LEGISLATIVE COUNCIL

Wednesday, 23 June 2021

The PRESIDENT (Hon. J.S.L. Dawkins) took the chair at 14:15 and read prayers.

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

Parliamentary Committees

LEGISLATIVE REVIEW COMMITTEE

The Hon. N.J. CENTOFANTI (14:17): I bring up the 41st report of the committee.

Report received.

ABORIGINAL LANDS PARLIAMENTARY STANDING COMMITTEE

The Hon. T.J. STEPHENS (14:17): I bring up the report of the committee, 2018-19.

Report received and ordered to be published.

The Hon. T.J. STEPHENS: I bring up the report of the committee, 2019-20.

Report received and ordered to be published.

Parliamentary Procedure

PAPERS

The following papers were laid on the table:

By the Treasurer (Hon. R. I. Lucas)—

Essential Services Commission of South Australia Final Inquiry Report dated February 2021—Inquiry into Regulatory Arrangements for Small-Scale Water, Sewerage and Energy Services

District Council By-laws—

Cooper Pedy—

No. 1—Permits and Penalties
No. 2—Moveable Signs
No. 3—Local Government Land
No. 4—Roads
No. 5—Dogs
No. 6—Nuisances
No. 7—Cats
No. 8—Water Conservation

Fee Notices under Acts—

Gaming Machines Act 1992
Gaming Machines Act 1992 (No.2)
Lottery and Gaming Act 1936
Lottery and Gaming Act 1936 (No.2)
Real Property Act 1886
Real Property Act 1886 (No.2)

Regulations under Acts—

Dust Diseases Act 2005—General
Freedom of Information Act 1991—Exempt Agency—South Australian Skills Commission
Public Corporations Act 1993—TechinSA—Dissolution and Revocation
Veterinary Practice Act 2003—Veterinary Treatment

Work Health and Safety Act 2012—Prescription of Fee (No.2)

Question Time

HOVE LEVEL CROSSING

The Hon. K.J. MAHER (Leader of the Opposition) (14:19): My question is to the Minister for Human Services regarding housing. Minister, How many weeks ago did you first learn that the Hove crossing project was being cancelled and when exactly were frontline staff dealing with public housing tenants advised?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:20): I thank the honourable member for his question. As he is aware, as part of the 2021-22 state budget, the government announced the cancellation of the Hove rail crossing project. As at 22 June 2021, the authority had relocated a number of tenants with, I am advised, seven to be relocated. At the time, the last tenant had been relocated on 19 June and the authority was unaware of the decision to cancel the Hove rail crossing project. I have been kept abreast of this issue via cabinet. Cabinet is a confidential process and so the authority was aware of this matter as of the bringing down of the budget.

HOVE LEVEL CROSSING

The Hon. K.J. MAHER (Leader of the Opposition) (14:21): Supplementary: minister, are you confirming that you were aware that this project was going to be cancelled while tenants were still being moved out of their homes?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:21): As the Premier has advised publicly, this decision was taken very recently.

HOVE LEVEL CROSSING

The Hon. K.J. MAHER (Leader of the Opposition) (14:21): Further supplementary: minister, given that there are people who were affected by these decisions, can you come clean and let this chamber and those affected know whether you knew about this while people were still being evicted?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:21): There was a process underway. Cabinet is a confidential process. I am bound by cabinet confidentiality—

Members interjecting:

The PRESIDENT: Order!

The Hon. J.M.A. LENSINK: —as all members are aware.

Members interjecting:

The PRESIDENT: Order, the Hon. Ms Bourke! The Leader of the Opposition has asked a supplementary and the minister is answering it.

Members interjecting:

The PRESIDENT: Order! We will move on to the next question. Second question, Leader of the Opposition.

HOVE LEVEL CROSSING

The Hon. K.J. MAHER (Leader of the Opposition) (14:22): My question is to the Minister for Human Services regarding housing. Minister, given that you have admitted in question time today you knew about the cancellation of the Hove crossing project before the budget was handed down, why did you choose to allow a family with a baby to be evicted from their public housing property just in the last few days? And, minister, what do you say to them and other tenants who were evicted because of a project you knew wasn't going ahead?

The PRESIDENT: I didn't know anything about it. I think you need to rephrase your questions. The minister has the call.

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:23): Yes, Mr President, we will address our remarks through you, as is the appropriate way in this place. I need to correct the honourable member that nobody has actually been evicted. That is an incorrect term to use in relation to this.

Members interjecting:

The PRESIDENT: Order! The Leader of the Opposition has asked a question and should listen to the answer.

The Hon. J.M.A. LENSINK: There have been no evictions. The South Australian Housing Authority, having received advice that the particular units, regardless of which option was going to be selected, would need to be relocated, have been working on this process for quite some time. They have been working on this process for quite some time because they wanted to maximise—

Members interjecting:

The PRESIDENT: Order! Does the opposition wish to listen to the answer?

The Hon. K.J. Maher interjecting:

The PRESIDENT: The honourable Leader of the Opposition is out of order. The minister has the call.

The Hon. J.M.A. LENSINK: I do note the fake outrage that often comes from Labor members. The fake outrage from Labor members.

Members interjecting:

The PRESIDENT: Order!

The Hon. J.M.A. LENSINK: When they sold 7½ thousand Housing Trust properties and now they—

The PRESIDENT: The minister should not point.

Members interjecting:

The PRESIDENT: Order!

The Hon. J.M.A. LENSINK: Seven and a half thousand public Housing Trust properties on your watch.

Members interjecting:

The PRESIDENT: Order!

The Hon. J.M.A. LENSINK: You want to come in here and lecture me about our record.

Members interjecting:

The PRESIDENT: Order! The opposition either wishes to listen to the answer—and the minister, I am sure, will be bringing her answer to a conclusion soon, but we are not achieving anything at the moment. I am sure there are members of the crossbench who would like to get to their questions. The minister has the call.

The Hon. J.M.A. LENSINK: In this process, the South Australian Housing Authority—

The Hon. R.P. Wortley interjecting:

The PRESIDENT: Order, the Hon. Mr Wortley!

The Hon. J.M.A. LENSINK: —has been working through relocations. I am advised that, of the seven tenants who have relocated from essentially what are units, a number have been relocated to close-by suburbs, including Seacombe Gardens, Brighton, Glandore, Seacliff Park and Glenelg. Those tenants, of course, will be offered the opportunity to return to their properties at Hove. Obviously, it is regrettable that this has taken place in the way in which it has, and we will be offering all the tenants any relocation costs if they wish to return.

HOVE LEVEL CROSSING

The Hon. K.J. MAHER (Leader of the Opposition) (14:25): Supplementary: minister, are you really telling this chamber and people who are affected that no-one was evicted? Is that really what you are saying?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:25): That is correct, because these are not processes that went through SACAT. If you want to talk about eviction, that is a formal process—

Members interjecting:

The PRESIDENT: Order!

The Hon. J.M.A. LENSINK: —through SACAT. This is a relocation process, where the South Australian government thought in good faith that there was going to be a—

Members interjecting:

The PRESIDENT: Order!

The Hon. J.M.A. LENSINK: —use for that land that meant that people needed to be relocated and that those properties would have to make way for that. We undertook that in good faith, and now we are offering the best opportunities possible to those tenants.

The Hon. K.J. MAHER: Final supplementary on this, sir.

The PRESIDENT: I have a supplementary from the Hon. Ms Franks. I will go to her first.

HOVE LEVEL CROSSING

The Hon. T.A. FRANKS (14:26): My supplementary is: what is the minister's definition of the term 'eviction' and does it only include processes that involve SACAT?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:26): Yes, that is my definition.

The PRESIDENT: The honourable Leader of the Opposition has a further supplementary.

HOVE LEVEL CROSSING

The Hon. K.J. MAHER (Leader of the Opposition) (14:26): Minister, would you categorise it as acting in bad faith if a minister knew that a project wasn't going ahead yet did nothing to stop evictions?

The PRESIDENT: The minister has the call. I think you are seeking an opinion, but I will give the minister the opportunity to answer it.

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:27): I take the respect of cabinet confidentiality very seriously in that we are bound by cabinet and that is a convention that has long existed. While it may be in conflict with other ways in which—

Members interjecting:

The PRESIDENT: Order!

The Hon. J.M.A. LENSINK: It is paramount.

Members interjecting:

The PRESIDENT: Order!

The Hon. K.J. Maher interjecting:

The Hon. J.M.A. LENSINK: Don't you lecture me about that, Kyam!

The PRESIDENT: Order! Third question, the Leader of the Opposition. You are wasting your own time. I have called the Leader of the Opposition for his third question.

HOVE LEVEL CROSSING

The Hon. K.J. MAHER (Leader of the Opposition) (14:27): Minister, after being asked repeatedly about this issue in question time, after being part of cabinet processes that found out the project was going to be cancelled, what representations did you make to the Premier or to the Treasurer to protect vulnerable public housing tenants affected by the now cancelled Hove crossing project?

The Hon. R.P. Wortley: Absolutely zero.

The PRESIDENT: Order! The Hon. Mr Wortley is not helping. The minister has the call.

The Hon. K.J. Maher interjecting:

The PRESIDENT: Order! You asked a question. Listen to the answer.

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:28): I note that the honourable member in his disorderly interjection repeated the word 'eviction'. Any of these discussions are cabinet confidential.

HOVE LEVEL CROSSING

The Hon. K.J. MAHER (Leader of the Opposition) (14:28): Supplementary, sir.

The PRESIDENT: I will listen to it.

The Hon. K.J. MAHER: Notwithstanding your claim of cabinet confidentiality, did you make a single representation to any other minister to be allowed to halt the process of removing people from their homes?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:29): I can only give the same answer I have given. There are many of these discussions—

Members interjecting:

The PRESIDENT: Order!

The Hon. J.M.A. LENSINK: —that have taken place at cabinet, and they are bound by the

Members interjecting:

The PRESIDENT: Order!

The Hon. J.M.A. LENSINK: —confidentiality of cabinet.

HOVE LEVEL CROSSING

The Hon. K.J. MAHER (Leader of the Opposition) (14:29): Final supplementary. Minister, did you even care enough to ask someone if you could stop the process of turfing people out of their own homes?

The PRESIDENT: I do not see how that comes out of the original answer. I am going to move on to the Hon. Mr Ridgway.

The Hon. K.J. Maher: Doesn't even care.

The PRESIDENT: Order!

STATE BUDGET

The Hon. D.W. RIDGWAY (14:29): My question is to the Treasurer—

The Hon. J.E. Hanson interjecting:

The PRESIDENT: Order! The Hon. Mr Ridgway is on his feet.

The Hon. D.W. RIDGWAY: Please give me some respect.

The PRESIDENT: I think that the Hon. Mr Ridgway should proceed.

The Hon. D.W. RIDGWAY: I got distracted by the rabble on the other side. What commentary, Treasurer, have national economic commentators and rating agencies made about the state budget?

The Hon. C.M. Scriven interjecting:

The PRESIDENT: Order! I spoke yesterday about this habit of starting to interject—and interjections are out of order, but to interject or to guffaw before a minister has hardly had the chance to start answering, and in this case the Treasurer had not even started. The Treasurer has the call.

Members interjecting:

The PRESIDENT: Order! The Treasurer has the call. The opposition is wasting its own question time here.

The Hon. R.I. LUCAS (Treasurer) (14:30): I am delighted to be able to inform the house—I am sure all members will be as excited as I am to hear the national commentary from respected national commentators in relation to the state budget. The assessment that has been released, I think only this morning, from ANZ Research titled 'Australian Economic Insight' from the ANZ Bank, respected national commentators, is headlined 'SA budget frontrunner for a return to surplus'. I am very pleased to be able to report that the positive assessment of the state budget by the ANZ research unit of the ANZ Bank says that they are more optimistic than we conservative treasurers and Treasury boffins are in relation to economic growth prospects for South Australia.

ANZ says that despite the budget's predictions of 3.5 per cent growth next year, we are more optimistic at 4.5 per cent economic growth for next year. Their commentary—it is a direct quote—is as follows:

> South Australia's economic outlook has improved, underpinned by a strong recovery in household consumption and growth in public investment. GSP growth is estimated to rise to 3.5 per cent in 2021-22, down from a previous estimate of 4.25 per cent. This is followed by stabilisation at 2.25 per cent through 2022-23 to 2024-25. Our outlook—

that is, the ANZ outlook—

> is more upbeat. We expect GSP growth to accelerate to 4.5 per cent in 2021-22, followed by 3.5 per cent in 2022-23.

What the ANZ Bank is saying is that we think the South Australian Treasury and the South Australian Treasurer are way too conservative, way too pessimistic about economic growth, even though we are predicting 3½ per cent economic growth next year. They say, no, that is not big enough: we think it's going to grow by 4½ per cent, and when we predicted a conservative estimate as always—2.25 per cent estimate in the following year, 2022-23—they say again way too conservative and are estimating 3.5 per cent economic growth for South Australia.

I am sure that all South Australians who are interested in job growth, economic growth, future job prospects for all South Australians will be delighted to hear respected national commentators saying that they are bullish, they are upbeat, they are optimistic, about the future economic growth prospects for South Australia, that the economic fundamentals put in the place by the budget yesterday, and as has been put in place over the last three budgets in terms of the costs of doing business, are going to grow jobs and grow the economy at a much stronger rate than it has grown on average over the last 16 years of the former Labor government, where on average it grew just under half to two thirds of the national economic growth rate.

And quickly, Mr President, because I have already made public commentary on this: the S&P credit rating agency yesterday, and Moody's—S&P in particular—commented that South Australia benefits from a strong economy and financial management. That is an indicator certainly of strong support for the financial management credentials of this government and of the economic performance of our state economy, and it is certainly, as I said, optimistic in terms of the state's future job growth prospects.

INDEPENDENT COMMISSIONER AGAINST CORRUPTION INVESTIGATION

The Hon. F. PANGALLO (14:34): I seek leave to make a brief explanation before asking the Treasurer, representing the Attorney-General in another place, a question about ICAC's investigation into two South Australian public servants.

Leave granted.

The Hon. F. PANGALLO: Last Friday, in the Magistrates Court, charges against Mr John Hanlon, former chief executive of Renewal SA, and another executive, Ms Georgina Vasilevski, were thrown out because there was not a shred of evidence against them. The hearing proved extremely embarrassing for one of ICAC's expert witnesses in telecommunications, who was not an expert at all, had not given evidence to a court before and had no idea of the vague information that was put forward by the DPP, ostensibly briefed by ICAC investigators, except that she knew a lot about phones.

Based on records, emails and handwritten notes by investigators and others that I have personally sighted, it would have been clear to anyone, including the DPP, that there was no case to answer and the matter has been a complete waste of taxpayers' money.

In Mr Hanlon's case, ICAC investigators Amanda Bridge and Andrew Baker were attempting to show a trip he took to Germany wasn't for government business but a family holiday. There are emails Bridge sent to a business in Berlin known as CRCLR seeking information for which the business makes clear why it could not provide it. Bridge's persistence then resulted in an email from Alice Grindhammer from the business, asking ICAC to desist or it would initiate legal action. I seek leave to table that email.

Leave granted.

The Hon. F. PANGALLO: This was dated 6 September 2019, several days before Bridge and Baker embarked on a business class, taxpayer funded trip to Germany where they still decided to attend the business, which had already told them not to come. The trip yielded nothing, yet Bridge provided an affidavit which didn't tell the whole story and omitted facts they should have included in it. Bridge, in her handwritten notes, reveals that she, too, took a holiday in downtime to visit Hamburg. I seek leave to table those notes.

Leave granted.

The PRESIDENT: I hope the honourable member is coming to a conclusion.

The Hon. F. PANGALLO: Nearly finished, Mr President. Then yesterday, the Attorney-General, Vickie Chapman, whose name features several times in ICAC's Resolve Entries record into this sorry case and in a clear conflict of interest, said she is now talking to the DPP—

The PRESIDENT: The honourable member has tested my patience a little bit with the amount of opinion in this explanation. I think he should bring the explanation to a conclusion.

The Hon. F. PANGALLO: I will bring it to a conclusion. Then yesterday, the Attorney-General, Vickie Chapman, whose name features several times in ICAC's Resolve Entries record and in a clear conflict of interest, said she is now talking to the DPP—

The PRESIDENT: I just asked the honourable member to bring the explanation to a conclusion. You have said that last part twice now.

The Hon. F. PANGALLO: Okay. She is now still pursuing the matter. My question to the Attorney-General is:

1. Before discussing with the DPP whether or not this matter should proceed further, has she viewed or is she requesting to view the Resolve Entries file in which she appears as well as all the handwritten notes and emails by the pair of investigators which reveal how badly flawed this investigation was?

2. Is she aware of a separate investigation carried out by the Commissioner for Public Sector Employment into workplace issues at Renewal SA, and what were the results of that investigation?

3. Why was approval given, and who gave it, for the two ICAC investigators to travel business class and for one of them to undertake a private side-trip?

4. Can the Attorney-General, through ICAC, provide the total cost of this investigation and subsequent proceedings?

The Hon. R.I. LUCAS (Treasurer) (14:39): I am happy to refer the honourable member's questions to the Attorney and see what response she is able to provide, but what I will comment on is that if the member is going to make a significant accusation against a member of parliament, where he claims someone is in a clear conflict of interest—which I might say I am sure will be contested—the standing orders require that he should do so by a substantive motion, not as a drive-by in terms of an explanation to a question in the house.

So, on behalf of the Attorney, I take offence at an accusation like that being made as part of an explanation to a question, purportedly as a statement of fact. It's obviously an opinion of the honourable member's. He is entitled to his opinions, but it's an issue that I will refer to the Attorney-General, because these are issues clearly within her purview, and see what response she is prepared to provide.

HOVE LEVEL CROSSING

The Hon. C.M. SCRIVEN (14:40): My question is to the Minister for Human Services regarding housing. Minister, why did the government happily provide advance notice of some budget measures for PR purposes while you, minister, kept people in the dark so they continued to think that they were going to lose their homes?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:40): The decision regarding budget announcements is a decision which is made by the Treasurer.

HOVE LEVEL CROSSING

The Hon. C.M. SCRIVEN (14:41): Supplementary.

The PRESIDENT: Well, I will listen to it, a potential supplementary, but there wasn't a great deal to get a supplementary out of. The deputy leader.

The Hon. C.M. SCRIVEN: Minister, given that your answer is that it was the responsibility of the Treasurer, did you make representations to the Treasurer to suggest that perhaps people could be spared huge stress if they were made known in advance of the budget, in the way that other things were made known in advance.

The PRESIDENT: You have asked the question.

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:41): As the honourable member should know by now, the discussions that we have between ministers—

Members interjecting:

The PRESIDENT: Order!

The Hon. J.M.A. LENSINK: —take place within cabinet—

The Hon. K.J. Maher interjecting:

The PRESIDENT: The Leader of the Opposition!

The Hon. J.M.A. LENSINK: —and are subject to confidentiality.

Members interjecting:

The PRESIDENT: Order! The Hon. Jing Lee has the call.

Members interjecting:

The PRESIDENT: Order! The Hon. Ms Lee is on her feet.

The Hon. J.M.A. Lensink interjecting:

The PRESIDENT: The minister is not helping. No conversations across the chamber.

Members interjecting:

The PRESIDENT: Order!

DISABILITY ACCESS AND INCLUSION DIRECTORATE

The Hon. J.S. LEE (14:42): My question is to the Minister for Human Services regarding disability access and inclusion. Can the minister please provide an update to the council on how many people with disabilities benefit from the disability access and inclusion directorate announced in the state budget?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:42): I thank the honourable member for her question and her interest in this area. The ever-benevolent Treasurer has indeed agreed to continue the good work of the disability access and inclusion directorate—

Members interjecting:

The PRESIDENT: Order!

The Hon. J.M.A. LENSINK: —and the—

The Hon. K.J. Maher interjecting:

The PRESIDENT: The Leader of the Opposition will cease interjecting.

The Hon. J.M.A. LENSINK: —access and inclusion directorate is incredibly important for furthering the government's agenda, in terms of providing access for people living with disability across South Australia. Some $4.7 million has been committed by the government to ensure that this directorate continues to be funded over the forward years. It not only ensures that South Australia's NDIS investment performs in the best interests of South Australians living with disability but also leads and directs the state's disability inclusion strategy, which is the first of its kind in South Australia.

This includes monitoring and reporting on over 100 disability access and inclusion plans across state authorities, as well as providing strategic leadership and advice to enact the government's quality and safeguarding agenda. The funding will ensure that we can continue to fund 11 FTEs in 2021-22. For the continued operation over the forward estimates, it's very important that we continue not only the inclusion agenda but also the support to advise me, as the minister, through the ministers' council at a national level, to be able to continue to coordinate with stakeholders and feed reforms forward, as we have seen in relation to a range of issues, including the health interface. The work of this directorate is incredibly important to ensure that both levels of government are coordinating our efforts together in the most effective manner.

DISABILITY ACCESS AND INCLUSION DIRECTORATE

The Hon. K.J. MAHER (Leader of the Opposition) (14:44): Supplementary: minister, did you make representations to the Treasurer in the lead-up to the budget about this particular measure?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:44): The honourable member would be familiar with bilateral discussions.

MENTAL HEALTH ACCOMMODATION

The Hon. T.A. FRANKS (14:44): I seek leave to make a brief explanation before addressing a question without notice to the Minister for Health and Wellbeing on the topic of dual occupancy rooms in psychiatric wards.

Leave granted.

The Hon. T.A. FRANKS: After one patient killed another while sharing a room at the Noarlunga Hospital in South Australia, the Deputy Coroner, of course, has recommended against dual occupancy rooms in psychiatric wards in our public hospitals, stating when making this recommendation late last year that 'given the practice of dually accommodating patients' there was a 'certain inevitability' that someone would be killed as a result of this practice.

While it was reported during that inquest into the 2014 death that the Morier Ward at the Noarlunga Hospital was the only psychiatric facility in the public mental health system in which rooms were shared by two people in this state, I note that more contemporary statements from SA Health

responding on this matter in recent months indicate that we have in this state, I believe, three mental health units which continue to have these dangerous shared rooms. I note, also, SA Health's statement that:

> There are dual bedrooms currently in use at three mental health units in South Australia across three local health networks, and that all services have in…plans and or requests to move to single occupancy rooms through capital works projects but that these projects will require approval from the Minister for Health and Wellbeing prior to submission to the Department of Treasury and Finance.

My questions are:

1. How many of these rooms currently are not yet single occupancy?

2. Have you made approvals needed for the Treasury to consider the capital works required to move to single occupancy for any or all of these rooms?

3. Was that money made available in yesterday's budget and, if so, what is the time frame for this?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:46): The honourable member refers to a coronial inquest. My recollection is that I have recently submitted SA Health's response to the Coroner's recommendations. Obviously, a change like this takes time. As the honourable member says, there are some facilities that are using single rooms and plan to do so for some time. In relation to those facilities, my understanding is that the Chief Psychiatrist is working with the local health networks to try to minimise the risk to inpatients. For example, I understand that—

The Hon. T.A. Franks interjecting:

The Hon. S.G. WADE: The honourable member indicates that she has read the report.

The Hon. T.A. Franks interjecting:

The PRESIDENT: The Hon. Ms Franks has the opportunity for a supplementary.

The Hon. S.G. WADE: With all due respect, if the honourable member has seen SA Health's response, I again refer her to it. There are risk mitigation strategies that are in place, but in the longer term, as the response indicates, it is the intention of the department to implement the principle of single room occupancy of mental health rooms.

MENTAL HEALTH ACCOMMODATION

The Hon. T.A. FRANKS (14:48): Supplementary: I didn't ask about duress alarms and risk mitigation, I asked when these single occupancy rooms will be achieved?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:48): As I said, it will be over time. Significant capital reform like this does take time, and we need to make sure that we balance all of the calls on the mental health capital spend.

MENTAL HEALTH ACCOMMODATION

The Hon. T.A. FRANKS (14:48): Supplementary: was that capital spend made available in yesterday's budget?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:48): Certainly, the allocations made in yesterday's budget will not achieve what I have just said would be a long-term investment.

MENTAL HEALTH ACCOMMODATION

The Hon. T.A. FRANKS (14:48): Supplementary: will these changes be made within the next three years?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:49): That's almost hypothetical. That's a matter of each of those budget processes and the government working through what the calls are on the capital works budget, particularly in relation to mental health.

HOVE LEVEL CROSSING

The Hon. E.S. BOURKE (14:49): My question is to the Minister for Human Services regarding housing. Considering the minister has now admitted she was aware of the Hove crossing project not proceeding, will the minister now apologise to the public housing tenants who went through hell due to this project?

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:49): I think the government does acknowledge that this has been difficult for a number of the tenants. I don't think it is fair to characterise it as hell. I think that's the Labor Party playing mischief in that there were a number of tenants who I understand—

Members interjecting:

The PRESIDENT: Order!

The Hon. K.J. Maher interjecting:

The PRESIDENT: Order! The Leader of the Opposition, one of your frontbench colleagues asked a question. Please listen to the answer.

The Hon. J.M.A. LENSINK: My understanding is that the Housing Authority has been as sensitive to people's needs as they could be in terms of offering a range of options, providing as much time as possible—

Members interjecting:

The PRESIDENT: Order!

The Hon. J.M.A. LENSINK: —and also offering to pay any of the full relocation costs.

The Hon. K.J. Maher: Not a hint of regret or apology.

The Hon. J.M.A. LENSINK: I'm happy to apologise to the residents on behalf of the government for the disruption that this has caused to them, and it will be up to those tenants who have relocated if they wish to relocate. They might actually prefer where they are now. There is a range of options that people have availed themselves of. Some have moved from units to what I understand are freestanding, larger sized properties which may be on a—

Members interjecting:

The PRESIDENT: Order!

The Hon. J.M.A. LENSINK: —larger block, so they may actually have found that this was an opportunity that they might not have otherwise been able to avail themselves of.

The Hon. K.J. Maher: So you kicked them out to give them opportunity.

The PRESIDENT: Order!

The Hon. J.M.A. LENSINK: But for those who have been caused any distress and particular inconvenience, of course we apologise to those residents.

HOVE LEVEL CROSSING

The Hon. C.M. SCRIVEN (14:51): Supplementary: will the minister also personally apologise for keeping these tenants in limbo and under that stress longer than was necessary when she knew that this project had been cancelled?

The PRESIDENT: You have asked the question.

The Hon. J.M.A. LENSINK (Minister for Human Services) (14:51): I think the Labor Party really are just trying to milk this issue for all it's worth. The gap between the decision and the announcement, as the Premier has said, has been very recent.

ELECTIVE SURGERY

The Hon. T.J. STEPHENS (14:51): My question is to the Minister for Health and Wellbeing. Will the minister update the council on government efforts to reduce overdue elective surgery?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:52): I thank the honourable member for his question. The Marshall Liberal team was elected to government in March 2018 with a strong plan and detailed policies to get South Australia back on track after 16 years of Labor mismanagement. Our policies included commitments to drive down overdue elective surgery numbers and ensure South Australians who have received a positive faecal occult blood test result have access to a colonoscopy within the clinically recommended time frame.

When we came to government in March 2018, there were more than 1,700 overdue elective surgery operations in our public hospital system. The Marshall Liberal government's first budget, handed down on 4 September 2018, included $40 million over two years to reduce overdue elective surgery numbers. Over the next 18 months an extraordinary amount of work was undertaken to drive down the overdue elective surgery numbers.

That work included establishing a patient services panel to support patients where surgery was overdue to get the operation or procedure they required from a private provider at no cost to the patient. In the first two years after the Patient Services Panel was established, it enabled more than 5,600 overdue patients to have the surgery and procedures they needed to get off the overdue waiting list and get on with their lives.

When the Marshall Liberal team set its shoulder to the task, no-one had heard of COVID-19 and SA Health had not turned its collective mind to how to manage elective surgery during a global pandemic. On 31 March, almost two months after the first case of COVID-19 in this state, the State Coordinator, consistent with a determination of national cabinet, restricted non-urgent elective surgery. At that stage, the number of South Australians on the overdue elective surgery waiting list had fallen to 782. Percentage-wise, in our first three years in government we had slashed the overdue waiting list by more than 55 per cent.

Just two months later, however, the impact of the COVID-19 shutdown of elective surgery on our public health sector had seen that number skyrocket to an unprecedented 2,781; or, to put it another way, in two short months last year our overdue elective surgery numbers increased by 350 per cent. While South Australia was able to drive down that number in subsequent months, the Parafield cluster in November and the statewide shutdown disrupted those efforts yet again.

In recent months and weeks, the numbers have been trending downwards. As of yesterday, there were still 1,531 patients whose elective surgery was overdue. It's less than the number of overdue patients we inherited from Labor when we came to government, but we still have not fully recovered from the impact of COVID-19 on elective surgery patterns.

Facing that reality, to continue the recovery in elective surgery, to continue the good work that we have started, the Marshall Liberal government in yesterday's budget allocated an additional $20 million in the financial year 2021 to undertake elective surgery and colonoscopies—$20 million to ensure everyday Australians are able to get the care they need as quickly as possible and to support our hospitals and clinicians in these uncertain times.

MENTAL HEALTH SERVICES

The Hon. F. PANGALLO (14:55): I seek leave to make a brief explanation before asking the Minister for Health and Wellbeing a question about mental health.

Leave granted.

The Hon. F. PANGALLO: As part of yesterday's budget, the government announced an 'unprecedented' $163.5 million commitment to mental health over the next four years. It claimed the funds would help South Australians seeking urgent and ongoing mental health care and would also help ease the pressure currently being experienced by our public hospital EDs.

While the additional funding is a positive step, clinicians warn it is nowhere near enough to meet current demand, with one highly respected mental health expert believing the budget needs to be doubled. Clinicians also warn the increased funding does not address the forecast spike in demand for mental health services over the next three to five years due to the COVID-19 pandemic. My question to the minister is:

1. In terms of a percentage increase, what does the $163.5 million over four years represent to current annual expenditure?

2. What is the government financial commitment this year to mental health services, and what are the annual increases over the next four years?

3. Do you agree the $163.5 million over the next four years represents only a 40¢ per person increase for every South Australian?

4. Do you believe this is enough, given the fears of clinicians?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:57): I must admit I don't aspire to be Treasurer, but if it's $163 million and we have 1.7 million citizens, it's more than 40¢ a citizen. In terms of the detailed questions about the forward estimates and the like that the honourable member asks, I will certainly come back with the answers. It is a question in the nature of an estimates question.

I think it is important to appreciate that the investment in this year's budget in relation to mental health is part of a plan, unlike when we came to government—there was no plan in relation to mental health. After a six-year hiatus, the Marshall Liberal government in November 2019 committed to a Mental Health Services Plan, which laid down a way forward in relation to mental health.

Initiatives such as the crisis stabilisation centre which was announced yesterday are part of that plan. A number of elements of the investment yesterday are part of that plan. So just as we are—what are we?—about two years in to the Mental Health Services Plan, each year we are making investments to deliver that plan. We will continue to make investments.

I think it is really important to appreciate the origins of the Mental Health Services Plan. It was heavily based on the Mental Health Strategic Plan, which had been developed by the Office of the Chief Psychiatrist in cooperation with the Mental Health Commission. It was thoroughly consulted, both the strategic plan and the services plan. It represents the best efforts of the mental health leadership in this state to put down a plan in terms of the way forward.

I think it would be fair to say that a number of the comments of mental health advocates have not reflected what I would describe as a very balanced, broad approach in the Mental Health Services Plan. I personally do not support a lurch away from that plan. I believe that we need to make sure we have a balance between acute services and other services.

In that context, I was delighted to speak to one of the mental health leaders in our state earlier today and they were explaining to me how they think the crisis stabilisation centre in the north will be extremely useful in easing pressure in our emergency departments and in the hospitals themselves. One of the key reasons was because it's a 24-hour centre and it's an opportunity to divert people, people who have significant mental health needs but don't need acute inpatient care.

Similarly in this budget, the government is continuing to invest in the Urgent Mental Health Care Centre in Adelaide. That, too, will go to 24 hours. What this clinician was saying to me was that people don't just have their mental health challenge between 9 and 5. To be frank, if they do have a day-time onset of mental health challenges, the system is better able to cope. There are more people, if you like, there are more hands on deck during the day time. He said the particular challenge is in the evening and the morning.

Not only will our ED departments continue to be available to South Australians with mental health challenges but also these Urgent Mental Health Care Centres, one step down from the level of acuity that people need in terms of potential inpatient admission, will be, I believe, a great boon to easing the pressure on emergency departments and delivering quality care to South Australians with mental health challenges.

MENTAL HEALTH SERVICES

The Hon. C.M. SCRIVEN (15:02): Supplementary: how many of these additional mental health care beds will be in regional areas?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:02): The government continues to monitor the level of inpatient need in country areas. The area that is often raised with me is in relation to Port Lincoln. There is a provision in that hospital for beds that have been designed as potential mental health inpatient beds to be activated. The advice I have received from the local health network is that that is not the best way to deliver mental health care in that network at this time. There are inpatient units in country South Australia and we continue, of course, to have partnerships in the sense that Glenside does provide inpatient accommodation for South Australians from country areas.

MENTAL HEALTH SERVICES

The Hon. C.M. SCRIVEN (15:03): Supplementary: just for clarity, is the minister saying that the number of country mental health beds being funded as new beds in this budget is zero?

The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:03): I have nothing to add to my previous answer.

HOVE LEVEL CROSSING

The Hon. J.E. HANSON (15:03): I seek leave to make a brief explanation before asking a question of the Minister for Human Services regarding housing.

Leave granted.

The Hon. J.E. HANSON: On 4 March, I asked the minister how the management of the Hove crossing project aligned with her own housing strategy that says, and I quote from that strategy:

> At the heart of each key strategic direction is a commitment to put the needs of [our] customers first.

In response, the minister said, and I quote:

> The authority does the following: [it] provides as much information as possible and makes sure the tenant is central to the decision-making process.

My question to the minister is: given the minister has apologised for not allowing the authority to give them as much information as possible, does the minister still believe it is possible to put the customers first?

The Hon. J.M.A. LENSINK (Minister for Human Services) (15:04): I thank the honourable member for his question. Certainly, in relation to the way that the authority has been working with the tenants who were to be affected by the Hove crossing, the authority was working with tenants on a one-to-one basis to support them through the relocation process. When they offer a tenant an alternative, they do provide as much information as they possibly can. They make every reasonable attempt to minimise disadvantage, considering the tenant's age, health, special needs and circumstances—

Members interjecting:

The PRESIDENT: Order!

The Hon. J.M.A. LENSINK: —including paying any reasonable costs, including relocation costs, and offering the tenants a similar type and length of tenant agreement as they have had in their existing property. My understanding is that that is certainly the process that the authority has taken in this.

HOVE LEVEL CROSSING

The Hon. J.E. HANSON (15:05): Supplementary: shouldn't 'as much information as possible' include whether they are being relocated back to their home which they were relocated out of?

The Hon. J.M.A. LENSINK (Minister for Human Services) (15:05): I thank the honourable member for his supplementary. I can only repeat to him what I have already said, which is that this decision was made recently. I am bound by cabinet confidentiality, so I was not at liberty to reveal that to others, and so the first that the authority knew about this was when the budget was released.

HOVE LEVEL CROSSING

The Hon. J.E. HANSON (15:06): Further supplementary: given that answer, will the minister review—

The PRESIDENT: Arising out of the original answer?

The Hon. J.E. HANSON: Arising out of the original answer, Mr President. I am just conscious that sometimes things evolve. Will the minister review the key strategic direction to put the needs of customers first, given that this won't happen, as she has just stated, where cabinet consideration of budget decisions mean that you can't?

The Hon. J.M.A. LENSINK (Minister for Human Services) (15:06): I think it does deserve to be also that part of when tenants sign their lease, there is a clause in there that advises that when there are matters which may arise of this nature the Housing Authority as the landlord has the authority to engage in the relocation process. Those are clauses that have existed for 16 years under Labor.

Members interjecting:

The PRESIDENT: Order!

The Hon. J.M.A. LENSINK: I think most people appreciate—

Members interjecting:

The PRESIDENT: Order!

The Hon. J.M.A. LENSINK: I think most people appreciate that if there is to be a—

Members interjecting:

The PRESIDENT: The Hon. Mr Hunter!

The Hon. J.M.A. LENSINK: I think people do appreciate that if there is to be such a significant project such as this, and particularly when those particular sites were identified, regardless of which option was taken, those tenants would need to be relocated. We have undertaken that. A number of tenants have been relocated. They may be happy at their new location. They may well be happy at their relocation. They may actually prefer to be where they are. If they prefer to be where they are, then they are entitled to stay under the conditions of their tenancy. If they wish to relocate to their former place of residence, they will also be offered that opportunity. We have paid relocation costs for them to relocate out of Hove.

Members interjecting:

The PRESIDENT: Order, the Hon. Mr Hunter!

The Hon. J.M.A. LENSINK: We will provide relocation costs for people to return to Hove, if that is their wish. I think that most people would appreciate that those are the best options that we can provide.

HOVE LEVEL CROSSING

The Hon. J.E. HANSON (15:08): Final supplementary: when relocating people, did the minister tell residents that there wasn't even full funding or a final design for the project?

The PRESIDENT: The minister can respond, if she wishes.

The Hon. J.M.A. LENSINK (Minister for Human Services) (15:08): I don't have anything to add to my many responses to these many questions.

JOB VACANCIES

The Hon. D.G.E. HOOD (15:08): My question is to the Treasurer. Treasurer, what information can you share with the house about job vacancy rates in South Australia at the moment?

Members interjecting:

The PRESIDENT: Conversations across the chamber are completely unhelpful.

Members interjecting:

The PRESIDENT: Order! Conversations across the chamber are not helping and they are wasting the time of the opposition. The Treasurer has the call.

The Hon. J.M.A. Lensink interjecting:

The PRESIDENT: Order, minister!

The Hon. R.P. Wortley interjecting:

The PRESIDENT: The Hon. Mr Wortley is out of order, as well as the Minister for Human Services. The Treasurer has the call.

The Hon. R.I. LUCAS (Treasurer) (15:09): I am sure all members will be delighted to hear the recent figures in relation to labour market job vacancies, as all members, I am sure, are concerned about the creation of new jobs, the availability of jobs within South Australia, given the figures in relation to employment and unemployment in the recent labour force figures.

The ABS produces a comprehensive and over a long-term basis series in relation to job vacancies by state, and the most recent figures in relation to a state-by-state comparison are for the three-month period through to February 2021. That shows a massive increase in job vacancies within South Australia, a 65.6 per cent increase through the year; that is, the 12-month period from last year to the three months to February 2021, a 65.6 per cent increase in job vacancies in South Australia. The Australian figure was 26.8 per cent, a significantly higher job vacancy rate in relation to job vacancies in South Australia.

More importantly, that is broken down by the Bureau of Statistics into private and public sector vacancies. That shows, if you look at private sector job vacancies, which are clearly the big job drivers in any economy, that they were 73 per cent higher than a year earlier—the comparative national figure was 28 per cent. When you also look at the Internet Vacancy Index published by the commonwealth Department of Education, Skills and Employment, it again shows, in seasonally adjusted terms (these are May to May figures), that it is 151 per cent higher than a year ago. It shows that there is a significant challenge in terms of matching those who might be unemployed with the significant number of jobs that are available in South Australia.

We often hear the cry that we need more baristas and hospitality workers in our regional areas, because they are going gangbusters at the moment because people can only holiday domestically, rather than travel overseas. There is a demand for skilled tradespeople in the construction and housing sector, because that sector is going gangbusters as well because of HomeBuilder and other state government initiatives in terms of construction.

At the same time, we have a number of people currently unemployed. The challenge for government—and I am pleased that the Minister for Innovation and Skills has been able to report (and I think the numbers were reported yesterday) that the number of traineeship and apprenticeship commencements in South Australia in the last year is about double the rate under the former Labor government.

That is significant new money going into JobTrainer arrangements with the commonwealth government, but there is an ongoing challenge in terms of matching those who are unemployed with the significant number of job vacancies we have in South Australia. That is why this government's commitment to skills upgrades is significantly more impressive than the former Labor government's tardiness, slackness, in relation to apprenticeship and traineeship commencements. It should be shame on the former Labor government—

The Hon. J.E. Hanson interjecting:

The PRESIDENT: The Hon. Mr Hanson will cease.

The Hon. R.I. LUCAS: It is an ongoing challenge for this government and one we will not shy away from. We are currently involved in negotiations with the commonwealth government about a former renegotiation of the skills agreement before the end of this year—I will be here—and it is an important negotiation between the federal government and the state governments—

The Hon. D.G.E. Hood interjecting:

The PRESIDENT: The Hon. Mr Hood should not engage in conversation across the chamber.

The Hon. R.I. LUCAS: —in terms of trying to upgrade the skills base and the funding available from—

The Hon. J.E. Hanson interjecting:

The PRESIDENT: Order!

The Hon. R.I. LUCAS: —both the federal and state governments to meet the particular challenge I have just outlined to the house.

ELECTRIC VEHICLES

The Hon. R.A. SIMMS (15:13): I seek leave to make a brief explanation before addressing a question without notice to the minister representing the Premier, the Treasurer, on the topic of electric vehicles.

Leave granted.

The Hon. R.A. SIMMS: Yesterday, the state government confirmed that it will be bringing back the electric car tax, despite being warned that a road user tax on clean cars, introduced without other support, could discouraging their uptake and impede greenhouse gas cuts.

My question to the Treasurer is: why is South Australia following the flawed Victorian approach to implementing a tax on electric cars when 25 organisations, including global auto manufacturers Volkswagen and Hyundai, policy experts and leading commentators, including the Electric Vehicle Council and the Australia Institute, have called it the worst electric vehicle policy in the world?

The Hon. R.I. LUCAS (Treasurer) (15:14): The state government's position has been quite clear since last year. Since then, there has been growing momentum around Australia towards the implementation of a road user charge—a recognition of the inevitable. It is not just the Victorian government; the New South Wales government in the last week has now confirmed the proposed introduction of a road user charge. The two biggest jurisdictions in the nation have recognised the inevitability of where we are heading.

One can try to prevent the tide coming in in relation to this particular issue, but the reality is that we are going to move to a future where inevitably virtually every vehicle in the nation will be an electric vehicle of some type or another. The reality of that means that the motor fuel excise, which currently funds the maintenance of roads and the upgrade of roads, will disappear as a funding source for road maintenance and upkeep. Those who wish can choose to ignore the reality, but those who are prepared to accept the reality, including Labor and Liberal governments interstate and including this government, are prepared to commence that particular debate.

As I said last year, ultimately it's a decision for each of the individual parliaments. The Victorian parliament, even with significant crossbench representation in the Legislative Council, supported the introduction of the road user charge. Time will tell whether or not the New South Wales parliament, which also has significant crossbench representation in the upper house, will support the introduction of a road user charge in New South Wales.

This parliament will have the opportunity to express its view. But as I said last year when we first raised this particular issue, whatever the decision of this parliament, mark my words as I sail off into the political sunset: it is inevitable that there will have to be a road user charge because otherwise there will be no funding source for roads and road maintenance in the future.

ELECTRIC VEHICLES

The Hon. R.A. SIMMS (15:17): Supplementary: the Treasurer referenced the New South Wales example in his reply. Why did the government not follow the New South Wales approach, which properly supports the EV industry and delays the introduction of an EV tax until 2027?

The Hon. R.I. LUCAS (Treasurer) (15:17): The honourable member hasn't actually seen the legislation that has been introduced yet. The New South Wales legislation is not exactly as he

has characterised it. He actually has omitted an important caveat to that. It is either 2027 or when they reach 30 per cent of the market, whichever comes sooner.

If you reach 30 per cent of the market, however that's going to be defined—and we will need to see the legislation, if we need to see the legislation in relation to that—it could be sooner than that. All I can say to the honourable member is stay tuned, hold your breath. Let's have a look at what the government introduces. We look forward to engaging in the debate.

HOVE LEVEL CROSSING

The Hon. R.P. WORTLEY (15:18): My question is to the Minister for Human Services regarding housing. How much did the Housing Authority spend on pointless relocations for the Hove crossing project in total? How much valuable public servant work was done in relocations after the minister knew that the project had been cancelled?

The Hon. J.M.A. LENSINK (Minister for Human Services) (15:18): I am not sure whether the Housing Authority is able to make all of those calculations. In relation to relocation costs residents may have been provided with, I think that's probably information that we are able to get for him. In terms of the costs of the staff time, those staff would be engaged in a range of other tasks. I think it would be difficult to separate how much individual officers of the South Australian Housing Authority, particularly in that regional office, may have spent on relocations. There would also be some oversight from staff in the head office. I think it would be very difficult to undertake that sort of calculation.

YOUTH JUSTICE

The Hon. N.J. CENTOFANTI (15:19): My question is to the Minister for Human Services regarding youth justice. Can the minister update the council on budget initiatives to divert children from engagement in youth justice custodial services?

The Hon. J.M.A. LENSINK (Minister for Human Services) (15:20): I thank the honourable member for her question; it is one that we are actually extremely positive about, particularly given that there is a lot of concern in the community about the number of young people under the age of 14 who are, from time to time, in the Kurlana Tapa Training Centre, a number of whom are often there because there is no alternative available for them. We do know that the sooner children and young people are engaged with the youth justice system the more likely they are to engage in recidivist behaviour.

There is $1.3 million that is being committed over two years for a triage and support service for children aged 10 to 13 who are at risk of being remanded due to a lack of alternative accommodation. This service will connect children to family and family support services, broker short-term accommodation if required and link children and families to long-term intervention to better prevent the child's further entry into the youth justice system.

We know that the number of young people entering Kurlana Tapa has reduced over time, and it continues to reduce under this government. I think the numbers are, on average, probably around about 30 to 35 young people in the centre at any stage, and that has reduced from some 40 to 45. We are always keen to ensure that we are providing the most appropriate services to children and young people at the centre or when they come into contact with any parts of the justice system. We look forward to commencing this rollout and reducing the number of contacts with the youth justice system into the future.

Matters of Interest

PLAYFORD COLLEGE

The Hon. F. PANGALLO (15:22): I rise to acknowledge and celebrate Playford College, South Australia's first Islamic school in our northern suburbs. My colleague the Hon. Connie Bonaros and I were fortunate enough to visit, just last week, this young and vibrant school located on the site of the old Elizabeth Special School at Elizabeth South and observe firsthand the inspirational success story that is Playford College.

Commencing with just 78 students in 2017, the school now boasts 450 students, supported by 76 staff working in various capacities. There were 100 new enrolments in this year alone. Its

expansion in under five years is phenomenal, a true credit to the hard work of the school's pioneers, who have worked hard in laying its foundations. In 2022, Playford College will offer year 12 for the first time as it grows with the inaugural year 8 class.

Families have quickly caught on to the benefits of the school, with many relocating from other areas, attracted by its strong spiritual dimension. Faith is celebrated beautifully at the school. The prayer hall is used daily. Despite its Islamic focus, the doors are open and welcoming to children of all faiths and backgrounds, and the school hopes to welcome a diverse cohort of students as it reaches its capacity of 600 students in the next few years.

The school would have to be one of the most disadvantaged non-government schools in South Australia, but it operates and continues to grow with the support of commonwealth and state grants—and for this the school shows immense gratitude. It is an excellent use of funds. The site is transforming at a rapid pace. The old DEMAC buildings are being replaced with modern, fit-for-purpose classrooms and learning spaces. New outdoor play areas continue to be upgraded, with a real focus on green and garden spaces.

Construction is well underway on a very impressive new building, which will house the senior classrooms and fully equipped specialist rooms, including a much-needed science laboratory and home economics room fully equipped with cooking stations. We could sense the excitement of its impending opening in term 4.

Northern Adelaide Senior College currently shares its science labs with the school. The support from the local community is overwhelming. Northern Adelaide Senior College also provides English language development courses for parents. The Lions Club of Elizabeth Playford has donated in excess of 1,200 books to help set up the library. Social work students from Flinders University volunteer their time to assist students with language development, 99 per cent of whom come from non-English-speaking backgrounds.

A community hub also supports families with parenting, language and computer classes, as well as a playgroup, which assists pre-age children with their transition to school. This significantly helps reduce the financial, cultural and language barriers many refugee and migrant families feel. The local Playford council has been very obliging in leasing the adjacent soccer and sports fields for the school to use. I understand they are currently considering constructing a crossing for students to safely walk to and from the immensely popular soccer field during school lessons and during recess and lunch times.

Playford College is a true success story and we congratulate its principal, Chris Riemann, and deputy principal, Racha Makki, for creating such a supportive and nurturing learning environment for its students. Incidentally, Chris came out of retirement to take on what was initially going to be a temporary role, and everyone associated with the school is glad he did. It was obvious to us just why that is. There is no doubt the school will continue to flourish well into the future under the guidance of its inspirational leadership. The Hon. Connie Bonaros and I are looking forward to hosting its year 6 class next week in a mock parliamentary debate at Parliament House.

EBERT, MR R.

The Hon. T.J. STEPHENS (15:26): I rise today to speak and recognise the amazing contribution that Russell Ebert has made to sport in South Australia, in particular to Australian Rules football, and his tireless commitment to the people of South Australia through his voluntary work with various community programs and not-for-profit organisations.

The Ebert name is synonymous with the Port Adelaide Football Club, with Russell's own senior playing career spanning 18 years of remarkable achievements. Russell was recruited from the Loxton Football Club in 1968. He played 392 games for Port Adelaide, 25 games in one season for North Melbourne, interspersed with 29 games representing South Australia, for a career total of 446 games.

In his debut year in 1968, he made an immediate impact, being Port Adelaide's leading goalkicker as an 18 year old. He kicked 295 goals for Port Adelaide and 15 goals for North Melbourne, for a total of 310 career goals. Russell was Port Adelaide's captain for eight seasons, from 1974 to 1978, and from 1983 to 1985, and captain of South Australia in 1975, 1977 and 1983.

He won Port Adelaide's best and fairest award on six occasions and he won the South Australian National Football League's Magarey Medal on a record four occasions in 1971, 1974, 1976 and 1980.

Russell played in three premierships and won the Jack Oatey Medal in 1981, being adjudged the best player in that grand final. Russell coached Port Adelaide in 116 games over five seasons and was actually a playing coach from 1983 to 1985. He then coached Woodville in 64 games over three seasons, for a total coaching career of 180 games. He was also coach of South Australia from 1996 to 1998.

Russell Ebert has been recognised with life membership of both the Port Adelaide Football Club and the South Australian National Football League. He was an inaugural inductee into the Australian Football Hall of Fame in 1996 and was inducted into the South Australian Football Hall of Fame in 2002.

Playing for North Melbourne in 1979, Russell was reluctant to leave his beloved South Australia, so he would take a flight to Melbourne every Thursday to train with the team and return after games. Even with that schedule, he played every game and gathered more disposals than any other North Melbourne player.

Port Adelaide further recognised Russell by naming him in the centre of its greatest ever team and *The Advertiser* newspaper rated him the greatest ever Port Adelaide player in the club's 150-year history. Being described as a strong, fast, determined, skilful player with a commanding on-field presence, Russell Ebert has always demonstrated modesty, humility and respect, often avoiding the media spotlight. He has a combined playing and coaching career that is unrivalled.

Russell's brother Craig played 168 games and his other brother Jeff played one game, and they also had careers in the SANFL. Russell's son, Brett, was Port Adelaide's first ever father-son recruit. Brett played 64 games for Port in the SANFL and 166 games for Port in the AFL, kicking 240 goals. Like his father, Brett won the Magarey Medal in 2003. Furthermore, Russell's nephew Brad Ebert played 260 AFL games, 76 with West Coast before he came home and played 184 games for Port Adelaide, kicking a combined 140 goals for the two clubs.

Following his playing career, Russell's attention switched to giving his time and energy to others and enhancing the lives of those less fortunate. His tireless commitment to helping others is renowned. He undertook voluntary fundraising activities for Novita (formerly known as the Crippled Children's Association) and is a strong ambassador for that cause. Russell's other involvements include leading Port Adelaide's community youth program, which is the longest running in-school program in the AFL, educating primary school children about healthy lifestyles, healthy relationships and STEM.

There is also the Power to End Violence Against Women program, the Domestic Violence Prevention program and Team Russell, which in conjunction with Brett and Brad Ebert promotes and recruits blood donors to the Red Cross Lifeblood Donor Centre. Russell even joined Foodbank during the COVID 19 lockdown, undertaking home hamper deliveries.

In 1984, Russell Ebert was awarded the Order of Australia Medal in recognition of service to the sport of Australian Rules football. In 2021, Russell's work with Port Adelaide's community programs as an advocate for respectful relationships was recognised with a South Australian Local Hero Award.

His recent diagnosis of acute myeloid leukaemia during a routine health check presents a challenge that Russell has accepted with a positive attitude, and he is undertaking extensive treatment. It was during a rare recent interview that typifies the values and humility that Russell lives by every day when he shared what a 'blessed life' he has lived—a truly remarkable South Australian and an incredible person.

WORKERS COMPENSATION

The Hon. I. PNEVMATIKOS (15:31): I have been involved in workers compensation for the last 30 years as a plaintiff lawyer representing injured workers and as a mediator, conciliator and arbitrator and decision-maker in disputes involving injured workers. On that basis, I can at least lay some claim to having a working knowledge of workers compensation legislation and practices. Even so, I do not presume that I am abreast of all aspects of workers compensation legislation and, in that

respect, consult with people in the community who do have that specialised knowledge, including injured workers, unions, lawyers and doctors.

The Treasurer, on the other hand, who has responsibility for the portfolio of industrial relations, appears not to have any deep appreciation or understanding of workers compensation legislation and how it impacts on workers' lives. He has on many occasions in this chamber stated that he is not a lawyer. Clearly, knowledge of the legislation is not a strong point with the Treasurer. What appears to be the Treasurer's specialisation is inflaming and protecting issues and disputes that involve workers, whether they be frontline workers or public sector employees. Ambulance officers, nurses, health professionals, teachers, catering and cleaning staff—to mention a few—have all been involved in disputation and protracted negotiations with the Treasurer.

But by far the most critical area of expertise the Treasurer appears to lack is that of workers compensation legislation. The Treasurer has now sought to try his hand at making changes to the guidelines for permanent impairment assessment. These guidelines are utilised by doctors to determine the nature and extent of a worker's level of injury for the purposes of lump sum compensation. The changes currently being considered are major in terms of their scope and effect and will directly impact upon entitlements afforded to injured workers under the current workers compensation scheme.

More importantly, the changes that are currently being proposed, contrary to the rhetoric, are extensive and will significantly reduce entitlements and supports available to workers who have suffered injury or disease. Under the current Return to Work Act, the Treasurer has the authority to make changes to the permanent impairment assessment guidelines with limited consultation. The issue is: does that authorisation enable the Treasurer to make significant wholesale changes to the guidelines without any parliamentary scrutiny and certainly without consulting all the major stakeholders?

Significant changes were passed in 2014 to the then workers compensation legislation. These changes were sweeping, extensive and had lasting implications for both the health of the workers compensation scheme and entitlements and benefits payable to injured workers. By the same token, when those changes were promulgated it would never have been envisaged that subsequent ministers could use their powers and authority to make further extensive changes without proper consultation and parliamentary scrutiny.

The last time major changes to the legislation were contemplated it resulted in extensive debate and consultation with all parties affected by the legislation. Further, changes made were openly debated and not rushed through in a short time frame of weeks, some eight months out from the next state election, as is occurring presently.

The Treasurer has highlighted an agenda to make sweeping changes in a very short time frame and without regard to the disastrous effects that these changes will have upon injured workers. I have been contacted by workers, unions, doctors and lawyers who in unison are all concerned with these changes. As have many other members, I have received extensive submissions on the proposed changes. I have received no submissions from anyone who sees these changes as necessary, fair or appropriate in the circumstances.

The specialists, either doctors or lawyers, understand and believe that these changes will lead to greater disadvantage for injured workers, precluding them from a process, thus working to undermine fair and proper assessment of their level of disability and entitlement for compensation for that disability.

Further concerns are the rushed manner in which these decisions are being promulgated with short time frames for consultation of a matter of weeks and with no attempt by the return to work corporation to have any meaningful exchange or debate. The government's sheer lack of regard for transparency has hit a new high, sneakily making fundamental changes to impairment assessment guidelines as if no-one would notice. Well, I am here to tell the Treasurer that we have noticed, and unlike him we will oppose the changes that leave workers worse off.

CYSTIC FIBROSIS

The Hon. J.A. DARLEY (15:36): Each year, cystic fibrosis (CF) is diagnosed in seven babies in South Australia and 90 in Australia. CF is the most commonly occurring genetic disorder. CF is a permanent, incurable, degenerative disease and complex multiorgan condition that affects a person's ability to function in multiple ways. It leads to complications that generally progress in severity and prevalence with age. Whilst CF is a life-limiting disease, improvements in treatment, care and medicines have led to dramatic improvement in life expectancy and quality of life. People living with CF rely on the multidisciplinary CF units at the Royal Adelaide and Women's and Children's hospitals.

In 2012, the SA Health CF working party established a model of care to increase resources at the two treatment hospitals. Outreach clinics were included in the model but are yet to be established. A five-year review is yet to be undertaken. Cystic Fibrosis South Australia provides services and advocates on behalf of the CF community. It does not receive financial support from government but has been meeting its needs through fundraising and donations. CFSA has sought accommodation in a recent letter to the Treasurer, and the matter is now receiving attention.

At the national level, CF Australia have been advocating for equitable disability and health supports for people with CF and have put in a submission to the federal government stating that:

> People with CF should also have access to the NDIS as the disease is extremely debilitating and external care supports for the most basic tasks are urgently needed.

It is staggering that the case needs to be made by CF Australia for NDIS to be made available to its community. CF Australia notes, 'There are gaps between health related supports and eligibility for NDIS funded supports,' and that NDIS funding is needed to help with daily life, to participate in the community, reach goals, and support those remote from health services to remain in control of their lives. It is very disappointing that CF Australia has been forced to make the case for what the health system does not provide and what people with CF could do with NDIS funding.

Similarly, it is very disappointing that CF Australia must advocate for the drug Trikafta to be listed on the PBS when it is revolutionising the lives of people with CF who have had compassionate access to the drug. Currently, it has resulted in no people with CF being on the waiting list for a lung transplant in South Australia.

At a recent presentation at Old Parliament House, Zoe, a young woman living with CF, provided an inspirational account of the challenges of CF and her hope for the future. Taking Trikafta has bought her more time and significantly delayed the need for a lung transplant and she wants the drug available for all who have CF. The Minister for Health and Wellbeing, with his counterpart health state ministers, needs to support Trikafta being listed on the PBS and support the inclusion of people with CF in the NDIS.

Outreach clinics, referred to in the model of care, with the focus on quality of life and evolving needs of people with CF, must urgently be established by the minister. In addition, given the minister's statement yesterday that SA Health and CFSA are working very collaboratively and productively together, his full support for government urgently meeting the accommodation needs of CFSA can be expected.

OPERATION IRONSIDE

The Hon. D.G.E. HOOD (15:41): My matter of interest today deals with Operation Ironside, which is a combined operation of the Australian Federal Police and police organisations right around the world, including our own South Australian police force. It has shed light into the world of illegal business, criminal mastery and the industry of hardened encrypted devices. The investigation was conducted through an application called ANOM, an encrypted messaging service used to lure criminals, where they would unwittingly be monitored by the legal authorities.

The three-year operation provided police with insider information on various illegal activities. Photographs, text messages and invoices were sent via the app, with information ranging from money laundering processes to the precise locations of drop-off points for drug-based trade right around the globe.

What started as the dispersion and monitoring of 50 devices by the AFP quickly became a global operation. With an ending total of some 1,650 encrypted devices involved, police could access and decrypt 25 million messages in real time. The app was organically shared on the illegal market through 'influencers', as they are called, that is major crime figures, who endorsed the credibility of the ANOM application and encouraged other criminals to utilise it. Additionally, the devices were sold for a subscription fee of $1,700 per six-month period, which users unknowingly and ironically paid to the police force.

A key element of the app's success was the void for cryptic communications in the criminal market, an opportunity capitalised on through the collaborations between the Australian Federal Police and the United States FBI, and, as I said, included our own state police force.

Assistant Commissioner for Crime, Peter Harvey, was relieved after the success of the initial operation on Monday 7 June, saying that while Monday's operation was significant because of its size and scope many similar operations on a smaller scale were conducted as part of SAPOL's fight against organised crime. The nationwide, synchronised, police-led confrontation lasted for a total of 20 succinct minutes.

Thirty of the state's most experienced police officers were in the restricted administering room, with 400 others actively involved in the mass raid. The meticulously planned timings of the operation meant that no police officer was harmed during the raids—thank goodness. Despite the enormous inherent risks and pressures, all offenders had been caught off guard and without incident.

As a result of this operation, South Australia Police have so far seized $1.8 million in cash, 90 kilograms of methamphetamines, 354 kilograms of cannabis, 45 litres of fantasy, 25 kilograms of precursor chemicals, 30 firearms, 10,000 ecstasy tablets and have taken into possession 68 illegally owned vehicles.

Carrying out 47 charges and dismantling three drug laboratories in South Australia, they have also thwarted countless executions and other organised crime schemes. The numbers of arrests and seizing of illegally owned goods will only increase from here, with some 4,000 police currently raiding properties across Australia as this investigation goes on.

As Australia often has amongst the highest demand internationally and highest prices for illicit drugs, it is regarded as a profitable country for the drug trade. As we well know, drug usage has devastated families, individual prosperity and indeed social wellbeing. Through the ANOM app, police were able to track one user who had communicated through the app their plans to ship six kilograms of cocaine from Carlsbad in the North County of San Diego County to Australia, using a legitimate business address to conceal the deal.

However, as a result of Operation Ironside, allegedly one-third of all illicit drug transportation to Australia will cease to exist—one-third. Cracking the enigma of the underworld has meant that South Australia has become a safer place, exposing the hidden crimes that have been conducted near and surrounding our homes.

I would like to commend SAPOL for their great efforts and courage throughout this investigation. Without their dedication and commitment, the outcome of Operation Ironside could not have been as effective and successful as it evidently was. They have kept South Australians safe whilst putting their own lives at risk. They too have families and loved ones. They have homes, they have a life and people they need to provide for, and yet they have shown that they are willing to place their lives in danger for the sake of protecting our community.

They are incredibly inspiring, strong and loyal to their cause. Thus, I would like to express my sincere gratitude to our police force for its incredible work and the great success of Operation Ironside.

SOUTH AUSTRALIAN LIBERAL PARTY

The Hon. I.K. HUNTER (15:45): I am speaking today about the all-out factional war being waged in the South Australian Liberal Party. Media reporting in recent weeks, particularly in InDaily, has shone a light on the efforts by the Liberal hard right to recruit hundreds of Pentecostal churchgoers into party branches. The wets-controlled state executive, in response, has taken

unprecedented steps to block 150 members and demand explanations from a further 400 members, I am advised.

That, in turn, has led to a strong response from the hard right, forcing the moderates in the Liberal Party to back down on some of their demands and to cease allowing any new members at all while an independent investigation takes place. That is all very entertaining for those in the Liberal Party who get off on internal power plays, but the Liberal civil war poses a very real threat to South Australians and to good governance, and it is a direct challenge to the leadership of and the decisions made by the Premier of this state.

The public story is that the hard right are outraged that the Premier and the Deputy Premier would allow matters of social conscience to even be debated in parliament. In reality, that is just a convenient fig leaf of an explanation. This is really about personal ambition and about factional politics just for the sake of it. You could almost forgive them if this was actually about ideas. But no, this squalid fight is about a narrow factional advantage for members of the Liberal Party parliamentary caucus.

Of course, the hard right are still bagging the Marshall government in the media to justify this spat. In a radio interview with the ABC, right faction ringleader Senator Alex Antic declared that there was 'an extraordinary frustration out there in the community about the trajectory of state parliament', going on to say that, 'I don't think we have ever seen a more egregious agenda of social policy reform.'

This internal division is threatening Premier Marshall's leadership and is dividing his party room. The faction associated with some members of this chamber, such as the Hon. Terry Stephens, the Hon. Nicola Centofanti and the Hon. Dennis Hood, and former senator Corey Bernardi is at war with the position of the moderates, or so-called moderates, in the Liberal Party, the moderates being the leaders of the party they are raging against: the Premier, the Deputy Premier, the Minister for Human Services and so many others.

It would seem that the hard right is in the ascendancy in the Liberal Party in South Australia, recruiting those hundreds of members into the Liberal Party under the banner of 'Believe in blue'. In a takeover of the Liberal branch in the marginal seat of Elder, Field of Dreams Pastor Belinda Crawford-Marshall reportedly rolled the incumbent branch president.

On the weekend, the Badcoe branch also saw the conservatives marching in, defeating the moderates for the position of branch president. I am advised that the new Badcoe branch president is a relative of Mr Christopher Brohier, the South Australian director of the Australian Christian Lobby. Yes, the very same Australian Christian Lobby that railed so hard against marriage equality in this country and is now taking up the fight against health care for trans kids. These are the influences that are taking over the Liberal Party in this state in the lead-up to the next election.

Lest anyone think these views will not make a difference to the policies and views of the Marshall government, take note of comments made by the Minister for Environment and Water at a recent gathering at Southland Church. He said, 'This idea of separation of church and state, forget it.' This kind of hard right, deeply conservative standpoint is out of touch with the community and is out of touch with the vast majority of people of faith too.

Those behind the Liberal Party branch stacking are misleading the very people they are recruiting. They are telling them this is about a fight for ideas and a fight for policies, but that is just an excuse. It is actually a fight for the career prospects of individual members of the Liberal Party who have been sidelined in recent years. This is a product of a grubby personal vendetta going back decades, and career ambition for new members, like the much-vaunted ambition of the environment minister to replace the Hon. Mr Lucas as Treasurer of the government.

I know that, as we approach this next election, voters who might have supported the party of the Hon. Michelle Lensink and the Attorney-General will be thinking twice about their vote, because while Senator Antic might once have been a lone voice in the party, it is clear his faction is gathering steam and building its numbers to destabilise the leadership of Premier Steven Marshall.

STATE BUDGET

The Hon. R.A. SIMMS (15:50): I rise to speak on the Marshall government's budget and the failure of that budget to deal with the climate crisis and to deal with growing inequality in our state. Looking at this budget, one of the key questions that comes to mind is: where is the support for the most vulnerable and disadvantaged people in our community? Where is the investment in social housing; where is the investment in new public housing?

This government has committed $662 million to an investment in the extension of the Adelaide Convention Centre, and guess how much they have invested in new social housing during this budget. Can you guess? Well, nothing! The answer of course is nothing—a big fat zero. The government has made much of its focus on affordable housing for homebuyers, but that will not assist those who are excluded from the housing market, particularly when one considers that their definition of affordable housing is well beyond the reach of most South Australians.

The government is also giving away $10.7 million in support and compensation to landlords who were impacted by the government's 2021 decision to close a loophole, allowing them to minimise their tax. So why on earth are we giving away more and more taxpayer funds to subsidise landlords? They are selling off $80 million of public land and they will be reducing government assets, and these assets could have been used for social housing or other social purposes.

This government makes much of its environmental credentials. Flicking through the budget I expected to see climate change being referenced. I ask you how many times was climate change referenced in the honourable Treasurer's speech? How many times is it referenced in the budget document, given that it is one of the key crises we face as a state? Again, the answer is simple: zero—it was not mentioned at all. It did not even warrant a mention from the Liberals in terms of setting out their economic plan for South Australia.

Really, that is not that surprising when one considers the absurd approach that they have taken to the electric vehicle industry. I was gobsmacked to see that they have revived their toxic policy to place a tax on electric vehicles. This is a policy that has been condemned internationally, it has been absolutely panned by global automotive manufacturers and industry experts. In fact, the policy has been described as the world's worst electric vehicle policy, and it is being rolled out right here in South Australia under the watch of the Liberal government.

The Liberals should be doing a U-turn here. They should be doing a U-turn, dumping this ridiculous tax and instead focusing on what they can be doing to encourage electric car manufacturing in South Australia and to encourage electric car purchasing in South Australia. Why not invest in that industry? Why not waive the stamp duty for these vehicles to make it more attractive for people to buy electric cars?

Victoria has made itself a complete laughing stock by introducing an EV tax earlier this year, and now South Australia is moving into the same territory. What a disgrace that is. Why on earth is the Liberal government trashing South Australia's clean and green reputation in this way?

This year, the world has woken up to the climate emergency. As I said, climate is not even mentioned in the Treasurer's speech. We also need to have a vision for dealing with the loss of trees in this budget. We used to have a vision for a million trees. Now we have a vision for tens of thousands of trees. The loss of trees is decimating Adelaide and destroying our natural environment. Indeed, there were 75,000 trees cut down over the last year.

To conclude, the Treasurer has talked a lot about his focus on young people, but we cannot rely on the pandemic grounding young people in South Australia. Perhaps if they want to be serious about attracting young people to South Australia, the Liberals could come up with some ideas for long-term jobs. Again, there is nothing for that in this budget.

Bills

TAFE SA REPEAL BILL

Introduction and First Reading

The Hon. T.A. FRANKS (15:55): Obtained leave and introduced a bill for an act to repeal the TAFE SA Act 2012. Read a first time.

Second Reading

The Hon. T.A. FRANKS (15:56): I move:

That this bill be now read a second time.

I rise today to introduce the Greens' bill to bring TAFE SA back into public hands. It is literally a two-page bill, a title and a clause to repeal the damage that was done back in 2012 when TAFE SA was corporatised by the then Weatherill government. The Greens were actually the sole voice of opposition in the parliament at that time. At that time, we raised a slew of concerns and warnings, and it brings us no pleasure to see that those warnings have come to pass.

We warned the government of the day that corporatisation would fail our students and our state. Since the passage of the bill in 2012, we have seen the slow degradation of what used to be a robust and publicly owned TAFE system. It is time to bring it back into public hands, to recognise that back in 2012 this parliament made a mistake, that TAFE should take back its rightful place as a fully public institution with ministerial authority and accountability and that a strong and healthy TAFE is essential for our future.

There is so much more to say on this, but I will simply put this bill on the table for now and shortly seek leave to conclude my comments. I welcome an acknowledgement by all sides of parliament that we made a mistake when we corporatised TAFE and that TAFE should be rightfully and proudly public in South Australia. I seek leave to conclude my remarks.

Leave granted; debate adjourned.

Motions

WHITE ROCK QUARRY

The Hon. R.A. SIMMS (15:58): I move:

That this council—

1. Notes with concern the proposed expansion of the White Rock Quarry in Horsnell Gully and the impact that this will have on health, the environment and air quality for residents in the Adelaide Hills.

2. Notes the risks posed by the toxic respirable crystalline silica dust that is lifted into the air by blasting.

3. Further notes that the South Australian Environment Protection Agency (EPA) does not specify separation distances in their guidelines for the operation of quarries containing silicates, and where the activity includes blasting.

4. Calls on the Minister for Energy and Mining and the Minister for Environment and Water to heed the concerns of the Residents Against White Rock Quarry, and

   (a) reject Hanson Australia's revised mine operations plan for the expansion of White Rock Quarry; and

   (b) amend the current EPA guidelines to ensure minimum separation distances from residential properties.

This motion seeks to express concern at the proposed expansion of the White Rock Quarry in Horsnell Gully and the impact that this will have on the health, the environment and the air quality for residents in the Adelaide Hills. It notes the health risks of that. It calls on the minister to address deficiencies within the EPA protections and it calls for the Minister for Energy and Mining and the Minister for Environment and Water to listen to the concerns of the residents, to reject the revised mine operations plan for the expansion of the mine and to amend the EPA guidelines to ensure minimum separation distances from residential properties.

On 23 September 2020, Hanson Heidelberg Cement Group submitted a revised mine operation plan for the expansion of the White Rock Quarry, and this has been met with significant community opposition. There are lots of concerns that the residents hold, relating to community health, the environment and the air quality of the surrounding areas. The Greens stand with the community in opposing this expansion. We are calling on the government to reject this mine operation plan and instead back the community campaign for minimum distance requirements for private mines.

We know that the impact on the health and wellbeing of the community will be profound. Private mines should not be devouring our public landscape in this way. We should not see private mines in the Adelaide Hills pushing up against residential properties in this way. We are calling for the Minister for Energy and Mining and the Minister for Environment and Water to listen to the community's concerns and take action. It is not sufficient to simply go along to community meetings and nod sympathetically. People need the government to step up and back their interests against the interests of private corporations like the Hanson Group.

The Attorney-General spoke at the public meeting that I attended a few weeks ago. She spoke about distance requirements already being in existence within the EPA. The EPA evaluation distance guidelines in South Australia offer a very subjective individual assessment recommendation in terms of separation distances, and they do not mention the issue of respirable silica dust or blasting activities in this context.

If we look at what other jurisdictions are doing, they have a better system. The Northern Territory EPA separation distance guidelines recommend a buffer of 600 metres for qualifying activities with respirable silica crystalline present and a buffer of 500 metres from blasting activities. EPA Victoria has the 'Recommended separation distances for industrial residual air emissions' guideline, which has a delineation accounting for the presence of silica dust and blasting activities. There is no mention of silica dust in the SA EPA guidelines.

The proposed flattening of Mount Skye has many locals really concerned about what is going to happen to them and their community's health. They are concerned about the spread of silica dust and the potential risk of silicosis. Who can blame them, when one considers the appalling and deleterious health impacts that can flow from exposure to this dust?

There are other concerns for the community as well, though. Those concerns relate to air quality, noise, plants, the impact on cultural heritage, visual amenity and rehabilitation. In light of these concerns, I understand the government has informed Hanson Group Australia that more information is required and that the Department for Energy and Mining have indicated in the media that they will be requesting more information from the corporation.

We know what happens when private corporations are allowed to ride roughshod over our environment and community concerns. We saw the disgusting destruction by Rio Tinto of a cultural site, all for their own corporate greed. It is really important that a cultural heritage assessment is being conducted in relation to White Rock Quarry so that we can ensure that no culturally significant land is going to be impacted.

I think there is a real issue with these private mines. They are antiquated, they are an old-fashioned scheme, they have different legal protections to other mines in South Australia, and I think most residents would be alarmed by the idea that you could have a private mine pushing up into their landscape, devouring their landscape, destroying their amenity, and that we could see these mines in metropolitan South Australia.

It is high time that this parliament took a strong stance against vested interests, stood up to these large corporations that are devouring our landscape and said, 'Enough is enough. Back off, move away from private residences,' and put the community's health and wellbeing first and put our environment first at this time of climate crisis. I hope that all parties will come on board and support this motion.

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

Bills

MINING (ENVIRONMENTAL IMPACT OF PRIVATE MINES) AMENDMENT BILL

Introduction and First Reading

The Hon. R.A. SIMMS (16:05): Obtained leave and introduced a bill for an act to amend the Mining Act 1971. Read a first time.

Motions

IMPAIRMENT ASSESSMENT GUIDELINES

The Hon. T.A. FRANKS (16:07): I move:

That this council condemns the minister for industrial relations for his proposed backdoor changes to the impairment assessment guidelines, which will deny even more injured workers their rights and access to fair compensation.

I rise today to condemn the attempt of this Treasurer, in his role as minister for industrial relations, to sneak through quite substantial and significant changes to the impairment assessment guidelines under the Return To Work Act 2014. I am sure all of us here have been contacted by the many concerned workers, lawyers and medical practitioners who have been horrified—and rightly so—by the changes that are proposed.

Minister Lucas and ReturnToWorkSA are trying to make significant changes to the impairment assessment guidelines. Those are the guidelines that are used under the act to assess compensation entitlements for injured workers. It is already difficult and often traumatic for those injured workers to receive fair compensation under our current scheme. These proposed changes, however, that are sneakily being pushed through, will mean even more people will miss out on the very help and compensation that they actually deserve.

The proposed changes to the independent assessment guidelines are being rushed without oversight and they suffer from a severe lack of meaningful consultation. They will result in harsh and unreasonable results for those injured workers of our state. They were circulated to medical practitioners, but not to legal firms that regularly represent those injured workers and their families. A consultation paper was sent out to a tiny handful of stakeholders on 28 May this year. They have only until the end of this week to provide feedback on these significant changes to the current guidelines.

While the consultation paper was dated 28 May, many affected parties, and certainly their legal representatives, actually only heard of the proposed changes much later than that 28 May date. I particularly note that the Australian Lawyers Alliance only found out about these changes last week, and today is 23 June. I agree with the Australian Lawyers Alliance and their concerns that it is 'not appropriate or in the spirit of the Act that such widespread changes be made under the guise of amendments to the guidelines'. I thank the South Australian ALA president for her response and information to me.

So what are these changes? There is a total of 72 proposed changes and I will go through some of the worst ones. The key change is that many workers will now no longer meet the 5 per cent whole person impairment (WPI) threshold so will no longer be entitled to lump sum compensation for the injuries that they have sustained. It will also be more difficult to receive lump sum compensation for workers who have sustained the most common work injuries, such as to the neck, lower back, elbows, arms, legs and knees. Not only will these be harder to get but the lump sum entitlements for serious injuries to the neck, lower back, hips and knees will be substantially reduced.

The PRESIDENT: Order! Honourable members should not have conversations in the line of sight of the member on her feet.

The Hon. T.A. FRANKS: Classification as a seriously injured worker will be much more difficult to achieve. Many workers who have been prevented from working will now also no longer meet the 30 per cent whole person impairment threshold that classifies them as a seriously injured worker. Even if these workers can no longer return to their employment, their income payments will stop after two years.

The impairment ratings for back and neck injuries, which were already rated harshly, will be reduced, meaning a worker can effectively never reach the 30 per cent whole person impairment rating threshold even for the worst back injury imaginable. It is even harder to achieve a whole person impairment rating that reflects a worker's injuries, even a little bit, as now there will be a new requirement for a minimum mandatory one-tenth deduction for unrelated and/or pre-existing injuries, even if the pre-existing condition or injury was asymptomatic. This is unimaginably cruel and I will outline further in a moment just what that looks like.

Another concern is that some of these changes—and some legal practices have raised this with me—appear to contravene the act itself, ensuring that it will no longer provide fair compensation for work-related injuries nor would the scheme be operating on a fair basis. The proposed changes also ensure that any impairment due to the side effects of pain medication, which are reversible upon ceasing, does not qualify for an impairment rating. This is heartless.

So what? Workers should choose between being in pain or potentially being able to access fair compensation? What a cruel, cruel choice that would be, but that is what it looks like to me: cruelty. What if an injury will require years-long or lifelong pain medication as part of its management or rehabilitation? Pain medication can have some serious side effects and this should be recognised not ignored.

Finally, the other significant change is that the proposal would limit the types of doctors who can make these assessments, precluding many South Australian doctors who have been performing these assessments for many years from continuing to do this work. Instead, ReturnToWorkSA will be looking to doctors who, by and large, no longer practise medicine, many of whom are interstate. But what is particularly devious about these changes, about this approach, is that under the guise of providing clarity this minister and ReturnToWorkSA are harming workers to benefit themselves. I quote the feedback that I have been provided by Duncan Basheer Hannon Lawyers:

> The proposed IAGs, presumably prepared under this sub-section, do not assist injured workers subject to the Return to Work Act 2014 (SA) ('the Act') and instead, focus too heavily on the economic operation and financial enrichment of the Corporation, to the detriment of injured workers. We note that the [ReturnToWorkSA] scheme was 102% funded, well within the Board target range of 90%-120%, according to the [ReturnToWorkSA] Annual Report of 2019-20. As the Chairman and CEO say themselves in their annual report, the [ReturnToWorkSA] scheme was $122M better off than the previous financial year.

So let's take stock so far. These changes do not benefit injured workers. They have not received sufficient oversight or review, and potentially they may even contravene the act itself. But there is more, and it is worse. Some of the new requirements are not just unnecessary but are uncaring towards the injured worker to the point that they border on cruel.

For example, let's talk about peripheral nerve injuries. Medical doctors have raised concerns that the proposed changes will require assessors to rate impairments using investigations or tools that have not been validated by medical science. It is proposed that the assessment of peripheral nerve injuries can only be done using nerve conduction studies.

However, it is well known that these studies have a high false negative reading rate, such as 50 per cent for the ulnar nerve in the arm, resulting in no impairment being recognised for the worker despite them having a significant injury. Workers with peripheral nerve injury will have to wait at least 12 months, as well, before they can access any lump sum entitlement that they may have, and no explanation is provided as to why they need to wait so long.

Another example is the new requirement for injured workers to wait at least 18 months after an initial diagnosis of complex regional pain syndrome before they might be able to access any lump sum entitlements they have. Again, there is no explanation as to why the wait needs to be so long. For context, that is longer than the maximum medical improvement requirement. The existing criteria for CRPS was already extremely difficult for injured workers to satisfy, and this change simply makes it harsher.

I have been contacted by many doctors who have raised concerns that some of the proposed changes are 'medical fictions'. If implemented, they would potentially reduce the rateable impairments and accordingly the entitlements of injured workers in a number of contexts. For example, it is a medical fiction to change the guidelines in respect of iatrogenic—that is, medication

induced—injuries, including claims for dental and upper and lower intestinal tract injuries where it is the view of ReturnToWorkSA that medication should not be regarded as consequential injuries to be combined as arising from the same injury, cause or trauma.

As I have covered previously, the impact of taking medication on that injured worker, that person (which I wish the minister would recognise them as) who is an injured worker and who needs to take that medication because of their injury, can be very serious. It makes no sense to discount the impacts of that.

Another fiction, another cruel, new requirement is to impose mandatory deductions for pre-existing or unrelated conditions and injuries. It is even more insidious than it sounds. What we are talking about here is a condition or injury that has no regular impact on the worker's ability to undertake the work, and that is often symptomatic, being used to deny them fair compensation for their workplace injury.

As if the mandatory minimum one-tenth deduction was not enough, there is more. If there is X-ray evidence justifying a greater deduction on top of the minimum mandatory deduction for a pre-existing and/or unrelated injury, including if a worker's body is completely asymptomatic, that greater deduction will be applied even if it results in the worker receiving nothing.

These deductions can occur for things you would never even think you could possibly count. For example, as medical evidence suggests that every adult has degeneration of their bones, it is likely that any worker over the age of 30 will have a 10 per cent deduction even without any symptoms of that, and indeed many who are potentially older will face a greater deduction.

The changes are a clear overreach by this minister, Minister Lucas, the minister for industrial relations. The act allows for deductions but only where there is a previous impairment. Asymptomatic degeneration or asymptomatic arthritis, as an example, are not impairments, yet these changes treat them as such.

So what will these changes look like for South Australian workers? As members of this council and this parliament we have all been provided, I believe, with a wealth of examples in our inboxes, but I am not sure if any of this is getting through to the minister in charge of this scheme, so I will walk all of us through just some examples of what these proposed changes will mean for South Australian injured workers.

Let's consider a full-time nurse who badly injures her neck and also has a nerve injury affecting the use of her arm. She has fusion surgery, but that fails, and then she is left with nerve pain down the arm. On the current guides, the impairment would be assessed as a 31 per cent to 33 per cent whole person impairment. On the proposed guidelines, the impairment will be 26 per cent to 28 per cent whole person impairment.

The requirement to deduct 10 per cent of the impairment for a pre-existing condition, such as the degeneration of bones, will mean that the majority of workers who are 30 to 50 years old (or older) will wear a 10 per cent deduction for each impairment even if there were no symptoms or impact on their day-to-day lives at all before their workplace injury.

An example of the significance of this will mean that a person who suffered a knee injury, requiring knee replacement surgery, which results in a poor outcome, and who would normally be assessed at a 30 per cent whole person impairment, would have their impairment reduced by 10 per cent. On this example, no accredited assessor could exercise clinical judgement to avoid reducing the impairment, even though prior to the work injury the worker was fully fit and functional with no symptoms.

A worker with a previously asymptomatic condition, including arthritis, must have a deduction applied, notwithstanding that the condition was entirely asymptomatic. If a worker were to have their teeth damaged or their mouth injured, the new table in the proposed changes to the impact assessment guidelines would only consider the injury or damage in terms of that person's ability to chew or consume food. No consideration is given to the other functions of teeth and how damage to them might affect things such as that person's speech or appearance.

One of the crueller changes in a litany of cruel changes relates to how the guidelines would treat surgery and scarring. One of the new requirements is that if there are multiple claims, the scars

relating to each claim must be assessed chronologically and any scarring from the previous claim must be deducted as pre-existing. As if this was not absurd enough on its own, surgical scars are disallowed for compensation.

For example, in a case where a person has, say, a meniscectomy (the surgical removal of all or part of their torn meniscus)—which I should be able to say better because I have had that—they will be assigned a 4 per cent whole person impairment. The lack of acknowledgement of the resultant scarring means that a person cannot reach the 5 per cent threshold for compensation, despite this clearly being a serious injury.

Similarly, if we consider the case where a tradesperson is working with a fractured knee resulting in a trauma to the joint requiring surgery and has ongoing restriction of movement, in the current guidelines they could have the movement in their knee measured as well as the resultant scarring and would more likely than not have an impairment greater than 5 per cent whole person impairment. In the proposed guidelines, their restricted movement and their scarring will not be included and they will have an impairment below that 5 per cent threshold. On this example, no accredited assessor could exercise clinical judgement to rate the impairment at 5 per cent or above.

I hope the council can now see that, overwhelmingly, the changes will result in lowering impairments and they will require doctors to adopt a rating method that ensures a much lower percentage impairment than is currently the case. We already know that this scheme is quite harsh in its operations. This eradicates their current ability to apply expert medical judgement and will almost certainly result in unjust outcomes for people with valid, permanent and often debilitating impairments.

I urge this council to stand with the Greens and with injured workers and those who care for them and represent them and condemn not only these changes but this farce of a process and this failure of a minister. This is surely an overreach on the part of Minister Lucas and of ReturnToWorkSA. I am not interested in hearing that this is technically allowable under the act as it stands. That does not make it right or good and it certainly does not make any changes that will help our injured workers. I commend the motion.

Debate adjourned on motion of Hon. D.G.E. Hood.

LESTER, MS R.

The Hon. K.J. MAHER (Leader of the Opposition) (16:24): I move:

That this council acknowledges the significant contribution of Ms Rosemary Lester to the South Australian community.

I move this motion to pay tribute and allow members of this chamber to acknowledge and pay tribute to the very significant contribution Rosemary Lester has made to her people, our community and this state. With permission, and at the request of the family, I will use Rosemary's name today, but after I will refer to her as Kunmanara Lester. I also wish to acknowledge that since the notice of this motion was given, only two weeks ago, Rosemary's mother has also passed away, and that many of the achievements of the Lester family were truly a combined effort and that her mother had been the backbone and driving force of the family for so long.

Rosemary Lester was born in Adelaide at the Queen Victoria Hospital in 1970. At the very early age of just eight weeks old, the family moved back to the centre of the country, to Alice Springs. At about the age of four, a young Rosemary moved to Mimili, Yankunytjatjara country, her country. Rosemary's father, a renowned stockman, the late Mr Lester, was running the Mimili cattle company at the time. It was here that Rosemary's love of horses was born, and she became skilful at riding and working with horses. I have heard stories of a seven-year-old Rosemary competing in the 1977 Kalgara horseraces.

Becoming a mother at the age of 18, Rosemary moved to Alice Springs and worked in the legal offices of the Pitjantjatjara council. In 1991, Rosemary moved to the station that is synonymous with the Lester family, Walatina station. In the early 2000s, Rosemary started using her language skills and understanding of having worked and lived across two cultures to help with interpreting work, particularly in areas like the courts and NRM boards.

Rosemary went on to receive formal qualifications and became one of Australia's most relied on interpreters for the Pitjantjatjara and Yankunytjatjara languages. For many people in Adelaide listening to radio programs like *Paper Tracker*, Rosemary provided compelling insights into traditional life and some of the challenges that are faced. I thank her for providing a bridge between two very different cultures and two very different worlds.

Rosemary's father, the late Mr Lester, was a well-known and recognised leader and advocate who personally experienced the devastating effects of the Maralinga nuclear tests. The Lester's homelands at Walatina were deeply affected by the fallout that resulted from the Emu Junction nuclear tests in 1953. Mr Lester was left permanently blinded as a result of the black mist that covered their lands. I was fortunate to attend Mr Lester's state funeral at Walatina in 2017. At the time, the then Prime Minister, Malcolm Turnbull, described Mr Lester as 'one of the most significant Aboriginal leaders our country has known'.

Rosemary carried on this legacy of leadership and advocacy. She became an ambassador of the International Campaign to Abolish Nuclear Weapons (ICAN) in Australia and was involved in campaigns against nuclear weapons for many years. Rosemary participated in events and speaking tours, was interviewed by the media and spoke at the Melbourne Town Hall celebration of ICAN's Nobel Peace Prize in December 2017. She was also active during the SA royal commission into the nuclear fuel cycle and the subsequent citizens' jury in 2016.

During the launch of a mural in Melbourne in 2019, Rosemary spoke of her father's leadership and how proud she was of his antinuclear activism. She remembered her father's, the late Mr Lester, strong stance for justice and equality and that he spoke up for Anangu who did not have a voice. Rosemary carried on this vision and helped grow international understanding of those who were most impacted by nuclear weapons testing and those who had the least voice to talk about it, both in Australia and beyond. In her message to launch the mural in Melbourne, she went on to say:

> I wish to acknowledge all of the Indigenous people around the world who were harmed and damaged, and their land forever impacted, by nuclear testing. Those who gave testimony and spoke worldwide are truly courageous, and I know personally it's never easy to rehash the pain that is embedded deep in one's body.

I pay tribute to Rosemary for her many efforts to make South Australia, the country and the world a better place to live. It has been a privilege to know Rosemary and her family well over many years. Her father was a dear friend and mentor. Her sister Karina has loomed large in my life over the last 20 years. I have never needed to contact either Rosemary or Karina for advice on any matter; they will almost always let me know if there is anything I should be doing, should be doing better or should be aware of. I have never needed to solicit the advice of either Rosemary or Karina Lester.

I now have strong links to the third generation, the next generation of the Lester family—Nayuku Nulungu Walatina, Lionel Lester. There are few bonds stronger than those formed with your Nulungu—spending a couple of months in the middle of a desert with a handful of people tends to do that. It has been a great honour and pleasure to spend quite a lot of time at the Lester homelands at Walatina, with the millions of flies that gather there as well as the people!

I know that Rosemary will be dearly missed by her sister Karina, her brother Leroy, her four children and two grandchildren, and I wish to pay respects to them. All of her family are special to me. Her father was my good friend. She worked hard to take care of her country and South Australia too. She worked hard so that Anangu and Pimpara could stand together and understand each other. My thoughts and sympathies are with that woman from Walatina today.

Palumpa walytjapiti uwankara walytja wiru mula.

Palumpa mama ngayuku malpa wiru.

Paluru pulkara warkaripai ngura palumpa munu South Australia-nya atunymankunytjaku.

Paluru pulkara warkaripai Anangu munu Piranpa tjungu ngaranytjaku munu kulintjaku ngapartji-ngapartji.

Ngayulu kuwari pulkara kulini kungka panya Walatinanya ngurara, ngaltutjara

The Hon. T.A. FRANKS (16:31): I rise to support this motion of condolence, and to take a moment here in this council to honour the contribution and the life and work of Rosemary Lester,

who will after this be Kunmanara Lester. She was an advocate, a leader and I believe a soft but strong voice for justice. I knew her well and I knew her from my time in this place. I met her first in the Balcony Room of this parliament, where she and her family came down for an event with regard to that legacy of the black mist, that legacy that is this parliament's shame. She herself has left a proud legacy, and, living through those memories of all of those who knew her, that legacy will shine.

The contributions she made not only to our country but to the global and broader world for a world free of nuclear weapons was extraordinary. Born a Yankunytjatjara Anangu woman, and the daughter of a prominent antinuclear campaigner, Yami Lester, Rosemary and her sister Karina worked closely with the International Campaign to Abolish Nuclear Weapons (ICAN). She was driven by the experience and stories of her father and other family members and herself. She taught the power of lived experience of those who were directly affected by the nuclear testing at Maralinga.

When she spoke, most notably at the launch of the iconic mural on Wurundjeri country, which commemorates her father, she noted how the courage of her family members gave her courage and strength and gave her strength and provided her great lessons in life. Like her father and her sister, it was her vision and advocacy that helped develop understandings of the impact of those who were impacted by the testing of nuclear weapons on a national and international scale. She took on that battle that her father left behind.

Rosemary and her sister Karina also helped ICAN win a Nobel peace prize. Her powerful testimony at the Black Mist White Rain speaking tour in April 2016 demonstrated her intelligence and the influence that her words can have on the triumph of cultural survival. Her story was painful but fundamental in nuclear justice and allowed her to be a very forceful voice during that South Australian royal commission into the nuclear fuel cycle and, of course, the subsequent citizens' jury back in 2016. I commend that video to those in this place who wish to learn more.

She was not only a vital advocate in her campaign to ban nuclear weapons but also, as has been mentioned, involved in the wonderful *Paper Tracker*. It was a program that was launched in mid-2007 to monitor the promises that this state government of all colours made to the Anangu. It was implemented to improve the lives of South Australia's remote Aboriginal communities through the timely delivery of key infrastructure, services and programs.

As we know, politicians make many promises, but *Paper Tracker* held those politicians' promises to account. The main objective of *Paper Tracker* was for First Nations to receive information in their first language, to be able to talk with governments as equal partners and make decisions from a position of knowledge and strength and more equal power, to participate in the broader debates and to participate in creating their future.

I fondly remember many times going in to talk to *Paper Tracker* with whoever the host was. At one point it was Jonathan Nicholls who was well known to many in this council, but, with her skills in language, it was with Rosemary as well. My fondest memory is when they asked me to play a song and I picked Eminem. I do not think Rosemary was up for translating *Lose Yourself*, but I like to think that Eminem transcends all language.

Unfortunately, *Paper Tracker* lost its funding, and in June 2020 it was announced by Uniting Communities that they would step out of that advocacy work in that particular role. That does not take away from their role in supporting Aboriginal communities. Indeed, Rosemary's continuance to do that work and her courage and determination in the face of adversity is what will certainly shine through, not just through that work but in her broader contribution.

Our state's community and all South Australians will rarely have in their midst a gentler, kinder or more patient soul, certainly in my experience of her. On behalf of the South Australian Greens, I extend my condolences to her family and all those who loved her. May she rest in peace now after a life of goodwill and love, born of pain and trauma, and may we carry that lasting legacy of her work in our lives.

The Hon. S.G. WADE (Minister for Health and Wellbeing) (16:37): I would like to thank the Hon. Kyam Maher for moving this motion giving the council the opportunity to reflect on the life of Rosemary Lester. Ms Rosemary Lester, who passed away last month at the age of 51, was a highly skilled Yankunytjatjara interpreter, a passionate advocate for Aboriginal self-determination, a

lifelong opponent of nuclear testing and the nuclear industry, a skilled horserider and stockwoman, and a much-loved daughter, sister, mother, grandmother, aunty and friend.

Rosemary—or Rose or Rosie, as she was known to her family and friends—was born in 1970, the second child and oldest daughter of Lucy and the late Yami Lester. When Rose was just eight weeks old, the Lester family moved to Alice Springs, where Yami, who frequently worked as a court interpreter, helped establish the Institute for Aboriginal Development, an organisation that played a pivotal role in Aboriginal community development and the recognition and strengthening of Aboriginal languages.

As it turned out, the Lester family's relocation to Alice Springs coincided with an era of enormous change in the way Australian governments interacted with and recognised our First Nations peoples. Rose grew up surrounded by Aboriginal people who were determined to call out injustice and the wrongs of the past, to fight for land rights and for the right to chart the course of their own lives.

It was an exciting time for a Yankunytjatjara girl to grow up. Before Rose was a teenager, Pitjantjatjara and Yankunytjatjara peoples had secured freehold title to more than 100,000 square kilometres of their traditional lands, when this parliament passed the groundbreaking Pitjantjatjara Land Rights Act 1981 put forward by the Tonkin Liberal government.

That success was followed in quick succession with the passing of the Maralinga Tjarutja Land Rights Act in 1984 and the ceremonial hand back to Anangu in October 1985 of the Uluru-Kata Tjuta National Park. Land rights was only one of the campaigns the Lester family got involved with during those years. Another was the battle to have the British and Australian governments recognise the cost and consequences of the British testing of nuclear weapons on Anangu lands in the 1950s and 1960s. That was a very personal battle for Rose's father, Yami, who had gone blind after a black mist—the fallout from a nuclear test—drifted across his family's camp site.

The early 1980s, with the support of the Pitjantjatjara council, Rose's parents, Yami and Lucy, travelled to London to draw attention to the legacy of those nuclear tests. Their advocacy and the advocacy of others led to the establishment of the royal commission and, in time, the expenditure of more than $100 million in an effort to clean up the lands that had been affected by the testing. Given Rose's lineage and the period in which she was raised, it is hardly surprising that, as an adult, she fought with such determination and focus for particular people and courses, including antinuclear campaign work.

Another way that Rose advocated for change and a better world was through her work as a Yankunytjatjara interpreter, following in her father's footsteps. In that role, she helped Anangu understand and navigate their encounters with government agencies and services. With her sister, Karina, Rose helped to train the next generation of interpreters and lobbied successive governments to not only properly fund interpreting services but to establish viable career paths and full-time careers for Anangu who wished to work as interpreters.

Their advocacy included speaking with the Premier on a number of occasions about the importance and long-term ripple effect of creating a sustainable workforce of Aboriginal interpreters. The passion and advocacy of the Lester sisters is leading to real change, albeit much slower than Rose would have liked. The government's Aboriginal Affairs Action Plan 2021-22 includes an explicit commitment to 'Support Aboriginal Language speakers to undertake training, gain qualifications and be employed as interpreters'.

On a broader level, Rose worked to ensure Anangu had access to key information in their first languages. From 2011 to 2019, she co-hosted an award-winning weekly radio show that examined the way governments interacted with Anangu communities on the APY lands and the Maralinga Tjarutja lands and in Yalata and Coober Pedy. The *Paper Tracker* radio show provided listeners on the lands and in Adelaide with up-to-date information in Yankunytjatjara, Pitjantjatjara and English.

For the first three years of the show, Rose's co-host was Jonathan Nicholls, an adviser in my office. Jonathan attributes the success of the show first and foremost to Rose's extraordinary interpreting skills and her unwavering belief in the right of Anangu to make informed decisions for

themselves. Over the course of the eight years the show was on air, Rose interpreted for literally hundreds of guests, including, I am advised, half a dozen Aboriginal affairs ministers; quite a number of members of the Legislative Council, past and present; and a broad range of public servants and service providers, each of whom was asked to explain in simple English how their projects and ideas could benefit Anangu communities.

It was not easy work. Not all politicians, bureaucrats and service providers are good communicators—present company excluded. We tend to rely on jargon, acronyms and buzzwords—words and expressions that were often difficult for Rose to interpret into Yankunytjatjara. Guests on the show might want to focus on terms like 'strategic outcomes', 'key performance indicators' or 'restraint on resource allocations'. At times, it must have been very frustrating for Rose, who I am told was a straight talker and a deep thinker and somebody who enjoyed a good story and clear communication.

This Friday, Rose's family and friends will gather for a funeral service at Walatina, a homeland on the eastern side of the Anangu Pitjantjatjara Yankunytjatjara Lands—a homeland that her father got back in the early 1990s and where, for a time, she managed its cattle project. Again, I thank the member for moving the motion. On behalf of the government and myself, I offer my sympathies to Rose's family, particularly her mother, Lucy; her brother, Leroy; her sister, Karina; her children, Kiah, Robert, Carlin and Leesha; and her much-loved grandchildren, Lucy and Dylan.

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

Bills

VOLUNTARY ASSISTED DYING BILL

Final Stages

Consideration in committee of message No. 129 from the House of Assembly.

(Continued from 10 June 2021.)

The Hon. K.J. MAHER: I move:

That the House of Assembly's amendments be agreed to.

The bill left this chamber and the second reading was debated over one week and the committee stage over another week, a very similar process as we followed in this chamber. I had the opportunity to spend the whole time of both of those parts of the debate in the House of Assembly in the gallery and I have to say it was characterised much like the debate in this place: a very respectful, civilised debate where issues were thrashed out and I think a pretty reasonable compromise was reached in a number of areas.

There were, I think, five amendments that were successful in the House of Assembly to the bill that we sent there. There was an amendment to clause 8 that inserted a new subsection (k) that talked about every person having the right to make medical decisions freely and without coercion, which repeats a number of other subsections that follow most steps of the process. I think it was readily agreed. It does not detract from the bill in the sense that it is not only what is already required in other parts of the bill but is already required in the practice of medicine in any event.

There were further amendments at the end of clause 14 that require, as one of the preconditions of voluntary assisted dying, that the person must be acting freely and without coercion and, very similarly, that is restated in other parts of the bill and in any event is a requirement of a person being treated and is something that doctors every day of their working life take into account when treating patients. So it does not detract from the operation of the bill.

There was, further, a new requirement, section 115A, that the minister must report annually on palliative care spending, which is not an unreasonable thing, I think. As was discussed at some length in this chamber and in the other chamber, what the evidence has shown around Australia is that when voluntary assisted dying schemes come into operation or legislation is passed it has actually seen an increase, and in most cases a very significant increase, in the spending on palliative care, which, whatever side of the debate we come from, we have all agreed is a good thing.

Probably the two significant amendments that were made in the other house are in relation to an issue that was agitated in this chamber for quite some time. I think there was originally an amendment from the Hon. Dennis Hood and an amendment from the Hon. Frank Pangallo that essentially talks about the institutional conscientious objection, the right of an entity to conscientiously object. Of course, we have already provided for in the bill the right of medical practitioners to exercise an individual conscientious objection and not partake in the scheme.

I know there was a lot of discussion both in the chamber and outside the chamber among the movers of two different sets of amendments in the lower house. The member for Davenport, Steve Murray, and the member for Port Adelaide, Susan Close, moved slightly different versions of amendments that allowed for different forms of how institutional conscientious objection might be handled. Without trying to oversimplify it, I think the member for Davenport's suite of amendments gave rights for entities, be they health service providers or others—aged-care facilities—to exercise an institutional conscientious objection so that patients on those premises could not access VAD services.

The member for Port Adelaide, Susan Close (the deputy Labor leader in the lower house), moved a suite of amendments that were based on amendments that I think had been developed after a year-long Queensland Law Reform Commission process. In the Queensland University of Technology's End of Life Law in Australia section, a couple of professors had spent quite a deal of time developing a way of dealing with this issue of institutional conscientious objection that essentially allowed for some form of patient access while recognising that in health service provision, such as in hospitals or hospices, institutions could in effect conscientiously object.

I think in a lot of discussion with those involved in this practice of palliative care and end-of-life medicine—I particularly want to acknowledge Dr Roger Hunt, a South Australian pioneer in palliative care. I think anyone who has been involved in trying to craft or develop legislation in South Australia in relation to this has had a lot to do with Roger Hunt. I think he has the distinction of being the only person to be on both the ministerial expert panels in Victoria and Western Australia in setting up their schemes.

As Roger Hunt described, as a medical practitioner, hospitals give you a right to practise in their hospital. If a hospital—and we are often talking about Catholic-owned hospitals—did not want a practitioner to practise because they might practise VAD, they would not have to accredit them to practise in their hospital. So in effect, I think the parts of the amendment moved by the member for Davenport recognise what may well be the practice in hospitals that would seek to effect an institutional conscientious objection.

I want to commend the members for Davenport and Port Adelaide, who I think very maturely and very sensibly came to an agreement where they accommodated a lot of what each other was trying to effect. For how it relates to health service provision for hospitals and hospices, essentially, the amendments to clause 10 provided what the member for Davenport was moving, and that is recognising that those health service providers could effect an institutional conscientious objection, but then using the member for Port Adelaide's amendments based on that Queensland Law Reform Commission process in relation to aged-care facilities that recognised—and I think it was a debate we had here—that an aged-care facility is essentially someone's home.

Many people in aged-care facilities are in that facility for not just years but in some cases decades. Many people have paid significant bonds to be in an aged-care facility. I think the average in South Australia is somewhere between $400,000 and $500,000. It is effectively your home, and the member for Port Adelaide's amendments recognise that one ought to be able to receive legal medical treatment in their own home.

I think a sensible compromise was worked out where the member for Davenport's elements of institutional conscientious objection for hospitals were given effect to but the member for Port Adelaide's provisions about allowing a person in their own home to have medical practitioners from outside coming into an aged-care residence were appropriate. I think it reflected the civility of the debate that we had in this house but particularly in the House of Assembly that, coming from two pretty different viewpoints at the start, they were able to take parts of one set of amendments and parts of another set of amendments and have a set of amendments that cover what would be the

reality in some areas in any event. I think these amendments place patients in South Australia now in a better position than they find themselves in in other states.

The silence in Victoria I think has created a need for policy guidelines from the health department in Victoria to step in where the legislation has been silent. Queensland is to debate their legislation in the coming months. This preserves all of the essential elements of the developing Australian model but fills the silence that was created in Victoria and remains in Tasmania and Western Australia. As I said, I commend the members for their sensible approach, and I will be commending all the amendments made in the House of Assembly to this chamber.

I will leave it to the health minister to talk about his amendment, but I think one of the consequences of taking one set of amendments for one part and another set of amendments for another part—that is, the member for Davenport's and the member for Port Adelaide's—is a need to make sure there is nothing that is missed out in the middle. I think that is the one discrete area that the health minister, the Hon. Stephen Wade, is addressing in his amendment.

I can indicate that not only will I be supporting the amendments made in the lower house but I will be supporting that one amendment that speaks to retirement villages, which, like aged-care facilities, are a person's home. Aged-care facilities being governed by commonwealth legislation and retirement villages by state legislation, I think it is sensible that they are spoken about so that we do not have the silence that is created in Victoria.

The Hon. D.G.E. HOOD: I will not detain the chamber long, but I would like to make a very brief contribution in relation to the passing of the Voluntary Assisted Dying Bill and the message that we are dealing with now, which relates to the passing of the bill in the other place in the early hours of 10 June.

I want to start by acknowledging that there are very sincere and deeply held feelings on both sides of this debate. I do not think we need to reiterate that for too long but just acknowledge the sincerity, I think, with which members approached this debate. It has been largely respectful and I think has seen the parliament operate at its best, if I can put it that way, which I am sure all of us welcome.

I also want to take the opportunity to reiterate my own personal sympathy for those who are suffering beyond what they deem acceptable, whether it be through disease, accident or otherwise. I take this opportunity to put on the public record that I have actually had experience in my own family of someone very close to me having what you might call an unpleasant end.

So I am not immune to experiencing what can be a very difficult time in someone's life or passing for the individual, the patient, but also for those family members and loved ones surrounding them in those circumstances. In a sense, I have personal experience of just how difficult these things can be. I would say in my own experience, though, that was an outlier, if you like; the other members of my family who have passed in recent years have, as you may say, exited well, if I could put it that way.

Despite all these preliminary comments, I want to put on the record that I maintain my position that allowing assisted dying sends the wrong message about the sanctity of life, and for that reason I remain opposed to the bill and its passage through this place. I understand that the numbers are in place to support the bill. My concern is that the passage of this bill—and bills like it in other jurisdictions—will inevitably result in some elderly and terminally ill South Australians feeling that they almost have a duty at some level to die or to end their own lives so as not to be a burden to others. I certainly do not want to be associated with that.

I opposed this bill when it was in this place because I believe that at one level, at least to me, it devalues the sanctity of human life and because, as we have already seen both here and overseas, I believe that safeguards are not and indeed cannot be sufficient to protect our most vulnerable. The pressure to expand eligibility criteria will intensify, as I have seen in other jurisdictions, I believe. I hope that is not the case.

As we have seen, the safeguards, or so-called safeguards, in this legislation may be viewed just as things to be removed, as roadblocks to be removed by others. I certainly hope that is not the case. I am paraphrasing, but I think it was former Prime Minister Paul Keating who said that once

you cross the threshold of the state legally taking life—once that has been crossed—it is easy for the expansion of eligibility to occur and for the net to widen. I agree with that general position, and for that reason my opposition to the bill remains.

With respect to the amendments, I would like to say that I am broadly supportive of them dealing specifically with the message that we have. I think they do improve the bill, although as I said I will not be supporting the bill even with the amendments. With respect to the Hon. Mr Wade's amendment, I have only read it twice. It was only tabled in the last hour and a half and I look forward to his explanation of that whilst I consider my position on his amendment.

The Hon. C.M. SCRIVEN: I rise to indicate that I will not be opposing the amendments that have come from the House of Assembly. They improve the bill somewhat, whilst I maintain my position to the bill, predominantly on the basis that the slippery slope does occur in practice whether or not further changes are made in legislation and therefore it presents a risk to vulnerable people.

In addition, the amendments that were passed in the lower house in regard to organisational conscientious objection do provide at least an increased level of comfort for those who would like to be able to enter a facility, such as a hospital or similar, with the confidence that they will not be asked whether they want to end their own life, that they will not feel that subtle pressure of simply being offered the option actually raises. We know that the proponents of the bill will say that doctors are not allowed to raise the issue, but that does not prevent others within the facility doing so, if it is a facility where that is provided, for want of a better term, to other people who are in that hospital.

I am interested to hear the comments from the Hon. Stephen Wade in regard to his amendment, which I note was filed at 3.32pm today and we commenced this debate at 4.45pm, which I think is very disappointing, particularly given comments he has made in the past in regard to amendments coming forthwith at such short notice, but I will allude to those if and when he moves his amendment.

The Hon. N.J. CENTOFANTI: I rise to briefly reiterate my position on this bill. Firstly, I would like to acknowledge the work of both the member for Davenport and the member for Port Adelaide in the other place for the sensible amendments that they have passed during the last sitting week. Allowing the conscientious objection of operators of certain health service establishments provides clarity and certainty for those hospices and hospitals, such as Calvary, and allows them to have the same choice that those who wish to access voluntary assisted dying have.

There was also discussion and debate around residential facilities, aged care in particular, and the right for such operators to conscientiously object; however, still ensuring that they allow reasonable access to the person requesting voluntary assisted dying within the facility. I think these amendments are productive. However, there were other amendments which I would have liked to see get up but which did not; in particular, the member for Davenport's amendment regarding annual examination of the board's operations.

I think there is significant merit in auditing the process by which voluntary assisted dying applications are approved. Whilst I will concede, as indeed the member for Davenport did, that pre-existing clauses of the bill may result in the board conducting a similar investigation, there is no actual requirement for them to do so. Whilst I am usually dead against an increase in red tape and bureaucracy, in circumstances where the outcomes are literally the difference between life and death I think it should be seriously considered.

I reiterate the point I made in my second reading speech, which is that I feel there is a need for greater education among clinicians, care workers and emergency services about the operation of advance care directives and their importance to the dignity and wellbeing of those who have chosen to prepare them. In doing so, we must also ensure that palliative care has a focus on affirming life, promoting quality of life, treating the patient and supporting the family.

In closing, we must also not forget the vulnerable people in our society. During the debate of the Voluntary Assisted Dying Bill in Victoria, the former president of the Australian Medical Association, Dr Michael Gannon, said:

> Once you legislate [this] you cross the Rubicon. The cause for euthanasia has been made in a very emotional way and this is the latest expression of individual autonomy as an underlying principle. But the sick, the elderly, the disabled, the chronically ill and the dying must never be made to feel they are a burden.

As legislators, we have the responsibility to legislate for the safety of all citizens, and therefore I cannot and will not support the passage of this bill.

The Hon. S.G. WADE: I will need the guidance of the Clerk on how to express this, because it is easier to amend a bill than a message.

The CHAIR: You are moving to amend amendment No. 3 from the House of Assembly at clause 13A.

The Hon. S.G. WADE: That is right. I move:

Page 18, after line 6 [clause 13A, definition of *facility*]—After paragraph (b) insert:

or

(c) a retirement village (within the meaning of the *Retirement Villages Act 2016*);

Page 18, line 9 [clause 13A, definition of *relevant service*]—After 'personal care service' insert:

, or services provided in the course of administering a retirement village scheme (within the meaning of the *Retirement Villages Act 2016*)

Could I stress, before making my remarks, that the primary discussion tonight is whether or not we accept the amendments from the House of Assembly. I think the Hon. Kyam Maher and other members referring to that debate accurately reported what happened there. It was this council that first raised the issue of institutional conscientious objection, and I think it would be fair to say that the conclusion was that, whilst the amendments before us were not supported, it was not that people were not interested in the concept. I can remember honourable members saying that this is an issue that they were keen to be prosecuted in the other place.

That is exactly what happened, and I think it was a good demonstration of cooperative legislative work from the member for Davenport and the member for Port Adelaide. It recognised the importance of health service establishments maintaining the clinical governance of their institutions on the one hand, and on the other hand it recognised that for many people in aged-care accommodation that is their home. I believe that the legislative scheme that is reflected in the message from the House of Assembly should be supported.

There is only one relatively small element where I think the amendments could be enhanced and that relates to the place of retirement villages. The house amendment No. 3 proposes a process to manage the conscientious objection of operators of certain residential facilities. The amendment lays down a process that allows a resident of a nursing home to access voluntary assisted dying, and I support this process, but in terms of aged-care accommodation it primarily relates to residential aged-care facilities under the relevant commonwealth legislation.

My reading of the amendment, supported by parliamentary counsel, is that it would not serve to provide a similar process in relation to aged-care accommodation under the Retirement Villages Act of South Australia. In my view, a similar process should be available to residents of retirement villages as well as residential aged-care facilities. Both sets of facilities provide ongoing residency; they are people's homes. Both provide some form of security of tenure. Both sets of facilities remain the property of the provider, and both, in my view, justify the need for statutory clarity as to the rights of residents and operators. So my amendment simply makes the process proposed for residents of nursing homes, already endorsed by the House of Assembly, also available to residents of retirement villages.

An honourable member has already indicated their disappointment that the amendment was tabled so late. I do apologise for that. It was my view that it was important to consult with some of the key members who were involved in the bill, and as a result the amendments were finalised relatively late. To be frank, as a result of those consultations there were amendments I did not proceed with.

Nonetheless, I think this amendment is straightforward because, having already considered amendment No. 3 in relation to nursing homes, if members decide they are going to support that amendment they would have to ask themselves why would a person in aged-care accommodation under a state act not be entitled to similar processes to people in aged-care accommodation under a commonwealth act.

I think all the amendments sent to us by the House of Assembly will improve the legislation. I will support them all. I think this relatively minor amendment will also improve the bill. However, I will withdraw the amendment if the council thinks it needs more time to consider the amendment, and members of course have every right to oppose the amendment simply because they have not had time to properly consider it.

The Hon. F. PANGALLO: I thank the minister for his explanation of his amendment. I take note of that. It was very late, and I certainly have not had much time to consider it or even to speak to relative stakeholders who approached me initially about the conscientious objection to it.

The Hon. C.M. SCRIVEN: First, a point of clarification in terms of process: is this committee stage identical in all relevant aspects to a committee stage on the bill, so we can ask questions of the mover of the amendment in the same way?

The CHAIR: Yes.

The Hon. C.M. SCRIVEN: Thank you. A couple of questions to the Hon. Mr Wade, given that he is not here in his ministerial capacity. How many retirement villages in South Australia are run by faith-based organisations? I ask the question because the debate in the other place around organisational conscientious objection was particularly in regard to facilities owned or run by faith-based organisations.

The Hon. S.G. WADE: I am not able to answer the question as to how many facilities are faith based, but I can tell members that I am advised that there are in the order of 26,000 residents of retirement villages, so it is not an insubstantial group. Of those, about 1,400 are in retirement villages provided by Catholic-related agencies, which are well identified as having concerns about access to voluntary assisted dying, and about 1,500 are in retirement villages provided by members of the Lutheran community. The Lutheran community also has a longstanding concern about voluntary assisted dying.

The Hon. C.M. SCRIVEN: Which of the faith-based organisations that run retirement villages have you consulted with about this amendment?

The Hon. S.G. WADE: I think it is important to make the point that this is fundamentally not my amendment; it is an amendment of the house. The house established an alternative process in relation to aged-care accommodation. In my view, they just defined it too narrowly. If members want to speak against my amendment, they have to ask themselves whether they are speaking against the House of Assembly's amendment, and in that sense they can vote against both of them.

The Hon. C.M. SCRIVEN: I am simply asking the minister whether he has consulted with any faith-based organisations that run retirement villages. It is a simple yes or no answer, I would have thought.

The Hon. S.G. WADE: No.

The Hon. F. PANGALLO: The minister refers to residential villages, and of course we have aged-care facilities. There is a distinct difference, I must admit, between residential villages and aged-care facilities—I have been to both. In aged-care facilities you will always find that there is the availability of medical assistance—there are nurses and carers that have that. In residential villages I have seen I do not recall seeing that there is a presence of healthcare workers. Doctors probably visit. In the event that somebody falls ill or in fact wants VAD, where does the medical assistance come from for that when that happens in a residential village, as opposed to an aged-care facility?

The Hon. S.G. WADE: Residents of retirement villages can access VAD. In my view, they should be able to access it like any other member of the community getting medical personnel to come to their home, if they wish. This amendment, consistent with the house amendment No. 3, simply says that aged-care accommodation is a person's home and their home should be respected. They should be able to access medical services, if they wish to do so, in their home. I am just making the point that aged-care accommodation is not just commonwealth residential aged-care facilities, it is also state-based retirement villages.

To be frank, I think it is significantly more their home than a residential aged-care facility. My understanding is that the average term of a resident at a residential aged-care facility is in the order

of 18 months. So it is their home, it is their normal place of abode, but it may not be for an extended period, whereas at a retirement village, people can go into a retirement village and be a healthy, active resident for decades before they need any form of support.

On the honourable member's point about retirement villages, you would have difficulty in many cases differentiating between a cluster of cottages, or townhouses, whatever you want to call them, as to whether they are a private development or a retirement village. These facilities are people's homes. I think for the 26,000 South Australians who live in these villages, they should have clarity about their rights to access medical services in their retirement village just as people who are resident in residential aged-care facilities.

The house amendment builds on the experience of Victoria and the concerns raised there: the lack of clarity, the lack of certainty for both operators and residents. It follows the well-considered lead of Queensland both through the Law Reform Commission and through the Queensland Institute of Technology. I think it evolves the model in a positive way.

I think the House of Assembly in particular should be commended for finding a workable model to not only respect the mission statements of faith-based organisations but also to respect the rights of individuals to make their choices, whether they are using faith-based health service establishments or whether they are using faith-based aged-care accommodation facilities.

The Hon. F. PANGALLO: Considering people actually buy into residential villages and they either move out and sell when it is time to find alternative accommodation or perhaps they pass away, should there be a duty of disclosure by both the villages and also the owners of that vacated unit? Should there be a disclosure that it was used in an event of VAD?

The Hon. S.G. WADE: I heartily agree. That is why the House of Assembly at clause 13K has exactly that provision. Operators of the facilities are under a duty to make potential users of their facilities aware.

The Hon. C.M. SCRIVEN: I ask the mover of this amendment whether there are any facilities that are covered under the Retirement Villages Act, given that the amendment refers to a retirement village within the meaning of the Retirement Villages Act. Are there any facilities covered under that act that also have health service establishments attached in any way? Is there any possibility, therefore, of clashes or conflicts between those two arms of the same umbrella organisation, if they are on similar premises?

The Hon. S.G. WADE: With all due respect, that is not a question for me because the residential aged-care facilities are likely to be the facilities that are attached to a hospital. That is a matter, therefore, that is raised by the house amendments, and it is the honourable Leader of the Opposition who is seeking our support for the house amendment. I will be supporting the house amendment, but the honourable member's point particularly relates to residential aged-care facilities.

The Hon. C.M. SCRIVEN: I am a little surprised by that answer, given that the amendment that the Hon. Mr Wade is moving is the one that raises the issue of a retirement village within the meaning of the Retirement Villages Act. I think this perhaps draws attention to the problem with lodging an amendment an hour and a quarter before debate on this message began. I refer in particular to the Hon. Mr Wade's contribution to this bill on 5 May, in which he talks about 'consequential flow-on impacts of even what seems to be a simple amendment' and then goes on to say, 'Amendments on the run often look very ugly in the light of day.'

'Amendments on the run often look very ugly in the light of day,' were the words of the Hon. Mr Wade, and then he said that the reason that it had come to this so late was that he thought it was important to consult. However, he has not given other members of this chamber the same courtesy to have the ability to consult and have some questions. The question that I have just asked might have a very simple answer, but we do not know because we have not been given the opportunity to consider this amendment, with it being filed an hour and a quarter before debating it.

The Hon. T.A. FRANKS: I rise to indicate that I support the message from the house and the amendment of the Hon. Mr Wade. I think that the issue of retirement villages was something that was in the spirit of the amendments made in the house. Indeed, it was perhaps just an oversight from when we do these things not in the cold light of day with the advantage of appropriate debating time

but end up doing them through what has been quite good negotiation and cooperation but unfortunately still in the wee hours of the morning.

In regard to the Hon. Mr Wade's amendment to the message from the house, I think that somebody living in their own home or in a retirement village, where they may indeed have lived for decades, should have the ability to access voluntary assisted dying and to die with dignity in the place that they have lived with love.

The Hon. T.T. NGO: I have not spoken on this bill before, so I thought I might use this opportunity to give my views on it. In this matter of conscience of assisting others to bring about the end of their own mortality, I reflect on my own morals, beliefs and upbringing. Now that this bill is again before our chamber, I draw on the sum of my experiences and my consideration of the morals and beliefs of others when voting. Indeed, these considerations and reflections have informed how I have voted on this bill and others like it that have come before members.

I appreciate that this bill deals with subject matter that is highly charged and deeply personal. As such, I have been satisfied to listen to other honourable members and learn from their points of view and life experiences. However, I rise today as I feel compelled to lend my support to a recent amendment made to this bill in the other place.

As such, I give my support to the new clause 10A that is before us, the result of the debate in the other place. I welcome the amendments proposed by the member for Davenport, Mr Steve Murray MP, and supported by the bill's proponent, the member for Port Adelaide, Dr Susan Close MP. I thank them both for their work, their cooperation and compromise to make this a better bill than the one that passed this chamber a few weeks ago. I repeat the words of the member for Davenport:

> Whilst the focus has understandably been on the capacity of faith-based institutions to assert their rights in regard to conscientious objection...it is not just simply those organisations that are minded to do so.

And he went on with examples to support his position. I, too, agree that organisations should have the right to oppose providing the service, outside of religious grounds. It is possible to feel unease about helping to bring about the end of another's life without regard to religion.

As someone who belongs to a community in which people work hard to make sure they can support their elders, and ensure they can provide medical care to extend their life, it does not sit comfortably with me. There is great conflict for me to support the provision of state-sanctioned access to assisted dying when I have been raised to respect your elderly and help others prolong their living.

A few weeks ago, I brought to Parliament House about 25 elderly people from my community, the Australian Vietnamese community. They ranged from 65 to 103 years old. They were all women, actually. I hosted morning tea here and, while they were having tea and scones, I brought up this bill because they asked me what parliament was debating at the moment. So I took a straw poll and surprisingly—I thought it would be more—only four out of 25 supported this bill.

I found that a bit surprising, so I made sure that they did not put their hands up and feel uncomfortable about it. So I switched the vote around by saying, 'If you are really in favour of this bill for various reasons', and we debated it and I tried to be as neutral as I could, and the result came back the same. It just showed that there are a lot of elderly out there, especially from ethnic communities, who feel unease about this bill.

However, in conjunction with other amendments made in the other place and considered here today, I think this bill now provides an appropriate balance of access for those who require access to voluntary assisted dying, although I remain conflicted about the bill itself. They are my views and I will vote accordingly.

The CHAIR: Before calling the Hon. Mr Wortley, I will forgive the Hon. Mr Ngo for categorising me as elderly.

The Hon. R.P. WORTLEY: I rise briefly to indicate my support for the amendments that have come up from the lower house. I also support the amendment from the Hon. Mr Wade. It is not the first time this house has had to rectify oversights of the lower house, so I think it is quite appropriate that we can pass this very important, even though very small, amendment.

I would also like to say that I have been involved in a number of debates on VAD over the years and I have always been on the losing end of the vote, so it is pleasing, in the year before I leave this chamber, that this bill will now pass overwhelmingly through both houses. It is a very emotional debate and feelings run very high amongst members of this chamber. I must say it is a great credit to see the respect with which the debates have occurred. I think the people of South Australia would expect nothing less than a very mature and thoughtful debate. The outcome is a good bill that guarantees protections for people who need them and also guarantees a person the right to make a choice on how they would like to end their life under very trying circumstances.

I, like the Hon. Mr Ngo, took every opportunity I could to raise this issue over the last six or seven months. I attend a lot of multicultural functions and I often raise the subject with people just to get their views, to see how they feel. I must admit, I have been very surprised by the overwhelming support amongst people whom I would have thought would have had some religious views against VAD.

I remember one day sitting down with a group of hardcore Sikhs in the Riverland. I was wondering whether I should bring the issue up, but I did. I sat there and we talked about choice and all the safeguards. If I had just said to them, 'What do you think about this?' They would have all said, 'No, not at all.' But after a two-way discussion, everyone in that room, men and women, said, 'It is one's right to make a choice. That choice should be theirs to make and nobody else's.'

I feel very good about the fact that this bill is now passing this house. I would also like to compliment the actions of those people who guided this legislation through both houses, who produced amendments that enabled us to debate these particular issues and to come to a final vote. I think the people of South Australia should take some solace from the fact this house can, when it needs to, be involved in a very mature and important debate.

The Hon. R.I. LUCAS: I rise to again indicate my strong opposition to the passage of the legislation. That will not surprise anyone. I am pleased to be following the comments of the Hon. Mr Wortley. I am sure the good burghers of the Riverland will love being called hardcore. I am not sure what he meant by that.

The only comment I want to make, other than reiterating my opposition to the legislation, is that I do express concern at, in essence, the delegation of what I see as the responsibility of this chamber to another place to fix up a bill. We are today receiving 10 pages of amendments from the House of Assembly to the legislation that passed our house.

I refer in particular to the amendment from the Hon. Mr Pangallo because that was an amendment that I certainly believed merited support, albeit in a different form. In the normal course of debates on these sorts of issues, when a deadline had not been imposed on the chamber, we would have reported progress. We would have considered, as occurred in the House of Assembly, an appropriate amendment.

I strongly supported the right of conscientious objection for Calvary but, having listened to the debate and the argument, I was not persuaded as to its extension to potentially other facilities. As I said, in the normal course of debates over my long time in this parliament, with those sorts of issues we would have reported progress, paused and reflected, and come back on the next Wednesday with a properly considered amendment that the majority of us might have been prepared to support, which is in fact what happened in the House of Assembly.

The Hon. Mr Maher has indicated two members down there with slightly conflicting views about the structure of an amendment, but nevertheless supporting an amendment in this particular area, came to a compromise position. I just think, as I leave this place, on these sorts of issues we should not, as a chamber, delegate to or defer to another chamber to fix up a piece of legislation. That too often used to be the way of the House of Assembly. They would pass a bill and leave it to the Legislative Council to repair or to fix it up or whatever it was.

I think it would be a sad precedent for this chamber to establish that we would say that there is something here, but because of an imposed deadline that this bill must pass this chamber in the committee stage this particular night—and there was a majority; I accepted the fact that there was a

majority there who were supporting that deadline—we therefore cannot reflect, ourselves, and make what I think is a sensible compromise in relation to the issue.

With that, I think the 10 pages of amendments that we have before us, for those of us who oppose the legislation, do marginally improve the legislation, so I will not be opposing the schedule of amendments from the House of Assembly. I thank the members of the House of Assembly for making those marginal improvements to the legislation, but I again repeat that I think that should have been a task in many respects for members in this particular chamber, particularly when an issue was raised.

There were some issues that arose down there that had not been raised in the Legislative Council, and that is fair enough, but there was this issue of conscientious objection, which a number of people were prepared to support varying versions of, and I think we did have the opportunity, but we delegated that responsibility to another chamber. I am pleased that they have come to that arrival, but if they had not we would have been in a position where I think an important improvement to the legislation or protection in the legislation would not have been able to have been passed.

With that, as I said, I will not be opposing the schedule of amendments from the House of Assembly. I am also not opposing the amendment from the Hon. Mr Wade in relation to the package of amendments from the House of Assembly.

The Hon. K.J. MAHER: I might start out by saying that I do not agree with the characterisation by the Treasurer, the Leader of the Government, in relation to the House of Assembly, I think as he sees it, fixing up what we inevitably would have done had we had more time. It is my view, and I think if members reflect on *Hansard* I do not think this chamber was going to pass anything that was an institutional conscientious objection provision. I think it is the case that the House of Assembly had a different view than the Legislative Council does. I just do not agree with the characterisation that it would have been inevitably passed in some form in this chamber. I do not think, from my reading of the contributions, that that was the will of the chamber.

I do want to place on the record that I have had via text-based message service a communication from our friend on her sickbed, the Hon. Connie Bonaros, who I think has indicated her wishes to the whips of the major parties, but I do not think that is going to be necessary in terms of a pair. She has messaged me and asked me to pass on that she supports the amendments suggested by the House of Assembly and the amendment suggested by the Hon. Stephen Wade. But as I said, I do not think there is any necessity to give effect to any sort of pairing arrangement, given the contributions that have been made by people.

I am extremely confident that this is the last this chamber will see of this bill. I do not think it is going to come back from the House of Assembly again for us to consider anything else. I am reliably informed that it is the House of Assembly's intention to deal with the message from this chamber tomorrow to finalise debate on this bill, and from discussions I have had I am extremely confident that they will do that.

My guess is they will take the suggestion the Hon. Stephen Wade has made and then run with it, in effect, and give effect to, should that be the will of the chamber, as it seems, the House of Assembly's changes. This is, I am quite certain, the last we will see of this bill. I know I have made a few comments, but I am just going to spend about two minutes to make a couple more. There are a couple of South Australians who have been at this for decades. I want to pay tribute to Frances Coombe and Anne Bunning—absolute bloody legends—for the amount of effort they have put in right across South Australia over so much time. We are just about there.

I want to thank, as I have before, even since it was last in this chamber, the many South Australians who have shared many intimate moments of their life with me after the bill passed this chamber and was due for debate in the lower house. I spent an evening in Mount Gambier with the members for Mount Gambier and MacKillop, Troy Bell and Nick McBride. At that event, a woman came up and shared her story and told me I was the second person she had told about her cancer diagnosis and just what this bill means to her. It really is remarkable that so many South Australians have taken time in the last stages of their life to do what they can to advocate for the passing of this bill.

There were a number of witnesses to the end-of-life choices joint house select committee that the Hon. Dennis Hood, the now departed from this chamber the Hon. Mark Parnell and I heard from that we individually and as a society do not deal with death particularly well. We do not talk about the issues that surround death at all well and we do not talk about how death works, the consequence of death and what is a good death. These are really important things to consider and I think, as legislators, we are forced to consider them when we consider these sorts of issues.

I did not deal with the death of my mother very well. I refused to talk about it for a year or two. This has been a ridiculously good piece of therapy for me, from a position where I could not talk about it to standing on the steps of parliament addressing 500 people about those very last moments. It has been a massive part of my personal and professional life for a couple of years and I am so pleased to have been a part of this.

The CHAIR: I inform the committee that I have a number of questions to put. The first question is that amendments Nos 1 and 2 made by the House of Assembly be agreed to.

Question agreed to.

The CHAIR: The second question is that the amendments moved by the Hon. S.G. Wade to amendment No. 3 made by the House of Assembly be agreed to.

Question agreed to.

The CHAIR: I put the question that amendment No. 3 made by the House of Assembly and as amended by the Hon. S.G. Wade be agreed to.

Question agreed to.

The CHAIR: Finally, I put the question that amendments Nos 4 and 5 made by the House of Assembly be agreed to.

Question agreed to.

At 17:54 the council adjourned until Thursday 24 June 2021 at 14:15.