing, I take this opportunity to express my deepest heartfelt sympathies to the South Australian Kurdish community on what has been a senseless assault by the Turkish military on their people.

The Hon. C. BONAROS (21:10): I rise also to speak in support of the honourable member's motion condemning the Turkish military offensive in October. According to UNHCR—and Australian government, take note of this—Turkey continued to host the world's largest number of refugees in 2018, with 3.6 million Syrian nationals and close to 400,000 registered refugees and asylum seekers of other nationalities. Those figures are up to date, as at 27 June this year. That is a remarkable effort by Turkey and their efforts on this front should not, and cannot, be ignored.

But, sadly, by the same token, Turkish President Erdogan has not hesitated to use—some would say, exploit—Turkey's tremendous humanitarian efforts on the refugee front to his advantage. Turkey's offensive, which began on 9 October and is incongruously called Peace Spring, was aimed, according to the Turkish government, at removing Kurdish fighters considered terrorists by Ankara from the border region and establishing a safe zone to resettle some of the refugees in the country. Ankara had been in talks with the United States to create a jointly-controlled safe zone for months before the operation and blamed Washington for stalling the initiative, which it said was necessary for Turkey's security.

Days before the offensive, the US in a surprise move withdrew its forces from the Kurdish-controlled region that would be targeted by the operation, opening the door for Turkey to carry out the offensive. That operation, as we all know, received widespread international scorn from Turkey's NATO allies, as the Kurdish-led Syrian Democratic Forces have been a loyal ally of the US-led coalition fighting against the Islamic state of Iraq and the Levant (ISIL or ISIS) and played a key role in defending the group in Syria. This was of apparently no consequence to the erratic US president.

On the day the operation began, US President Donald Trump sent his Turkish counterpart, Erdogan, an unconventional letter, advising him not to be a tough guy and to negotiate with the SDF instead of carrying out a military attack. In response, according to media reports, Turkish presidential sources said Erdogan thoroughly rejected the letter and put it in the bin. Days later, Trump proceeded to impose limited sanctions on Turkey over the military action, but kept diplomatic channels open with Ankara.

Turkey's European allies expressed strong condemnation of the Turkish offensive, with French President Macron calling it madness and German Chancellor Angela Merkel calling it an invasion. Both countries suspended arms sales to Turkey, along with other European member states. The fighting between the Turkish and allied forces and the SDF continued for some 10 days until 18 October, when Mike Pence, the US Vice-President, announced that Washington and Ankara had agreed on a ceasefire over Turkey's offensive, but not before there was a senseless loss of life.

A recent report in *The New York Times* revealed an internal memo from a top diplomat in Syria, who accused Turkish-backed fighters of committing war crimes and ethnic cleansing, claiming that they killed prisoners during the operation, among other crimes. These crimes must be investigated by the international community.

Erdogan has not limited his assault on neighbouring Syria to attacking Kurdish troops that run the country's northern region. He threatened to return 3.6 million Syrians to their own homes once northern Syria was wrenched from Kurdish control. When sanctions were placed on Turkey as a form of punishment for launching an offensive against US backed Kurdish militants, President Erdogan again responded by issuing a chilling threat to release Islamic State prisoners in Turkish custody.

Although not related, earlier this month, President Erdogan again, faced with the threat of sanctions over Ankara's controversial plans to drill for oil off the coast of Cyprus, issued the same threat if the US persisted with imposing sanctions. These may be veiled threats, Mr President, but the reality is they have a very worrying impact on a global front. The potential for a humanitarian disaster capable particularly of enabling the resurgence of ISIS cannot be overstated.

I join with the honourable member in supporting her motion in expressing my deepest sympathies to the South Australian Kurdish community and the Kurdish community more broadly on the senseless loss of life by the incursion at the hands of President Erdogan and the Turkish military.

The Hon. J.S. LEE (21:16): I rise on behalf of the government to thank the Hon. Irene Pnevmatikos MLC for moving this motion. Australia, as a multicultural country, has welcomed more

than 10,000 people with Kurdish ancestry. I would like to begin by expressing our deepest sympathies to the South Australian and Australian Kurdish community, who have been impacted by the tragic loss of innocent lives in the recent military operation.

The situation unfolding in Syria is an action that will have grave consequences not only for security in the region but also in terms of civilian suffering and the lack of humanitarian access. An article in the *Australian Financial Review* of 10 October 2019 states that the Prime Minister, the Hon. Scott Morrison, has joined other world leaders to condemn Turkey's invasion of north-eastern Syria following the US troops withdrawal, flagging that Australia will add its voice to an international response that could include some form of economic sanctions.

Honourable members would appreciate that it is a very complex situation and the commonwealth federal government is better placed to address the concerns and that the Australian government has come forth with various statements about Operation Peace Spring and have outlined their concerns and measures in assisting those caught up in the middle of this horrific situation.

The Australian government expressed in a media statement that Australia is deeply troubled by Turkey's unilateral military operation into north-eastern Syria. Actions of this nature will have grave consequences for regional security and could significantly undermine the gains made by the international coalition in its fight against Da'esh, which remains a serious threat to regional peace and security despite its territorial defeat.

It will cause additional civilian suffering, lead to greater population displacement and further jeopardise humanitarian access. While Turkey has legitimate domestic security concerns, unilateral cross-border military action will not solve these concerns. In a statement issued by the Prime Minister, the Australian government has expressed this view directly to the Turkish government.

The federal government remains in close contact with our US, European, Middle East and other allies and security partners, including through our embassies and other officials. The Australian Prime Minister, together with the Minister for Foreign Affairs and the Minister for Women, has issued a joint statement with regard to this complex situation. They urge restraint and call for all parties to the conflict in Syria to avoid escalatory or opportunistic actions that cause further instability and humanitarian suffering.

The Australian government notes that the Syrian Democratic Forces have been steadfast partners for the international coalition in the fight against Da'esh and have borne a significant share of the sacrifice. They have also helped the international community by providing security support at internally displaced persons camps. The full implication of the Turkish military operation on these camps and the people residing in them is difficult to assess at this early stage and will depend in part on subsequent actions taken by Turkey and the Kurds.

We offer our thoughts and prayers to those affected by this horrific situation. We hope the international community will provide the necessary humanitarian assistance and we call on all parties in the conflict to come up with urgent and peaceful resolutions.

The Hon. I. PNEVMATIKOS (21:19): I thank the honourable members for their contributions to this important motion calling for the Turkish military to immediately cease all invasive and armed operations in Syria targeting the Kurdish population. It is a matter I feel passionate about. As a woman of Greek descent, I, too, well know the devastation caused by the actions of Turkish regimes. The loss is real and cannot be forgotten, as I would assume is the case for the Greek Pontians, the Armenians, the Kurds, the Assyrians and the Cypriots, who also have felt the destruction of culture and identity, thanks to Turkish forces.

However, it is happening again: videos are emerging, showing fleeing Kurdish civilians being dragged from their cars and shot and reports from hospitals of children dying from the effects of white phosphorus that eats into the flesh, which had allegedly been dropped or fired by the advancing Turkish forces. It is atrocious. The actions taken by the Turkish should not be seen as anything other than ethnic cleansing and it is something the world should care to do something about. At the very least, as an international community, we have a responsibility to immediately send humanitarian assistance.

There are over 900,000 people out of the three million living in north-eastern Syria who are in acute need, and the situation is only worsening. For example, 400,000 people, mostly Kurds who rely on the Alouk water station near Ras al-Ayn, are currently deprived of drinking water. The station was damaged in the fighting at the time of the invasion and is under the control of Turkish proxy forces who are preventing it from being repaired. I have read reports that the UN is making attempts to restore the water supply from Alouk but has so far failed to do so. This cannot go unaddressed.

We must unify and support our allies, as they have done for us. They sent their sons and daughters when the West was confronted with the Isis caliphate so that we did not have to. They worked with the United States, who now appear to have turned their backs on the very forces that fought to secure democracy in the East, allowing the Assad regime, with its Russian and Iranian-allied influence, to spread.

The motion is about acknowledging that we have a responsibility to take action. It is a fundamental human right to seek asylum from violence and persecution. We must do something as a matter of urgency.

Motion carried.

LYMPHOEDEMA SERVICES

Adjourned debate on motion of Hon. C. Bonaros:

That this council—

1. Acknowledges that this year's state budget failed to make provision for a garment subsidy scheme and dedicated treatment services for lymphoedema sufferers within SA Health;
2. Notes that South Australia continues to be the only jurisdiction without a garment subsidy scheme;
3. Recognises that lymphoedema sufferers in South Australia are disadvantaged compared with sufferers in other jurisdictions; and
4. Calls on the state government to implement a garment subsidy scheme and provide dedicated treatment services for all lymphoedema sufferers as a matter of urgency.

(Continued from 25 September 2019.)

The Hon. M.C. PARNELL (21:23): I rise today on behalf of the Greens to support this motion, and I thank the Hon. Connie Bonaros for bringing it to us. Lymphoedema is a chronic condition where excess fluid causes disfiguring swelling in one or more parts of the body. Lymphoedema is a progressive condition that is restrictive, painful and debilitating, and it requires ongoing treatment. It can also have severe impacts on a person's psychological, social and financial wellbeing. Lymphoedema can affect men, women and children and has a number of causes. What honourable members may not be aware of is that the onset of lymphoedema can occur within months of damage to the lymphatic system, but it can also occur years afterwards.

The Hon. Connie Bonaros has previously shared with us in this place the impact that lymphoedema has had on the lives of Monique, Lachlan and Alison. I want to share one more story today, and that is the story of a constituent of mine, June. June developed lymphoedema, following breast surgery in 2000. She recognised the symptoms and subsequently had laser treatment and lymphatic massage for five years. Because she had it in a mild form, her treatment eventually resulted in the loss of swelling.

June is one of the lucky ones; however, she is only too aware that her lymphoedema could return and as such she follows a regiment of care, including exercise, self-massage and she wears compression sleeves and gloves when travelling distances, particularly when flying. June takes other precautionary measures such as wearing protective gloves for activities such as gardening. She is careful not to scratch or cut herself or be bitten by insects. Any infection or injury to her hands or arms could cause the lymphoedema to return. As June's lymphoedema physiotherapist said to her, 'You will do this forever.'

According to the Australasian Lymphoma Association, and as the motion notes, 'South Australia continues to be the only jurisdiction without a garment subsidy scheme.' This must change. The garments, which help control swelling, are tailor made and may need to be replaced as often as

every three months. This amounts to a significant financial outlay, which not everyone can afford. I was provided with a letter yesterday from the Minister for Health, which I understand will be tabled, read or referred to later, and in it the minister says that his department:

...through Wellbeing SA, is currently in the process of establishing a South Australian garment scheme for people who have lymphoedema.

This is very good news. The wheels are finally in motion to remove the disadvantages that South Australians living with lymphoedema are facing. The minister's letter goes on:

An advisory group has been convened involving health professionals from research and clinical practice, and individuals who can provide insight and lived experience from organisations such as the Lymphoedema Support Group of South Australia and the Australasian Lymphology Association.

But wait—there is more good news. A second letter has now been provided to me from the office of the federal Minister for Health, which says:

The Australian government will be providing \$10 million over five years to assist with subsidies for the provision of compression garments to eligible Australians with lymphoedema.

The letter notes that this sum is intended to complement and extend the existing compression garment schemes in states and territories, rather than replace them. I commend the minister in this place for his actions, as well as the actions of his federal counterpart in Canberra and I look forward to the day when South Australians living with lymphoedema can access a compression garment scheme; however, a dedicated treatment program must follow.

Earlier this year, during Lymphoedema Awareness Month, many of us in this place wore blue ribbons to show our support for those living with this debilitating condition. I have dug mine out for the occasion and am wearing it proudly today. I think it is time in this motion to show our support once more. With these words, the Greens are very happy to support the motion.

The Hon. R.P. WORTLEY (21:27): The opposition is wholeheartedly in support of this motion. Lymphoedema is a condition involving swelling of parts of the body—

The Hon. S.G. Wade: Sixteen years. No scheme in 16 years.

The Hon. R.P. WORTLEY: Mr Acting President, I think it is very rude for a minister to be calling across the room while I am talking on such a very important motion. I need your protection.

The ACTING PRESIDENT (Hon. D.G.E. Hood): You have my protection, the Hon. Mr Wortley, but standing orders indicate that you should not respond to interjections, so please continue.

The Hon. R.P. WORTLEY: Lymphoedema is a condition involving swelling of parts of the body due to problems with the lymphatic system, often affecting cancer survivors. Compression garments enable sufferers to manage the swelling and to go about their day less impeded by their condition. Unfortunately, these compression garments require replacement every six months and represent a significant financial burden on lymphoedema sufferers.

South Australia is the only state yet to introduce subsidies or dedicated public treatment services for people living with lymphoedema. There are very limited public lymphoedema services available in South Australia and no services that are funded specifically for lymphoedema. Lymphoedema advocates have been calling on the establishment of a garment subsidy for years. That is why, back in August 2017, the then Labor government committed to commencing a business case for a lymphoedema garment subsidy.

Earlier this year, Labor joined with Lymphoedema Support Group of SA president and patient, Monique Bareham, to publicly raise concerns regarding the lack of a garment subsidy. Still the government failed to commit to funding to establish the subsidy. Last month, an SA Health lymphoedema compression garment subsidy scheme advisory group met for the first time, only going so far as to discuss the terms of reference for considering a subsidy. No funding.

It has now been almost 2½ years since Labor committed to the business case to establish a garment subsidy scheme and still there is no subsidy. Instead, all we are seeing from this government are delaying tactics to avoid facing up to providing proper funding for a subsidy.

This is a pattern with this Liberal government, where they lack any compassion; they have been cruel. This is only one instance where people are being denied the opportunity just to exist with a very basic life because of no funding or lack of funding in many cases. We call upon the government to start acting to immediately outline the proper commitments and to secure concrete funding to assist lymphoedema sufferers in this state.

The Hon. S.G. WADE (Minister for Health and Wellbeing) (21:30): I thank the Hon. Connie Bonaros for moving this motion. It gives the government the opportunity to provide an update, which I propose to do, both through an amendment and through this speech. The Marshall Liberal government acknowledges the people who are living with lymphoedema and the challenges they face with this chronic condition.

We also recognise the clinicians and the wide variety of skilled health professionals who provide expert care and treatment across our health system. The Marshall Liberal government is committed to meeting its election commitments, and has met its commitment to develop a business case for a compression garment subsidy scheme and designated public lymphoedema services. The former Labor government failed to deliver a business case. It failed to deliver a scheme in spite of 16 years of management of the health system.

I appreciate the meeting I had with the Lymphoedema Support Group of South Australia, facilitated by the mover of this motion, on 10 May this year. It helped me to better understand the specific needs of South Australians living with lymphoedema and the deleterious impact the lack of a compression garment scheme in this state has had on their lives.

In particular, I acknowledge the ongoing advocacy of the Lymphoedema Support Group of South Australia, the Australasian Lymphology Association and the Lymphoedema Action Alliance, who have been asking the state to establish a subsidy scheme and increase treatment services to lymphoedema patients for a long time.

South Australia is the only state currently without a compression garment subsidy scheme, and the Marshall Liberal government is committed to rectifying this situation. Funding has been secured to provide for the establishment of the South Australian compression garment scheme this financial year. SA Health has commenced the implementation work to deliver the scheme and is meeting regularly with key stakeholders through an advisory group which has been established to support the implementation of the scheme.

The first meeting of the advisory group was held in October, and they continue to meet regularly. The advisory group includes individuals with lived experience from organisations such as the Lymphoedema Support Group of South Australia and the Australasian Lymphology Association, and others from research and clinical practice, as key partners in the establishment of the scheme, and are working with officers to inform the design and implementation of a scheme to benefit all eligible consumers.

Representatives from local health networks have also formed a working group, which is meeting fortnightly to inform the development of the scheme. To date, the working group has focused on mapping the potential patient pathway, reviewing other state and territory scheme details, informing eligibility criteria and examining training requirements and options.

The Morrison Liberal government has also announced that they will provide an estimated \$8 million over four years for a subsidy scheme for specialised compression garments for people post breast cancer living with lymphoedema. The Marshall Liberal government, through SA Health, is working closely with the Morrison Liberal government to ensure we are able to maximise the benefit to people with lymphoedema. There are a number of points of interface with the commonwealth government, including the Department of Health, the National Disability Insurance Scheme and the Department of Veterans' Affairs.

The health system is complex, and ensuring we work together to deliver the best possible outcomes for our communities is critical. The treatment and care decisions are indeed matters for our clinical experts, and it is important to recognise the need for a holistic multidisciplinary approach to care and treatment. By establishing a compression garment subsidy scheme, we will be able to address a longstanding gap in the provision of this equipment for South Australians. This is one step

along the way to improving the care and treatment of people with lymphoedema, but it is an important step and one the Marshall Liberal government is proud to be able to deliver. I have an amendment to the motion to update it for the progress made since the motion was moved, and accordingly I move to amend the motion as follows:

Paragraph 1—Leave out all words after 'that' and insert:

the Marshall Liberal Government has met its 2018 election commitment to progress development of a business case for a compression garment subsidy and designated public lymphoedema services;

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

2. Acknowledges that the Marshall Liberal Government is implementing a South Australian Compression Garment Scheme;

Paragraph 3—Leave out paragraph 3 and insert new paragraph 3 as follows:

3. Notes that an advisory group has been convened involving health professionals from research and clinical practice, and individuals who can provide insight and lived experience from organisations such as the Lymphoedema Support Group of South Australia and the Australasian Lymphology Association; and

Paragraph 4—Leave out paragraph 4 and insert new paragraph 4 as follows:

4. Acknowledges the announcement made by the Morrison Liberal Government in May 2019, to provide an estimated \$8 million over four years for a subsidy scheme for specialised compression garments for people post breast cancer living with lymphoedema.

I understand the mover of the motion will not accept the amendment. She prefers her out-of-date motion to stand. So be it. I note that SA-Best is showing yet again they are more interested in words than action. That is not the approach of this government.

The Hon. C. BONAROS (21:34): If I were more interested in words than action, then I would not bother to stand up here every time we sit and speak on these important issues. I have made it very clear that I will continue to stand up here and take the time of this chamber to speak about these issues until we get some change. On that front, I do acknowledge the work that the government has been doing on this front. I acknowledge that they are in the process of implementing a South Australian compression garment scheme. I acknowledge that stakeholders have been approached and that meetings are underway with those stakeholders. I understand there is a meeting planned for December in relation to that.

The Hon. S.G. Wade: Sounds like action to me.

The Hon. C. BONAROS: Absolutely it sounds like action, and it is about time. I also acknowledge that the former government did not take the actions that this government has taken in relation to this, so I am not dismissing the actions of the current government. But what I will say is that if the minister wanted to put up a motion which effectively replaces the motion that I did—

The Hon. S.G. Wade: Updates it.

The Hon. C. BONAROS: —I would say replaces—then he was well within his rights to do so. If I compare the amendments to my motion, my motion says that we acknowledge that the state's budget for this year has failed to make provision for a garment subsidy scheme and dedicated treatment services for lymphoedema sufferers within SA Health. That is still correct.

It notes that South Australia continues to be the only jurisdiction without a garment subsidy scheme. That is still correct. It recognises that lymphoedema sufferers in South Australia are disadvantaged compared with sufferers in other jurisdictions. That is still correct. And it calls on the state government to implement a garment subsidy scheme and provide dedicated treatment services for all lymphoedema sufferers as a matter of urgency. And that is still correct.

For those reasons, I will not be accepting the amendments that have been proposed, but I do absolutely look forward to the day when all those matters are addressed and South Australian lymphoedema sufferers are put on an equal playing field with lymphoedema sufferers across other jurisdictions. I certainly hope that that will occur as a matter of urgency.

Amendment negated; motion carried.

DEVELOPMENT ASSESSMENT REGULATIONS

The Hon. M.C. PARNELL (21:39): I move:

That the regulations, made under the Planning, Development and Infrastructure Act 2016 concerning development assessment made on 27 June 2019 and laid on the table of this council on 2 July 2019, be disallowed.

In so moving, I note that it is the third motion on exactly this topic that is on our *Notice Paper*. There is an identical motion in the name of the Hon. Clare Scriven and another identical motion in the name of the Hon. Terry Stephens, although his motion to be fair I do not think represents any break with his party colleagues. I think they refer to them as holding motions as part of the review process for regulations, so I fully expect that his will be discharged or more likely just lapse when, as we all expect, parliament is prorogued.

When the Hon. Clare Scriven, back in September, moved to disallow these regulations, she pointed out a couple of areas that the Labor Party was unhappy with. She pointed out issues in relation to deemed planning consent, and that is a regime whereby if a yes is not given fast enough, then it is handed out automatically, even if an assessment has not been undertaken. In my view, that is very poor policy. She also pointed out that there are some problems in relation to accredited professional land surveyors being able to provide planning consent for deemed to satisfy land divisions and there is a range of other concerns.

It is no surprise that there are a lot of concerns because these are 179 pages of regulations. I am not going to go through every one of them but what I will say is this: the new planning system, which is being introduced over the next year or so, is a dog's breakfast. It has highlighted so many inadequacies in the system. There are problems in relation to heritage. We have seen with the rollout of the Planning and Design Code phases 1, 2 and 3 that there are problems and mistakes in relation to maps and zones and heights.

I have referred before to the famous case of the block of land in Bowden where you are allowed to build an eight-storey building, provided it is only four metres high, which means that a guinea pig hotel is probably soon to be constructed on that site because that is the only way you could get an eight-storey building in a four-metre height limit. So we know there are lots of problems with the system. I, for one, think that the government is not taking the community's concerns seriously enough. We have raised many concerns over many months in relation to the process and the actual content of the Planning and Design Code and the various policies under the Planning, Development and Infrastructure Act.

This chamber has very few tools open to it to object and, when the government rejects every overture that has been made by the community sector, by the Labor Party, by the Greens, by anyone else, we have to use the tools that are available to us. So disallowing these regulations is a quite drastic measure. It basically undoes the mechanics of the implementation of the Planning, Development and Infrastructure Act. It will cause some havoc in the department.

My expectation is that, if these regulations are disallowed, they will promptly be reinstated. Whether it is in the *Government Gazette* next Thursday or the one after, I have no doubt that they will want to put them back into place. If that is what they do, so be it, because that gives this parliament a proper opportunity to again look at them next year and move to disallow them again.

Currently, the only part of the act that is operational in relation to geographic areas of South Australia is in relation to the outback and coastal waters. The number of applications that are lodged, you can count without taking your socks off. It is not going to cause a great deal of difficulty on the ground but it will create havoc in the department when these regulations are disallowed. As I said, we have so few tools available to us to get the message across to the government that this planning system that they are trying to introduce is not working.

There is another bill—we will be voting on it next week—to allow the postponement of the Planning and Design Code to give the government time to get it right. But this disallowance motion is another shot across the bows of the government to pay attention to the people who are genuinely on board with trying to get a better planning system but not on board with the way the government is

doing it and with the dodgy content that they have been incorporating into state planning policies and the Planning and Design Code.

I will be sending a note out, as I am sure other members will, about items they want to bring to a vote on the next Wednesday of sitting, being our final sitting week. This will be one of those. I will be moving or asking the council to vote on this disallowance next Wednesday and, as I made the point before, it will be no surprise to people. It has been on the *Notice Paper* for a very long time.

The Greens' motion is identical to the Labor Party motion and I am hoping that they will stick to their guns and stay true to their word and support disallowance. I hope my colleagues in SA-Best will as well, because this is the only chance we have to show our dissatisfaction with the planning system and make them do some work by putting these 179 pages back in the *Government Gazette* after we disallow them.

We will then have another opportunity next year, if they have not made the improvements to the planning system that need to be made, to disallow the next set of regulations as well. We want the government to listen to the committee and take the committee seriously on the matters of heritage and environment protection. Disallowing these regulations is a great way to get this message across.

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

Parliamentary Committees

NATURAL RESOURCES COMMITTEE: MANAGEMENT OF OVERABUNDANT AND PEST SPECIES

Adjourned debate on motion of Hon. T.J. Stephens:

That the report of the committee, on an inquiry into management of overabundant and pest species, be noted.

(Continued from 3 July 2019.)

The Hon. R.P. WORTLEY (21:45): The Natural Resources Committee held an inquiry into the management of overabundant and pest species in 2018 as part of a significant review of the natural resources management framework in South Australia. The inquiry sought to assess the efficacy of current legislative and policy approaches used to manage overabundant and pest species, and to determine whether other approaches may also provide effective strategies.

The committee invited submissions on the costs of managing overabundant and pest species and their impact within South Australia. As part of our hearings, the committee visited Meningie and the Coorong region, hearing evidence from 12 witnesses, and received 44 submissions. The committee received evidence about a wide range of impacts including on agricultural industries, ecosystems and animal welfare.

The inquiry heard divergent opinions among stakeholders about how overabundant and pest species should be best managed. Stakeholder responses reflected the varying interests in any management approaches adopted. Varying opinions among community members about management of overabundant and pest species suggests that communication and education are important considerations.

I note the committee heard evidence that there is an abundant species problem that is causing an imminent threat to our state's biodiversity. The overabundance of several species has been caused over time, including by the clearing of native vegetation. Any revision of the natural resources management legislative framework should be supported by issue-specific guidelines and/or codes of practice developed by stakeholders, such as the appropriate agencies, local authorities, relevant experts and Aboriginal community representatives.

Recommendations made by the committee include that the Minister for Environment and Water ensure that the Landscape SA framework provides appropriate resourcing of landscape regions to continue the local management of overabundant and pest species. I also note the recommendation that the South Australian government should participate in further negotiation with states and commonwealth for longer-term funding, and funding of prevention-based approaches.

I also note that the committee recommends that the South Australian government should provide more education and information to the community about environmental management

practices, including the rationale for decisions made in relation to overabundant and pest species. Finally, I note that the committee recommends that the South Australian government should continue to monitor relevant and emerging research that provides an evidence base for best practice management responses.

I would also like to compliment the great work of the committee secretary and research officer during this inquiry, and also the significant contribution by the Hon. Mr Stephens in this place, who represents the government very well on the committee.

The Hon. T.J. STEPHENS (21:48): I would like to thank the Hon. Russell Wortley for his contribution and significant input to the committee—outstanding, really—and commend the motion.

Motion carried.

Motions

ZEINAB, MR A.

Adjourned debate on motion of Hon. C. Bonaros:

That this council—

1. Congratulates young South Australian born and educated man, Abdullah Zeinab, who has, on 19 June 2019 at 7.30am South Australian time, won the Trans Am (across the United States of America) Bike Race;
2. Celebrates the formidable achievement of Abdullah in winning this unassisted bike race, crossing the United States of America from west to east, a distance of some 6,745 kilometres, in the record-breaking time of 16 days, 9 hours and 56 minutes;
3. Notes that Abdullah led the race from the start and has stayed ahead of the field of 74 entrants throughout the gruelling route;
4. Recognises Abdullah's past achievements in Australia, in winning the Australian Perth to Sydney race in 2018; and
5. Thanks Abdullah for the inspiring example he sets for young Australians to persist in pursuing their goals, dreams and passions.

(Continued from 19 June 2019.)

The Hon. E.S. BOURKE (21:49): I rise on behalf of the opposition to wholeheartedly support the motion. To win the Trans Am Bike Race is no small thing. It is a gruelling trek across the United States, with participants covering almost twice the distance of the 2019 Tour de France. Unlike races that many of us may be familiar with, there are no breaks—the clock does not stop to give you time to eat, to sleep or to get back on your bike for the next day. Instead, much of the challenge is on pacing yourself, understanding when to rest and when to keep pushing. Riders must be prepared for all situations, from weather conditions to unexpected repairs, and all sorts of other challenges along the way. Participants must be self-supported; they cannot accept assistance from supporters or others.

To have a South Australian-born participant complete the race would be an achievement in itself, yet Abdullah Zeinab—born and educated in our state—won this year's Trans Am Bike Race and smashed records in the process. With a total time of 16 days, nine hours and 56 minutes, Mr Zeinab broke the previous record by some 10 hours. He told *The Advertiser* earlier this year that his successful strategy included riding from hotel to hotel, occasionally stopping for a power nap on the roadside.

My favourite part of this is that *The Age* reported that Mr Zeinab's ride was fuelled by more than 100 hash browns picked up at diners across the United States. Mr Zeinab's efforts were immense and his achievements extraordinary in taking out the race and breaking his previous records. Labor joins with members across the parliament in congratulating Mr Zeinab in all that he has achieved. He has done himself and his home state very proud. I commend the motion to the council.

The Hon. C. BONAROS (21:51): I thank honourable members for their contributions and again congratulate Abdullah Zeinab on his most amazing feat. We are privileged to have the

opportunity to stand in this place and speak on such a diverse range of issues, and this motion reflects that. Sometimes it is the simple things, the happy things, that give the greatest pleasure. I have spoken in this place on all manner of issues. I only wish I could get the same positive reaction to this motion on many of those other issues. So popular was the support for Abdullah and his achievement that we managed to get in excess of 30,000 views and hundreds of messages of support from the world over.

I spoke to Abdullah recently about his rockstar status in the cycling fraternity, and he was absolutely blown away by the level of support that he received, the media interest that he received, and he was completely and utterly astounded but very humbled and grateful for the outpouring of support, as was I. It was deserving support, and I again commend him for his actions. It is an amazing record and an amazing achievement. Again, I congratulate Abdullah and I look forward to that dinner that I have promised him on his next visit to Adelaide.

Motion carried.

NATIONAL VOLUNTEER WEEK

Adjourned debate on motion of Hon. E.S. Bourke:

That this council—

1. Notes that from 20 to 26 May 2019 we celebrate National Volunteer Week;
2. Acknowledges the valuable contribution that volunteers make to the economic and social wellbeing of local communities; and
3. Calls on all South Australians to thank and show their appreciation to all volunteers in our community.

(Continued from 15 May 2019.)

The Hon. I. PNEVMATIKOS (21:54): I commend the original motion, sir. I will not be moving any amendments.

The Hon. C. BONAROS (21:54): We all know and value the tremendous efforts of our volunteers. I am sure most, if not all, of us have worked with volunteer groups over the years and probably volunteered ourselves at some point—I know I certainly have, especially in the South Australian Greek community and legal community—whether it be in our schools, our hospitals, our animal shelters, our pro bono legal services, or our charities. The list is absolutely endless.

Each and every day, we rely on thousands of volunteers to keep the wheels turning. Their contribution is immeasurable and for these reasons, I am extremely pleased to join the Hon. Emily Bourke and other members of this place in thanking our volunteers and extending our appreciation to them for their selfless efforts to our community.

The Hon. J.M.A. LENSINK (Minister for Human Services) (21:55): I move to amend the motion as follows:

Leave out the word 'and' at the end of paragraph 2 and insert the word 'and' at the end of paragraph 3.

Insert new paragraph 4 as follows:

4. Acknowledges the positive impact that the Marshall government's policy of providing free screening checks has had on organisations and their volunteers.

I note that as the night goes on the speeches get shorter and better. Free screening checks have been incredibly well received by the community. As I have said in this place before in response to questions that I did not expect, some of the ways in which they have enabled community organisations to increase their capacity and to volunteer in other ways for other organisations and so forth have been outlined.

National Volunteer Week was the first collaborative attempt to promote volunteering nationally and first took place in 1989. This year, from 20 to 26 May, Volunteering Australia celebrated 30 years of National Volunteer Week, with the theme this year being 'Making a world of difference'. In South Australia, to mark the start of National Volunteer Week, Volunteering SA&NT held a colourful

volunteer parade, as they often do, with a record number of 1,200 people registered to attend, the highest number since this event began eight years ago.

I echo the comments of a number of my colleagues in that there are an amazing number of volunteers doing all sorts of things. It never ceases to amaze me that in all sorts of roles for which I am responsible, we come across volunteers. I spoke today about the Red Cross Telecross service, which has volunteers who come in and contact people, particularly on hot days, to check on their wellbeing and give them reminders about drinking cool water and those sorts of things.

It is worth putting the statistics on the record. South Australia has more than 900,000 regular volunteers contributing around 1.7 million volunteer hours each week, which is equivalent to more than 107,000 full-time jobs with a dollar value of almost \$5 billion per year. Clearly, it is more than just about replacing roles and having some economic measurement of it. There is a huge amount of exchange that goes on between people who volunteer and the people they assist. It has been demonstrated to have a very significant impact on people's wellbeing.

It has also been promoted amongst students. The Curriculum of Giving program promotes volunteering to school students, lets them know about some of the great benefits of volunteering and encourages them to get involved at a young age. I think that it is a good thing for young people who are entering the workforce to have volunteering efforts on their CVs as well, because it demonstrates that they have that community service aspect and also are able to work in groups. With those words and with that amendment, I commend the motion to the house.

The Hon. E.S. BOURKE (21:59): I would like to thank the members who have spoken on this motion: the Hon. Irene Pnevmatikos, the Hon. Connie Bonaros and the Hon. Michelle Lensink. I will not be accepting the amendment put forward and I will explain why in a minute.

I started my original speech by saying that perhaps there are times when we can put politics aside and consider the issue that we are talking about, and that is volunteers. This was a private member's motion put forward, not an opportunity to discuss government policy

I will not be accepting a compromise to the motion that I moved to take a bipartisan approach and accept the amendment put forward by the minister. Considering that a bipartisan amendment was not looked at, I will not be accepting the minister's amendment at this point, and I hope that the chamber will vote for the amendment in its current form.

As I explained earlier today, CFS volunteers at Yorketown play a substantial role in our community. This motion acknowledges the fantastic work that volunteers do in our community. We should not be talking about government policy. I ask members in this chamber to support the original motion.

The council divided on the amendment:

Ayes 7
 Noes 12
 Majority 5

AYES

Dawkins, J.S.L.
 Lensink, J.M.A. (teller)
 Wade, S.G.

Hood, D.G.E.
 Ridgway, D.W.

Lee, J.S.
 Stephens, T.J.

NOES

Bonaros, C. (teller)
 Franks, T.A.
 Ngo, T.T.
 Pnevmatikos, I.

Bourke, E.S.
 Hanson, J.E.
 Pangallo, F.
 Scriven, C.M.

Darley, J.A.
 Hunter, I.K.
 Parnell, M.C.
 Wortley, R.P.

PAIRS

Lucas, R.I.

Maher, K.J.

Amendment thus negated; motion carried.

WALK SAFELY TO SCHOOL DAY

Adjourned debate on motion of Hon E. S. Bourke:

That this council—

1. Recognises and supports Walk Safely to School Day on 17 May;
2. Works to promote better attitudes to road safety, public transport and the environment; and
3. Calls on the state government to continue the work of the previous government in promoting road safety around our schools.

(Continued from 15 May 2019.)

The Hon. D.W. RIDGWAY (Minister for Trade, Tourism and Investment) (22:05): I rise on behalf of the government to speak to this motion on Walk Safely to School Day. The value of walking and active travel as a contributor to community health, cohesion and wellbeing continues to be acknowledged by this government. Not only does walking, riding or scooting to school contribute to the personal health and learning capacity of students, but it also reduces traffic congestion, decreases the risk of injury and reduces noise and air pollution. The government's successful Way2Go program continues to expand its work with local government and primary schools to develop and sustain a culture of safe and active travel.

The Department of Planning, Transport and Infrastructure School Community Partnerships team supports Way2Go partnerships with 43 local councils and 259 primary schools across the state. Video success stories can be viewed on the Way2Go website. The safety of families and children in each local school precinct is important to this government. Each Way2Go partnership is a collaboration between individual schools, the local council which carries responsibility for local roads and footpaths, and the broader Department of Planning, Transport and Infrastructure.

The Way2Go engagement process begins with surveys of the school community—parents, students and staff—site observations at peak times and mapping of students' residential locations. From the data and information gleaned, a school travel plan is developed with the aim of creating a culture of active travel. The range of initiatives include improvements to local infrastructure and signage, teaching road safety skills and knowledge and the Way2Go Bike Ed program where nine to 13 year olds can learn the road rules and practice safe cycling skills.

As the honourable member identified in her introduction to the motion, the challenges families face as they juggle the complexities of getting children safely and on time to their school or care destination creates significant stress. In 2017, the Department of Planning, Transport and Infrastructure's Way2Go team commissioned a Deakin University research project to identify the barriers that families face in supporting children to walk, scoot or ride to school, and the actions that would make it easier.

Using evidence from those recommendations, a dedicated families section of the Way2Go website was developed and launched by the Minister for Child Protection on 22 March 2019. It contains a range of resources to support families, including a series of short video clips where Jess Trengove, Olympic and Commonwealth Games marathon runner and new mother, and Ali Clarke, radio host and mum of three school-aged children, talk about safe and active travel habits for children. There are also planning tools for families to use, an active travel passport for children, and current information about school crossings and expectations of people driving in school precincts. I encourage all members to promote this resource in their communities.

This government continues to make significant investments in infrastructure to keep families and children safe near schools. Since taking office, we have invested more than \$1.5 million in crossing upgrades and infrastructure improvements at Yankalilla Area School and Ridgehaven,

Fairview Park, Kersbrook, Thorndon Park, Woodend, Hallett Cove, Sheidow Park, Glenelg and Highbury primary schools.

A recent commitment has also been made to upgrade the koala crossing on Blythewood Road to support children from Scotch College and Mitcham Primary School to cross safely on their journey to school. A recurrent \$220,000 commitment within the Way2Go program continues to support site inspections and infrastructure improvements at up to 25 new school sites each year. The past two-year Way2Go infrastructure investment of \$400,000 was matched by local councils resulting in value for money improvements at 30 primary schools across the state.

This government provided strong support for this year's national Walk Safely to School Day. It was promoted to all primary schools from 10 April via the Way2Go website. This timing provided an opportunity for families to explore the walk-to-school resources on the website, identify the safest route and practise their journey before the event. Promotion also occurred via both the Department of Planning, Transport and Infrastructure and the Office for Recreation, Sport and Racing's social media channels. The Minister for Education and the Minister for Child Protection attended the event launch at Walkerville Primary School on the morning of Friday 17 May.

Converting one walk to school associated with an event into a regular active travel habit relies on ongoing support. This government, through its Way2Go program, continues to partner with local councils and schools to support more families to actively travel to school more often. In 2018, Woodend Primary School initiated a parent-led Way2Go Walktober event, with 2,213 active travel trips recorded over a fortnight. This success was enthusiastically built on this October, with 4,029 active travel trips recorded.

Students used a Way2Go Walktober map, which identified common routes to school. Students and families used locations on the map as meeting points to walk, ride or scoot to school together. The school had a celebration assembly, during which certificates were presented to the house and class challenge winners by their local and hardworking MP, minister Speirs. Students won either extra sports time or iceblocks for their achievements.

A new shared pathway was funded by this government with in-kind support from the City of Marion. It was under construction during Way2Go Walktober, and many students were able to access completed sections for Walktober. With the final completion due by the end of November, more students and families will be able to safely and actively travel to and from school all year round. The government will continue to support the annual national Walk Safely to School Day. The successful Way2Go program and its Walktober model will expand its reach in 2020 to support more primary school students and families across the state to travel safely and actively in school precincts.

I have filed an amendment, although I now do not wish to progress it because I have come to a sensible agreement with the original mover of the motion. I think she intends to move basically the intent of the government's amendment to add a fourth dot point. Assuming that she is a woman true to her word, I will not move my amendment.

The Hon. I. PNEVMATIKOS (22:12): As is the case, we are true to our word, many of us. I move an amendment as follows:

Leave out 'and' at the end of paragraph 2 and insert 'and' at the end of paragraph 3.

Insert new paragraph 4, as follows:

4. Recognises the bipartisan approach to promoting road safety around our schools.

Hopefully, that addresses any concerns that any individuals may have. I will not speak any further on the matter; that should make everybody happy.

Members interjecting:

The PRESIDENT: Are we finished? Maintain the discipline; we have a while to go. The Hon. Ms Bourke, could you please sum up the debate.

The Hon. E.S. BOURKE (22:13): I would like to thank the Hon. David Ridgway for his very detailed speech that he just provided to the chamber. I also thank him for coming to an agreement about road safety and protecting our children at a bipartisan level. At the end of the day, we all want

to make sure that our children are safe, and we also would like them to be healthy. That is the whole purpose of Walk Safely to School Day.

I know that my child, my youngest of three, has just had her second transition to school day today. She was super eager to get to school, but it was nice to be able to walk to school and encourage her to be safe and active in the community. I would like to thank the Hon. David Ridgway for supporting the motion, and I hope the chamber will also support the motion put forward.

Amendment carried; motion as amended carried.

GAMING MACHINES

Adjourned debate on motion of Hon. F. Pangallo:

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.

(Continued from 13 November 2019.)

The Hon. T.T. NGO (22:15): I rise to speak today about the disallowance motion regarding regulations under the Gaming Machines Act 1992. The regulations that are the subject of the disallowance motion 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. This date has been extended from 31 December 2018 to 31 December 2020.

Under the current act, if a licensee is found to have provided a gaming machine on premises not capable of displaying on-screen messaging after 31 December 2020, the commissioner can take disciplinary action. Under the government's reforms currently before the Legislative Council, the December 2020 date will no longer apply, and it is only where a gaming machine is connected to an account-based cashless gaming system that the on-screen messaging requirements apply or if the commissioner prescribed messaging through the codes.

As part of the statutes amendment bill, the government has enshrined in legislation the requirement for gaming machines operated in connection with an account-based cashless system to be capable of displaying on-screen messages of a kind prescribed by the commissioner in the code of practice and be operated in connection with a precommitment system prescribed by regulations. This will undoubtedly be a good thing; however, if the current reforms fail, after December 2020 all licensees will be captured.

This change to extend the prescribed day was necessary to ensure that gaming machines without on-screen capabilities are lawfully able to continue to operate and that the Casino continues to offer voluntary precommitment as part of its cashless gaming system after 31 December 2018. Whilst this effectively maintains the status quo for a further two years to 31 December 2020, it will be an interim measure until the passage of the government's gambling reform bills.

It is important to note that each gaming machine and automated table game currently at the Adelaide Casino already displays dynamic on-screen messages, and through the cashless system, approved by the Independent Gambling Authority and operated by the Casino, offers players access to voluntary precommitment features. The Australian Hotels Association and Clubs SA have indicated that cashless gaming systems are not proposed to be operated in hotels and clubs in the foreseeable future. The opposition will be opposing this motion on the grounds set out above.

The Hon. R.I. LUCAS (Treasurer) (22:19): I rise on behalf of the government to speak to the motion. From 31 December 2018 it will be an offence under the Gaming Machines Act 1992 and the Casino Act 1997 to operate an electronic gaming machine which is not capable of displaying on-screen messages—i.e. dynamic responsible gambling messages delivered directly to the player's screen—unless the Governor prescribes a later date by regulation before 31 December 2018.

Further, there will be no legislative requirement for a licensee, when operating a cashless gaming system, to offer voluntary precommitment on any of their gaming machines or automated table games at the Casino in compliance with the voluntary precommitment code set out in the regulations.

These harm minimisation measures were introduced by the former government in 2013 in advance of commonwealth measures which proposed, amongst other harm minimisation measures, the rollout of a national precommitment scheme and the mandatory use of dynamic warning messages on all gaming machines operating in Australia on 31 December 2018.

Additionally, ahead of the measures contemplated by the commonwealth, transitional regulations were made under both the Gaming Machines Act and the Casino Act to ensure that any cashless gaming system implemented by hotels, clubs and/or the Casino in the period up to and including 31 December 2018 had to be operated in connection with the precommitment system that was in compliance with the voluntary precommitment code set out in the Gaming Machines Regulations 2005 and the Casino Regulations 2013.

The commonwealth legislation which was intended to address problem gambling associated with electronic gaming machines was subsequently repealed on 31 March 2014, significantly winding back gambling reforms at a national level, with a shift in emphasis to encouraging responsible gambling rather than mandating prescriptive controls. This included the repeal of legislation which would have established a national precommitment scheme and mandated dynamic on-screen messaging on electronic gaming machines.

Currently, each gaming machine and automated table game currently operated at the Adelaide Casino already displays dynamic on-screen messages and, through the cashless gaming system approved by the Independent Gambling Authority and operated at the Casino, offers players access to voluntary precommitment features.

To ensure that gaming machines without on-screen messaging capabilities are lawfully able to continue to operate and that the Casino continues to offer voluntary precommitment as part of its cashless gaming system after 31 December 2018, regulations have been provided to parliament to prescribe by regulation a later date of 31 December 2020 as the prescribed date.

While this effectively maintains the current status quo for a further two years to 31 December 2020, it will be an interim measure until the passage of the government's gambling reform bills, currently in the Legislative Council. As part of the statutes amendment bill the government has enshrined in legislation the requirement for gaming machines operated in connection with an account-based cashless gaming system to be capable of displaying on-screen messages of a kind prescribed by the commissioner in the codes of practice and be operated in connection with the precommitment system prescribed by the regulations.

Furthermore, the proposed provisions under the Gambling Administration Bill governing the prescription of coded of practice allows the commissioner to prescribe messaging which is to be visible to persons, when operating a gaming machine, on the screen or on the screen of third-party equipment. Under proposed new provisions before the parliament, if a gaming machine is not capable of displaying on-screen when being operated in connection with an account-based cashless gaming system, the commissioner can still take the same disciplinary action but it will be done under part 5 of the Gambling Administration Act 1995 or prosecuted through the court, where the same maximum penalty of \$35,000 applies.

If the commissioner requires messaging using his powers to prescribe codes of practice, and they fail to do so, it can either be dealt with as a breach of the code, where a monetary expiation penalty can be applied, or the same disciplinary provisions in part 5 of the Gambling Administration Act 1995 applied. Essentially, if the current reforms fail, after December 2020 all licensees are captured. Under the reforms the December 2020 date no longer applies and it is only where they provide a gaming machine connected to an account-based cashless gaming system that the on-screen messaging requirements apply or if the commissioner prescribes messaging through the codes.

This change was made based on submissions put forward by industry, particularly the AHA. I also understand that Professor O'Neil from SACES, the South Australian Centre for Economic Studies, also recently alluded that there is limited evidence that on-screen messaging provides much in the way of harm minimisation. Accordingly, the government opposes the disallowance motion.

The Hon. T.A. FRANKS (22:24): Yet again, the Greens rise to support this SA-Best motion, put here this time by the Hon. Frank Pangallo, to address the cosy collusion of the old parties when it comes to gambling. We are pleased that these things are not being swept under the carpet and look forward to a further debate next week. With that, we will support the disallowance.

The Hon. F. PANGALLO (22:24): I wish to thank all the members for their contributions, and I thank the Hon. Tammy Franks. It should not surprise me, actually, that Labor and the Liberals have jumped in together; their opposition is no shock. I can only ask: just where is their social conscience or sense of social justice? This regulation is to allow the operators of gaming machines an extension, to December 2020, on certain prohibitions regarding gaming machines and cashless systems to take effect. The offences in question are a failure to display on-screen messages, unless of course it is changed by the regulation. Also, there is no requirement for holders of licences who operate cashless gaming systems to offer voluntary precommitment on any machines in compliance with the voluntary code.

These are important harm minimisation methods, but this regulation seeks to absolve operators from their obligations to do what the law says and consider those with gambling problems or those who might become addicted and apply on-screen warning messages. Welfare agencies that deal with problem gambling issues in our community were not even consulted in this process, but the industry, notably the Australian Hotels Association, were.

We are yet to learn why these venues, and there is a large number of them which are preparing to welcome the insidious, sophisticated note acceptor technology, and possibly face recognition cameras, have so far failed to update the machines that do not yet carry the on-screen messaging. The commissioner for business and consumer affairs wrote to the Legislative Review Committee and reported that 88 per cent of machines are noncompliant and unable to display dynamic on-screen messages, the excuse being that the technology is too expensive to retrofit. That is a cop out.

The commissioner says that, as a fallback, other harm minimisation methods are being implemented; for example, a system where staff are alerted if players stay too long on a gaming machine, losing their shirts and emptying their wallets or purses; a reduction in maximum bets to \$5; staff training every two years; and making it simpler to bar patrons. We do not really know how effective these have been, although we are told that a review is underway.

This is just another example of a government that is addicted to the revenue it gets from these abominable machines, from the most vulnerable battlers in our community. We know where the biggest takes come from: the lower socio-economic areas to the north and south of Adelaide. It demonstrates that the government is once again kowtowing to its industry puppet master, the AHA, which, as we know, contributed to their election win.

Of course, it is no surprise that my Labor colleagues, who also benefited from the AHA at the last election, have decided to side with the government. If there was genuine concern on both sides of this chamber for the welfare of problem gamblers, this motion would get overwhelming support. That it does not get that support shows the cynicism and contempt they have for those having to deal with the fallout. I would still like to urge both sides of the Legislative Council to support the motion.

The council divided on the motion:

Ayes 5
 Noes 14
 Majority 9

AYES

Bonaros, C.
 Pangallo, F. (teller)

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

Franks, T.A.

NOES

Bourke, E.S.

Dawkins, J.S.L.

Hanson, J.E.

NOES

Hood, D.G.E.
Lensink, J.M.A.
Ridgway, D.W.
Wade, S.G.

Hunter, I.K.
Ngo, T.T.
Scriven, C.M.
Wortley, R.P.

Lee, J.S.
Pnevmatikos, I.
Stephens, T.J. (teller)

PAIRS

Maher, K.J.

Lucas, R.I.

Motion thus negatived.

AFL NATIONAL WOMEN'S LEAGUE

Adjourned debate on motion of Hon. T.J. Stephens:

That this council—

1. Congratulates the Adelaide Crows on winning the 2019 AFLW grand final;
2. Congratulates Erin Phillips on winning the AFLW grand final best on ground medal;
3. Acknowledges the important role the AFLW competition has had in growing grassroots participation in women's football and providing role models for the next generation of AFLW players; and
4. Recognises that the crowd of over 53,000 is the biggest ever attendance at a women's sporting game in Australian history and the fifth largest crowd at an AFL game at the Adelaide Oval.

(Continued from 3 April 2019.)

The Hon. F. PANGALLO (22:33): I rise to wholeheartedly support the motion by the Hon. Terry Stephens congratulating the Adelaide Football Club's women's football team on their second premiership success in three years and setting a record 53,000 attendance for a women's sporting event, which was held at Adelaide Oval.

It has been a bittersweet month for the team. Recently, the team's star player and co-captain, Erin Phillips, was named South Australia's sports star of the year, while the team won the team of the year award. But in a cruel blow on Monday, just as the team returned to training for the 2020 season, their other co-captain, Chelsea Randall suffered a similar anterior cruciate ligament injury as suffered by Erin in that memorable grand final win earlier this year.

In 2019, Erin swept up all the major AFLW awards, winning her second medal as best on ground in the grand final, second AFLW best and fairest and second AFL Players Association most valuable player award. In her sensational 2019 season, she averaged 21 disposals at a 60 per cent efficiency and kicked 11 goals. She became the benchmark for the competition and led the league for contested possessions and score assists. She was second overall for most goals kicked, total disposals, clearances and champion data ranking points, and third for inside 50s. The team was exciting to watch, winning eight straight games.

Erin Phillips has now become an icon in the sport she has loved since she was a child and, of course, she is the daughter of Port Adelaide legend, Greg Phillips. I remember watching Erin play as a junior and hold her own against the boys. With her blonde locks and silky skills, she was a stand-out player even then. Her leadership skills then are evident today, and she has become a role model for young footballers, male and female.

She is a shining example of what is so good about women playing in sports once regarded as male strongholds. Let's not forget that she has also had a distinguished national and international basketball career. In the AFLW off season, she lives in Dallas, Texas, with her wife, Tracy, and their three children, where she is an assistant coach in the WNBA, the best women's basketball league in the world. There, she is with the Dallas Wings.

Following the Crows' emphatic victory and the record turnout in the grand final, I was moved to call for more recognition of their achievement at the Adelaide Oval in the form of a statue of Erin.

Recently, netball star Natalie von Bertouch made the same recommendation in her *Advertiser* column, although it did not seem to win much support from some ageing male sporting legends.

On my visits to the ground, I noted that the more visible honours on the grandstands and in various function rooms are largely anointed with male figures—quite worthy they are too. The statues ringing the plaza are also dedicated to male football and cricket legends who achieved greatness in their performances at the Adelaide Oval, plus there are the existing monuments to pioneer aviator Sir Ross Smith. I am wondering why they left out his brother, Keith. Perhaps they need to consider including him in the centenary year of the Vickers Vimy. Of course, there is also the Greek mythical God Hercules, so it is raining men at Adelaide Oval.

As for recognition of our state's acclaimed female athletes associated with the Adelaide Oval, they are effectively hidden from full view in a hall of fame section beneath the western member stands. While there is an area of lawn that is named after the great cricketer and netballer Lyn Fullston, if you did not specifically look for it, it would virtually go unnoticed.

In an historical perspective, we should not underestimate or forget the strong contribution women have made too. Ninety years ago, more than 41,000 people watched a women's football match on the Adelaide Oval as part of a charity event. With so many men in active service during World War II, women who worked in munitions factories, in steel mills and on farms played football fundraisers. They were extremely popular.

The time has come to put the AFLW in its proper historical context. It has now arrived as an elite competition pioneered by the likes of Erin Phillips and will only continue to grow in stature. The grand final was the first under the auspices of the AFL to be played at the stadium, so the game has already earned its place in history. These moments should not go left unrewarded or allowed to gather dust until someone decides to recognise them for posterity many decades later.

So in April I wrote letters to the male-dominated Stadium Management Authority as well as to Mr Basil Sellers, the very generous benefactor of the statues at the Oval and of an expensive giant piece of structural artwork for the City of Adelaide that still cannot find a home. I sought their support for a monument that would serve as a symbolic honour of women's football being played at the Oval. If you are going to create a statue of someone synonymous with women's football and sport in the state, who else would you model it on but Erin Phillips?

While the response I received from Mr Sellers was extremely polite and supportive of women's sport, it was somewhat underwhelming and poured cold water on my enthusiasm. Mr Sellers pointed out that the decision to erect statues is made jointly with him and Ian McLachlan of the South Australian Cricket Association and the Stadium Management Authority's John Olsen as 'owners of the land'. I thought the owners of the Adelaide Oval were the South Australian government, representing the taxpayers who paid for the venue.

Mr Sellers said the final decisions were unanimous on which celebrated identities are honoured, as they were real icons who had performed at the Adelaide Oval many times. They were not to be current players and needed to have been retired as players for a decent period or around five years. This, he said, would avoid the mistake of honouring someone who perhaps becomes not worthy.

As for Erin, Mr Sellers said she one day might fit the bill, but he felt it was too early to give her that honour of a statue. Again, my suggestion to nominate Erin was made in the symbolic sense. I hope that that day comes soon before the wonderful achievements of Erin and the Crows women fall into a distant memory. What happened this year at the Adelaide Oval is a unique piece of our sporting history on that fabled arena of dreams. I commend the motion.

The Hon. R.P. WORTLEY (22:42): For most youths, the dream of reaching the elite level in their chosen sport is one of the greatest challenges they can set themselves. Unfortunately, as is common for young girls, there are often invisible barriers that prevent them from reaching that goal. To put it simply, it is difficult to be something you cannot see.

Yet earlier this year we saw athletes from all different backgrounds, from all kinds of socio-economic statuses showing us what their bodies can do. I congratulate the Adelaide Crows women's

team on their historic win this year as well as all who were involved to help make that day a success. Their talent, camaraderie and sense of community both on and off the field are to be commended.

Throughout the season there has been a real sense of goodwill, development and achievement. It is these efforts which have enthralled many throughout the season and which I have no doubt helped contribute to a record attendance for the domestic women's sports game in Australia. It is a match that has already been titled one of the most significant moments in Australian football history, as we saw over 53,000 fans attend the stadium. It is a pity that the state government cannot provide the same confidence in the game by providing adequate public transport on the day.

That Sunday exemplified what sport has the power to do. Girls have been encouraged to pursue not only football but other dreams they may have that may be hindered by perceptions of male dominance. They now know that they can because they can see that it is possible and because they know that they are welcome, encouraged and supported to participate and to succeed. This does not mean that there is not further work to be done for the movement. Disputes and behaviours continue to galvanise women's sport. One only needs to consider the Tayla Harris scandal to see how much further we have to go.

We must continue to fight for equality in sport and everywhere else and support the clubs who genuinely welcome and include women and other minorities. By transforming the way we see the roles of men and women, we have an opportunity to influence the many other issues grounded in persistent inequality our communities confront. As a government, we must be doing all that we can to ensure equality in every aspect of football and in all sporting codes. I commend the motion.

The Hon. T.J. STEPHENS (22:44): I thank honourable members for their indications of support. I wish the Crows women's team and their captain, Erin Phillips, every success in the coming season and I hope they can go back to back.

Motion carried.

INTERNATIONAL DAY FOR THE ELIMINATION OF VIOLENCE AGAINST WOMEN

Adjourned debate on motion of Hon. I. Pnevmatikos:

That this council—

1. Notes that Sunday 25 November marks the International Day for the Elimination of Violence against Women;
2. Notes the unacceptable, shocking and persistent prevalence of violence against women across the globe; and
3. Commits to do all that it can to address gender inequality, to empower women and girls and to prevent violence against women.

(Continued from 28 November 2018.)

The Hon. M.C. PARNELL (22:45): I rise to support this motion and to congratulate the Hon. Irene Pnevmatikos for putting it on our *Notice Paper*. I note that it has been on the *Notice Paper* for a little while and, in fact, a second International Day for the Elimination of Violence against Women has rolled around since this was first put on the agenda. But it is still a topical motion.

What I want to do very briefly is to put on the record some information about the White Ribbon movement because it has received a fair bit of publicity, some of it adverse, but I think there are some positive signs as well. The reason I mention that is that, whilst the official day is the International Day for the Elimination of Violence against Women, it is often referred to as White Ribbon Day, not that White Ribbon is the only charity that works in this space, it is just one that has attracted a lot of attention and a lot of support.

Back in October, those of us who are White Ribbon Ambassadors or supporters or advocates received a media release that told us that the White Ribbon Australia organisation had gone into receivership. I think it was a classic case of a well-meaning charity overreaching. There were some issues with their financial governance and, as a result, they basically ran out of money.

I think the point to note is a point that is made by Grant Pearson, who is the White Ribbon South Australia State Committee chairperson, and also made by Gillian Lewis and Cintra Amos, who

are the indefatigable organisers of the Adelaide White Ribbon breakfast committee. They point out that the South Australian breakfast committee was organising White Ribbon breakfasts long before White Ribbon Australia even existed. So it was a grassroots campaign that predated the formation of the national organisation. The White Ribbon breakfast is now in its 12th year and it has grown to become the largest White Ribbon breakfast in the world.

Interestingly, because of the media that was around the financial difficulties of White Ribbon Australia, a number of people assumed that that meant it was all over and that the breakfast would not happen anymore, programs would be cancelled, but nothing could be further from the truth. This year's breakfast was as good as ever. Over 1,000 people attended, many members of parliament as usual, with a very inspiring panel discussion with leaders from various sporting codes explaining what they are doing within their codes to address the issue of violence against women and other gender issues.

The liquidators of White Ribbon Australia, Worrells Solvency and Forensic Accountants, put out a statement a week ago saying that they were pleased to announce that they had entered into an agreement so that White Ribbon Australia will be taken over by Communicare Inc. I had not heard of Communicare Inc. It is a Western Australian-based organisation. It started in 1977. It was an initiative of local churches in Western Australia and since then they have gone on to become a major provider of family and domestic violence services in Western Australia for more than 20 years.

Just the other day, in fact on Monday, in the online journal Pro Bono News—I do not know if anyone else subscribes to it but it is a very useful publication—they pointed out that the transfer of White Ribbon's assets to Communicare happened the day before White Ribbon Day. It shows that there is in fact a great future for this particular organisation that focuses on men taking a leadership role in combatting violence against women. I will quote a couple of sentences from Communicare CEO, Melissa Perry, who said:

White Ribbon Australia aligns with our values and reflects our long-standing commitment to eliminating violence against women...

As a White Ribbon accredited organisation and school, we've seen first-hand how accreditation provides tools to strengthen a culture of respect, accountability and gender equality at all levels of the organisation.

According to Pro Bono News:

Communicare has operated for over 20 years in the family and domestic violence space and pioneered the first residential men's behaviour change program in the southern hemisphere, offering an alternative to removing women and children from their family home.

I, for one, am quite excited that this organisation still has a very bright future, as it is, under new management. The CEO concludes with:

We need to be engaging boys and men in this conversation...we need more men and boys talking about this to other men and boys.

That has been at the heart of the White Ribbon message. I am delighted that White Ribbon lives to continue its important campaign work. I congratulate the Hon. Irene Pnevmatikos for putting this issue on the agenda. I believe that all of us in state parliament need to commit, as the motion says, to do what we can to address gender inequality, to empower women and girls, and to prevent violence against women.

The Hon. C. BONAROS (22:51): I rise to speak in support of this motion acknowledging the International Day for the Elimination of Violence against Women, which fell on Monday. Australia has an absolutely shocking track record with violence against women. The statistics are tragic, unbearable, alarming, and in most circumstances, should have been preventable.

It is a national crisis and a national shame that one Australian woman is murdered each week by her current or her former partner, and the responsibility to end violence rests with all of us. This year, 48 women have been killed by violence in Australia, as reported by the Counting Dead Women Australia project from Destroy the Joint. It is not decreasing and we need action against that.

Disappointingly, there is no national government real-time reporting program to record the ongoing toll of women killed by violence. That is just one area, in this most tragic of issues, in which we simply must do better. We know, on average, one woman is murdered every week by her current

or former partner. I, like others in this chamber, struggle to absorb the extent of those tragedies. Every week in Australia, on average, a mother and father lose their daughter, a brother and sister lose their sibling, and a child loses their mother. I am afraid it gets worse. According to the Australian Bureau of Statistics Personal Safety Survey of 2016:

- more than 370,000 Australian women are subjected to violence from men each year;
- one in three Australian women has experienced physical violence;
- one in five Australian women has experienced sexual violence;
- one in six Australian women has experienced physical or sexual violence by a current or former partner;
- one in four Australian women has experienced emotional abuse by a current or former partner;
- Australian women are nearly three times more likely than men to experience violence from an intimate partner; and
- Australian women are 2.5 times more likely to be hospitalised for assault injuries arising from family and domestic violence than men, with hospitalisation rates rising by 23 per cent since 2014-15.

We know that, in 2017, young women aged between 15 and 34 accounted for more than half of reported sexual assaults. We know there is growing evidence that women with disabilities are more likely to experience violence. We know Aboriginal and Torres Strait Islander women report experiencing violence at 3.1 times the rate of non-Indigenous women. In 2016-17, Indigenous women were 32 times more likely to be hospitalised due to family violence as non-Indigenous women.

In support of the Day for the Elimination of Violence against Women, an installation at Terrigal on the New South Wales Central Coast is telling the stories of women killed by men—often the men they loved—to try put a stop to the terrible epidemic across Australia.

So many people have been stopped in their tracks by these boxes which popped up in that area. This includes the stories of local women, such as Blair Dalton in Ettalong and Leonie Ivanoff in Umina, both killed in 2017. The big blue boxes, put together by the local councils and Destroy the Joint, tell the stories of every woman killed in Australia this year in the hope that this senseless violence stops.

In late September 2019, five women in Australia were violently killed in the space of one week. In Victoria, Helena Broadbent, aged 32, died after being flung from a moving car driven by her partner. She was airlifted to hospital but died that afternoon. She was five months' pregnant, and the mother of two other young children. Her unborn baby was delivered by caesarean section and later named after her mother. Helena was on a 000 call at the time of her death. The 000 operator heard an argument, screaming and then silence. Helena died from a catastrophic brain injury.

Trudy Dreyer, aged 49, was found alongside her partner, Tim Ogle, at their Hunter Valley home in New South Wales. A travel agent contacted police after the couple failed to board a plane for a holiday to South America. Police suspect that it was a murder-suicide and that Ogle killed Trudy—a mother of two teenage children—before turning the gun on himself.

Sudanese migrant and mother of two young children, Selma Adem Ibrahim, aged 24, was found in her home near Logan in Queensland with severe facial injuries. It is reported her six-year-old daughter called an ambulance. Police later charged her partner with murder. Mhelody Bruno of the Philippines, aged 25, was found injured and unresponsive by police and emergency services in Wagga Wagga. She died shortly after 10am on Sunday 22 September. A 31-year-old man was arrested and charged with manslaughter that same afternoon.

Kim Chau, aged 39, was found by police at her place of residence on Sturt Street, Adelaide. Police said she had been stabbed and her body was found in an upstairs living area. After an overnight search, police arrested a 21-year-old man, believed to be known to Chau, and charged

him with murder. That is five women in Australia who were violently killed in the space of just one week.

All these women have names. They were all loved and had family members and friends. They deserve to still be with us but were killed by someone they loved, someone they knew and, worst of all, perhaps, someone they trusted. Many more lives have now been shattered by the horrific acts of their killers. I have to ask, like other honourable members, where does the damage end? It is hard to imagine that it ever will.

Only this week, a 29-year-old woman was stabbed in the face during an apparent domestic violence incident at Elizabeth Shopping Centre, in broad daylight, at 7.30am. The woman was taken to the Royal Adelaide Hospital with non-life-threatening injuries, yet her trauma will continue for her life even though she may recover from her physical injuries. A 26-year-old man was arrested at a nearby train station.

According to Destroy the Joint, 48 women have been killed due to domestic violence in 2019. While we commemorate International Day for the Elimination of Violence against Women, it is absolutely imperative that this is an issue that Australians need to fight for every day. According to the Red Heart Campaign, which I have previously spoken about in this place, 64 women, 24 children and 153 men have been killed in 2019, with many of those deaths attributed to domestic violence.

These are stories that need to be told. We need to check in with loved ones and we need to say something if we see or suspect an act of domestic violence on the street, in our families or amongst our friends and colleagues. Tackling violence is everyone's responsibility. It is the responsibility of business, it is the responsibility of community groups, it is the responsibility of our neighbourhoods, it is the responsibility of individuals and it is the responsibility of government.

#MeToo, #TimesUp, #NotOneMore, and others, have put a spotlight on the issue of rape and violence against women and the response to it in recent times. Campaigns such as this are working to generate publicity and to draw attention to this issue that affects so many women in our community.

Regrettably, violence against women and girls is one of the most persistent and devastating human rights violations in the world today and it remains largely unreported due to the silence, stigma and shame surrounding it. As a nation, we really need to confront domestic and family violence. The effort to end violence against women rests with all of us in this place.

The statistics that I mentioned really suggest a national crisis. At the very least, they are a national shame. We must teach our sons to respect women and teach our daughters the signs to look out for in men who are controlling and coercive, who limit their freedom, who limit their access to funds, who isolate them from their friends and who explode to a rage after being told 'no'. We must teach them to run and support them to never, ever go back. With those words, I thank and commend the honourable member for bringing this motion before the chamber.

The Hon. J.M.A. LENSINK (Minister for Human Services) (23:00): Given the hour, I will not move the amendment but speak as briefly as possible to this motion, which I think has a global perspective on violence against women. As the previous speaker, the Hon. Connie Bonaros, has outlined what the shocking statistics are in Australia, I will not repeat them. However, I do wish to make a few remarks.

Since 1981, 25 November has been marked as a day against violence towards women. This came from the brutal assassination in 1960 of the three Mirabal sisters, who were political activists in the Dominican Republic. In December 1993, the United Nations General Assembly adopted the Declaration on the Elimination of Violence Against Women, and, in 1999, the United Nations General Assembly designated 25 November as the International Day for the Elimination of Violence Against Women and invited governments, international organisations and NGOs to organise on that day activities designed to raise public awareness of the issue.

The International Day for the Elimination of Violence Against Women (IDEVAW) represents the start of the 16 days of activism addressing violence against women and their children, which concludes on Human Rights Day on 10 December. In Australia, IDEVAW has been the day on which White Ribbon Day is celebrated. As the Hon. Mark Parnell noted, the White Ribbon breakfast was

held on Friday. I fully endorse all his comments in relation to the ongoing support from politicians for that movement, notwithstanding that the national organisation has had some financial issues and has now been taken over by Communicare. It is certainly very helpful for men to shine a light on this matter, take initiatives and call out sexist behaviour.

Internationally, statistics from the United Nations report on progress towards the sustainable development goals, which is data from 2005 to 2018 for 87 countries, show that:

- On average, women spend triple the amount of time that men do each day in unpaid care and domestic work.
- 18 per cent of women and girls aged 15 to 49 years have experienced physical or sexual violence by a current or former intimate partner in the 12 months prior to the survey.
- Female genital mutilation is a harmful practice experienced by about one in three girls in 30 countries, with representative data on the practice, and is an issue for women and girls in Australia.
- Women's representation in national parliaments ranges from 0 per cent to 61.3 per cent in a range of nations.

It is important that we take a global perspective on these issues. Particularly in this year in which we are celebrating 125 years of women having the right to stand and the right to vote, it is important that we look back and see the advances that have taken place in Australia. Clearly, we have a long way to go in many ways. We will continue to work in a multipartisan way on a range of these issues, both in our own country and abroad.

It was great to celebrate recently Zonta's 100th year of operating globally. The organisation has played a significant role as it has clubs around the world working to advance the rights of women and girls internationally. I endorse the motion to the council.

The Hon. I. PNEVMATIKOS (23:04): I thank honourable members for their support and contributions on this motion. Unfortunately, due to the impunity, silence, stigma and shame surrounding it, violence against women continues to be one of the most widespread, persistent and devastating human rights violations. I raised this motion last year with the intention of encouraging efforts between all members in this place to build further momentum and engagement with a tireless activist for women's rights in our state. Why? Because we can create meaningful opportunities and secure a commitment to end violence against women.

Research by the Australian Bureau of Statistics found that one in six women had experienced violence by a partner since the age of 15 and one in four had experienced emotional abuse by a partner. It concluded that women in Australia are almost three times more likely to have experienced partner violence than men are and eight times more likely to experience sexual violence. We know that legal frameworks regarding female equality in the workplace and the eradication of harmful practices targeted at women is crucial to ending the gender-based discrimination prevalent in many countries around the world, and it is why it is a part of the UN's Sustainable Development Goals.

Unfortunately, it struck me recently that we had an opportunity to address a component of this and let it go. Let me elaborate. This parliament was recently presented with an opportunity to afford industrial health and safety protections to a group of workers who are predominantly women. These women have been ultimately left in a vulnerable position due to the allowance of religiously motivated concepts of morality assuming ascendancy. They are attacked, harassed and assaulted, and due to the nature of the industry they work in they do not feel safe to seek assistance from police.

It was a deeply regretful outcome for an issue fought long and hard to improve the health and safety of vulnerable women in our state. They will continue to be vulnerable until we take action on the matter, and we must. This cannot continue to be ignored. Too many women suffer from violence in our community, and for it to end we must end the stigma and make it everybody's business. All women in our state should be able to live free from the fear and suffering that violence can inflict.

In closing, I again thank all members for their contributions and encourage this council to do all it can to address gender inequality, to empower women and girls and to prevent violence against women. Thank you.

Motion carried.

Parliamentary Committees

LEGISLATIVE REVIEW COMMITTEE: ANNUAL REPORT 2017

Adjourned debate on motion of Hon. T.J. Stephens:

That the report of the committee, entitled Annual Report 2017, be noted.

(Continued from 17 October 2018.)

Motion carried.

STATUTORY AUTHORITIES REVIEW COMMITTEE: INQUIRY INTO STATE PROCUREMENT BOARD

Adjourned debate on motion of Hon. T.J. Stephens:

That the report of the committee, on its inquiry into the State Procurement Board, be noted.

(Continued from 26 September 2019.)

The Hon. J.E. HANSON (23:08): I know it is really late, so I will try to be as quick as I can with summing-up a few things here. It is important, I feel, that I do so. A great deal of evidence was heard in regard to what the committee performed here in the investigation into procurement. We heard from a lot of local suppliers. They complained to us generally about the complexity and impost on their own limited time and resources when applying for government procurement supply contracts. This cannot be underestimated.

The committee has previously looked into procurement. The committee believes that, even though improvements were made last time, South Australia, our state, continues to fall short in achieving the right balance between securing value for money and giving local business a fair go tendering for government contracts. The committee found that the State Procurement Board is not in a good position currently to be able to strike a suitable balance of small business successfully tendering for contracts and simultaneously achieving the value for money that marks the best for the South Australian taxpayer.

The committee recommended that agencies be encouraged to foster greater strengthening within the South Australian economy through business participation. A clearer definition of the meaning of 'value for money' is required. This may provide a great opportunity for South Australian suppliers to win contracts and the flow-on effects to be felt by South Australian businesses.

Currently, all the financial benefits are heading interstate to larger firms based outside South Australia because all the resources to navigate the current complex procurement processes are not available to the existing small businesses that we have here. One method of simplifying the procurement process for South Australian small businesses would be, for instance, a very simple measure of applying 15 per cent economic weighting earlier in the evaluation process stage.

There is also the issue of staff training. Due to the nature of procurement processes, staff are choosing to rely too much on limited parameters, such as cost or rebates. The narrow range of boundaries being focused on by procurement staff is shutting out local small suppliers and the opportunity to win government contracts.

Instead, the contracts are being won, as I said, by interstate large suppliers who have the ability to meet the demands and complexity of the procurement process while also being able to deliver a low-cost product. Training staff to assist in being able to see the other wider economic benefits of local providers when choosing South Australian suppliers may assist local suppliers based in South Australia winning more contracts.

There is also a question over the chief procurement officer vacancy. The chief procurement officer position has been vacant for some time. The position was first established in 2016 and has

been vacant since November 2018. The uncertainty and lack of leadership, which is fairly obvious in that statement by the department not having a chief officer, needs to be addressed as staff training needs to be implemented and guidance and policy clarification, like those suggestions I have made, need to be implemented, including a better definition of what is value for money.

There could also be a look at exploring solutions surrounding local procurement strategies through our Treasurer. Our procurement evaluation panels should include representatives from the area the service will be provided to. That sounds fairly obvious but is genuinely lacking now. The Treasurer should include a reference to South Australian Industry Participation Policy in the Treasurer's Instructions. This will provide a formal link between value for money involving public expenditure and ensuring that public expenditure benefits everyone in the South Australian economy, instead of just a concept of value for money that I said needs to be adjusted.

As I have mentioned, there needs to be more staff training and upskilling of procurement staff and a campaign focused to educate those staff on the benefits of their purchasing decisions and the effect that will have on the local South Australian economy. I appreciate this speech has been somewhat truncated by the late hour. I apologise for it being quite dot point heavy; however, I think it is important that we get through it quickly. I had a nice one written. I think we will go with this one. What do you think, the Hon. Mr Stephens?

The Hon. T.J. STEPHENS (23:12): I would like to thank the Hon. Justin Hanson for his contribution. I know that he probably has shortened it, but it was punchy and to the point and I loved it. In summing-up, I would like to again thank the Hon. Justin Hanson for his contribution; and the members of the committee, the Hon. Irene Pnevmatikos, the Hon. Dennis Hood and the Hon. Frank Pangallo. I would like to make the point to department heads to make sure that their procurement officers—public servants—are ensuring that the South Australian public gets the best value for money but gets the best possible employment opportunities for our workers. With that, I commend the report.

Motion carried.

Bills

STATUTES AMENDMENT (SPIT HOODS) BILL

Second Reading

Adjourned debate on second reading.

(Continued from 17 October 2019.)

The Hon. C.M. SCRIVEN (23:13): I rise on behalf of the opposition to indicate our support for the Statutes Amendment (Spit Hoods) Bill and indicate that I am the lead speaker for the opposition on this bill. The bill legislates a ban on the use of spit hoods on minors across South Australia's statute books by amending acts under which young persons might be detained or otherwise held.

In particular, this bill follows the September 2019 report by the South Australian Ombudsman which detailed serious issues relating to the use of spit hoods in the Adelaide Youth Training Centre. The opposition supports a ban on the use of spit hoods on children. We, like so many South Australians, were deeply concerned by the contents of the Ombudsman's report, particularly the case studies of the use of spit hoods.

I note that, per the Ombudsman's report, South Australia is the last of the Australian states and territories to permit the use of spit hoods in youth detention. This is clearly a situation that needs to be remedied. While we welcome the government's commitment to phase out the use of spit hoods in the youth training centre, we believe that specific commitments need to be made by the government regarding training and alternative equipment for workers at the youth training centre.

It is not enough for the government simply to ban the use of spit hoods in youth detention. Staff must be provided with alternative methods to address situations where spit hoods would currently be used and trained in the implementation of those methods. These methods should be in line with current best practice, and staff should be supported in this change.

Through the consultation phase, the shadow minister in the other place was informed that there has been a smooth transition to other forms of protection from spitting and other bodily fluid transfers in other jurisdictions. There is no reason this cannot occur in our own jurisdiction with the appropriate support from the department; however, I note that the bill does not simply affect the Adelaide Youth Training Centre but also other acts under which children and young people may be detained.

I understand that current South Australia Police policy is not to use spit hoods on juveniles and, in that respect, this bill reflects some current practice. I am also advised that spit hoods are not used in health settings and their use is not anticipated. Healthcare workers across all settings, including mental health, pioneered the use of personal protective equipment and continue to meet the highest of standards worldwide. The opposition recognises that alternative options to spit hoods should now be available to those working in youth detention settings. We support the end of their use and, for that reason, we support the bill.

The Hon. J.M.A. LENSINK (Minister for Human Services) (23:16): The government opposes this bill for three reasons. The first reason we oppose this bill is that there is a pathway to eliminating the practice of using spit hoods, which I outlined in my ministerial statement following the tabling of the South Australian Ombudsman's report. That investigation took place following the exposure in 2016 by the ABC's *Four Corners* of the shocking practices at the Don Dale Youth Detention Centre in the Northern Territory, which was an impetus for a royal commission and board of inquiry into the Northern Territory's child protection and youth detention systems.

One of the Northern Territory commission's recommendations was that the use of spit hoods be prohibited in the Northern Territory, which led to highlighting this issue in a number of other jurisdictions and the investigation of spit hoods in South Australia's youth detention system. This was the impetus for the South Australian Ombudsman to commence what is called an own-initiative investigation into their use in South Australia. As I stated, we agreed with a number of those recommendations and following a pathway to have spit hoods eliminated.

The second reason why the government opposes this is that it codifies operational practices, which is not a preferred method of enacting change in systems within our agencies. If the government were not acting following the reports of the Ombudsman and the Training Centre Visitor, I think it would be justified for the parliament to express a point of view but, given that we do have a pathway, we see it as unnecessary.

The third is that it criminalises the use of equipment by the people it is there to protect. Operational practices certainly change over time. I think that is a given. The government youth training centre and the Department of Human Services has accepted that spit hoods are unacceptable, and we are unequivocal in that we intend to eliminate them by June next year. The bill before us amends five pieces of legislation: the Correctional Services Act, the Mental Health Act, the Sheriff's Act, the Summary Offences Act and the Youth Justice Administration Act.

If the bill were passed in its current form, it would require the immediate cessation of the use of spit hoods in custodial settings for persons under the age of 18, with criminal penalties including imprisonment for up to two years. In terms of the youth justice section and the Adelaide Youth Training Centre advice, their advice is that this bill may create risks to safety and security in the Adelaide Youth Training Centre, including for the workforce, the department and industrially.

As I noted in my ministerial statement on 24 September in reference to the Ombudsman's report, the report notes that there were 57 reported uses of spit hoods from October 2016 to June 2019. Changes to practices have seen the training centre significantly reduce the use of spit hoods since that time to only five uses in 2018-19 and none so far since 31 March this year, and that is still the case.

While this reduction is to be commended, it remains that South Australia is the only jurisdiction in Australia that authorises the use of spit hoods in its detention centre, a dubious honour that we should not be proud of. This is why the Department of Human Services will cease the use of spit hoods within 12 months, accepting all three spit hood recommendations made by the Ombudsman.

The transition time is necessary to identify, source and implement appropriate alternative options, including training staff in new techniques, to ensure a smooth and safe transition. As I said, the Department of Human Services has publicly committed to ceasing the use of spit hoods by June 2020 and reporting to the Ombudsman on this by 5 September 2020, and this commitment now also includes court transport contractor, G4S.

The primary purpose for use of mechanical restraints, such as resident-worn spit protection, is to ensure the safety and security of staff and residents at the AYTC and community safety during periods of escorted leave. Regulations under the Youth Justice Administration Act provide that mechanical restraints may be used only if there are reasonable grounds to believe that the resident is about to harm himself or herself or another person, or it is necessary to restrain the resident to preserve the security of the centre, to prevent the resident from escaping from custody or to preserve community safety.

The regulations also provide safeguards on the use of mechanical restraints, including that they may only be used as a last resort and must not be used to punish the resident. From a practical perspective, the use of mechanical restraints is approved by the Chief Executive of DHS under the Youth Justice Administration Regulations. Legislative change is therefore not required as, under these regulations, the chief executive may revoke its authorisation.

A transition time is essential to ensure that best practice alternatives are in place by the time spit hoods are banned. DHS advise that the removal of resident-worn spit protection as an option for protecting staff in the very specific and limited circumstances during this time of transition, where other methods, such as personal protective equipment, are not viable or available to cover the full suite of circumstances and ensure that non-pain compliance techniques are utilised, is problematic.

During the transition phase, an increased level of authorised approval is applied before the resident-worn spit protection can be used. DHS intends to seek independent expert advice to review and assess the AYTC's use of force and current restraint techniques as part of a broader review into youth justice policy and practice.

In relation to SA Health and Mental Health Act implications, the Chief Psychiatrist recommends that the proposed amendment to the Mental Health Act should not be supported, as it is not necessary and may actually be unhelpful to the review currently being undertaken by his office. Further, the proposed amendment to the Mental Health Act may create unintended consequences if other items not listed by their omission are being considered to be acceptable for use.

The Chief Psychiatrist considers that, in line with trauma-informed practice, spit hoods should be prohibited from use on minors. The Chief Psychiatrist is currently in the process of reviewing the use of restraint devices for people experiencing symptoms of mental illness across SA Health facilities and approving or otherwise their use in specific circumstances.

Spit hoods will not be considered an acceptable device and would not be approved for use as a restraint option for people with mental illness. The inappropriateness of spit hood use will be underscored by the imminent issuing of a Chief Psychiatrist standard on the use of restrictive practices under section 90(1) of the Mental Health Act, which is currently being consulted on.

In relation to the Department for Correctional Services, Corrections advise that in practice there are very few instances where a person under the age of 18 is held in an adult prison in the custody of the Chief Executive of the Department for Correctional Services under the Correctional Services Act. The proposed amendment to the Correctional Services Act is therefore considered unnecessary and at this time is not supported.

In relation to SA Police advice on amendments to the Summary Offences Act, it is as follows: the use of spit hoods is governed by internal SAPOL policy. A spit hood may be used for protection from a detainee who is likely to deliberately spit fluid. Use must be authorised by the officer in charge of the cells in a custodial facility or, if used outside of a custody facility, by the shift supervisor. SAPOL has a duty of care to provide a safe working environment for its employees.

Spitting is a common behaviour encountered by police in the execution of their duties, and SAPOL maintain there is a need for the use of spit masks under strict conditions. SAPOL do not support total prohibition on the use of spit hoods and would consider prohibition to be in conflict with

the principles of the recently commenced Criminal Law Consolidation (Assaults on Prescribed Emergency Workers) Amendment Act 2019.

There are implications of creating criminal offences for public sector employees for the use of spit hoods. The state government's position is that the use of spit hoods on children and young people in custodial settings should be banned through existing policy and legislative provisions, using disciplinary action to enforce compliance by public sector employees with this prohibition rather than creating a specific piece of legislation that enacts criminal offences of up to two years' imprisonment.

By means of delegated legislation or administrative action, such as through codes of conduct or practice, general orders, policies or directions to staff, the use of spit hoods by officers and employees can already be prohibited. Any use of spit hoods contrary to these legislative instruments and policies can be dealt with through disciplinary measures on the grounds of misconduct under the provisions of part 7, division 3, of the Public Sector Act 2009, and the Code of Ethics for the South Australian Public Sector, made pursuant to section 15 of the Public Sector Act 2009.

It is a bit like being in a parallel universe sometimes in this place, but I have sought specific advice from the Public Service Association, which I would like to quote. Their position is as follows:

1. The safety of staff and of young people is of paramount concern. At present, spit hoods provide one means for protecting the safety of our members in exceptional circumstances. Our members are subjected to serious risks of spitting and biting on a regular basis.

2. We note from the Ombudsman's report he confirms that the spit hoods in use are transparent. That is, they are not the notorious Don Dale non-transparent version.

3. We note that spit hoods are not routinely used at present, and are only used in exceptional circumstances.

4. The immediate complete prohibition on spit hoods is too extreme in the current circumstances, including where appropriate alternatives are not in place. (I.e, at present there may be circumstances where, despite all other options and best efforts, a spit hood is the safest option).

5. We support the Ombudsman's position, and the Department's position, that spit hoods may be phased out over a period of 12 months—but our support is subject to the provision of adequate and appropriate alternatives, of which there are none in the SA facilities at the moment.

6. It is also critical that employees are fully trained in any alternatives being suggested or provided as alternatives to spit hoods. It will take time to roll out appropriate training to all the staff.

7. The maximum penalty of two (2) year's imprisonment is far too excessive and out of proportion to the matter at hand. The risks to our members from spitting or biting are life long serious illnesses or injuries.

This is a summary of our position.

Regards,

Austin White

There are also some perceptions, I think, that can be had about the training centre from time to time that I would like to address. I think it is fair to say that it is a challenging environment for the people who work there and that at times there can be situations that can get out of hand if they are not managed appropriately. The staff in the training centre are very well trained in how to use behavioural techniques, in preference to others, to de-escalate situations, and that is the way they process any situation that they think may be getting out of control.

It is the most physically modern youth training centre in Australia. It is a campus-like environment and, if there is any perception that it has some resemblance to a Dickensian institution, I would like that to be put at rest once and for all. I agree that some of the images probably are quite challenging to look at. If I can explain that some of the techniques are actually the safest way to safely and painlessly de-escalate a situation that does require some physical intervention.

The way it has been explained to me is that there is a number of staff who are required, particularly when the prone position is used. You will have one staff member who will need to be at each arm, one person at the legs and then someone who is talking to the person who is being restrained. Then there is another person to supervise, so that is five staff who are involved. In comparison to the one young person, I can understand that that looks challenging, but there are reasons why that is the most appropriate way.

Quite specifically, staff do not restrain people by using their torso. I think that has been inaccurately said to be part of the practice, but it is not. Restraint using a torso is the way that may cause asphyxiation risk, and that is not used in the Adelaide Youth Training Centre. The Youth Training Centre staff are trained in behaviour support techniques. They use specialist physical intervention, called the Maybo technique, to manage conflict and challenging behaviour. Maybo was operationalised at the Adelaide Youth Training Centre in 2012, and all operational staff are trained to use what are called non-pain compliant techniques.

The physical intervention is based on the provision of a safe, non-threatening approach when managing conflict with residents in crisis or demonstrating challenging behaviours. Since the findings of the Northern Territory royal commission, Maybo training and its use has been implemented in Northern Territory Youth Justice.

I have mentioned the prone position, where a resident is safely restrained on the floor. This is only ever to be used as a last resort in the Adelaide Youth Training Centre. It requires multiple staff holding the limbs to ensure that pressure is not placed on the torso, thereby reducing asphyxiation risk.

AYTC practice has developed since the incidents have been under review by the SA Ombudsman. DHS continues to improve practice, commencing a comprehensive independent review of all policy and practice relating to security and operational matters, including isolation, segregation, mechanical restraints and the use of force. I have mentioned that the usage has dropped dramatically: we have had no usage in the Youth Training Centre since March.

I think I have also addressed the reasons why we need time to ensure that we adopt best practice going forward and that vigorous training for all staff is rolled out. I would also like to thank the Ombudsman and the Training Centre Visitor for their work in this space. There are always practices that can be improved. I think it is very useful, in an environment such as this, that we have independent eyes and an independent voice that can assist to improve practice in an ongoing manner.

The Hon. C. BONAROS (23:32): This bill is particularly timely this week because, although we are dealing specifically with the use of spit hoods on minors, I think it is important to note that 19 South Australian prison guards are this week attempting to have a coroner removed from investigating the death in custody of an Indigenous man, after seven guards lost the bid to give evidence into the inquest of Wayne Fella Morrison. As I have said before in this place, Wayne Fella Morrison died in custody while wearing a spit hood. That matter is the subject of not only a coronial inquest but also Supreme Court hearings that are taking place this week.

I am following that case closely because it deals with the use of spit hoods, not only in relation to minors but also in relation to its appropriateness in an adult custody setting. In that regard, given that I have referred to this previously and there is an undertaking that I have given, I think it is important to refer to a letter sent to me by the Ombudsman in relation to an investigation undertaken by his office. In that letter, he says:

I refer to your Second Reading Speech on 17 October 2019 in relation to your bill to amend the Correctional Services Act 1982, the Mental Health Act 2009, the Sheriff's Act 1978, the Summary Offences Act 1953 and the Youth Justice Administration Act 2016. According to Hansard, that speech included the following:

I also understand that Ombudsman Lines is due to table a report shortly on the use of spit hoods on adults in custodial settings, and I eagerly await his recommendations, as is, I am sure, the Coroner investigating the death of Wayne Fella Morrison. I had foreshadowed that I would introduce one bill that would deal with both minors and adults and ban the use of spit hoods across the board.

However, given that we now know that there are further recommendations set to be presented to us by the Ombudsman when he finalises that report, I thought it was more appropriate that we deal with an issue concerning minors first—I think it is fair to say that will probably be the least contentious of the two issues—and then have the opportunity to reflect on the recommendations of the Ombudsman in relation to their use in the adult setting. For the benefit of members, I can flag that that is something that we are certainly extremely concerned about and think needs to be done away with.

Although still the subject of Supreme Court action and a coronial inquest, the death in custody of Wayne Fella Morrison, a man with serious pre-existing medical conditions who died wearing a spit hood while restrained face down in a corrections van, raises a lot more questions than the family has answers for at

present. I have met with members of Mr Morrison's family. I have met with his mum and I have met with his sister, and I have assured them that I will persist until their questions are answered and until the appropriate legislation is passed by this place to deal with the use of spit hoods and ensure that nobody else suffers the same fate that their son and brother suffered at the hands of corrections.

I would like to acknowledge their tenacity and persistence to seek the truth in regard to what happened to their loved family member. Upon receipt of the report by the Ombudsman into the use of spit hoods in adult custodial settings, I again reiterate that I will be calling for the government to immediately follow our lead and legislate to implement the findings without delay.

The letter goes on to say:

While I note your concerns about the use of spit hoods in adult prisons, I confirm that my Office is not currently conducting any investigation into the use of spit hoods in adult prisons (whether as a practice or in relation to an individual prisoner).

While I am currently conducting an 'own initiative' investigation concerning administrative acts of the agency leading up to and after Mr Morrison's death, I am not conducting an investigation into the incident that preceded Mr Morrison's death, noting that there is currently a coronial investigation on foot.

That said, please note that unless and until I determine that it is in the public interest to disclose or authorise disclosure of the details of my investigation, any investigation by my Office remains confidential.

I would be grateful if you take steps to clarify this matter as you see fit and authorise you to disclose the contents of this letter as necessary.

In the circumstances, I consider it appropriate to provide a copy of this letter to the Minister for Correctional Services and the Shadow Minister for Correctional Services.

I read that onto the record because I think it is important that the Ombudsman's concerns be noted and I certainly apologise to the Ombudsman for my misinterpretation in terms of the review that he was undertaking on the use of spit hoods, given what he said in his letter.

On the issue of spit hoods and minors and in relation specifically to what the minister has said, our position remains the same: if the government has accepted the banning of spit hoods, there is no reason whatsoever for not prescribing that ban in legislation. We absolutely should not be proud of our use of spit hoods on minors; that is a point that I do agree with the minister on.

I fully acknowledge and accept that there are individuals, whether they be minors or adults, who can be extremely challenging in their behaviour, but if our medical professionals and mental health professionals can find alternative ways to deal with those individuals in those settings, then surely the same should apply across the board—end of story. Our police should do the same, our corrections officers should do the same. I do not care if there are 15 cases, 12 cases or one case: SA-Best's position is that any case involving the use of a spit hood on a minor—anyone aged under 18—is completely inappropriate.

Pending the outcomes of the coronial inquest, I have indicated that we will be moving further amendments in this place to ensure that the use of spit hoods—and I should say, more commonly, the inappropriate use of spit hoods—on any individual in a custodial setting is stamped out once and for all. There are alternatives, and if that requires resourcing by the government, if that requires extra training, if that requires extra funding, then that is what the government should be focused on.

Our position remains that the benefit of legislation is clear. It sends a clear message that the use of spit hoods will not be tolerated under any circumstances in this instance, at least when it comes to minors. Can I say in relation to our emergency services workers, in relation to the issue of bites and spitting, that is something that we have advocated for for years in this place, but again I come back to the point that there are alternatives to using spit hoods, which can have life-threatening impacts, and especially the use of those spit hoods on minors.

Our position is that you either support or you do not support the use of spit hoods. It is all well and good for us to say that it is policy that we do not support the use of spit hoods, but we have heard today a number of caveats to that policy from the government, and they are not caveats that I or SA-Best are willing to accept. For that reason—

The Hon. J.M.A. Lensink: You might want to front up to the union and face them.

The Hon. C. BONAROS: I am quite happy to front up to any union.

The PRESIDENT: The Hon. Ms Bonaros, this is getting beyond a summing-up. Either wind it up or I am going to sit you down. Okay?

The Hon. C. BONAROS: Thank you, Mr President. With those words, I commend the bill to the chamber.

Bill read a second time.

Committee Stage

In committee.

Clause 1.

The Hon. J.M.A. LENSINK: Can I ask the mover of this bill which organisations or experts she has consulted in the drafting of this legislation?

The Hon. C. BONAROS: I have not consulted with the PSA, if that is what the minister would like to know, and I had no intention of consulting with the PSA. Who I consulted with was the family of an individual who died in custody involving the use of spit hoods. I waited for the outcomes of the Ombudsman's report, and I think that outlined extensively the position in relation to spit hoods. I have consulted with members of the legal fraternity and people who have dealt with cases involving spit hoods and the inappropriate use of spit hoods. That is what our policy is based on.

Clause passed.

Remaining clauses (2 to 7) and title passed.

Bill reported without amendment.

Third Reading

The Hon. C. BONAROS (23:45): I move:

That this bill be now read a third time.

Bill read a third time and passed.

At 23:46 the council adjourned until Thursday 28 November 2019 at 11:00.