

## HOUSE OF ASSEMBLY

Tuesday, 30 March 2021

The **SPEAKER (Hon. J.B. Teague)** took the chair at 11:00 and read prayers.

**The SPEAKER:** Honourable members, I respectfully acknowledge the traditional owners of this land upon which the parliament is assembled and the custodians of the sacred lands of our state.

*Condolence*

### MILISITS, MR VILMOS

**The Hon. S.S. MARSHALL (Dunstan—Premier) (11:02):** On indulgence, sir, I rise to pay my respects to a South Australian legend. South Australia has sadly lost one of its most iconic businessmen, Vili Milisits OAM. My heartfelt condolences go to his wife, Rosemary, and their children, Alison and Simon, and grandchildren, Luke and Josh.

Vili came to Australia from war-torn Hungary in 1956, taking his first job in a chip shop at the age of just 12. From humble beginnings, his family built a successful business that has gained national and global recognition, producing at its peak more than 40 million products per year and exporting to 24 countries. Almost every South Australian has visited the Vili's bakery in Mile End or enjoyed a Vili's pie, pastie or sausage roll.

Vili and Rosemary have employed hundreds of South Australians and generously given back to the community as proud supporters of charities, community sports and the arts. Fittingly, both have received the Order of Australia medal, which was presented to them back in 2005, for their very generous charity work.

Vili was a passionate businessman with a tremendous work ethic. Last year, with the coronavirus, he was confined to his home but continued to work from his kitchen table. He could inspire, invent and intrigue. Most notably, he delighted the tastebuds of so many South Australians. He will certainly be missed by many.

I have had the opportunity, since the sad passing of Vili Milisits, to speak to his widow on two separate occasions. She told me that Vili was Hungarian by birth but Australian by choice. She said he particularly loved South Australia and, although presented with many opportunities to move his business interstate, he chose to keep his business here in South Australia, the state that he loved.

He was an inspiration to all his workers and they were very proud that during the coronavirus they did not have to reduce the size of their workforce. They worked with their workforce to provide them with other opportunities within their business—for Vili and Rosemary, their company was also their family. Vili was a great inspiration to so many people in the multicultural sector in South Australia and I know that so many people from across the state also mourn this loss.

Today, I have been asked by the crossbenchers in this parliament to make sure that this condolence motion reflects their great sadness at this time. As I said, I have spoken to Rosemary Milisits OAM twice in recent days. Cabinet resolved yesterday to offer a state funeral or memorial service to the family. We do this in recognition of his outstanding contribution to South Australia since coming to Australia in 1956. I think I speak on behalf of all South Australians when I say this passing is a very sad passing for our entire state. Vale, Vili Milisits.

**Mr MALINAUSKAS (Croydon—Leader of the Opposition) (11:06):** I also rise on indulgence in support of the Premier's appropriate and well-said remarks regarding Vili. The Vili story of success from humble beginnings to an iconic South Australian business is truly impressive. As the Premier mentioned, Vili arrived in Adelaide in 1956, escaping the Hungarian Revolution, with all his belongings in one old suitcase tied together with a belt—a story that is familiar to many South Australian families.

Both Vili's parents had been chefs in Hungary, so creating food was something that was a logical step for Vili to take when he decided at the age of 14 to leave school and work at a local bakery to help support his family. With hard work, commitment and passion, Vili, together with his wife, Rosemary, established a business that was to eventually become a South Australian icon.

Deeply grateful for the opportunities given to them in Australia, they recognised the importance of giving back to the community that supported them on their journey. Vili and Rosemary have generously supported their local community for many years and have sponsored sporting clubs, programs such as Foodbank, the Hutt St Centre, Salvation Army and more than 50 charities. In 2008, Vili was awarded an OAM for his service to the food industry and to the community through his support for a range of charitable organisations.

I, too, would like to offer my sincere condolences to Vili's family, particularly his wife, Rosemary, his two children, Simon and Alison, and extend to his family and friends and to all the employees at Vili's our best wishes. Vili's life was certainly a colourful one, to say the least, a committed one and a complete one—he will be sadly missed. I would like to wholeheartedly endorse the Premier and his cabinet's decision to offer the family a state funeral.

I think every South Australian would have a story regarding Vili's. It is fair to say, I must confess, as a university student I spent a disproportionately large amount of time at Cafe de Vili's in Mile End. It is a good place to get a feed quite late at night if you have been in the UniBar and always a thoroughly enjoyable experience.

The story of Vili, with a Hungarian background, is one that is close to my heart. My grandmother came out from Hungary as a displaced person in 1949, and the story of people from overseas coming to this state with literally nothing at their disposal, coming to a state with an open and compassionate heart to their set of circumstances, and those individuals working incredibly hard to become such an amazing success story is something that does us all proud.

I think it is right for us as a state to look on the life of Vili as a source of inspiration for that amazing migrant story that is shared by so many South Australian families. He will certainly be missed. Vale, Vili.

**Honourable members:** Hear, hear!

*Parliamentary Committees*

#### **LEGISLATIVE REVIEW COMMITTEE**

**The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General, Minister for Planning and Local Government) (11:10):** I move:

That the committee have leave to sit during the sitting of the house today.

Motion carried.

#### **STANDING ORDERS COMMITTEE: 125TH ANNIVERSARY OF WOMEN'S SUFFRAGE**

**The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General, Minister for Planning and Local Government) (11:11):** I move:

That the first report of the committee for the Fifty Fourth Parliament, entitled 'Response to the interim report of the Joint Committee on the 125th Anniversary of Women's Suffrage', be noted.

I refer to the first report of the House of Assembly Standing Orders Committee, on the response to the interim report of the Joint Committee on the 125<sup>th</sup> Anniversary of Women's Suffrage, which was laid on the table on 18 March 2021. I thank the then Speaker, the Hon. Vincent Tarzia, for his consideration and I thank the member for Enfield, the member for Newland, the member for King and the member for Kaurana for their deliberations in consideration of these matters and in particular a recommendation of the Joint Committee on the 125<sup>th</sup> Anniversary of Women's Suffrage.

That report outlines the need to consider the capacity for infants to be able to be in the chamber and, secondly, that there be provision for maternity leave—that is, leave of absence—which would otherwise require a resolution of the house, for more than 12 days. With that, I indicate that I will present a contingent notice of motion to adopt forthwith the recommendations regarding leave of absence and no stranger admitted to the body of the house.

**Mr PICTON (Kaurana) (11:13):** I take pleasure in speaking in relation to this first report of this session of parliament from the Standing Orders Committee, specifically looking at how we can improve our standing orders in this place specifically around matters of caring for infants but also

when members become pregnant and need maternity leave. These are matters that were first raised by the parliament following the select committee that we had for the 125<sup>th</sup> anniversary of women's suffrage in South Australia.

As part of that committee report there was a recommendation that both houses of parliament examine their standing orders for how women's participation can be improved. This is, of course, a very topical issue at the moment; it is something we should be doing everything we possibly can on. This was recommended towards the end of 2019. I believe it was first put on the agenda of the Standing Orders Committee in October 2019, so it has taken 18 months for us to get to these very sensible but minimal changes to our standing orders being brought to the parliament today.

I support those changes, but I am concerned at the length of time it took us to bring them here today. There were a number of occasions, particularly after the report had been finalised, when meetings were cancelled at the last minute and we could not finalise this report and bring it to the parliament. It is good this has happened now and we can move forward on these changes.

This will allow infants to be brought into the chamber to be cared for, firstly, obviously, for breastfeeding, but also for other caring for infants that may need to occur. We have all seen scenes from our federal parliament and other state parliaments, from the New Zealand parliament, where members of parliament have cared for infants on the floor of parliament, breastfed infants. We all understand the difficulties involved in caring for infants and being a member in this place, so hopefully this will go one step towards making that easier and improving the ability of women to participate in the house as well as run for and get elected to parliament.

The second issue looks at the fact that, at the moment, if someone were to take maternity leave they would need a motion passed by the house to enable that to occur. I certainly took the position, which was supported by the committee, that it is unreasonable that a woman in that situation would have to submit herself for approval of the house to be able to take maternity leave in the same way that would be automatic if she were a public servant. I am glad the committee has endorsed this; hopefully, the house will endorse that change as well.

Obviously any other absences for extended periods would be approved by the house in the normal way, but an absence for maternity leave, consistent with the length of time available for a South Australian public servant, would be an automatic approval. However, I do not think it will be the end of the matter when these are approved today. There is a lot more that needs to be done, and this is really just a first step.

For some time, we on the Standing Orders Committee have been talking around the work-life balance of sitting times in this house, and the parliament previously had a committee chaired by the former member for Hartley the Hon. Grace Portolesi. Members may not remember now, but parliament used to start at 2 o'clock, like the Legislative Council starts at 2.15. Bringing that start earlier has certainly aided the family-friendly arrangements of the house, but there is more that can be done.

In particular, a point I have been raising, and one the member for Enfield has been raising as well, is that one of the key issues for anybody who has kids or who cares for a family member is the uncertainty around the sitting times. It becomes quite a difficult matter in terms of putting those care arrangements in place to enable you to continue your parliamentary duties. Getting a set of standing orders that would help make that planning as easy as possible would go a long way to improve that.

I think, though, that however good standing orders are there would need to be cooperation between the parties—and most significantly from the government, who has the most number of seats in the house even though it is in minority now—to enable that to work in a cooperative way; otherwise, there would be last-minute changes and movements to suspend standing orders to sit later. No matter what you put in standing orders, if you suspend those standing orders then people's plans can still be thrown up in the air.

It is also very important to remember that when we do have those unexpected late sittings, it is not just us as members of parliament who are affected. There are so many people who work here in the house who are affected by that as well: obviously our parliamentary staff, our Hansard staff, library staff, catering staff, security staff. The flow-on effects are significant.

Hopefully, we will continue the work on the Standing Orders Committee to put that in place, or at least make some improvements to make that easier. However, it will require proper cooperation, particularly from the government of the day, to make sure it actually works in practice so that it is easier for people caring for others to be able to better plan ahead regarding what their time commitments in this parliament are going to be. That is not to mention the fact that I do not think all South Australians think that we make our best decisions at 2 o'clock in the morning compared with a proper sitting structure.

Last but not least, the other piece of work that the Standing Orders Committee has been looking at has been around reform to electronic petitions. This matter was first put on the agenda by the member for Hartley, who was the previous Speaker. When he took the chair, he outlined this as one of his priorities. There is a system ready to go; there are plans ready to go. Essentially, the government is still in discussions about whether they want to proceed down this path, but this matter has been up for consideration and ready to go for the best part of two years now.

I endorse these changes. I think they will make a difference, but this is just one of a huge number of steps that need to take place to improve our standing orders and also how the parliament works. The member for Reynell has been pushing for some time for improved facilities in the parliament, particularly in relation to breastfeeding and women's toilets, which have not really picked up since the 1890s when this side of the house was built. Of course, they are outside the scope of the Standing Orders Committee, but hopefully through you, sir, and the learned people on the JPSC, all those matters will be under consideration and attended to.

**The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General, Minister for Planning and Local Government) (11:21):** I thank the member for Kaurana for his indication of support to this motion on behalf of the opposition.

Motion carried.

#### *Parliamentary Procedure*

### **STANDING ORDERS SUSPENSION**

**The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General, Minister for Planning and Local Government) (11:22):** I move:

That for the remainder of the session standing orders be and remain so far suspended to provide that—

Leave of absence

1. Leave of absence from the service of the house may be granted to any member on notice\* of motion stating the reason and period of absence. Except that a member who is pregnant shall be entitled, without a vote of the Assembly, to 20 weeks maternity leave of absence, and that leave shall commence at a time notified by the member to the Speaker. A member is excused from service in the house or on any committee for the period of the leave of absence. A member who has leave of absence forfeits that leave (except for a period of maternity leave) by attending the service of the house before the expiration of the leave.

\*See Constitution Act 1934, section 31(1)(a).

No stranger admitted to the body of the house

2. No member may bring any stranger into any part of the house appropriated to the members of the house while the house or committee of the whole house is sitting.

- (1) A stranger does not include an infant cared for (which includes feeding and breastfeeding) by a member.

Motion carried.

#### *Bills*

### **CORRECTIONAL SERVICES (ACCOUNTABILITY AND OTHER MEASURES) AMENDMENT BILL**

#### *Final Stages*

Consideration in committee of the Legislative Council's amendments.

(Continued from 2 February 2021.)

*Amendment No. 1:*

**The Hon. V.A. TARZIA:** I move:

That the Legislative Council's amendment No.1 be disagreed to.

I am grateful to the member for Elizabeth for working with me and the Department for Correctional Services and my office in reaching a final position on this amendment. In disagreeing with the amendment, we will reinstate the original government amendment, which provides that an Aboriginal prisoner is entitled to seek review of a transfer of 200 kilometres or further from the correctional institution that they are being transferred from. The 200-kilometre zone creates a radius between metropolitan correctional institutions and takes into account the need to transfer prisoners in order for them to complete rehabilitation programs, attend medical appointments or be transferred for their own safety as well.

Notwithstanding the 200-kilometre provision, it acknowledges that transferring an Aboriginal prisoner from one of the state's regional prisons to another correctional institution may result in an Aboriginal prisoner being transferred to an institution further away from his or her family. Accordingly, they are given the right to appeal such a decision, which is consistent with the recommendations of the Royal Commission into Aboriginal Deaths in Custody.

Motion carried.

*Amendment No. 2:*

**The Hon. V.A. TARZIA:** I move:

That the Legislative Council's amendment No. 2 be disagreed to.

In respect of amendment No. 2, we would like to disagree and also amend to clarify that the provision applies to prisoners under the care of DCS. I consulted the Hon. Ms Tammy Franks in the upper house, and I thank her for her cooperation. She moved the initial amendment in the Legislative Council and she is happy with that clarification.

Motion carried.

*Amendments Nos 3 to 8:*

**The Hon. V.A. TARZIA:** I move:

That the Legislative Council's amendments Nos 3 to 8 be agreed to.

I think we have agreement to move amendments Nos 3 to 8 en bloc. I thank the member for Elizabeth for his cooperation. The government has worked closely with the shadow minister and also members of the crossbench in the other place to finalise the provisions relating to the official visitor scheme. Amendments strengthen the functional independence of the scheme, so it will constitute a body suitable to be designated as the national preventative mechanism for SA prisons as required as part of our obligations under the United Nations Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT).

**The CHAIR:** The minister has moved amendments Nos. 3 through to 8 inclusive en bloc. Before I put that question, the member for Elizabeth wishes to speak.

**Mr ODENWALDER:** I do not want to delay this bill any further. I appreciate the opportunity to speak to all the amendments at this time, since these are being moved en bloc. I first of all want to thank the minister's office and the department—this is a fairly unusual process that we are going through at the moment—for their cooperation and the collaborative nature in which we worked. I also want to acknowledge the very good work of the Hon. Connie Ms Bonaros and the Hon. Tammy Franks in the other place in arriving at a position where we can all support the bill at this time.

This relates to amendment No. 1, so I apologise for the lack of process. What we have essentially done is take the bill, which is a very good bill, which establishes a visitor scheme amongst other things, and is the culmination of some work which was undertaken in the previous government and continued in this government. We have now seen two bills which are the culmination of that work.

The matters in question essentially fell into two camps, and they were the Labor amendments, which related to some provisions around Aboriginal prisoners and which tried to put into effect recommendations of the Royal Commission into Aboriginal Deaths in Custody. I am pleased that the government adopted the spirit of those and accepted some of those amendments. I note that we have arrived at a position now where I will not be opposing the government's amendment to one of my amendments, and I will explain briefly why.

The initial amendment I brought to this place when it was in the House of Assembly under the previous minister established a review mechanism by which Aboriginal prisoners could get their movements reviewed if they were moved from one correctional facility to another. We know that Aboriginal prisoners—all prisoners, but Aboriginal prisoners in particular—respond well to rehabilitation. It reduces reoffending if one of the conditions is that they are accommodated close to their familial ties, close to their networks.

The government's position was that this should be limited only to movements of 200 kilometres or more for regional prisoners. Initially, as history will record, we opposed that amendment both here and in the other place, but now I indicate that I will not be opposing the government's insistence on their amendment. I do this on the basis of two assurances which came out of various conversations but particularly a conversation with the department.

Those two assurances were that under the case management system, which we have improved through the last two parliaments, there is already a review mechanism in place for administrative decisions of Corrections. That has the effect of Aboriginal prisoners being able to review their movements from one facility to another. The minister can correct me if I am wrong, but the other assurance is that moving prisoners from one facility to another in close proximity to each other may indeed have the perverse effect of denying that Aboriginal prisoner access to rehabilitation and allowing other people to move into the place of that Aboriginal prisoner who may need and benefit from certain educational processes or certain rehabilitation.

As I indicated, we will not be opposing the government's insistence on that amendment. I do leave open the possibility that we will be examining that, and we will be talking to people like the Aboriginal Legal Rights Movement over the coming months, as this bill takes effect, to see whether the intention of the bill as it will end up is fulfilling the needs of Aboriginal people. It remains to be seen whether it will reduce reoffending in the long run, but I sincerely hope it will.

That was essentially the Labor amendments. The other lot of amendments which came into the Legislative Council were essentially about the visitor scheme. The visitor scheme is a good scheme, obviously. It is a combination of work, as I said, from the previous government carried over into this government. What the Hon. Connie Bonaros and others intended to do was to clarify the language—and I am simplifying—around what it means to have free and unfettered access to a prison.

The intention of the bill, as the minister said, under our UN obligations, under OPCAT, were to allow an independent body of visitors to visit prisons to assess safety, to assess the rehabilitation services that are available to these prisoners and to make recommendations, and I think we landed on 'investigate' certain problems that exist in the prison system.

So the argument was around the technical wording of 'free and unfettered access'. I was convinced—and I understand that the Hon. Connie Bonaros and the Hon. Tammy Franks were convinced—that we could clarify that with certain caveats around security measures, privacy and those types of things that, in fact, would assist in the functioning of the visitor scheme under OPCAT.

That is the position we arrived at and that is why I will not be opposing the government's insistence on their amendments. It is not quite the same as supporting them and I do say that I leave open the option to examine them as things go forward. It may not be a final position but, I think that where we end up with the bill at the end of this debate will be a lot better than the corrections act we started with. I will not be opposing this motion.

Motion carried.

*Amendment No. 9:*

**The Hon. V.A. TARZIA:** I move:

That the House of Assembly disagrees with the amendment made by the Legislative Council and makes the following amendment in lieu thereof:

Page 9, after line 37 [clause 9, inserted section 20D]—After subsection (1) insert:

- (1a) An official visitor has power to do all things necessary or convenient to be done for or in connection with the performance of the official visitor's functions and may have free and unfettered access to a correctional institution in respect of which the visitor is appointed.

I note the amendments the government is moving today in relation to the scheme are very minor in nature and seek not only to clarify but also to strengthen amendments which were made by the other place. I have met with the Hon. Ms Connie Bonaros MLC in relation to the bill and in particular this amendment. I am pleased to note that she seemed to be happy with the government amendment which ensures that an official visitor has both free and unfettered access to a correctional institution.

Motion carried.

*Amendment No. 10:*

**The Hon. V.A. TARZIA:** I move:

That the Legislative Council's amendment No. 10 be agreed to.

Motion carried.

*Amendment No. 11:*

**The Hon. V.A. TARZIA:** I move:

That the House of Assembly disagrees with the amendment made by the Legislative Council and makes the following amendment in lieu thereof:

Page 10, lines 17 to 20 [clause 9, inserted section 20E(1)]—Delete subsection (1) and substitute:

- (1) A government or non-government organisation that is involved in the provision of services under this or any other Act must, at an official visitor's request, provide the official visitor with free and unfettered access to information relevant to the exercise of the official visitor's functions.

I know that we have worked with the Hon. Ms Bonaros to refine her original amendment. The Hon. Ms Bonaros has confirmed that she supports the government amendment which clarifies that a government or non-government organisation which is involved in the provision of correctional services must, at the official visitor's request, provide the official visitor with free and unfettered access to information relevant to the exercise of their functions.

Motion carried.

*Amendments Nos 12 to 14:*

**The Hon. V.A. TARZIA:** I move:

That the Legislative Council's amendments Nos 12 to 14 be agreed to.

*Amendment No. 15:*

**The Hon. V.A. TARZIA:** I move:

That the House of Assembly disagrees with the amendment made by the Legislative Council and makes the following amendment in lieu thereof:

Page 11, after line 26 [clause 9, after inserted section 20H]—insert:

20I—Offences

- (1) A person must not, without reasonable excuse, hinder, resist or threaten an official visitor in the exercise of powers or functions under this Division.  
Maximum penalty: \$10,000.
- (2) A person must not make a statement that the person knows to be false or misleading in a material particular to an official visitor in the provision of information under this Division.  
Maximum penalty: \$10,000.
- (3) A person must not deliberately mislead or attempt to mislead an official visitor in relation to the exercise of powers or functions under this Division by the official visitor.

Maximum penalty: \$10,000.

- (4) A person must not—
- (a) prejudice, or threaten to prejudice, the safety or career of; or
  - (b) intimidate or harass, or threaten to intimidate or harass; or
  - (c) do any act that is, or is likely to be, to the detriment of, either of the following:
  - (d) another person because the other person has provided, is providing or will or may in the future provide information to an official visitor in the exercise of powers or functions under this Division;
  - (e) an official visitor in relation to the exercise of powers or functions under this Division by the official visitor.

Maximum penalty: \$10,000.

Honourable members may note that amendment No. 15 was missing a penalty for the offences set out in subsection (4), so the government amendment addresses this omission. It is supported by the Hon. Ms Bonaros in the other place who filed the initial amendment, and I thank her for that.

Motion carried.

*Amendment No. 16:*

**The Hon. V.A. TARZIA:** I move:

That the House of Assembly agrees with amendment No. 16 made by the Legislative Council and makes the following consequential amendment:

Clause 9, page 7, after line 33—Insert:

19B—Review

- (1) The Minister must, within 5 years after the commencement of this section, cause a review of the operation of this Division to be undertaken.
- (2) A report on the review must be provided to the Minister who must cause a copy of the report to be laid before each House of Parliament within 3 months after receipt of the report.

Clause 9, page 10, after line 15 [clause 9, inserted section 20D]—Insert:

- (4) In exercising functions and powers under this Division, an official visitor must, so far as is reasonably practicable, ensure that those functions and powers are exercised in a manner that is not likely to—
  - (a) adversely affect the good order and security of a correctional institution or the safety of any person at, or whose work is connected with, a correctional institution; or
  - (b) adversely affect the protection from disclosure of criminal intelligence or the protection of the health, safety and welfare of a victim of an offence committed by a prisoner.

Clause 9, page 11, after line 6 [clause 9, inserted section 20E]—Insert:

- (6a) In addition, information or a document is not required to be provided or produced under this section if to do so would involve the disclosure (directly or indirectly) of—
  - (a) criminal intelligence; or
  - (b) information in relation to or connected with a victim of an offence committed by a prisoner.

I note that these amendments have the support of the crossbench in the other place; I thank them for their collaboration. The amendments are in line with the approach taken by other jurisdictions in ensuring that an official visitor does not adversely affect the safety and security of a correction facility in exercising their powers and functions.

Motion carried.

**The Hon. V.A. TARZIA:** Before I close, I acknowledge the importance of this legislation for the correctional services system in South Australia. Once again we see that recidivism rates in South



Australia remain the lowest in the nation at 42.3 per cent. Our government certainly believes that rehabilitation and reducing recidivism will ultimately make our community safer, and that is why we continue to make the biggest investment in metropolitan prisons in over a decade and why we are developing a business case for South Australia's first rehabilitation prison.

The bill contains several important reforms that not only improve prisoner management and further protect victims but also promote rehabilitation to ensure we remain the national leader in lowering recidivism. The bill also brings the Correctional Services Act in line with current technological advances and strengthens the ability for the department to stamp out drugs and criminal behaviour in our prisons.

I sincerely thank members in this place and in the other place. I understand it has been a robust discussion, but overall very productive. I thank them for their assistance in finalising what are very important reforms and I commend it to the house.

### **STATUTES AMENDMENT (RECOMMENDATIONS OF INDEPENDENT INQUIRY INTO CHILD PROTECTION) BILL**

#### *Second Reading*

Adjourned debate on second reading.

(Continued from 16 March 2021.)

**Ms HILDYARD (Reynell) (11:44):** I rise on behalf of the opposition as the lead speaker to support these amendments to the Children and Young People (Safety) Act and to the Bail Act 1985. Retired Judge Paul Rice recommended that the maximum penalty for a breach of written directions be increased from one year to three years and to four years for a second or subsequent offence. He also recommended that presumption against bail in certain cases be extended to an applicant taken into custody in relation to an offence against section 86(4) of the Children and Young People (Safety) Act 2017.

Labor had itself drafted two similar if not identical amendments based on the recommendations of former Judge Rice in his scathing review of the failures of this government and its minister in these tragic cases. Given the government's amendments cover off on Labor's own amendments that we were considering, we are very happy to support the government's position on these amendments.

What happened to the two 13-year-old girls in care who were abused by paedophiles, which led to the Rice review, is utterly shocking. Our South Australian community must be assured that everything possible is being done to ensure that this can never happen again. What happened to those girls is deeply, utterly unacceptable. It is heartbreaking. Retired Judge Paul Rice found the minister failed to inform the department that she wanted to know about the serious sexual abuse of children under guardianship.

Instead of taking responsibility for this terrible lack of inquisitiveness, the minister has had further responsibilities taken from her. In 2019, significant functions focused on early intervention and prevention were stripped from the responsibility of the Minister for Child Protection and allocated to the Minister for Human Services. Now, in the wake of this damning review, the minister has had the responsibility for critical incident reporting taken from her and given to the Department of the Premier and Cabinet.

We support the passage of these amendments. However, we will also continue to call for change that addresses the systemic issues our state faces that inhibit the wellbeing of children in care. As the Guardian for Children and Young People has done, we will continue to call for a community visitor scheme to be funded and operated by the Guardian for Children and Young People. We will continue to question why 14½ thousand calls last year to the Child Abuse Report Line simply went unanswered.

We will continue to ask questions about the heartbreaking number of children who went into care last year—500 more children went into care last year—and we will continue to ask the serious questions that must be asked about the staffing crisis in the Department for Child Protection, a staffing crisis that has been well documented and well articulated, a staffing crisis that sits alongside the government's own budget papers, which detail a \$10 million underspend in staffing and training.

Again, we will support the passage of these amendments, but we remain highly concerned about the systemic issues in child protection and the impact they are having on the most vulnerable South Australian children and young people. We will continue to raise questions and call for the urgent changes that must occur.

**Ms LUETHEN (King) (11:48):** I thank the Attorney-General for these amendments, and I thank the Minister for Child Protection for her leadership in keeping children in this state safe. Our government is committed to protecting our most vulnerable community members, and we believe community safety is paramount. We believe in ending violence against women and children and, as a government, we work every day to introduce the changes that we think will achieve this. We will achieve this through collaborating with police, emergency services, our government agencies and, importantly, our community to deliver the best possible safety outcomes across the state.

We believe there is an important role for government in providing protection and support for those young people in our community who may be unable to care for themselves and who are at risk from predators in our community. This focus by our government is unrelenting. Every child deserves every chance of growing up safely so they have the best chance of reaching their full potential no matter what their start is or what their circumstances are. Children's safety and best interests needs to be at the heart of our child protection laws and policies in this state and this is firmly where we are putting our focus.

This is our government's commitment to the people of South Australia: we will put children's safety first. Our children are our future and their protection by this government is our priority. That is why we have appointed a dedicated, hardworking child protection minister and that is why we are amending these laws today. This commitment in focus is one that I know I have the firm support of my community of King.

On 16 February 2021, the report of the independent inquiry into child protection matters undertaken by Paul Rice QC (the Rice review) was tabled in parliament and made several recommendations for reform to departmental policy and practice—two recommendations require legislative amendment. We are acting swiftly to address the issues in Mr Rice's report. The Marshall Liberal government committed to introducing a bill to give effect to the same within 30 days.

As background, on 16 February 2021 the Attorney-General tabled a report of the independent inquiry into child protection undertaken by Paul Rice QC. The government has accepted the six recommendations and taken additional steps to address the issues highlighted in the report. The Statutes Amendment (Recommendations of Independent Inquiry into Child Protection) Bill 2021 implements the two recommendations in the report that require legislative amendment, being recommendations Nos 5 and 6. The bill:

1. Increases the penalty for failing to comply with directions made by the Chief Executive of the Department for Child Protection under section 86 of the Children and Young People (Safety) Act 2017 to three years for a first offence and four years for any subsequent offences; and
2. Designates a person arrested for breach of written directions made under section 86 of the Children and Young People (Safety) Act 2017 as a prescribed applicant for the purposes of section 10A of the Bail Act 1985 so that the presumption in favour of bail does not apply.

That means that if an alleged predator takes advantage of one of our vulnerable children in state care they will not get bail.

Mr Rice QC examined the circumstances around sexual offending in relation to two young people who were under the guardianship of the Chief Executive of the Department for Child Protection. One of the matters considered by Mr Rice QC involved a 20-year-old man who engaged in unlawful sexual offending with a young person who was 13 to 14 years old at the time of the offending. On 1 November 2019, the chief executive issued written directions to the offender under section 86 of the Children and Young People (Safety) Act 2017.

The offender breached those directions and was arrested for doing so. The offender was subsequently released on bail. On 2 January 2020, the offender was again served with written

directions. He breached the written directions and was arrested in March 2020. We cannot have that happening; we cannot have these children at risk of further abuse.

In response to the pattern of breaching written directions, being arrested, being granted bail and then breaching further written directions, Mr Rice QC has recommended that the penalties for a breach of written directions should be increased, and we agree. The current maximum penalty is imprisonment for 12 months. Mr Rice QC said:

Bearing in mind...that the Department was endeavouring to prevent the continued sexual abuse of a child under guardianship (which carries a maximum of life imprisonment), a threat of a maximum sentence of 12 months' imprisonment is substantially inadequate.

Mr Rice QC said a maximum penalty of three years' imprisonment for breach of a written direction would appear more reasonable when taking into consideration the nature of the offending, general deterrence and the safety of the child involved. He recommended this approach in recommendation 5 of his report. The recommendation is given effect by clause 5 of the bill.

In short, this bill (a) increases the penalty for failing to comply with directions made by the chief executive of the child protection department pursuant to section 86 of the Children and Young People (Safety) Act, to three years for a first offence and four years for any subsequent offence, and (b) ensures the presumption of bail does not apply to persons arrested for a breach of directions made under section 86.

Currently, under section 86 the chief executive has the power to issue directions to a person in our community, directing them not to harbour, conceal or communicate with a child who is under the custody or guardianship of the chief executive. The current maximum penalty for a breach is 12 months, which, as Judge Rice said, is substantially inadequate.

The reversal of the presumption of bail for those arrested for a breach will therefore likely result in an increase in the number of people refused bail, and this is what should happen. Separate amendments to section 86 of the Children and Young People (Safety) Act that are in the Children and Young People (Safety) (Miscellaneous) Amendment Bill 2020 will broaden the circumstances to which the directions can apply and make it easier for breaches to be prosecuted. These are considered complementary to the amendments contained in this bill but do not specifically relate to the Rice review recommendations.

I welcome the expression of support made by the opposition today. Protecting children, our most vulnerable children, requires a bipartisan approach. I urge the opposition to support the government on future important policy development to protect the most vulnerable members of our state. We wish to work together with the opposition to protect our children in the state. As most people know, that is the whole reason that I have become involved in politics. I commend this bill to other members.

#### *Parliamentary Procedure*

#### **VISITORS**

**The SPEAKER:** I draw honourable members' attention to the presence in the Speaker's gallery of the former Leader of the Opposition and my predecessor as member for Heysen, Isobel Redmond. Welcome back to this place, Isobel.

#### *Bills*

#### **STATUTES AMENDMENT (RECOMMENDATIONS OF INDEPENDENT INQUIRY INTO CHILD PROTECTION) BILL**

#### *Second Reading*

Debate resumed.

**The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General, Minister for Planning and Local Government) (11:58):** I, too, acknowledge the former member for Heysen. She will be delighted to know that this morning we have passed your recommended sessional orders on maternity leave in the parliament and the right to be able to feed and breastfeed in this place—men or women who want to feed babies—so is that not terrific?

I thank members for their contribution. I acknowledge the opposition's indication of support for this bill. I place on the record that we did commit to provide legislation within 30 days. We gave notice within 29 days and presented the bill to the parliament. The rapidity with which legislation can be developed has been put to considerable test during the COVID period, and we have had to try to really abridge the opportunities, which might have been a more leisurely process of consultation and so on.

But, if we have to, it is possible to do things quickly, and when we receive a report like that of Mr Paul Rice it was important for the government to act; we did. It was important for the parliament to have the opportunity to act by quick provision and presentation of a bill, and I am pleased to say that within the same month we are now progressing this matter to its conclusion.

I do thank all concerned in our being able to achieve that as a parliament, to do two things: to increase a penalty in respect of the breach of any directions issued by the Chief Executive of the Department for Child Protection and, of course, to reverse the presumption in respect of bail by declaring such persons as a prescribed applicant and therefore not being available in terms of the presumption for bail.

I might also say that I am proud to sit in this chamber and in a cabinet room with the member for Adelaide, the Minister for Child Protection. We are committed as a government to recognising the significance of this issue and the failure, year after year, of the previous government. I can still recall the ringing words of the then member for Cheltenham, who went on to be Premier, when he was the minister in respect of the protection of children—I am sure the former member for Heysen would remember this too—when he said to this parliament that the operations of the Department of Community Welfare, as it was at that stage, had a culture of cover-up.

He was the minister in 2003, and in all the time and with all the opportunity the previous government had to fix this up, what did they do? They just kept putting in more and more ministers who were more and more exposed as being incompetent and ineffective in protecting the children of this state.

So I am very proud to sit in the cabinet room with the member for Adelaide, who is our Minister for Child Protection. We committed to having a dedicated minister, we have done that and we have maintained the significance of that. If ever I hear drop from the lips of a member in this house the words 'staffing crisis' in relation to the department we are talking about, all I think about is a very clear, ringing reminder of the previous government's employment of and continued provision of service via Shannon McCool for years in that department and in agencies that provided services to children.

I shudder at the era in which pervaded an unacceptable and unsafe environment for the very children in this state who need our protection under the previous government. I do not in any way walk away from the responsibility that we have picked up, and we are continuing to be committed to doing that. In this regard, when it comes to a department failing to advise up to their chief executive, as happened in the McIntyre and McIntosh cases, which were the forerunners to this inquiry, then we need to have that identified and acted on.

I am very pleased to advise the house that with the Premier's assistance—not as some kind of demotion but with the Premier's assistance—at the Department for Correctional Services with a member of the Crown Solicitor's Office, which of course is in my department, bearing in mind this report was to me as Attorney-General, they are working diligently to deal with recommendations 1 and 2 of the Rice review to ensure that we get this right and that we understand exactly what procedure in simple language is going to be able to be affected to ensure that we have that compliance.

The era of anyone failing to protect children in this state, whether they work in a department or whether they work in this parliament, is over. I commend the bill to the house.

Bill read a second time.

*Third Reading*

**The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General, Minister for Planning and Local Government) (12:04):** I move:

That this bill be now read a third time.

Bill read a third time and passed.

### **CHILDREN AND YOUNG PEOPLE (SAFETY) (MISCELLANEOUS) AMENDMENT BILL**

#### *Second Reading*

Adjourned debate on second reading.

(Continued from 12 November 2020.)

**Mr PEDERICK (Hammond) (12:05):** I rise today to speak on the Children and Young People (Safety) (Miscellaneous) Amendment Bill. This bill ensures that the legislative framework for children in care in South Australia is efficient, responsive and inclusive. It prioritises amendments that seek to strengthen the effective and efficient operation of the Children and Young People (Safety) Act 2017, the principal act.

The background of this is that in October 2019 the Minister for Child Protection sought feedback from key government and non-government stakeholders on the efficiency and effectiveness of the act following its first year of operation. Following this feedback, late last year, in 2020, a draft bill was prepared. This bill incorporates minor technical changes and corrections, as well as reflecting stakeholder comments on particular aspects of the current act. The bill is based on, and generally reflects, stakeholder feedback and is limited to changes that strengthen the current act, noting that there is a requirement under the act for a full review in 2022.

The first key amendment involves the insertion of a new section 8(4) to incorporate a best interests principle. The previous reference to 'best interests' was removed from the previous child protection legislation as part of system reform intended to support an unequivocal focus on safety as the paramount consideration for the department and courts in child protection decision-making. Including best interests as a consideration in decision-making, while fully maintaining safety as the paramount or equal consideration, was supported in the most recent consultation on the bill.

The Minister for Child Protection has been a strong advocate of including best interests as a consideration in decision-making, while maintaining safety as the paramount concern. Best interests is now being reinstated as a consideration, whilst ensuring the safety of the child remains paramount.

The second amendment relates to the reintroduction of short-term investigation and assessment orders. Following further consultation and feedback with the Attorney-General, this bill will reintroduce the role requiring hearings for court orders to be commenced within 10 weeks of the application. This will provide the court with the ability to make short-term custody orders of up to eight weeks to allow an investigation of the circumstances of the child or young person to be carried out, with the ability to seek a further four-week extension.

The third amendment includes articulation of the Aboriginal and Torres Strait Islander (ATSI) Child Placement Principle. Without displacing safety, the bill allows the Aboriginal and Torres Strait Islander Child Placement Principle to be the paramount consideration in the administration, operation and enforcement of the act as it relates to Aboriginal children.

The objects of this part include maintaining the connection of Aboriginal children and young people with their family and culture, enabling Aboriginal people to participate in the care and protection of their children and young people, and to act in partnership with state authorities when making decisions about the placement of Aboriginal children and young people under the act.

The bill also more fully articulates each of the principles of the five elements of prevention, partnership, placement, participation and connection. These changes were strongly supported by both Aboriginal and non-Aboriginal respondents to the consultation.

Amendment 4, insertion of new chapter 7A, includes provision for the adoption of children and young people from care. This seeks to embed into legislation the policy to provide a streamlined pathway for the adoption of children and young people from care. The policy has been the subject of consultation with key stakeholders, and the proposed provisions are included in this bill to enable the timely implementation of the policy and to distinguish the unique position of children in care. The provisions in new chapter 7A do not apply to Aboriginal and Torres Strait Islander children.

In relation to this amendment, I have seen the frustrations of many people over time who have not been able to seek adoption or take up adoption of a child. I really hope that this part of the bill (when it becomes an act) will provide a timely process so that we can get far better outcomes for families. From my experience as a local member, there are many people who would like to see a more streamlined pathway to adoption. It is not a simple path, nor should it be taken lightly, but there will be far better outcomes in the future when this part of the bill comes into play.

Minor amendments in the bill provide greater clarity in the administration of the act and remedy minor technical errors. One important example is the reverse onus found in section 59 of the principal act. Amendments to this provision will limit the orders under which the onus of proof is reversed. Currently, where the court has placed a child or young person in the custody or guardianship of the chief executive or another person for any period of time and a subsequent application is made, the onus is on the person objecting (usually the parent) to prove that the order should not be made—so, in that regard, reverse onus.

I would like to say I think the minister has done excellent work in consultation in regard to the Children and Young People (Safety) (Miscellaneous) Amendment Bill. The children and young people of this state certainly deserve our priority. As time goes on, life becomes more complex for everyone and the things that we can put in place—the legislation we can put in place—and the guiding principles around that to get the right outcomes are what we all seek to do in this place, no matter where we sit.

As I said, there are many complex things that happen in families. I am sure everyone sees them in their electorate offices, in submissions to electorate offices and in meeting with people, and it is the right thing to do to try and get the best outcome for everyone who presents.

Several years ago, and in light of the tragic death of a foster child, I introduced the Statutes Amendment (Rights of Foster Parents and Guardians) Bill from opposition and was proud, after much negotiation with the government of the day, that we finally got that bill up as an act. I commend the former member for Enfield and the support I got from his office in negotiating my way through to get an outcome that was happy for everyone. We went through about nine drafts changes, but sometimes that is the way you have to go to get outcomes in this place. We got there in the end.

It was a sad story about a kinship child who died whilst in the care of kinship parents. When it came to working through the details of the child's burial arrangements and funeral service, and also the opportunity to get listed on the death certificate of young Finn, there was no legal allowance for that to happen. It caused a lot of distress to the Perrett family, Nathan and Monica Perrett at Murray Bridge. As I said, it took a long time—far longer than I thought it would—to get a negotiated outcome.

I appreciate the work I did in opposition with ministers and staff of the government of the day to get the outcomes so that now—and let's hope it never happens, and let's hope it never has to be used—if there is the unfortunate occurrence of a foster child passing away whilst in the care of foster parents, there is the opportunity to get the foster parents' name as an addition to the birth parents' on the death certificate of that child, and there is also the opportunity to negotiate the funeral arrangements of that child. As I said, I hope it never has to be enacted, but it certainly caused a lot of frustration to the Perrett family and a lot of distress at the untimely death of young Finn. I was very proud to get that outcome.

Certainly, there was a staffer in the former Attorney-General's office and the member for Enfield who worked with me very collaboratively on that to get the right outcome. Sometimes people think you cannot get outcomes; it took a lot of time, but we got there in the end. As I said, I hope it never has to be enacted because it is only if a tragedy happens that that act would come into play.

The principal thing here obviously with this legislation is looking at making it better for the children in care in the state. If we can do whatever we can, if the opportunity is right and the situation is right to get the right streamlined practices in regard to adoption in the state, I think we will have a far better outcome for everyone involved, whether it is for the children or for the people who are more than willing to put their hand up to adopt children as it happens sometimes with the necessity of children in care.

With those few words, I commend the bill and I hope it has a speedy passage through the house. I hope it goes through the process in both houses of parliament and gets assented to very quickly.

**Ms HILDYARD (Reynell) (12:19):** In rising to speak on this bill, I indicate that I am the lead speaker for the opposition. One of the greatest and most important responsibilities of government, and indeed of every person in our community, is to ensure that every child, no matter their background or circumstance, is safe and supported to physically, mentally and emotionally thrive. Within that responsibility it is absolutely crucial that government protects vulnerable children within our community, particularly those who for one reason or another are unable to live with their families and who rely on the state for their care.

This means that, in addition to having the best possible resources in place to strengthen families and to prevent abuse, in addition to relentlessly focusing on fixing the systemic issues in the child protection system, we must have a strong and robust legislative framework to support these children and to guide the many hardworking staff who care for them. I am sure that everyone in this place would echo my statements when I say that we must strive to have the very best policy settings when it comes to child protection and wellbeing.

Though we may differ on the ways that we achieve this, I am sure that everyone in this place, as should of course be the case, has the wellbeing of vulnerable children foremost in their hearts and minds. It is that focus on the wellbeing of the most vulnerable young South Australians that has led me, with the excellent assistance of parliamentary counsel, to propose a number of amendments to the Children and Young People (Safety) (Miscellaneous) Amendment Bill 2020. They are amendments that I believe will strengthen this act and lead to better outcomes for those young people, those young South Australians who most need our support and our attention.

These amendments are rightly focused on several areas: strengthening and better bringing to life provisions that focus on the best interests of children; dealing with the mess that government has made through its proposed changes to adoption laws; strengthening and furthering the role Aboriginal and Torres Strait Islander children, families and communities play in determining what is best for Aboriginal and Torres Strait Islander children and young people; reviewing the act to ensure that the act works in the best possible way to respond to the needs of Aboriginal and Torres Strait Islander children and young people and children and young people from diverse cultural backgrounds; ensuring that carers are heard, with their peak bodies connecting kinship and foster carers; and ensuring that there is an appropriate process in place in the Care Concern Investigation Unit, amongst a number of other matters.

In recent months, I have met with a number of community groups, organisations and individuals who have raised significant concerns about the government's proposed changes to the act as well as having concerns about the proposed changes themselves. Many who I have spoken with have felt deeply disappointed by the fact that they were not properly consulted on the changes and raised concerns about the application of the changes.

In some cases, alarmingly, individuals and organisations felt that they had not been consulted or spoken with at all. These are individuals and organisations that work deeply and effectively to ensure that children and young people facing difficult circumstances can live their best possible life, safe, well and thriving. I take this opportunity to thank all of them for their extraordinary work and for taking the time to share their views in relation to this bill.

Among their concerns are those that relate to the proposed changes to adoption laws specific to children in state care. These changes seem to remove key protections for children and adults subject to adoption in South Australia and seem to alter the role courts play in the adoption process and the crucial ability for children to be heard. Unlike similar New South Wales legislation, this bill seems to establish a two-tiered adoption system that has the potential to erode the rights of children in state care when it comes to adoption.

Stakeholders have raised concerns that this could create a parallel adoption regime that undermines the provisions of the Adoption Act. The South Australian Adoption Act is designed to ensure that a child's voice is heard and listened to in every stage of the adoption process. Under the proposed changes a child's right to agree to or to have a say about their adoption seems to be eroded, and ultimate decision-making powers seem to be conferred elsewhere. I look forward to exploring that particular issue in the committee stage of the bill.

Many people have expressed to me that, in relation to adoption, this bill could have a range of consequences, including preventing and/or limiting the court's capacity to make an alternative order to adoption even when other orders could be in the best interests of the child. Opponents argue that this prevents a child, their parents and the siblings' views from possibly being considered. As I said, I do look forward to more deeply exploring that issue in the committee stage.

In the past 18 months, around 500 additional children have, heartbreakingly, gone into state care. Many of these children—far too many, in fact—are from Aboriginal families. I have met with Aboriginal groups and individuals and other interested parties, who have raised concerns about the number of Aboriginal children being removed from parents, including newborn babies.

There seems to be a widespread belief that not enough is being done to consult Aboriginal and Torres Strait Islander families about their children and that legislative reform is required to ensure that these families can lead discussions about what is best for their children in relation to all the issues and circumstances they confront. This is a sensitive issue, and there are legitimate questions that must be answered about the current and proposed legislation in terms of how and when Aboriginal and Torres Strait Islander families and communities are consulted and engaged in decision-making processes.

I have proposed a number of amendments to the Children and Young People (Safety) (Miscellaneous) Amendment Bill 2020 that seek to put Aboriginal and Torres Strait Islander families at the centre of decision-making processes. These amendments include making sure that there is a focus on ensuring that the best interest principles are better applied throughout the act and also that both the best interests of children and young people and the protection of children and young people from harm are of the highest importance in the administration, operation and enforcement of the act.

Another proposed amendment seeks to strengthen the Aboriginal and Torres Strait Islander Child Placement Principle. Whilst the inclusion of the Aboriginal and Torres Strait Islander Child Placement Principle is welcomed, an articulation of the principle on its own is insufficient to ensure that children and young people are both physically safe and culturally safe and cared for through being placed where they are connected to their culture and to their kin.

As mentioned, I firmly believe that the principle can be better brought to life through the increased participation of Aboriginal and Torres Strait Islander families in all aspects of child protection decision-making. The proposed amendments, which I look forward to exploring in the committee stage, are about moving away from simply enabling Aboriginal and Torres Strait Islander people to participate in decisions about the care and protection of their young people to enabling Aboriginal and Torres Strait Islander children, their families and communities to lead decision-making.

They are also about enabling Aboriginal and Torres Strait Islander children and young people, their families and communities to take the lead in partnership decision-making with state authorities about Aboriginal and Torres Strait Islander children and young people, rather than simply encouraging Aboriginal and Torres Strait Islander people, their children and young people and state authorities to act in partnership when making decisions about the placement of Aboriginal and Torres Strait Islander children and young people.

They focus on making sure that there is involvement of Aboriginal and Torres Strait Islander people and communities in all decisions relating to children, not just those decisions relating to placement. This includes expanding the definition of who is involved in decision-making about a child or young person, strengthening rights around participation in that decision-making and ensuring that there is an independent process led and facilitated by the Aboriginal and Torres Strait Islander community.

They include strengthening the requirement for facilitating contact between an Aboriginal or Torres Strait Islander child or young person and their family, community, language group, culture and sense of identity when they are not placed with family or community or a person of Aboriginal or Torres Strait Islander background.

They include requiring the chief executive to ensure that an Aboriginal Cultural Identity Support Tool and Aboriginal life story work is prepared and maintained in accordance with the



regulations in respect of each Aboriginal or Torres Strait Islander child or young person placed under the chief executive's guardianship for six or more months.

I have also had representations made to me by members of various multicultural communities who have also raised concerns about the lack of consultation with families and communities around the removal of children from diverse multicultural backgrounds. I have therefore proposed an amendment that requires the minister and department to consult with communities prior to the next review of the act with a view to inserting agreed principles around these issues at that time.

In order to deal with issues often raised with me about the process around the Care Concern Investigation Unit and how foster carers are communicated with in relation to it, I have also proposed an amendment requiring the minister and department to develop, in consultation with carers and their representative body, a procedure for department staff to follow in relation to the care concerns process.

As I stated in my introduction, I know that all members in this place come to this debate with the best intentions for vulnerable South Australian children in state care. I believe the amendments that I have proposed and outlined will serve to strengthen protections for children in care, including those who may be adopted, Aboriginal and Torres Strait Islander children and children and young people from diverse multicultural communities. I look forward to exploring these amendments in the committee stage of this debate. I urge the government and all parliamentarians to carefully consider and support the proposed amendments.

Bill read a second time.

*Committee Stage*

In committee.

Clause 1.

**Ms HILDYARD:** Can the minister please explain exactly who was consulted in relation to this bill and the process and time frames that were undertaken in relation to that consultation?

**The Hon. R. SANDERSON:** In my second reading speech, I outlined extensively what had occurred. That was in November last year, but I can reread it if required. This bill honours the commitment of this government made upon forming government to consult on amendments to the act and to remedy the challenges inherent in the legislation that was originally assented to on 18 July 2017.

This targeted consultation process commenced on the 12-month anniversary of the act, at which time I invited stakeholders to consider whether the act's guiding principles were being met and whether the legislation was ensuring efficacy in outcomes that improved the lives of children and young people in care. This process provided an opportunity to progress amendments considered critical to the effective operation of the act in advance of a full review as prescribed in 2022.

Consultation concluded in October 2020. Respondents included a number of government agencies, peak bodies, Aboriginal organisations and representative groups, as well as the relevant advocacy and oversight bodies. The bill was also informed by the experience and expertise of my department, which coordinated this process and which stands in a unique position to offer insight into the operations of the legislation and how it might be improved.

Rather than continuing to read a speech I already read into *Hansard* last November, the stakeholders who provided written feedback included the Attorney-General, the Department for Human Services, the Aboriginal Legal Rights Movement, Anglicare, Baptist Care, CaFHS SA, Commissioner for Aboriginal Children and Young People, Connecting Foster and Kinship Carers, CREATE Foundation, and the Guardian for Children and Young People.

It also included the Law Society of South Australia, Legal Services Commission of South Australia, Lutheran Community Care, SACOSS, Women's Legal Service of South Australia, the Youth Affairs Council of South Australia, and the Youth Court of South Australia. Stakeholders with an external process were EACPAC, which includes SNAICC and Natalie Lewis, and the AMA. That is our expert Aboriginal Advisory Committee. It is a national group of experts who were also consulted.

**Ms HILDYARD:** Could the minister advise whether she consulted Adoptee Rights Australia and, if not, why not?

**The Hon. R. SANDERSON:** I believe the member for Reynell is talking about Sharyn White. I have spoken to Sharyn White several times. In fact, when I was in opposition I spent a lot of time, because Sharyn White was very unhappy with the changes the former Labor government made in regard to the removal of different rights regarding the Adoption Act, so I am very well aware of Sharyn White. She has had experience as an adoptee that was not a good one, and she is in general, to my knowledge, against the whole concept and idea of adoption. She was against the former Labor government's amendments and she is also against ours, and I am very well aware of that.

**Ms HILDYARD:** To clarify, I was not asking about an individual; I was asking about a national organisation, Adoptee Rights Australia. I am wondering whether the minister consulted the organisation about the content of the bill.

**The ACTING CHAIR (Mr Cowdrey):** If the minister provides an answer, I am happy to take that as a third question from the member for Reynell.

**The Hon. R. SANDERSON:** We consulted with people with lived experience and we consulted with CREATE, who are the peak body for children in care once they have left care.

**Ms HILDYARD:** Sorry, can you just repeat that?

**The Hon. R. SANDERSON:** We consulted with CREATE, who are the representative body representing children who have been in care or are in care. They are the representative relevant in this case.

**Mr BOYER:** On the same clause, clause 1, I may have missed this in the minister's answer to the member for Reynell's first question. Minister, which of the briefings that occurred that you outlined in your answer before were you personally a part of?

**The Hon. R. SANDERSON:** Several different methods of consultation were used. One was written consultation, as I have read out. We also had a forum, so to speak, or a workshop, where we had a facilitator. That was pre COVID. It would have been September 2019, when we were able to meet as a group. We had people with lived experience, we had the NGO sector and we had a wide range of stakeholder groups that were included.

We workshopped that for several hours. I was present, participated and heard the outcomes. The outcomes were summarised and delivered to me, which I also read and am familiar with. Most recently, I held a round table only several weeks ago with some of the major stakeholder groups to get their final opinions. We have done extensive consultation. Adoption being included in our act was actually signalled and announced in September 2019, so there has been plenty of time, extensive consultation and a lot of opportunity.

I have met with Adopt Change, I have met with people who have been adopted and I have met with people who would have loved to be adopted. I have met with foster carers who started crying when they thought that this might be an opportunity for them. So I have done extensive consultation, and I am very confident that we have amendments to this act, particularly regarding adoption, that are accepted and supported in the majority of cases.

**Mr BOYER:** Thank you for your answer, minister. On the same clause, how many times did you personally speak with Sharyn White of Adoptee Rights Australia in relation to this bill?

**The Hon. R. SANDERSON:** I do not recall exactly how many times, but I definitely have spoken with Sharyn White, particularly in opposition. I have spoken to her because she was particularly unhappy. As we know, she has also been in contact with my office, and I believe my advisers have spoken to her several times. Unfortunately, you can never get 100 per cent unanimous agreement on anything in life.

What we know is that there might be amendments coming, but we have drafted what we believed represented the best outcome for young people in care, their carers and the foster carers who have committed to them for many years, caring for and loving them and considering them as part of their family. Remember that this is only to be one of a suite of options of permanency because we know that permanency is incredibly important. In fact, it is so important that the Nyland royal

commission recommended in recommendation 157, which the former Labor government actually accepted, that adoption should be considered. Recommendation 157 stated:

Consider the question of adoption where that is in the best interests of the child and an Other Person Guardianship order would not be appropriate.

That is exactly what we are doing.

**Ms COOK:** Are you able to describe to the committee the diversity of opinion that you may have received back from a cultural point of view regarding the bill?

**The Hon. R. SANDERSON:** As the member may be aware, on advice the Aboriginal and Torres Strait Islander children were excluded from this adoption due to the past history. That is not included in here so, yes, we did take advice.

**Ms COOK:** In terms of that occurring, why has that been the case and what particular consultation has led you to make that decision?

**The Hon. R. SANDERSON:** There was a national SNAICC conference held here in South Australia and it was a recommendation of the national Aboriginal peak body.

**Ms COOK:** Were any other cultural groups particularly able to provide you feedback regarding this bill and is there any information you can give us regarding that?

**The Hon. R. SANDERSON:** All the stakeholders I have already listed look after people of all different cultural backgrounds in South Australia, so they were consulted equally.

**Ms MICHAELS:** Can the minister inform the house how many children she expects will be impacted annually by the changes in this bill?

**The Hon. R. SANDERSON:** As you can imagine, it is very hard to say because it just depends. I anticipate it would be a small number of children. What this is about is giving people the option. It is saying to staff in the Department for Child Protection that when they are looking at a child's future and their permanency this should be one of the options they consider.

As you know, there was Other Person Guardianship (OPG), which now has the more confusing name of Long Term Guardianship (Specified Person), and that is being used and being taken up considerably. However, this is just another option because, as we know, Long Term Guardianship (formerly OPG) ends at 18. There are a lot of families and a lot of children who want to be part of a family forever, not ending at 18.

There are advantages to this. It is not for everyone. I am not trying to have 4½ thousand children adopted from care. This might suit five or 10 children in a year, I do not know. It is one option I would like to be available to foster carers in particular who have had a commitment to these children. We have set the limit of at least a minimum of two years so we know that the child has an established relationship.

We want the child to be part of that decision-making and that they will have a say. It is certainly not my intention to have children adopted who do not want to be adopted. Why would I do that? This is about a permanency option for good outcomes that are in the best interests of our children and young people.

**Ms MICHAELS:** Can I ask the minister if she can guarantee there has not been any advice from her department or her ministerial office to Adoptee Rights Australia that they will not be consulted?

**The Hon. R. SANDERSON:** Not that I am aware of.

**Mr BOYER:** Why did the review not happen in the time frame that was originally set out?

**The Hon. R. SANDERSON:** Well, we had something called a pandemic and because of COVID we were not able to meet and we were not able to form as a group. There was other legislation that had far higher priority, such as the emergency declarations, so this was delayed as a result of the pandemic.

Clause passed.

Clause 2.

**Ms HILDYARD:** Minister, can you please set out your intentions and the intentions of your department in terms of how you will promote the outcomes of this debate and particularly the adoption option to families?

**The Hon. R. SANDERSON:** I am advised that of course we would be then updating our policy. We would update the manual of practice. This would also be acknowledged through the weekly newsletter and put on the carer portal, and we would advise the non-government organisations of the change of policy.

**Ms COOK:** You mentioned CREATE in response to questions on the previous clause. Will you be discussing and promoting the outcomes of this debate to young people in care via that portal or that form?

**The Hon. R. SANDERSON:** Yes, we will, as well as our youth engagement advisory committee that we have—so CREATE and our youth advisers.

**Ms COOK:** In regard to the act, how many young people now receive information via CREATE?

**The Hon. R. SANDERSON:** There are many different ways that information is given to young people. There are different youth advisory groups in different DCP offices. There is also CREATE and our workers who work with young people, so there would be an information distribution.

**The ACTING CHAIR (Mr Cowdrey):** I have just been reminded by the Clerk to ask if all members could stand—the minister when she provides answers and the members when they ask questions—given the number of members in the chamber. If that could continue, that would be much appreciated. Member for Hurtle Vale, your final question.

**Ms COOK:** I think I have stuck to the rules.

**The ACTING CHAIR (Mr Cowdrey):** You have.

**Ms COOK:** This is my last question on this particular area. I am just interested in this information dissemination to young people who are vulnerable. I am aware of young people who have been in care who do not see themselves as needing information from a source like CREATE, and so they actually do not access it because they do not self-identify in terms of being a vulnerable young person in care or in out-of-home care. You say you have groups, etc. What strategy do you have to get to those young people who do not self-identify to access that type of communication?

**The Hon. R. SANDERSON:** Whilst you are correct that it is important to get this right and that not all young people would be with CREATE or in our youth advisory groups, what we are doing with the youth advisory groups is we are talking to them about what is the best way to let other young people know, because it is not for everybody. This is a sensitive issue, and we do need to definitely pay attention to how this is disseminated.

That is why we are involving the youth advisory groups to tell us how they think the information should be given to all young people. Of course, we do have social workers and lots of people who would know the best way in terms of the wording, for it to be very sensitive, because you are right: this is a very sensitive issue.

**Mr BOYER:** Minister, just referring back to your earlier answer about why the review did not happen in the time frame which was originally set out, could you explain maybe why this bill was not introduced at the end of 2019, before the pandemic started?

**The Hon. R. SANDERSON:** That is a very good question that you raise. One thing about this adoption policy was that we had the opportunity to create an adoption policy that is amazing. We are starting it from scratch, because it is going into a new act, so I did a lot of consultation with people who have adopted children. I have said to them, 'What is it that you would like? How do we support you as an adoptive parent to make this a successful adoption? What is it that you need?' That is where I found out that they wanted the health services, that they wanted access to therapies and the educational supports that exist for a child under guardianship. So we covered those off.

Others were concerned—I was concerned, in fact, when I met foster carers—knowing that in South Australia a large number of our carers are on benefits. I did not want adoption to be available

only to people who were wealthy enough to adopt the children. So what we did is work with the federal government to ask for a ruling. We ended up with a letter of agreement, and that did take a while because, as you know, during COVID the federal government had a lot on their plate. They were doing a lot of changes with JobKeeper, JobSeeker; there was a lot going on.

So whilst we had applied post (in 2019) for a tax ruling, what we are wanting is that the foster care payments not be considered income, as is the case currently. It is considered a reimbursement because they are doing an amazing job. It is a community service, helping us to raise a child under the guardianship of the CE.

We recently—only in the last month or two—received a letter of agreement from the federal government, from the ATO, that if it is a reimbursement payment for the cost of caring for the child, for people who are eligible for family tax benefit A, that would not be considered income. That was also one of the hold-ups for us. We wanted to get it right. I did not want adoption to be only for wealthy people. I wanted this to be available to the foster carers who have done an amazing job in difficult circumstances, some of them for years and years and some of them for many children.

**Ms MICHAELS:** Can the minister inform us why the government left it so long to brief the opposition, given they were consulting stakeholders in November last year?

**The Hon. R. SANDERSON:** I need to report progress, do I?

**The ACTING CHAIR (Mr Cowdrey):** We have a little bit of time, if you wanted to answer that question.

**The Hon. R. SANDERSON:** I think it is important to brief the opposition when you have the finalised bill. We were waiting on the ATO information, waiting on consultation. Yes, there have been further amendments made, but as many of you who have been here for a long time would know—for example, the euthanasia bill and the number of times I have consulted on that or done briefings on that and it gets changed—you are better off doing your briefings when you have what you believe to be the most likely bill that you will present so that you are not confusing people with 15 different briefings every time you change something in the bill.

Progress reported; committee to sit again.

*Sitting suspended from 12:59 to 14:00.*

### **CORONERS (INQUESTS AND PRIVILEGE) AMENDMENT BILL**

*Assent*

His Excellency the Governor assented to the bill.

### **UNCLAIMED MONEY BILL**

*Message from Governor*

His Excellency the Governor, by message, recommended to the house the appropriation of such amounts of money as may be required for the purposes mentioned in the bill.

### **SUPPLY BILL 2021**

*Message from Governor*

His Excellency the Governor, by message, recommended to the house the appropriation of such amounts of money as may be required for the purposes mentioned in the bill.

*Petitions*

### **BRIGHTON ROAD**

**The Hon. A. KOUTSANTONIS (West Torrens):** Presented a petition signed by 118 residents of South Australia requesting the house to urge the government to provide the community with a comprehensive business case for proposed roadworks on Brighton Road.

### **WAITE GATEHOUSE**

**Mr DULUK (Waite):** Presented a petition signed by 196 residents of South Australia requesting the house to urge the government to reverse its decision to demolish the Waite Gatehouse.

*Parliamentary Procedure***ANSWERS TABLED**

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

**PAPERS**

The following papers were laid on the table:

By the Speaker—

Auditor-General Reports—

Report No. 7 of 2021—Consolidated Financial Report review [Ordered to be published]

Report No. 8 of 2021—State finances and related matters [Ordered to be published]

By the Attorney-General (Hon. V.A. Chapman)—

Regulations made under the following Acts—

Criminal Law Consolidation—General—Appropriate Form of Custody

Land and Business (Sale and Conveyancing)—Sale and Conveyancing—Planning, Development and Infrastructure

By the Minister for Planning and Local Government (Hon. V.A. Chapman)—

Regulations made under the following Acts—

Local Government—General—Differentiating Factors

Planning, Development and Infrastructure—

General—Planning and Development Fund (No 5)

General—Site Contamination

By the Minister for Innovation and Skills (Hon. D.G. Pisoni)—

Training and Skills Commission—Annual Report 2020

By the Minister for Environment and Water (Hon. D.J. Speirs)—

Environment and Water, Department for—Review of the Water Industry Act 2012

By the Minister for Primary Industries and Regional Development (Hon. D.K. Basham)—

Regulations made under the following Act—

Primary Industry Funding Schemes—Eyre Peninsula Grain Growers Rail Fund

*Ministerial Statement***EDUCATION SYSTEM REPORTS**

**The Hon. J.A.W. GARDNER (Morialta—Minister for Education) (14:07):** I seek leave to make a ministerial statement.

Leave granted.

**The Hon. J.A.W. GARDNER:** In relation to the exclusionary discipline in public schools report, known as the Graham report, in December 2020 I tabled in the parliament a number of reports, including the Graham report, that reflected on behaviour management, exclusionary discipline and factors affecting student retention in South Australia's public education system. These reports provided an important prompt for reflection on the following themes:

- access to education as a human right under international law;
- the disproportionate impact of exclusions experienced by students with disability;

- the fact that exclusionary discipline is sometimes being used for very young students; and
- the fact that exclusionary discipline is sometimes being used for minor infractions.

These reports suggested a range of recommendations, including:

- systemic reform to approaches to academic, social-emotional learning and behaviour instruction and intervention;
- legislative changes to proscribe certain uses of exclusionary discipline and to clarify the rights of students to education;
- improving notification and communication processes, public accountability and disclosure of exclusionary discipline decisions, including by ensuring the voice of students is heard in these processes;
- improving the systematic collection and use of data about exclusionary discipline, including through the development of data dashboards;
- considering the role of flexible learning options (FLO) in the public education system; and
- providing clear avenues for families to make complaints.

The government issued an interim response and invited public feedback on these themes. Feedback demonstrated interest in reducing the use of exclusionary discipline, especially for younger students and students with a disability. However, we also heard that whilst change must be pursued with ambition it must also be managed with care. The impact of all elements of any proposed change should be understood clearly before that change is delivered.

It is clear from the data and analysis presented in the reports that there is an opportunity to improve the use of exclusionary discipline in South Australia's public schools. The government has recognised the opportunity to provide better support to students, teachers and schools to achieve higher levels of inclusion of students in learning. We have given in-principle support for the recommendation that exclusionary discipline should not be used for young children or for the most minor incidents in our public system.

To support a measurable reduction in the use of exclusionary discipline and the development of a contemporary approach to education responses and pathways, the government is committing \$15 million over the next four years from 2021 in additional funding. This additional funding will be used to support the development and implementation of a systemic strategy to drive a significant reduction in exclusionary discipline in South Australia's public schools and provide increased accountability. This program of work will comprise:

- changes to policy to minimise, as far as possible, the use of exclusionary discipline for all children, and especially for Aboriginal children and young people, students with a disability, children in care and younger children;
- a new data-led approach for targeting supporting resources and ensuring accountability, including through establishing and monitoring specific targets for the use of exclusionary discipline over time and the development of data dashboards;
- redesign of and investment in the services that support our schools in managing behaviour, including:
  - support for the development of professional practice for teachers, leaders and support staff so that schools can use data and evidence-informed interventions that reduce the use of exclusionary discipline and work in partnership with families whilst ensuring student voice;
  - support for schools to adopt different levels and types of responses across a spectrum, from supports that would be in place in every school through to targeted techniques for students experiencing challenges to learning where this is needed in some circumstances;

providing students with the supports they need to be successful learners in a classroom setting, as part of a whole-school approach;

specific consideration of the needs of Aboriginal learners; and

ultimately, also, the decommissioning of the Flexible Learning Options (FLO) model, with consideration of options for alternative education provision that makes education outside school settings the last resort within a refreshed systemic approach.

This strategic refresh will be informed by the recommendations in recent reports, along with evidence and practical feedback from key stakeholders and other experts who have engaged in consultation since the release of the reports. It will be designed in partnership with educators and support staff and in consultation with experts, parents, students and professional associations. This is in recognition that the most successful reforms at a system level are those which are grounded in the experience of everyday practitioners and which respond to their needs.

The report by Professor Graham recommends increasing oversight, including through the establishment of an independent legislated body to provide external accountability—an education ombudsman. The government has already committed to improving communication about exclusionary discipline decisions, providing more information and advice for parents in exclusionary discipline processes. These measures, along with agreement to audits of compliance with policy and agreed improvements in internal complaints processes, will be delivered as the development of more supports for schools and families occurs.

From 2023, the government will ensure that system data is reported and used to support improvement and will invest in improvements in advice and information to students, parents and carers about their rights and support to navigate complaints and appeals processes.

These measures will complement the work of existing oversight and advocacy bodies dedicated to the interests of children in South Australia, as well as the existing funding for a dedicated position in the Ombudsman's team. A clear message from these reports is that supports for parents should be clearer earlier and focused on helping children and young people stay at school.

This government believes in accountability. However, investing in increasing accountability before we increase support risks getting it the wrong way around. A significant investment in increasing oversight, through the creation of a new independent office to oversee the use of exclusionary discipline, should not come before or at the expense of investments in supporting students, teachers and schools to reduce the use of exclusionary discipline.

A new dedicated team led by a senior educator will be tasked with developing the program of work I have outlined in this statement, and a draft strategic road map with targets will be issued for consultation by early next year. We will work towards agreed reforms being in place from 2023 to ensure that meaningful planning has occurred and that we have in place the right resources to establish and sustain change.

#### *Question Time*

#### **NATIONBUILDER**

**Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:15):** My question is to the Premier. Can the Premier assure the house that no data gathered through interactions with government websites has been shared with the Liberal Party in any form?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:15):** I thank the Leader of the Opposition for his question. I think I made it abundantly clear this morning that no person had been redirected to a Liberal Party website or platform. There had been no collection or retention of any data. That has now been confirmed by NationBuilder. That's the advice I received prior to that confirmation from NationBuilder, but NationBuilder has now issued their statement and I think that clarifies the situation.



**NATIONBUILDER**

**Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:16):** I am going to ask the question again to the Premier. Can the Premier assure the house that no data gathered through interactions with government websites has been shared with the Liberal Party in any form—any government website?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:16):** I think I have just answered that but, for clarity, not to the best of my knowledge. The issues that were raised and canvassed in the media, fuelled by the opposition who referred to this as a scandal—and they know all about scandals on that side of the house. They've got the Oakden scandal, they've got the Gillman scandal and they've got the current scandal that they are dealing with on that side of the house where there have been very serious allegations made by one of their own—a person who only left this parliament at the last election—so they know all about scandals. But this is not a scandal. In fact, we have made it very clear that there has been no collection or retention of data, and that has been confirmed by NationBuilder.

**NATIONBUILDER**

**Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:17):** My question is to the Premier. Is [stateliberalleader.nationbuilder.com](http://stateliberalleader.nationbuilder.com) used on any government websites apart from in media releases?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:17):** Not that I'm aware of. As we made very clear in the media this morning—

**The Hon. S.C. Mullighan:** Ignorance is bliss.

**The Hon. S.S. MARSHALL:** As we made clear in the media this morning, we have used NationBuilder essentially to send out government media releases, as we did in opposition, opposition media releases to the media. I understand that some government employees have inadvertently copied the text of the press releases and that has created this confusion, but as has been now confirmed by the State Director of the Liberal Party and also NationBuilder, this has not been used to collect or retain data.

**The SPEAKER:** Before I call the leader, I call to order the member for Lee.

**NATIONBUILDER**

**Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:18):** My question is to the Premier. Can the Premier assure the house that no data gathered by government through surveys on departmental websites has been shared with the Liberal Party?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:18):** I am certainly not aware of any, no.

**NATIONBUILDER**

**Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:18):** My question is to the Premier. Can the Premier assure the people of South Australia that none of the constituents who have contacted the Premier's office have ever had any of their data used by [stevenmarshall.com.au](http://stevenmarshall.com.au) or provided to the South Australian Liberal Party?

**The Hon. S.S. Marshall:** What was the first part of the question?

**Mr MALINAUSKAS:** I am happy to repeat the question.

**The SPEAKER:** The leader might repeat the question.

**Mr MALINAUSKAS:** Can the Premier assure the people of South Australia that none of the constituents who have contacted the Premier's office have ever had any of their data used by [stevenmarshall.com.au](http://stevenmarshall.com.au) or provided to the South Australian Liberal Party?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:19):** I'm not really sure what the Leader of the Opposition is talking about. I think that—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** I'm pretty sure that every single member in this house actually collects information when a constituent comes into their office. Quite frankly, I think that it would be pretty inappropriate if they didn't do that. We've got a responsibility to represent the people we are elected to serve, so taking notes in whatever form I think forms a fundamental part of what we are elected to do. It's a responsibility; in fact, I would go so far as to say it's a core responsibility to represent those people, whether they voted for us or not.

I would make the point though that the media interest in this has really been around whether or not there has been the redirecting of people who have accessed government websites to Liberal Party domains or websites—the answer to that is no—or whether or not there has been any data collected or retained—

*Mr Brown interjecting:*

**The SPEAKER:** Member for Playford!

**The Hon. S.S. MARSHALL:** —and the answer to that is no.

#### NATIONBUILDER

**Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:20):** A supplementary question to the Premier: can the Premier assure the people of South Australia that it is not the core business of the Premier's office to collect data and then transfer it to a Liberal Party entity?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:20):** That is a ridiculous assertion. Of course we collect data for people who correspond with my office. I think last year we received 58,000 pieces of correspondence into my office, and I completely and utterly reject the assertions being made by members of the opposition. It's absolutely outrageous. I think it goes more to the thinking of those opposite.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** It absolutely goes more to the thinking of those opposite. We have seen the disgraceful actions laid bare for the people of South Australia with Mr Picton in the campaign for Elder back in 2014 and the state secretary, Mr Reggie Martin, back in 2014—a person the Leader of the Opposition is backing to come into this place.

Both Mr Picton and Mr Martin actually presided over an overtly racist campaign against the candidate for Elder at the 2014 election. They might have thought that they had a great victory there. Actually, it was a disgrace. It has now been exposed for the disgrace that it was, yet still the Leader of the Opposition is backing Reggie Martin to come into this place. I think he's got a lot of explaining to do as to his position with regard to Mr Picton and Mr Martin and why they should continue to enjoy his favour. It seems to me completely out of context with the way the people of South Australia are thinking about these types of overtly racist campaigns.

#### INFRASTRUCTURE PROJECTS

**Mr COWDREY (Colton) (14:22):** My question is to the Minister for Infrastructure and Transport. Can the minister advise the house on how the Marshall Liberal government is backing business by delivering projects such as the Regency to Pym project?

**The Hon. C.L. WINGARD (Gibson—Minister for Infrastructure and Transport, Minister for Recreation, Sport and Racing) (14:22):** I thank the member for his question. The way we are doing it is ahead of schedule and under budget. That is how we are building what matters for South Australians on South Road. Of course, I'm talking about the Regency to Pym project, a project the Marshall government secured funding for and has delivered.

This morning was a very exciting morning, to see the opening of this stretch of South Road for the Easter long weekend. We know people are going to be going away, travelling into our regions to spend money and help generate jobs on deserved holidays, and this is a really important stretch

of road that will just add to that. Again, holistically what we are doing here is delivering more jobs for the people of South Australia.

The Marshall government has long committed to finishing this 78-kilometre stretch of the north-south corridor. The Regency to Pym project is a crucial link between the T2T project and the South Road Superway. This 1.8-kilometre missing piece of the puzzle will now create a 47-kilometre nonstop motorway between Gawler and the River Torrens. I was just out there a few hours ago speaking to the workers from the alliance who have helped deliver this project, and they said that the traffic from the superway to the Regency Road overpass yesterday was timed at 10 minutes and today at five minutes.

It is great to see that acceleration. It means that eight minutes will be slashed during peak hour for 53,000 motorists who use this part of South Road every day. It's a massive time saving for commuters each morning and evening, getting them home faster and allowing them to spend more quality time with their family, which we think is great.

This is also very exciting for the freight industry. We know that the freight industry is very important for South Australia and South Australia's economy, and it means that reducing the cost of doing business will also mean less time for trucks on our roads and less wear and tear on vehicles which, again, is a cost saver for businesses.

When we announced we had secured the funding for this project in 2018, it was meant to be completed in early 2022. We are months ahead of schedule. The department and the alliance have delivered this project. They have done a fantastic job to achieve that. The bitumen is just bedding down now, so the speed limits are not full speed limits, but people can use this piece of infrastructure early, and the full speed limits are expected to be in place by around June this year.

Not only is that ahead of schedule but it has come tens of millions of dollars under budget. The Treasurer always likes that, and it means we can spend that on other projects right across our state. The construction industry are really pleased as well. We have a \$16.7 billion pipeline of work that we have been able to build, and we know that is delivering jobs for South Australians. Our record spend is creating more than 19,000 jobs at a time when our economy needs it most and we continue to bounce back from COVID.

It is not all over at the Regency to Pym project. Landscaping will still go on. Some more works will be done there. The ITS will be commissioned, the intelligent transport system. The final asphaltting, as I said, will continue, and this project is expected to be completed in its totality by the end of the year. Importantly, we have also been able to deliver the new pedestrian and cycling overpass to make sure we keep the connectivity for the community across the road as well. I know the local community thought it was great to see that go into place.

It is important we can provide this cross-community connection as we build the motorway. We have identified that, too, as we move ahead with the hybrid plus model for the north-south corridor, the two tunnels that are going there. But I digress, because I am here to sincerely thank the department and the alliance for the great work they have done. Some 200-plus jobs have been created across the year for this project.

When you do go over the Regency bridge, have a look at it. It is a beautiful green. When you look at that green, you will think it looks very familiar. It is right alongside the Coopers Brewery. Take a real close look at that green. It's pale ale green. It matches perfectly with the Coopers Brewery, which is right there. I think it is a great little icon and a tip of the hat to the great family at Coopers and the wonderful business it is. It is a great piece of infrastructure, and we are building what matters for South Australia.

#### **MEDIA RELEASES**

**Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:26):** My question is to the Premier. Why has the Premier changed the process for sending out media releases if there are no issues with the current system?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:26):** I wasn't responsible for that change, but I am happy to make an inquiry and come back to the house.

*Members interjecting:*

**The SPEAKER:** Order!

#### COVID-19 WEBSITE

**The Hon. A. KOUTSANTONIS (West Torrens) (14:27):** My question is to the Premier. Which agency is responsible for the management of the South Australian COVID-19 website?

**The Hon. S.S. Marshall:** Say that again, sorry.

**The SPEAKER:** The member for West Torrens will repeat the question.

**The Hon. A. KOUTSANTONIS:** My question is to the Premier. Which agency, which public officer, is responsible for the management of the South Australian government COVID-19 website?

**The Hon. J.A.W. GARDNER (Morialta—Minister for Education) (14:27):** I will take this question as the representative of the Minister for Health in this house. My immediate assumption is that there is a high likelihood that it is within SA Health, but I will double-check that. For the formality, I will take the question on notice and bring back an answer from the Minister for Health.

#### COVID-19 WEBSITE

**The Hon. A. KOUTSANTONIS (West Torrens) (14:27):** My question is to the Premier. What involvement does the office of the Premier or the Department of the Premier and Cabinet have in the running and maintenance of the COVID-19 website?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:28):** Obviously, the Department of the Premier and Cabinet is the central agency. With our COVID response, we have a whole-of-government response to the COVID pandemic. We obviously have SA Health, which has a major role in this, but so does SA Police, so does Multicultural SA and so does Human Services in South Australia. In fact, I think that there is probably not a single government department that isn't affected by the coronavirus. That's why DPC does play a central role in the provision of communications with regard to the coronavirus and information to the people of South Australia.

#### RESERVOIRS

**Dr HARVEY (Newland) (14:28):** My question is to the Minister for Environment and Water. Can the minister update the house on how the Marshall Liberal government is backing businesses through opening up our reservoirs?

**The Hon. D.J. SPEIRS (Black—Minister for Environment and Water) (14:29):** I thank the member for Newland for his question. He is an enthusiastic supporter of the Marshall Liberal government's policy and program to open up reservoirs right across our state and no more so than Hope Valley Reservoir in his backyard, a reservoir that has had 23,000 visitors through the gates since we opened it in December 2020. It has been enthusiastically embraced by that local community as we have created a space for people to get into to enjoy the great outdoors and look over the water to the Adelaide Hills. It is a great project up there at Hope Valley.

At the weekend, it was a great pleasure to accompany the Premier and our Liberal candidate for the seat of Mawson, Amy Williams, as we opened on-water access at Myponga Reservoir. I think the Myponga Reservoir opening project is really the jewel in the crown of our reservoir opening projects. It is a project that has reinvigorated the township and locality of Myponga.

Close to 80,000 people have visited Myponga since we opened just the reserve lands around the reservoir back in April 2019. Initially, that was a three-kilometre walk or so and now it has been extended to an eight or nine-kilometre loop that goes through the pine trees, the native vegetation and looks out over the water. Hopefully, when you are in the town you will enjoy a coffee or something from the bakery or cafe as well.

On Sunday, it was great to go down there. We could not have planned the weather better. There was not a ripple of wind crossing the water surface; it was really still. There was mist hanging over Myponga and it was idyllic for the opening of on-water access. We had Paddle SA there. We started with a kayak race and then, out onto the water, lots of people went to fish, to kayak, to canoe and to explore the great outdoors that was formerly behind a fence.

This is a South Australian publicly owned asset, a place we want South Australians to get into. We are managing it, first and foremost, with a view to public health and drinking water safety, then conservation, embedding these reservoirs and this open space into our conservation parks, managing them with the same philosophy, the same ideology, as our conservation parks and then providing this great opportunity for people to get into the outdoors, get on the water and go fishing.

It is a far safer environment, potentially, than the oceans. People feel comfortable taking their kids and grandkids there, where they do not necessarily need to worry about the rips or the sharks—there are definitely no sharks at Myponga Reservoir. We have these safe environments we are creating for people to get out onto the water and they are just booming. There is no doubt this has an economic advantage for the township of Myponga and that western Fleurieu district, as over 75,000 people have experienced in only 18 months.

The now opposition, previously the government, and my predecessor, Ian Hunter—remember him—described this policy as 'pie in the sky'. Well, the only pies involved in this project are the pies flying off the shelves in Myponga bakery and the local cafe. It is going exceptionally well. It is far from pie in the sky. It is reinvigorating a local regional economy and our message is very clear: stay longer at Myponga.

### MEDIA RELEASES

**The Hon. A. KOUTSANTONIS (West Torrens) (14:32):** My question is to the Premier. Does the Premier stand by his statement to the house in his previous answer regarding the change of distribution of media releases to journalists? With your leave, and that of the house, sir, I will explain.

Leave granted.

**The Hon. A. KOUTSANTONIS:** Earlier today, on 30 March, the Premier issued a public statement saying, and I quote:

To ensure that there is no confusion amongst journalists or members of the public, the government will now use a different system for sending media releases to journalists.

If you are not responsible, why did you make a public statement?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:33):** I thank the member for his question. I can now clarify to the house that, yes, we have moved to a new platform. That was a decision that has been made this morning and now implemented, so all journalists should be very happy. Although the previous system has served journalists in South Australia extraordinarily well—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** —over I'm not sure how many years, but certainly the last six or eight years it has served them well, we have moved to a new method for distributing press releases to the media press pack as of today.

*Members interjecting:*

**The SPEAKER:** Order, the Premier! Order, members on my right and members on my left! Before I call the member for West Torrens, I call to order the Premier, I call to order the member for Wright and the member for Playford. Is the member for West Torrens seeking the call?

**The Hon. A. KOUTSANTONIS:** Yes, sir.

### NATIONBUILDER

**The Hon. A. KOUTSANTONIS (West Torrens) (14:34):** My question is to the Premier. Are NationBuilder links embedded in the COVID-19 website managed by SA Health?

**The Hon. J.A.W. GARDNER (Morialta—Minister for Education) (14:34):** I will take this question as the minister representing—

*The Hon. A. Koutsantonis interjecting:*

**The SPEAKER:** Order! The minister has the call.

**The Hon. J.A.W. GARDNER:** I will take this question on behalf of the Minister for Health, as the minister representing him in this house. Obviously, I don't have that level of information as the minister representing. I will double-check, but not to my knowledge.

**The SPEAKER:** Before I call the member for West Torrens, I call the member for West Torrens to order.

#### NATIONBUILDER

**The Hon. A. KOUTSANTONIS (West Torrens) (14:35):** My question is to the Premier. Has the Premier's office breached Premier's circular 012, Information Privacy Principles Instruction?

**The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General, Minister for Planning and Local Government) (14:35):** I am happy to answer this question for the member because I think it's important that members appreciate that the collection and use and disclosure of personal information is a matter which is managed through the Information Privacy Principles Instruction.

That instruction and its obligation in respect of agencies and under the stewardship of a principal officer in each agency is administered by the Privacy Committee of South Australia. They actually provide an annual report to this parliament every year, and I commend members to have a read of it. Simon Froud, who is in charge of records in South Australia and is accountable to me as Attorney-General, is part of the committee.

I am advised—and I think this has been canvassed in the media—the question of whether there has been any use or misuse of any data or any breach of this matter has been referred to the Privacy Committee. The Privacy Committee, as I understand the process, then write to any department if they get any information on this. I don't doubt they already have a letter from the member for West Torrens.

In any event, that's the process and that's a matter which they will consider, and of course they can put any recommendations, which then ultimately come to me. Obviously, if there are any recommendations on any of these matters, they will be carefully considered. That's the process, and this issue is no different. If the member for West Torrens hasn't put his letter in yet to the Privacy Committee, I am sure he will, or any other agency like he usually does, it will be followed, and the proper processes will be followed by this government.

#### SKILLS TRAINING

**Ms LUETHEN (King) (14:37):** My question is to the Minister for Innovation and Skills. Can the minister update the house on how the government is supporting businesses and building confidence through a nation-leading training system?

**The Hon. D.G. PISONI (Unley—Minister for Innovation and Skills) (14:37):** I thank the member for King for her strong interest and her promotion of vocational pathways in her electorate. Of course, there was some terrific news in the NCVET figures released this morning: a 7.6 per cent increase in the number of apprentices and trainees in training. We are the only state to record an increase of apprentices and training during the COVID period. Why is that? It's because we started our work early with reform of the training system here in South Australia.

Remember what it used to be like? There was a 19 per cent decline on commencements year after year after year, for six years from 2012, by those opposite. Of course, there was a system in disarray, wrecked by those opposite. We recognised that, and we started work on that process with a \$200 million injection from the federal and state governments so that we could support employers to get behind—

*Mr Malinauskas interjecting:*

**The SPEAKER:** Order, the leader!

**The Hon. D.G. PISONI:** —apprentices and trainees. Let's look at the comparisons with other states. We have seen double-digit declines in other states when it comes to the commencements of apprentices and trainees here in South Australia.

*Mr Boyer interjecting:*

**The SPEAKER:** The member for Wright!

**The Hon. D.G. PISONI:** Of course, in the 37 categories—

*Mr Boyer interjecting:*

**The SPEAKER:** The member for Wright is warned.

**The Hon. D.G. PISONI:** —that the NCVET reports on, we are number one or the best performing in 24 of those categories. Those categories include female apprentices and trainees. They include those of Aboriginal status. They include school-based apprentices, a 14 per cent increase in South Australia, the only increase in the nation. Other jurisdictions went backwards.

Of course, in diploma and certificate IV apprenticeships and traineeships we saw a combination of 66.8 per cent increase in those apprenticeships and traineeships—apprenticeships and traineeships that didn't exist at that level under those opposite.

*Mr Boyer interjecting:*

**The SPEAKER:** Member for Wright!

**The Hon. D.G. PISONI:** There is no doubt that the Minister for Education's reforms of TAFE are starting to pay off because we saw a 7.7 per cent increase in the training of apprentices and trainees through the TAFE institution here in South Australia.

*Members interjecting:*

**The Hon. D.G. PISONI:** And what do they say opposite? That the government is cutting TAFE. No, here is the evidence. This is the evidence—more outcomes where it matters coming out of TAFE.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. D.G. PISONI:** This is what we are seeing: 2,030 employers for the very first time have taken on apprentices and trainees under this government because we have engaged them, we have identified what their barriers to participating in apprenticeships and traineeships has been and we have worked with them to remove those barriers. We have put in more funding to work with those companies to remove those barriers. We have brought in enablers in order to do that.

This government has a strong focus on apprenticeships and traineeships and we have proven that our reforms that we started the minute we got into office are resilient and they are helping us through the COVID crisis. We are the only jurisdiction in Australia that can report today a growth in the number of apprentices and trainees in training. It's a great result for South Australian employers and a great result for the Marshall government.

*Members interjecting:*

**The SPEAKER:** Order! Before I call the member for West Torrens, I call to order the member for Chaffey, I call to order the member for Cheltenham, I warn for a second time the member for Wright and I warn the member for Lee.

#### NATIONBUILDER

**The Hon. A. KOUTSANTONIS (West Torrens) (14:41):** My question is to the Premier. Can the Premier assure the house that no data collected from any government website is used to collate email addresses for the purposes of emails received by the Premier's personal website, stevenmarshall.com.au?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:41):** I have answered this repeatedly, but I am more than happy to answer it again. The simple fact of the matter is that NationBuilder came out today and made it very clear that no data has been collected or retained.

*Members interjecting:*

**The SPEAKER:** Leader!

**The Hon. S.S. MARSHALL:** I answered questions with regard to whether I kept notes when people contacted my office. The answer to that is, yes, of course. That's actually my responsibility. I have answered questions on a number of issues with regard to the media reports that have been put forward on the way the NationBuilder platform was used to essentially take press releases the opposition and now the government have—

**Mr Malinauskas:** Why won't you answer the question?

**The SPEAKER:** The leader is called to order!

**The Hon. S.S. MARSHALL:** —used to send those press releases to the media. I have also answered questions about the change of the distribution methodology, which our friends in the media should now be very pleased about. I know that those opposite are extraordinarily disappointed. I know that they are disappointed because—

*Members interjecting:*

**The SPEAKER:** Member for Playford!

**The Hon. S.S. MARSHALL:** —they would love for there to be a scandal, as announced by the member for West Torrens in the paper this morning. There is no scandal.

*Members interjecting:*

**The SPEAKER:** The leader is warned.

**The Hon. S.S. MARSHALL:** It was an inadvertent error, where government employees were copying the text from government press releases and putting it onto government websites, but it has now been confirmed unequivocally by NationBuilder that that was not being used, when people clicked onto those government websites, to redirect people through Liberal Party platforms or websites, as per this question. They went further to say that there was no collection or retention of data from those websites. I think that everybody is now crystal clear as to what has occurred—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** —and it doesn't matter how many times the opposition asks the same question: they will get exactly the same answer—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** —that there has been no breach, there has been no collection, there has been no retention of data from people who have clicked onto these government websites.

*Members interjecting:*

**The SPEAKER:** Order! The Deputy Premier is called to order. The member for Schubert is called to order. The member for Playford is warned. I have warned the leader. I remind members that the member asking a question is entitled to be heard in silence and the minister in answering it is entitled to be heard in silence and free from wilful interjection.

#### NATIONBUILDER

**The Hon. A. KOUTSANTONIS (West Torrens) (14:44):** My question is to the Premier. Given his previous answer, can he explain to the house how he collects the database of email addresses for the purposes of sending constituents email addresses from [stevenmarshall.com.au](mailto:stevenmarshall.com.au)?

*Members interjecting:*

**The SPEAKER:** The member for West Torrens—

**The Hon. A. KOUTSANTONIS:** The Premier has asked me to repeat the question.

**The SPEAKER:** The member for West Torrens will repeat the question.



**The Hon. A. KOUTSANTONIS:** My question is to the Premier. Given the Premier's previous answer, can he explain to the house how he collects a database of email addresses for the purposes of sending out emails as Premier using stevenmarshall.com.au?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:45):** I will make inquiries as to exactly how that database has been collected. I have been the Premier of South Australia for three years and I was before that, of course, the Leader of the Opposition for five years. There are a number of people who are on various databases. Some of them are to do with the media. I have outlined previously that we have used that NationBuilder platform.

I don't have detailed information of exactly and precisely how every person who comes to be on the database has been collected. I would think it would be fairly similar to the way that things operated under the previous government—actually, I'm not sure that would be the case. In fact, I think the line of questioning today—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** —really illustrates exactly and precisely how their minds work. I think there probably should be a thorough investigation of what exactly went on under that previous government. We know that there were a few scandals with regard to issues like One Community. That was a very interesting finding by the acting Auditor-General going back a few years. As I said, I don't have a full answer for that at the moment, but I'm happy to follow it up.

#### SCHOOL INFRASTRUCTURE PROJECTS

**Mrs POWER (Elder) (14:46):** My question is to the Minister for Education. Can the minister update the house on how the Marshall government is backing businesses through the school and preschool building design program?

**The Hon. J.A.W. GARDNER (Morialta—Minister for Education) (14:46):** I thank the member for Elder for the question. It is a really important question and it is one that I think identifies two outstanding outcomes of some of the programs we announced in last year's budget and indeed earlier than that, particularly in relation to maintenance grants for schools and preschools throughout South Australia.

Members may recall that we have an annual project of what are called minor works in the education department. It is a substantial figure; it has been in that \$10 million to \$15 million range for many years. Last year, we had an extra \$25 million we injected into supporting school and preschool maintenance programs right at the beginning of the year. Then, in addition to that, we provided \$20,000 grants to every preschool in the government system in South Australia.

That \$25 million that was injected over and above the usual maintenance program did some very important things. There has been a substantial backlog right across South Australia's public schools for many years in those maintenance projects that are urgent in many cases—important, certainly—and identified by the facilities managers at those schools as requiring asset upgrades. Further to that, having been approved by the infrastructure division within the education department, there was not enough money for all of them.

A backlog of \$25 million worth was addressed last year. In the member for Elder's electorate, for example, that includes schools like Clapham Primary School and Westbourne Park Primary School. Earlier, I was talking to the principal of Clapham Primary School, Jodie Kingham. The roof replacement that has been undertaken there at a cost of \$200,000 is the perfect example of why this project was important. A \$200,000 roof replacement is often going to be well and truly above what a school can manage itself within its own maintenance budget and within its RES.

The backlog wipe-out \$25 million we invested enabled that project to take place. It meant that the rusty corrugated iron roof, which was allowing dripping rain to come in in the winter and putting the solar panels at risk of coming down through the ceiling at Clapham Primary School, has now all been replaced as of late last year, thanks to this program.

Down the road at the Westbourne Park Primary School, I was told by Cleo De Gouw, the deputy principal there, that the roof was replaced just before Christmas as well. These are

outstanding improvements—minor works, to be sure, in the broader scheme of a \$1.3 billion infrastructure project, but critically time sensitive and important works.

Through that \$25 million, more than 150 projects around more than 100 South Australian schools were able to benefit—in the member for Elder's seat, in the member for Frome's seat, in the member for Morphett's seat and in the Leader of the Opposition's seat. From Blythe to Bordertown, from Christies Beach to Kingscote, right around South Australia schools have benefited from that program.

But wait, there's more. Every single school and preschool has subsequently benefited from the announcement in last year's budget of a further \$30,000 grant for every single preschool in South Australia's government system and grants of between \$20,000 and \$100,000 for every single school for them to do further breakdown maintenance or uplifting tasks, or ceiling painting or nature play areas or shade structures or kitchen replacements—whatever needs to be done to lift the work at the school.

This has done two things that are really important—to get back to the core of the question. First, it has provided an urgent burst of extra work for local small businesses, tradies, suppliers and businesses across the South Australian community, from the APY lands to Mount Gambier and everywhere in between where these works have been undertaken. Secondly, they have provided a massive uplift to schools—every single government school and preschool in South Australia—lifting the performance of our system as a whole.

#### NATIONBUILDER

**The Hon. A. KOUTSANTONIS (West Torrens) (14:50):** My question is to the Premier. Can the Premier assure the house that all emails he receives at [premier@sa.gov.au](mailto:premier@sa.gov.au) and any written correspondence he receives in his capacity as Premier are treated as a state record for the purposes of the act?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:51):** Yes.

#### NATIONBUILDER

**The Hon. A. KOUTSANTONIS (West Torrens) (14:51):** My question is to the Premier. Who owns [stevenmarshall.com.au](http://stevenmarshall.com.au)?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:51):** I can check that, but I think it could be the Liberal Party of South Australia.

#### NATIONBUILDER

**The Hon. A. KOUTSANTONIS (West Torrens) (14:51):** My question is to the Premier. Is Selga Tucker, a digital content manager who works in the office of the Premier in the capacity, paid for as a public officer employed under the Public Sector Management Act?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:51):** That is my understanding.

#### SPIRITFEST

**Mr CREGAN (Kavel) (14:52):** My question—

*Members interjecting:*

**The SPEAKER:** Order! The member for Kavel might resume his seat for a moment. The member for Kavel has the call. I just remind members on my right and on my left that the member who is given the call to ask a question is entitled to be heard in silence.

**Mr CREGAN:** Thank you. I've got just as much right to ask a question as you do, and I have been waiting patiently and here I am and I'm about to ask it, so you can listen to my question.

*Members interjecting:*

**The SPEAKER:** Order, members on my left! The member for Kavel has the call. I remind members of standing order 97. I call to order and warn the member for Kavel. The member for Kavel has the call.

**Mr CREGAN:** Thank you, Mr Speaker. My question is to the Minister for Primary Industries and Regional Development. Can the minister update the house on how the government is supporting businesses and building confidence through the South Australian spirit industry blueprint and forum?

**The Hon. D.K.B. BASHAM (Finniss—Minister for Primary Industries and Regional Development) (14:53):** I thank the member for Kavel for his important question. The member is an excellent advocate for the spirit industry in his electorate.

The Marshall Liberal government recognises the enormous growth in the spirit sector in South Australia and wants to support its continued expansion. Recently, I was at Lot 100 in the Adelaide Hills with the Premier to take part in SpiritFest. I must say, Toby and his team at Lot 100 do a fantastic job in putting these industry events together. About 30 South Australian spirit producers collaborated to showcase—

*An honourable member interjecting:*

**The SPEAKER:** Order!

**The Hon. D.K.B. BASHAM:** —their products to 900 attendees. I was reliably informed that this event was unique to Australia, so it's no surprise that in its inaugural year the event was sold out. The government is so proud to support these important collaborative industry events. It was an ideal event to meet new faces in the spirit industry. Ian from St Mary's vineyard in Penola came up from Penola in the middle of harvest to spend his time at the event, and he said that it was very much worth his while being at SpiritFest to showcase his products.

The event was organised by the South Australian Spirit Producers Association, headed by its president, George Georgiadis, and its vice-president, Sacha La Forgia. It was excellent to see a couple of spirit producers from my electorate showcasing their wares: Fleurieu Distillery from Goolwa and Mount Compass Spirits.

On the following day, Lot 100 hosted a forum where about 100 distillers and businesses in the supply chain spoke about the challenges and opportunities to the industry. It was important to see national beverage organisations involved in the forum with the Australian Distillers Association, Spirit and Cocktails Australia and Alcohol Beverages Australia all taking part.

Mr Speaker, you spoke at the forum and provided a conclusion to what was a highly successful two-day event. Feedback from the forum will feed into the development of the South Australian spirit industry blueprint, which the government is funding. We have also supported the South Australian Distillery Trail, which I am told has been a big hit for the businesses involved.

It has been a challenging year for the spirit industry like many, but consumers have shown their desire to choose local products, and brand recognition continues to grow. We are working with the industry to build on its award-winning reputation and cement South Australia as the spirit state. What the spirit industry is missing is a comprehensive and collaborative plan encompassing all aspects of the sector to reach its full potential. The blueprint aligns with the government's Growth State plan and the agriculture sector's target to reach \$23 billion by 2030 in South Australia.

South Australia makes up 12 per cent of spirit manufacturing establishments nationally, and the success of the local industry has seen a range of boutique distillers enter into the industry. Given the premium product and high-end markets that demand South Australian spirits, we see huge opportunity to grow the sector and to work with the industry to remove the barriers that face them. This is such an important sector as we see it grow in South Australia. We are a government backing this new industry, and we wish them well in the future as they deliver their plan.

#### NATIONBUILDER

**The Hon. A. KOUTSANTONIS (West Torrens) (14:57):** My question is to the Premier. Can the Premier assure the house that a public officer named Selga Tucker is not identified on [stevenmarshall.com](http://stevenmarshall.com) as a registered contact name and that her government email address [selga.tucker@sa.gov.au](mailto:selga.tucker@sa.gov.au) is not identified as a registered contact email?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:57):** I really don't have any detail of what the member is putting, but he is more than welcome to provide me with that information and I am happy to give an answer.

**NATIONBUILDER**

**The Hon. A. KOUTSANTONIS (West Torrens) (14:57):** My question is to the Premier. Can the Premier assure the house that either he or someone in his office sought the permission or authorisation of the Chief Executive of the Department of the Premier and Cabinet before allowing any public officer, including Ms Tucker, to use their government email address to be used as a registered contact name and email address for the Liberal Party site built by NationBuilder?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:58):** I refer the member to my previous answer, but I think that what we need to do here is to recognise that these questions are coming from a party that understands all about the abuse of public money. They basically used the Public Service in South Australia as a repository for their mates—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** —and their failed Labor candidates. Take a look at Rik Morris, the failed Labor candidate for Florey at the last election. He just pops up in a few different places. Now he's actually working for the Leader of the Opposition, and so is Lucy Hood, the candidate for the seat of Adelaide. She is actually paid for by the people of South Australia.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** Let's hope she's not campaigning. What about Rhiannon Pearce? I know that the current member for Badcoe was employed in a ministerial office while she was campaigning—

*Members interjecting:*

**The SPEAKER:** The Premier will resume his seat.

**The Hon. S.S. MARSHALL:** These people—

**The SPEAKER:** The Premier will resume his seat. The member for West Torrens on a point of order.

**The Hon. S.S. MARSHALL:** —they've got no moral judgement whatsoever.

*The Hon. D.G. Pisoni interjecting:*

**The SPEAKER:** Order! The Minister for Innovation and Skills is called to order. Interjections will cease. The member for West Torrens raises a point of order in accord with standing order 98(a) I uphold the point of order and direct the Premier to the question. The Premier has the call.

**The Hon. S.S. Marshall:** I have finished my answer.

**The SPEAKER:** The Premier has finished his answer. The member for West Torrens seeks the call.

**NATIONBUILDER**

**The Hon. A. KOUTSANTONIS (West Torrens) (15:00):** My question is to the Premier. Can the Premier assure the house that no other public officers in the South Australian government are using NationBuilder, licensed to the Liberal Party of South Australia, to prepare official state government communications and surveys and, if they are, who has authorised them to do so?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (15:00):** I refer the member to my previous answer. What I haven't heard is anything from those opposite, whether they can provide assurances to the people of South Australia that they are not using employees in the Leader of the Opposition's office to go out and be, if you like, fake protestors out in press conferences. Or what is Lucy Hood doing? Is she working full time or is she campaigning at the moment? Can the Leader of the Opposition tell us a little bit more about changesa.org? It sounds suspiciously like change.org, but actually it's changesa.org and it's a data harvesting opportunity for the Labor Party.

**The SPEAKER:** The Premier will resume his seat. The member for West Torrens on a point of order.

**The Hon. A. KOUTSANTONIS:** Standing order 98: debate.

*Members interjecting:*

**The SPEAKER:** Order! The member for West Torrens raises a point of order in accordance with standing order 98(a). The occasion to answer the question in a context of what has been a line of questions in the course of question time is not an occasion to reflect so broadly. I once again uphold the point of order and I will move along. Before I do so—

*Members interjecting:*

**The SPEAKER:** Order! It's remiss of me, and I ought to have done this earlier: I call to order the Minister for Education and I call to order the deputy leader.

**The Hon. A. KOUTSANTONIS:** Can the Premier now answer the question?

**The SPEAKER:** Does the Premier seek the call?

**The Hon. S.S. Marshall:** No.

**The SPEAKER:** The Premier has concluded his answer.

*Members interjecting:*

**The SPEAKER:** Order! The member for MacKillop has the call.

#### INTERNATIONAL TRADE

**Mr McBRIDE (MacKillop) (15:02):** My question is to the Minister for Trade and Investment. Can the minister update the house on how the government is supporting businesses and building confidence through our network of international trade offices?

**The Hon. S.J.R. PATTERSON (Morphett—Member of the Executive Council, Minister for Trade and Investment) (15:02):** I thank the member for MacKillop for his question. Going down to Mount Gambier with him, I had the opportunity to see some of the important businesses in his community, whether that is in wine or food or seafood or meat, for example. It was quite clear the connection that the member for MacKillop has with his business community, talking about how he can help assist grow their businesses.

Of course, those sectors are very export focused, and we see a real chance here to grow their business through exports. In fact, since the first day of coming into government here, a key pillar of the Marshall government's economic plan has been to expand market access into some key market areas for South Australian businesses. One of the ways we are doing that is to open up new trade offices in these key markets across the world, getting that on-the-ground representation for South Australian businesses.

When we came to office, Mr Speaker, the cupboard was bare and the international representation we had had been slashed, but you will be very pleased to hear that since coming into government we have worked really hard on increasing that representation and getting it to the stage where South Australian businesses and businesses in your electorate, member for MacKillop, can have confidence that they can go out, export into the world, put their case and put their best foot forward.

Some of those trade offices, you might be interested in, Mr Speaker, include Shanghai in China, one of our key export markets, \$3.5 billion of exports into China, making sure there is representation there into that key market. Another established market where there was no representation was a \$900 million market in the US—no representation. We have changed that, and we have set up a trade office in Houston and we have set up a trade office in New York. That gives great coverage not only in the central US but also the western US, giving good coverage there.

Additionally, we have put into those emerging markets where we know there is great opportunity for growth. We've got exports going into them, but how can we boost that? Tokyo, Japan, is where we have put a trade office and also in Dubai, United Arab Emirates. You can see that not

only is the Asia-Pacific area looked after but also that key Middle East area, the gateway into the Middle East via Dubai.

Of course, there are other countries that are really important as well, so we have put business development managers in South Korea and also New Delhi, India, which is really important. You can see massive opportunities in India, but that's going to require time on the ground to get that on-the-ground support for our South Australian businesses to get that market intelligence, which is so vital. Imagine, Mr Speaker—because of coronavirus international travel has been stopped; there's no travel overseas—where we would have been trying to grow our economy in the midst of a global pandemic without that market representation.

That's why it's fantastic that we have had this in place already so that we can continue to grow and expand into those markets. How do we do that? By virtual business-to-business matching and connections, matching up those businesses out of our trade offices, our trade office staff going and introducing those businesses, or webinars explaining what is happening here in South Australia and why you would want to import from South Australia.

If I could just talk a little bit about the US-based trade offices, in New York our representatives are Stuart Nutting and also Regina Johnson. In Houston, they have been working hard with some fantastic wine industries, virtual matching as well, to try to introduce 23 South Australian wineries to importers, to markets there and also to retailers. That's a fantastic way we can get them in front of South Australian wineries and in front of key importers there in the US. It's a complex market, but we are working with our businesses. Our trade offices are doing a fantastic job connecting South Australian businesses to new customers throughout the world.

#### NATIONBUILDER

**The Hon. A. KOUTSANTONIS (West Torrens) (15:06):** My question is to the Premier. What additional functionality did the Liberal Party's NationBuilder platform provide the Department of the Premier and Cabinet that other platforms already licensed and owned by the state government did not? With your leave, sir, and that of the house, I will explain.

Leave granted.

**The Hon. A. KOUTSANTONIS:** Yesterday, the Liberal Party's state director, Ms Sascha Meldrum, on behalf of the Premier said it ceased using the state government's licensed or owned software platforms on coming into government in 2018 and began instead to utilise a Liberal Party licensed NationBuilder platform to produce government press releases. Ms Meldrum publicly stated yesterday, and I quote:

...the systems previously available to government did not offer the same functionality available in NationBuilder.

**The Hon. S.S. MARSHALL (Dunstan—Premier) (15:07):** I don't have the details of that, but what I can say is that we had been using NationBuilder to distribute our press releases to the media in South Australia for an extended period of time. We used NationBuilder. I note that the Labor Party uses NationBuilder as well, or certainly has used NationBuilder, to distribute emails. In this instance, we distributed our press releases. I didn't have any complaints with regard to this.

I think what has happened here is that the Labor Party think that we have actually been using NationBuilder somehow within government to distribute information to the Liberal Party. That has been comprehensively ruled out. We made that point this morning. I don't know what time they get up, whether they actually listen to the radio, the media coverage of this issue, or actually read the statements that have been made by NationBuilder, but they are very clear. They are absolutely crystal clear and, for clarity to this house, I will go through it one more time.

NationBuilder has not been used by the Liberal Party to direct people from government websites to Liberal Party domains or websites, and NationBuilder have made it very clear—as I was advised prior to this morning, but they have clarified this situation—that there has been no retention or even collection of private citizens' information. It was used to distribute press releases to the press pack. I note that three years down the track since coming into government we have now adopted a new system. I think our friends in the media should be very happy with that new system.

**NATIONBUILDER**

**Mr MALINAUSKAS (Croydon—Leader of the Opposition) (15:09):** My question is to the Premier. Why on earth is Sascha Meldrum, Director of the Liberal Party, answering questions on the record about the functionality of government websites, which she should have absolutely nothing to do with?

*Members interjecting:*

**The SPEAKER:** Order, the Minister for Innovation and Skills! The Premier will resume his seat for a moment. The Minister for Innovation and Skills is warned. The Premier has the call.

**The Hon. S.S. MARSHALL (Dunstan—Premier) (15:10):** I refer the Leader of the Opposition to my comprehensive answers to a suite of questions on this issue. I am very happy to continue answering questions on it but, to be quite honest, I think the statements that have now been made by NationBuilder certainly clarify this issue from the situation of confusion that has existed since Friday.

I have to say, since we originally received the questions from the media, it was difficult to understand exactly where they were going in the first instance because, as I said, this was inadvertent. It was government employees who were essentially cutting and pasting text from our press releases and putting it onto government websites. As soon as that has been identified, it has been rectified. We are now using a completely different system.

**NATIONBUILDER**

**The Hon. A. KOUTSANTONIS (West Torrens) (15:11):** My question is to the Premier. Who made the decision in the Department of the Premier and Cabinet to stop using government-owned or licensed software platforms to draft and distribute media releases and instead use the Liberal Party-licensed NationBuilder platform?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (15:11):** I don't have that information to hand, but what I can say is that it wasn't so much stopping what was being used. These press releases went out from the Premier's office. Of course, the staff in the Premier's office changed at the time of the election because there was a change in government. In fact, the platform that had been used by the staff who transferred into my office had been used successfully for an extended period of time. We have not been using that, as I have canvassed today, to harvest, redirect, collect or retain data. I think this issue is very, very clear to anybody who has been following the developments this morning and later on this afternoon.

**NATIONBUILDER**

**The Hon. A. KOUTSANTONIS (West Torrens) (15:12):** My question is to the Premier. Does the Premier agree with the State Director of the Liberal Party that information is collected by redirection through [stateliberalleader.nationbuilder.com](http://stateliberalleader.nationbuilder.com)? With your leave, sir, and that of the house, I will explain.

Leave granted.

**The Hon. A. KOUTSANTONIS:** Yesterday, Ms Meldrum told the ABC, and I quote:

The purpose of the redirection is simply to provide hyperlinks or additional information (usually on government websites) in the media releases.

Information collected is consistent with the vast majority of EDM [electronic direct mail] platforms...

**The Hon. J.A.W. GARDNER:** Point of order, sir.

**The SPEAKER:** The Minister for Education rises on a point of order.

**The Hon. J.A.W. GARDNER:** Leave was sought to introduce facts and the member quoted some sources. Those sources, in my view, did not actually provide a basis—or a substratum of a basis even—

*Members interjecting:*

**The SPEAKER:** Order!

**Mr Brown:** Look at this man drown!

**The SPEAKER:** The member for Playford is warned for a second time. The Minister for Education has the call.

**The Hon. J.A.W. GARDNER:** —for the way in which the member characterised Ms Meldrum's comments in the original question; therefore, the original question is argumentative and not in accordance with standing order 97.

**The SPEAKER:** As I indicated at the outset, leave was certainly required in order to introduce relevant facts. It might just be me struggling to keep up, but I did listen carefully to those matters introduced by the member for West Torrens with leave. I am inclined to give the Premier an opportunity to answer the question, conscious of the scope of the matters introduced pursuant to leave. Does the Premier seek the call?

**The Hon. S.S. Marshall:** No.

*Members interjecting:*

**The SPEAKER:** Order, members on my left, members on my right! The member for Schubert is warned.

#### NATIONBUILDER

**The Hon. A. KOUTSANTONIS (West Torrens) (15:14):** My question is to the Premier. Can the Premier advise the house what entity pays NationBuilder's fees?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (15:15):** I don't have that information. I'm happy to find out and come back to the house.

#### NATIONBUILDER

**The Hon. A. KOUTSANTONIS (West Torrens) (15:15):** My question is to the Premier. Have any funds from the state Liberal MPs' levy been used to fund and operate NationBuilder and state Liberal leader's platforms?

*Members interjecting:*

**The SPEAKER:** Order! The member for Lee is warned for a second time. The leader is warned for a second time. The Minister for Education rises on a point of order.

**The Hon. J.A.W. GARDNER:** Point of order: standing order 97 requires that questions be related to matters for which ministers are responsible to the house. The circumstances within which contributions by members of parliaments to their own campaigns from their own salaries are certainly not within the scope of standing order 97.

**The SPEAKER:** I uphold the point of order and I will move along.

#### MOBILE PHONE TOWERS

**Mr BELL (Mount Gambier) (15:16):** My question is to the Minister for Regional Development. Can the minister inform my community when the phone tower at the Glenburnie saleyards will be developed, since it was announced by the Liberal government in May 2020?

**The Hon. D.K.B. BASHAM (Finniss—Minister for Primary Industries and Regional Development) (15:16):** I thank the member for Mount Gambier for his question. Phone towers are very important to communities in the regions. As a government, the Marshall Liberal government has done enormous work in this part in recognising the blackspots within the regions and has worked with the federal government and the telcos to identify potential sites that are in need.

Certainly, the site that the member for Mount Gambier talks about down at the saleyards is an important site to make sure that we get a signal for the community to deliver what they need and to have the communications they deserve. We are working with those telcos to get these sites up and running and get the funds there in conjunction with the federal government. I do not have the exact detail in front of me of where that particular site is at, but I am happy to let the member know exactly what is happening with his site.



### REGIONAL ROADS

**The Hon. G.G. BROCK (Frome) (15:17):** My question is to the Minister for Transport and Infrastructure. Can the minister advise the house when the outback roads to and from William Creek will be open to traffic in time for the Easter break? With your leave, sir, and that of the house, I will explain further.

Leave granted.

**The Hon. G.G. BROCK:** I have had several approaches from people within the electorate of Frome from Port Pirie and other locations regarding being able to travel to and from William Creek. They were advised that there will not be any grading of roads before 7 April, well and truly after the Easter break, and these people were looking forward to going into William Creek and coming back.

**The Hon. C.L. WINGARD (Gibson—Minister for Infrastructure and Transport, Minister for Recreation, Sport and Racing) (15:18):** I don't have the detail of that specific road. There are a number of roads across South Australia, but that one I don't have the detail of. I am happy to take that on notice and come back to the member.

### ROAD SAFETY

**Mr DULUK (Waite) (15:18):** My question is to the Minister for Road Safety. Minister, what measures is the government undertaking to combat reckless and dangerous hoon driving that is increasing in our community? Sir, with your leave and that of the house, I will further explain.

Leave granted.

**Mr DULUK:** Many constituents visit my office concerned with dangerous driving on Kalyra Road, Belair Road, Old Belair Road, James Road and other road passages throughout Mitcham and the Adelaide Hills. SA Police statistics from 2020 record 3,174 drivers were caught travelling at least 30 km/h above the limit, including 637 clocked speeding 45 km/h or more above the speed limit. What is the state government doing to counter these troubling stats and provide greater safety on the roads in my community?

**The Hon. V.A. TARZIA (Hartley—Minister for Police, Emergency Services and Correctional Services) (15:19):** I thank the member for Waite for the question. I do reject the assertion that the stats on the whole, across the board, across South Australia are getting worse. I think you will find that in many areas the stats are actually getting much, much better, whilst there is always more work to be done.

For example, if we look at one of the relevant stats of lives lost across the board, every life lost is one life too many. When we look at what happened in the 2020 calendar year, lives lost were considerably lower than in 2019 but well under the 10-year average of about 109 or 110. That particular reduction is certainly encouraging. There is always more to be done, and we as a government have invested millions of dollars in road safety campaigns right across the board.

I know that SAPOL's road safety unit work very hard, and they continue to help drive the message home through what is a vast array of targeted awareness campaigns to make South Australian roads safer. For example, we also have seen that our recent Rider Safe training reforms will happen down the track in the not too distant future. We know this house has just recently passed graduated licensing legislation to make sure we can do all we can to improve road safety outcomes from a motorcycle point of view.

This government has invested millions of dollars to make sure that we continue to work on road safety. Whether it is in specific advertising or whether it is through our road safety advisory committee that meets on regular occasions, there are a whole range of measures that this government is implementing to make sure that we can reduce serious crashes and also lives lost on our roads.

We know that a whole range of factors are at play here and relevant. In respect of the member for Waite's specific inquiries about particular roads in his electorate, however, I am more than happy to visit the member for Waite and pay particular attention to those roads and those particular incidents. We know there has been discussion in recent times. I have met with the commissioner, I have spoken with the Minister for Transport and also with the Attorney-General in relation to developing a suite of measures, if you like, for extensive high speed in our community, so

we will be coming back and bringing something before the house at some stage in relation to that. There is also a bill in the other place in relation to dangerous driving.

At the end of the day, it is incumbent on every single person to do the right thing. Saying that, this makes the case for why we need these extensive road safety campaigns. SAPOL and I were at Adelaide University last week. We were actually in the morgue of Adelaide University in one of the buildings last week, whereby a very confrontational road safety campaign was launched, dedicated towards selfish drivers.

Whether it is better roads, which I know the Minister for Infrastructure is working very hard to deliver, or better legislation across the board, which we are working on together with the Attorney-General and the Minister for Infrastructure to deliver, or those hard-hitting road safety campaigns, we will continue to make sure that we can do all we can. But in respect of the specific roads in the member for Waite's electorate, what I will commit to do is to make sure that I meet with the member for Waite. Let's look at some of those statistics and see what we can do to help.

### SEX EDUCATION

**Ms BEDFORD (Florey) (15:23):** My question is to the Minister for Education. What reforms will be included in sex education policies to ensure students learn about consent and how to prevent unwanted pregnancies? With your leave, sir, and that of the house, I will explain.

Leave granted.

**Ms BEDFORD:** I refer to an article in *The Advertiser* on 8 March by Chris Russell, 'The SA Education Department and individual schools are reviewing their sex education policies', in the aftermath of thousands of testimonies lodged on an online site initiated by a former Sydney private school student. While the importance of consent and sexual behaviour issues is highlighted, information regarding reforms and the impact it will have on building young people's knowledge and understanding is scarce, so I am keen to hear what the department has in mind.

**The Hon. J.A.W. GARDNER (Morialta—Minister for Education) (15:24):** I thank the member for Florey for the question. This is important. Indeed, the site that the member refers to started obviously in Sydney, but there were a number of examples of testimony on that site from students—I am aware of particularly former students—in a number of South Australian schools, some of which were deeply concerning.

Obviously, the interpersonal relationships experienced by those particularly young women had not in their view—well, in anyone's view—seen an appropriate level of support, but a level of poor behaviour by young men that they had interacted with particularly, and consent was very much highlighted as a need for improved outcomes in the experiences of those women.

That is not to say that there isn't significant work already underway, because teachers across South Australia's public school system and indeed the non-government school system as well do by and large take this very seriously and there are hundreds of South Australian schools where this is front and centre in a number of the programs that are run. Some of those are run in conjunction with the non-government organisation SHINE SA or indeed other NGOs as well, some embedded throughout different parts of the curriculum.

There's a useful body of work, I think, that is underway I am pretty I sure I can say in conjunction with the commonwealth government; certainly it's one that I am waiting for some further advice on, but I think it's in relation to a commonwealth review as well. I will check the details when I am back in the office and get back to the member as soon as possible to make sure that I am accurately referencing it.

That will continue to enhance the work that is undertaken in South Australian schools. For example, particularly across the curriculum one of the things that has been undertaken by successive governments in South Australia is support for the Keeping Safe: Child Protection Curriculum. The member for King has raised publicly and in this chamber also concerns about that curriculum, which is I think recognised as a world-leading curriculum. It is taken up by a range of school systems outside South Australia, and we are very happy to license it to them, and it is compulsory for it to be delivered in South Australian schools.

But, as the member for King has pointed out, there are some concerns as to whether it is delivered in every school faithfully, with appropriate training, or whether there is more work that we can do to ensure that that outstanding curriculum, which I should say also is kept up to date and refreshed every couple of years—and we launched a refresh reasonably recently. The curriculum is fine, but the delivery in the classroom is critically important.

That work to review, in particular with a focus on consent, I am looking forward to having some further advice on that, but I can reassure the member that our schools, our teachers and indeed principals and wellbeing leaders across our public school system as well have this front and centre in their attention. No matter how good the curriculum is or no matter how strong a relationship with an NGO is or how well the school's own delivery is, every one of us in our work in education has a responsibility to try to do better each day, and that work will continue.

### **SOCIAL HOUSING**

**The Hon. G.G. BROCK (Frome) (15:27):** My question is to the minister representing the Minister for Human Services. Can the minister advise the house how regional South Australia, in particular Port Pirie, will benefit from the government's social housing plan? With your leave, sir, and that of the house, I will explain further.

Leave granted.

**The Hon. G.G. BROCK:** It has been brought to my attention that there are in excess of 250 people in Port Pirie and the close surrounding areas seeking emergency housing from the various NGOs operating around the area. With some of those people involved in many instances escaping from domestic violence, when they can't get emergency housing or anything like that they are returning to the perpetrator.

**The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General, Minister for Planning and Local Government) (15:28):** I thank the member for the question and I will certainly take on notice the detail specifically in relation to direct benefits to residents of Port Pirie, but we are very proud of a number of initiatives. One is the provision of something like 40-odd extra emergency houses, and a large number of those, from my recollection, were in regional areas, but again I will follow through with that. Currently, the government is building some 1,000 dwellings for the purpose of access to affordable accommodation.

All these things are critical in dealing with providing people with both emergency and permanent accommodation. Of course, during COVID we have had an active program in being able to provide accommodation for those who are street homeless to make sure that they had protection within the envelope of both trying to secure their own health and obviously in providing them with accommodation.

Some have been able to be transferred to more permanent accommodation. Some, of course, elect not to take up those placements. If one has an understanding of the profile of some of the extra needs of those who are homeless, sometimes that is difficult to be able to predict. Certainly it is not to impose on them an obligation for accommodation that's offered. There has to be some avenue of choice there. I will make the inquiry with the minister and get back to the member in relation to that.

### **SNAPPER FISHING**

**Mr BELL (Mount Gambier) (15:30):** My question is to the Minister for Regional Development. Minister, when the recreational snapper fishing in the South-East resumes on 1 July 2021 with a bag limit of one and a boat limit of three, will there be an overall quota and, if so, what will that be?

**The Hon. D.K.B. BASHAM (Finniss—Minister for Primary Industries and Regional Development) (15:30):** I thank the member for his question. It is so important that we manage the fishing sector in South Australia well to make sure there is opportunity for everyone to fish into the future. Unfortunately, we have seen mismanagement of the snapper fishery across South Australia.

On coming into government, we put some plans in place to make sure that we recognised the signs and recognised the dangers to that fishery. We have seen bans in place in every region other than the South-East and we have seen restrictions in the South-East. Each of the different sectors has a total allowable catch within the time frames that we are talking about, so there is a total

allowable catch for the rec sector, for the commercial sector, for the charter boat sector and also one for the Indigenous.

Those sectors are allowed to catch up to their total allowable catch so, when we go into that new period of next financial year, yes, there is a total allowable catch. I don't have the actual number on me, but I am more than happy to share that with the member. It is very important that we manage this fishery to make sure the protections are there going forward.

*Parliamentary Committees*

**SELECT COMMITTEE ON LAND ACCESS**

**The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General, Minister for Planning and Local Government) (15:32):** I move:

That the committee have leave to sit during the sitting of the house today.

Motion carried.

*Grievance Debate*

**NATIONBUILDER**

**Mr MALINAUSKAS (Croydon—Leader of the Opposition) (15:32):** It certainly has been an extraordinary suite of revelations, of very serious questions that remain unanswered on behalf of the Premier of this state and the government. We have just endured over an hour of question time and what I think could only be described as very substantial acts of evasiveness from the Premier. Direct and utterly pertinent questions regarding the distribution and collection of data have not yet been really adequately answered by the government, and I think that undermines the confidence of the people of this state in the conduct of their government during a time of crisis.

Let's just reel this back to the start to understand precisely how serious these allegations are. During the course of the last 12 months, in the midst of probably one of the biggest crises this state, our country and the world have ever seen, South Australia has performed exceedingly well in confronting the health crisis of COVID-19. One of the reasons we have been able to succeed is that we have all collectively and willingly put our confidence and faith in the Premier and his government to keep us safe.

One of the key components of that activity has been to willingly hand over an unprecedented level of data to the government so they can, in turn, take that data and use it to keep us safe. We have put our faith in them. I have put my faith in them, and we in the opposition have actively encouraged South Australians to adhere to all the requests of government and to hand over all that data to keep us safe. To now find ourselves, 12 months after this crisis commenced, asking questions about the way that data is being collected and the way that data has been used is incredibly disconcerting. It goes to the heart of trust. It goes to the heart of the trust we have all collectively placed in this Premier.

Let's understand the questions that have been raised here. During the course of COVID, South Australians were asked to trust government sources of information to guide them through this crisis. The principal source of information this government has actively encouraged people to use is the COVID-19 website [www.covid-19.sa.gov.au](http://www.covid-19.sa.gov.au), so you can imagine the horror of South Australians on finding that they were referred to a government website only for that government website to have within it links to NationBuilder—and not just NationBuilder but the NationBuilder component run, owned and operated by the Liberal Party.

[stateliberalleader.nationbuilder.com.au](http://stateliberalleader.nationbuilder.com.au) was the website South Australians found themselves being redirected through when they clicked on a link on the COVID-19 website. When South Australians were looking for information they could trust, they went to the COVID website, and it turns out that within that website were links to the NationBuilder collection service of the Liberal Party.

The question is: why? How on earth did we find NationBuilder links or websites embedded in a government-related website and for what purpose were they there? The Premier is trying to tell us, 'Nothing to see here. It was a mistake.' Well, that is one extraordinary mistake. As these questions continue to be asked, rest assured that if any information were to emerge that suggested there was

a transfer of any information or data from the government to the Liberal Party, that is a conspiracy. That would be an extraordinary revelation.

What has the opposition incredibly concerned is that over the course of this morning as MPs we have all, collectively, been inundated with correspondence from South Australians saying, 'Well, why was I getting these emails from Steven Marshall, including from stevenmarshall.com.au? How did Steven Marshall get my email address? How did Steven Marshall get my data?' These are questions that South Australians are entitled to find answers to.

Why were there Liberal Party links in government websites? Why are South Australians receiving unsolicited emails from Steven Marshall? That is why we need an independent investigation—not some investigation from within DPC but a genuinely independent investigation led by the Ombudsman—so that South Australians can have their confidence in this government and their data collection through COVID-19 somewhat returned.

*Members interjecting:*

**The SPEAKER:** Order! The leader's time has expired.

### **ONLINE TUTORING PROGRAM**

**The Hon. J.A.W. GARDNER (Morialta—Minister for Education) (15:37):** I am really pleased to be able to update the house about a very exciting initiative that I am confident will, in the years to come, become part of our education firmament, particularly in public education in South Australia. I am talking about the Learning+ online tutoring program, which is focused on enhancing our ability to support children and young people in our public schools in their maths learning, an area where successive international comparisons to standardised tests around the world have identified a decline in Australian outcomes, one we seek to address.

Mathematics is, of course, a core concept. It is tremendously important for our economic future that we have a highly skilled and highly knowledgeable workforce, particularly in some of those science, technology, engineering and mathematics-focused fields. We know that mathematics is a core concept at the centre of so much scientific study and research, and its application in people's work lives will only increase in the years to come.

This is especially so in South Australia, where we have this dramatic opportunity to take advantage of a \$90 billion program of works in shipbuilding and defence projects from the commonwealth government, in the Australian Space Agency, SmartSat CRC, Mission Control and all the other space-related primes setting up at Lot Fourteen in that space industry and, indeed, in the rapidly growing cyber industry right around the world, which has seen so many extra jobs being created, including right here in Australia.

Indeed, these are jobs that in many cases can be done from anywhere in the world, and there is no better place in the world to see a young person interested in the future of cyber than here in South Australia, where we now have the Australian Cyber Collaboration Centre, as well as cyber-focused companies investing in South Australia looking to employ young people, and we have a new cyber traineeship that is doing very well.

The future of jobs is really going to be enhanced by a solid foundation in our school students doing maths. That is why we want to increase the engagement and the outcomes for young learners in maths. Our Learning+ program is about students getting access to free one-to-one tutoring and our pilot is focusing on year 6 and year 8 students. We are providing that online tutoring free for up to 2,000 students this year. Each student has the opportunity to engage in online tutoring for 30 minutes twice a week for 10 weeks. The tutoring occurs after school and on weekends, meaning that students do not miss out on any classroom time through their participation.

The students selected to engage in the pilot have varying mathematical abilities. This approach will enable us to evaluate the impact of the tutoring program across student cohorts. Students are matched with a tutor for the duration of their program, and tutors provide a personalised learning experience by identifying individual student needs and delivering tailored sessions that support academic growth and independent learning.

I am told that the approach and the delivery method align with the research and evidence about tutoring. During the program, tutors are providing updates to the student's classroom teacher on at least three occasions. We know that tutoring is more effective when it is delivered in short,

regular sessions over a set period of time and when it is aligned to the school curriculum, helping the students with the sort of work they need help with to exceed and to excel in their own classrooms.

Research also indicates that the quality of the tutor is fundamental for achieving successful outcomes for students. I tell you, sir, the tutors selected to participate in this pilot program are qualified teachers registered in South Australia. They have expertise in planning for an individual's learning needs. They have been provided with a thorough induction and opportunities to connect with their peers and experts, and they are doing a great job. Indeed, the University of Melbourne has been engaged to design tutor professional learning and resources for the pilot.

We are delivering it online, which means that the students from across the state can access the program from Streaky Bay to Whyalla and from Keith to Cobdogla, and students in Kingscote are accessing the program. It is tremendously important that those regional and rural students can benefit. It is possibly one of the key things that will help us to deliver better outcomes for students in areas that might not have a specialist teacher.

More than 200 qualified teachers have been onboarded as tutors, and 500 year 6 students from 66 schools are participating in the pilot program over terms 1 and 2, and the year 8 cohort will commence tutoring sessions in term 2 across 31 schools. Can I tell members that the feedback we have had so far from families, from students and from the tutors themselves has been tremendous. Telethon Kids Institute has been engaged to conduct an evaluation, and we are looking forward to seeing how that shapes the program.

I want to give my congratulations to Marina Elliott, Justine Rodda and the team who have been working on it, as well as John Mastropaolo from Grange Primary School (which was highlighted in the paper recently), and to all the students and the teachers who have engaged with the program. I cannot wait to see the benefit it will bring the people of South Australia and particularly our students.

Time expired.

#### HYDROGEN INITIATIVE

**Mr HUGHES (Giles) (15:43):** I rise today to talk about the fantastic hydrogen initiative announced by Labor, which is in stark contrast to the proposed basketball stadium in the central business district in Adelaide.

I find it very strange indeed that, in response to a question in the upper house during the last sitting week, the Treasurer indicated that, apart from the \$50 million on the table—courtesy of the previous Labor government—in relation to the future of the steelworks, the cupboard was now bare when it came to Whyalla and support for the steelworks. I thought that was a strange comment, and then to hear a week later, or a little longer, the announcement that \$700 million was available for a basketball stadium in the centre of Adelaide—money that could be spent in the regions where it is needed—was just absolutely amazing.

Any expenditure by government on the steelworks or the overall entity in Whyalla will be contingent upon what happens over the coming weeks and months. We all know that the financial arrangements being entered into between Greensill and GFG are complex, layered and involve tax havens. We have some people overseas talking about Greensill and saying it could take years to sort out this mess, but I am sure when it comes to GFG's part in this, that there will be a quicker outcome. It is just not on for the Treasurer to say, 'There is no more money available.' We have to see what is going to happen and it will be contingent on what will happen.

I look at the previous Labor government's commitment to Nyrstar: it was not \$50 million; it was nearly \$300 million worth of underwriting. Labor was not prepared to walk away from that plant and see it close and have a devastating impact on the community of Port Pirie and, indeed, the loss of yet more value-adding here in Australia.

I know full well that there are literally hundreds of millions of tonnes of magnetite on the doorstep of Whyalla with the infrastructure in place. We know for a fact that we have massive energy resources in our state, especially in the area around Whyalla when it comes to renewables. The future of steel should be assured in this state and in this nation, given that it is the only integrated steelworks in the nation that produces structural steel and rail. I would like to see a more up-front

commitment—and that could take a whole range of shapes depending upon what happens—from the current state government and indeed the national government.

I looked at the \$700 million basketball stadium and I compared it to the proposal around hydrogen if Labor is elected—a 250-megawatt electrolyser, a 200-megawatt power plant, plus a storage facility. That is real commitment to a hydrogen future in our nation and in our state. As the local member, I would argue that a project of that nature would complement what H2U are proposing to do in Whyalla.

Mitsubishi Heavy Industries have come on board, investing in H2U with Worley, or what used to be WorleyParsons, carrying out the up-front design work for the proposal in Whyalla. Initially, that will be a demonstrator project that will put in place a 75-megawatt electrolyser in Whyalla plus storage, with the intention of using ammonia domestically, but the intent is to go up to 800,000 tonnes of green ammonia for export.

We have a fantastic opportunity here and time is running out. I could talk about hydrogen and the steel industry; it is really amazing to watch what the Swedes are doing. By 2026, they intend to be producing 1.3 million tonnes of fossil-free steel in Sweden, leading up to 2.7 million tonnes by 2030. We should have a vision in this state. We should have a vision that focuses on Whyalla and what can be done.

Time expired.

### FLINDERS ELECTORATE

**Mr TRELOAR (Flinders) (15:48):** I rise today to talk about a very exciting weekend just gone in the seat of Flinders on Eyre Peninsula. There were two events of significance—there were probably more than that but the two events that I attended at least—the first being one of the highlights on the social calendar, the Streaky Bay Cup. Being scheduled in March, it was unfortunately cancelled in 2020, so it was back bigger and brighter than ever at the Streaky Bay racecourse last Saturday. It was a six-race card. Race 5 was the much-anticipated Streaky Bay Cup. Korodon was the winning horse. My congratulations to Richard and Chantelle Jolly as the trainers, and also Angus Chung as the jockey. The crowd was particularly enthusiastic and came from all over Eyre Peninsula to attend what was a wonderful event.

Also on that same day, the Saturday, the Poochera and Districts Historical Society organised an event to celebrate the centenary of the gazetting of the town of Poochera on central western Eyre Peninsula. One of my real passions is local history. It does not seem to matter where that history is: if it is local, I enjoy it and appreciate gaining an understanding of those early days.

Despite the fact that the railway went through the district, the extension of the Minnipa to Wirrulla line and ultimately to Thevenard occurred in 1914, and the railway siding at what was to become Poochera was opened in 1914. It was not until 1920 that the town itself was gazetted. By that stage, the bigger pastoral leases, which had been in place up until that time, had been subdivided into smaller sections to enable farming families and settlers to establish wheat-growing properties in the district.

I mentioned the railway earlier. We can never overstate the importance of the arrival of the railway and its importance in opening up the inland areas of not just Eyre Peninsula but also the Murray Mallee because transport was for the most part by horse and cart. Roads were near unpassable and the railway provided communication, services, a route for freight and access to the wider world. Despite the fact that the town was gazetted in 1920 and that once again COVID interrupted things, the celebration was held in March this year.

The arrival of water in 1926 and the building of the first bulk grain receival sites on western Eyre Peninsula at Poochera certainly cemented the district as a critical part of the farming landscape on western Eyre Peninsula. The Poochera siding was 178 miles and 27 chains north of Port Lincoln—so keep that in the back of your mind for your next trivia night.

I would like to congratulate the committee, ably led by Mr Phillip Gosling (known locally as Joe). Mary McCormack was there, and she raised the flag on the day; she is the oldest resident in the district. The Hon. Graham Gunn was also in attendance representing the District Council of Streaky Bay. He presented life membership awards to various committee members. That was lovely. I had the opportunity to say a few words myself, which I appreciated, and then we spent the morning

wandering around a beautifully prepared local park and lovingly restored equipment in the local museum, so it was a joy to be there.

There were a lot of family reunion-type meetings going on. Certainly, the links amongst the families on Eyre Peninsula are strong. It does not matter where we as residents go, we can find some family links on Eyre Peninsula up and down the coast. It was a wonderful day. Congratulations to Poochera on celebrating their centenary, and congratulations to the Streaky Bay Racing Club on running (excuse the pun) another outstanding event.

### MAIN SOUTH ROAD DUPLICATION

**The Hon. L.W.K. BIGNELL (Mawson) (15:53):** Yesterday, members of the Liberal government turned up at Aldinga to announce that they were going to do some consultation on the duplication of Main South Road. This is a project that was in the 2017-18 budget, so it was midway through 2017 when we announced that. Until now, nothing has actually happened even though we went out pretty much immediately—almost four years ago—and did community consultation in the form of a community meeting where we had the then minister for transport and infrastructure, we had the CEO of the department of transport and infrastructure, and we had senior executives there.

What we heard at that meeting back in 2017 was that the people did not want to have roundabouts. Soon after the election, it was great to have the then transport minister come down, the member for Schubert. He met with some of the people from the Main South Road Action Group, and they made it clear that they did not want roundabouts. We had a petition presented in here, with 1,200 people signing, saying that the people of Aldinga, Sellicks, Willunga, Yankalilla and Myponga did not want roundabouts.

Now the government comes back after not listening to the community, after refusing to respond to correspondence from the Main South Road Action Group from September last year and failing to engage with these people, these hardworking people who have brought this deadly road to the attention of successive governments. When we were in government, we went down and met with them. We doorknocked the area in 2016.

In 2017, when we sat around the cabinet table, we saw it as a priority project from a Labor government to duplicate Main South Road from Seaford all the way down to Sellicks. We listened to them, and we have worked quite closely with Craig, Fred, Dale, Jess and all the other team members in the Main South Road Action Group. What they have had from the Liberal government since they came to power over three years ago is absolutely nothing.

You do not have to take my word for how disgruntled the people of Aldinga, Sellicks, Myponga, Yankalilla, Willunga and the rest of the southern area feel about the Liberal government. Just go on Facebook. Have a look at the Premier's page and the announcement on the Liberal Party Facebook page and have a look at the comments there from the people who live locally and what they are saying about this Premier, about this transport minister and about this Liberal government.

They are not speaking favourably of this government. They say that our area has been absolutely ignored by the Liberal government, and guess what? They are absolutely correct. All we have from this government is a proposal to dump PFAS toxic waste in the McLaren Vale wine region, ironically on the corner of Main South Road and Tatachilla Road, one of the most dangerous intersections in the area.

They are calling our area 'the forgotten Fleurieu', and I am really sad to say that I have to agree with the local people in our area. It has become the forgotten Fleurieu. We are being ignored by the Liberal government and being offered roundabouts when we see that other places, such as the South Eastern Freeway, the Northern Expressway and all these other major builds around the place, have overpasses or underpasses included in them.

**Mr Knoll:** Yes, with five to eight times the amount of traffic.

**The Hon. L.W.K. BIGNELL:** Again, the member for Schubert, the former transport minister, wants to have a fight with the people of the south through me and yelling things out at me. I am here to represent those people. I will stick up for them all the way. I heard from the Main South Road Action Group that, when they met with the Liberal candidate for Mawson on Saturday, she said that



she would not stick up for them and fight against her own government to make sure that roundabouts are not built there but overpasses or underpasses.

She is not game enough to have the fight for the people. She will not stand up for the people. Where was she when the fight was on to stop PFAS being dumped in McLaren Vale? Nowhere to be seen. Where is she on this fight? Nowhere to be seen. I have been the member for Mawson for the past 15 years, and I will continue to fight hard day in, day out for the people I represent.

### SCHUBERT ELECTORATE

**Mr KNOLL (Schubert) (15:59):** It is fantastic news that this morning, Tuesday, the Regency to Pym section of the north-south corridor was open for traffic in both directions. This is a great day and one that has culminated after years of hard effort.

Soon upon coming to government—in fact, eight days after coming to government—I had my first meeting with the then federal Minister for Infrastructure, Mr Fletcher, who is back in that role, about funding this phenomenally important project. Having had that project funded, and a contract having been awarded to a group of companies, including McConnell Dowell, Mott MacDonald and Arup, we have seen this overpass built—a great achievement and a great project for South Australia.

Once again, the superstar from McConnell Dowell, Mario Russo of Oaklands Park crossing fame, has delivered a project early and under budget, and that is great news for the people in my community, the people of the Barossa. This overpass creates a nonstop corridor, from Port Road right up into the main street of Nuriootpa, for people coming up to the Barossa Valley. This means that you can get from town to the heart of the Barossa, the northern end of the Barossa even, in well under an hour.

That is great news to help improve the number of people who can easily access the Barossa. I would say to everybody that the Barossa is now even more accessible than it was. We know that after the northern connector was opened, saving some 10 to 15 minutes per journey, for people coming to the Barossa we are now going to see a saving of, on average, between five and eight minutes and eight minutes at the peak.

There is now even less excuse for people not to visit and see all the new attractions, the new cellar doors and the new facilities that have been built and are being built in the Barossa. To all of you out there, I encourage you to come and visit because #The Barossa just got closer again. What we now have is a nonstop gateway and nonstop corridor that will facilitate more and more people coming to what is Australia's premier wine region.

I would also like to talk about a fantastic festival coming up in a couple of weeks' time in the Barossa: the biennial Barossa Vintage Festival. Perhaps the most visible part of this festival to the community and to people who come and visit is the scarecrow competition. For those uninitiated, what happens is that every two years busy households and businesses across the Barossa, including my office, put together a scarecrow to put on display to be judged as part of the scarecrow competition.

Out of a district of 15,000 people, this year we have now had over 180 scarecrows registered for people to come and look at. Some of these scarecrows are not just a bit of straw stuffed into a couple of hessian sacks on the side of the road. They are quite elaborate scarecrows of all sorts of persuasions. I have seen ones in relation to Star Wars, and I have seen quite an elaborate barrel and scarecrow setup about a Barossa wine train down Menge Road. I would like to congratulate the people who put that together—Chris and Jayne Pfeiffer—and say that it is a fantastic opportunity for families to come not just for our fantastic food and wine but to explore some pretty cool structures.

In fact, on Sunday I took my girls—because they had been bugging me about it—to see what are a couple of big round bales of hay that are not actually part of the scarecrow structure but are very famous in the Barossa, that is, our Bluey hay bales. They actually look pretty authentic, and we had our photo taken in front of them. Even as we were there for the three or four minutes it took to take a photo, 15 different cars stopped to have a look and take photos of that structure. Again, that shows the intense and wonderful community spirit the Barossa has. I am not even sure what the prize is, but I do not think it matters. It is about showing off to the people who are coming to visit our region.

To those who are voting, though, I put in a shameless plug for scarecrow No. 122 called Schubert the Spin Bowler. To explain, it is a scarecrow that always gets put together by my staff, without my input, because they use it as a great opportunity to poke fun at whatever I have been doing over the preceding time. Having starred in five games in A5 cricket for Angaston—unfortunately we did not make the finals this year—Schubert the Spin Bowler, scarecrow No. 122, is on display in front of my office. Please vote for that scarecrow or, if not, vote for any scarecrow of the 180 and enjoy what is a fantastic tradition in the Barossa that has existed now for over 25 years.

Time expired.

### HOMELESSNESS

**Mr BELL (Mount Gambier) (16:04):** I rise to give some weight to the Combined Agencies Network committee in my electorate, who have written to me to express their very grave concerns about the welfare of their clients. These agencies include Lifeline South East, Uniting Care, Community Transitions, Vinnies, Anglican Church Mount Gambier, ac.care, Salvation Army, Foodbank and the Sunset Community Kitchen.

The committee, which consists of representatives from each agency, meets on the second Tuesday of each month to work collaboratively, supporting one another to consistently serve those in our community who are poor, needy and marginalised. They are seeking my support to bring their concerns to the attention of the Premier of South Australia, Mr Steven Marshall, and the Liberal state government.

At our meeting on Tuesday 9 March 2021, each representative reported that their agency is experiencing an increase in the number of people who are homeless and those who are accessing their services. They are very worried about the lack of affordable, safe and emergency housing for their clients. Emergency accommodation can mean temporary motel/caravan park accommodation, couch surfing, sleeping in a vehicle, sleeping outdoors in a tent or sleeping rough outdoors. Women are being housed in tents when no other properties are available, which is a huge risk to their personal safety. Single males also have an issue with accessing affordable rental properties. More community and social housing is desperately needed.

The members of the Combined Agencies Network would like to inform that some of the reasons for their clients needing emergency accommodation are lack of housing/affordable housing, fleeing domestic violence, unemployment poverty, mental illness and a lack of support services, and substance abuse and a lack of those services.

Currently in the Limestone Coast area, rental prices have increased exponentially. Real estate agents confirm applications for every property far outnumber the properties available. Single adults without children who are on JobKeeper do not have affordability to rent housing in addition to paying for utilities, food and other living expenses. Social isolation, which is a result of homelessness and poverty, increases mental health decline and self-medication. Also, in our area, mental health support and drug/substance abuse support are insufficient to the need.

We agree completely with ac.care's CEO, Mr Shane Maddocks, and the manager of Homelessness Services, Ms Trish Spark. They have reported:

The issues we are increasingly seeing with rent stress and housing affordability pushing people to the brink of homelessness require a whole of community approach to advocate for greater attention from government and development of long-term solutions to increase support and housing availability for vulnerable people in regional South Australia.

They report that requests for accommodation have risen by 30 per cent in the past few months.

Salvation Army and Lifeline South East financial counsellors have also reported that availability and affordability of rental properties are continued concerns for their clients. Clients identifying with Centrelink and those on low incomes are having difficulty with securing rental accommodation due to lack of availability, rental history and affordability. There are long waits for Housing SA category 1 rentals for single females with children. An example of this is that a client was told they were on category 1 for public rental and on top of the list. They are still waiting for a property 12 months later. All attempts to secure private rental have been unsuccessful.

Agency members are very concerned that, along with the lack of mental health and substance abuse support services, their clients' woes will be compounded once JobSeeker payments decrease at the end of March. The revised payment, even with a \$50 increase in the former Newstart payment, will destine people to try to manage on a payment that is a long way below the poverty line.

We implore the South Australian Liberal government to advocate for a long-term increase in JobSeeker to a level that is sustainable and allows people opportunities to afford basic necessities and climb out of poverty. They also asked me, as their local member, to help raise this issue with the state government to increase its spending on social housing. More investment in this area will not only help our clients but also provide an economic stimulus as well as meeting a vital need going forward.

### **AL SALAM WANDANA CENTRE**

**Ms BEDFORD (Florey) (16:09):** On Sunday 28 March, I was made most welcome when I attended a very special occasion. In the presence of the Premier; the Leader of the Opposition; the local MP, the member for Torrens; the Tea Tree Gully council mayor, Kevin Knight and Mrs Karen Knight; and a representative from the City of Port Adelaide Enfield, Councillor Matt Osborn, the Al Salam Wandana Centre was officially opened.

Wandana Avenue has been the home of Muslims in the north-east for many years and, until recent boundary changes, it was my honour to be their local MP when first Burc College and then Pinnacle College became part of our community. Uncle Frank 'Wangutya' Wanganeen welcomed us to country and, as usual, it was good to see him and to feel the graciousness with which Kaurna people share the land.

Many visitors had come to share this day with the local community. Sheikh Riad El-Rifai from the Park Holme mosque delivered a recitation from the Koran, and then we were officially welcomed by the President of the Islamic Society of South Australia, Mr Ahmed Zreika, who gave a brief history of the community's activities and background of the project at Wandana Avenue. Many years of planning and work went into the wonderful result: a fully equipped multipurpose hall, commercial kitchen, meeting rooms and offices.

This was all made possible from a government grant and donations from individuals within their local community. Large or small, they all contributed and made a great difference to the outcome. The Premier and leader made speeches, and then we heard from Imam Abdussalam Alim. His joy and pride in this great shared achievement were obvious, and he told us stories of the inevitable ups and downs of such a big project.

It was then time to present individual achievement awards to those who had gone over and above: Haji Azizi, a man who spends so much time at the mosque looking after the mosque and the premises around it, and Adel Halimzizari, the man who painted the centre and supplied the paint. He and his sons made such a wonderful contribution; and the man who helped build the mosque, Abdulahad Ahmad, finishing off the project. They all did a marvellous job and were rightfully recognised for their work. Then, with the help of the Premier, Imam Alim and Mr Zreika cut the ribbon and we walked through into the beautiful new facilities and enjoyed a magnificent refreshment table.

This day of great happiness was unfortunately tinged with great sadness as news reached us of a young member of the community who had been found after an accident on Saturday afternoon that befell him and students from Pinnacle College's Elizabeth campus while on a school visit to Yorke Peninsula. Members of Pinnacle College, their teachers and the wider community from Syria are in mourning following the recovery of the body of a 16-year-old young man, Ahmad Alfarhan, who heroically dived into the water to save a friend who was washed off the rocks at Browns Beach while fishing on what should have been a very happy excursion.

Our deepest sympathies and prayers are extended to everyone touched by this tragedy. Pinnacle College Executive Principal, Deniz Yildirim said Ahmad was a loved and valued student, a young person full of life, energy and potential. I am sure I had the chance to meet him over the years, as I have presented the Premier's Reading Challenge and other certificates at the school and attended their concerts at the Golden Grove Arts Centre.

The esteem in which Ahmad and his family are held has been shown by the outpouring of shared grief and the donations that have been made to assist his family with his funeral expenses.

As we heard on Sunday before the sad news reached us, it is in giving that we receive. The Muslim community and the Islamic Society in South Australia make a wonderful contribution to the state. We are so grateful for all they do and for their friendship and stand with them in their happy and sad times and in all their future endeavours.

*Bills*

**CHILDREN AND YOUNG PEOPLE (SAFETY) (MISCELLANEOUS) AMENDMENT BILL**

*Committee Stage*

In committee (resumed on motion).

Clause 2.

**The ACTING CHAIR (Mr Cowdrey):** The committee will continue. We were at clause 2 and there had been a number of questions already asked in regard to that clause. Are there any further questions before we put the clause?

**Ms HILDYARD:** In relation to clause 2, what specific articles of the UN Convention on the Rights of the Child will this bill uphold when it commences?

**The Hon. R. SANDERSON:** Do you have to ask questions that actually relate to—

**The ACTING CHAIR (Mr Cowdrey):** I will begin to bring the questions coming from members closer to the context of the clauses that are being discussed. I have given some latitude, given that there were a number in regard to the first clause, which is normal practice, it being the title of the bill. From this point forward, after this clause I will certainly bring questions back to the crux of that particular clause. The minister can respond to this question and from this point forward I will be much more tight in my interpretation.

**The Hon. R. SANDERSON:** Perhaps just for clarification, this is clause 2, which is regarding commencement: 'This act comes into operation on a day to be fixed by proclamation.' If I could have the question in relation to how it relates to that section, please.

**Ms HILDYARD:** What specific articles of the UN Convention on the Rights of the Child would this bill uphold when it commences?

**The Hon. R. SANDERSON:** Perhaps the member could reference which of these rights she is concerned about. We are just wasting time for me to read out the whole of the United Nations Convention on the Rights of the Child. That is not about the commencement.

**The ACTING CHAIR (Mr Cowdrey):** Thank you for the point of clarification. Perhaps we can rephrase the question from this point forward. As I said, member for Reynell, we will get closer to the crux of the particular clause in question, but please feel free to rephrase. As I have said, I am happy to be lenient over the first couple of clauses. Please proceed.

**Ms HILDYARD:** I hear you, Mr Acting Chair. I think the UN Convention on the Rights of the Child is probably very relevant to all aspects of this bill, but I will reframe this question. Minister, how will the bill accord when it commences with article 12 of the UN Convention on the Rights of the Child?

**The Hon. R. SANDERSON:** Could the member read out article 12, please?

**Ms HILDYARD:** Is it appropriate that I am asked a question?

**The ACTING CHAIR (Mr Cowdrey):** We are not going to go back and forward on either side of the chamber. I think the minister has just asked for clarification. If you wish to provide further clarification, please do. The question can be put again.

**Ms HILDYARD:** How does the bill accord with article 12 of the UN Convention on the Rights of the Child, or how will it accord when it commences with article 12 of the UN Convention on the Rights of the Child? Article 12 reads:

Children have the right to say what they think should happen when adults are making decisions that affect them and to have their opinions taken into account.

**The Hon. R. SANDERSON:** I thank the member for clarifying it, so now I know what she is actually talking about. She is talking about the voice of the child in relation to adoption, which is the part we have amended in this bill. We have put forward amendments, and we have amended our amendments after discussion with both the commissioner and the Guardian for Children.

We have now duplicated the rights and the voice, the consent of the child, from the Adoption Act and we have strengthened that by also requiring that any child or children may be heard, may have their voices heard, and have a say on whether the adoption goes ahead. Every child has legal representation as well.

**Ms HILDYARD:** When the bill commences, what in the bill will ensure that Article 25 of the UN Conventions of the Rights of the Child is upheld?

**The Hon. R. SANDERSON:** Could you please clarify that?

**Ms HILDYARD:** Article 25 states:

Children who are looked after by their local authority rather than their parents should have their situation reviewed regularly.

**The Hon. R. SANDERSON:** I thank the member for the question. This is something that, in opposition, I questioned many times for the Report on Government Services. Under the former Labor government, they never reported the annual reviews because they were not done; they were so low.

Coming into government, we saw that only about 25 per cent of children were having an annual review. We have now lifted that into the eighties. That is part of the requirements; it is in our bill. It is in the existing legislation and it continues to be in the existing legislation. As I was saying, it is only since the Liberal government came to power that it has actually been performed.

**Dr CLOSE:** I have a question about the consultation that was undertaken with this bill. In this consultation, what issues did the Guardian for Children and Young People raise?

**The Hon. R. SANDERSON:** I thank the member for her question. As far as the Guardian for Children and Young People goes, we have:

- support the best interests of the child;
- in-principle support for the placement principle, noting the need for DCP cultural change;
- suggest that we include a need for cultural supervision for non-Aboriginal employees;
- suggest need to change penalty provisions from applying to children and young people;
- concern about limiting powers of internal review;
- seeks inclusion of rules around interaction between the Guardian for Children and Young People and the CE, including acknowledging correspondence and time lines for responses to recs as well as information sharing;
- seeks inclusion of education engagement as a priority;
- seeks inclusion of financial support to 21;
- seeks the UN Rights of the Child to be embedded;
- seeks children and young people's right to costs when seeking a review;
- seeks inclusion of requirement to make children and young people understand the charter;
- right to review and complaints progress; and—

it is arguably already in the principles—

- seeks legislation to restrict residential care housing to four and less siblings.

**Dr CLOSE:** When consulting on the bill, was the issue about the need for a funded community visitor scheme for children in care raised during the consultation process, not just with the guardian but more generally?

**The Hon. R. SANDERSON:** Not that we recall. It was not really in the scope of this bill.

**The ACTING CHAIR (Mr Cowdrey):** Your final question, member for Port Adelaide.

**Dr CLOSE:** My final question on this clause is: what was the extent of direct consultation with children in care about the contents of this bill?

**The Hon. R. SANDERSON:** We have spoken to CREATE, which is the national voice for children in care and leaving care, and we also spoke to many children who were over 18 who had left care. I have personally spoken to young people, certainly a lot of foster carers and the NGOs about this issue.

**Mr SZAKACS:** Minister, in the consultation that was undertaken with the Guardian for Children and Young People, and of the matters raised by the Guardian for Children and Young People, what was not proceeded with in the final version of this bill, and can you give reasons why those matters were not proceeded with?

**The Hon. R. SANDERSON:** I thank the member for this question. I note that, when the original bill was introduced in 2017, there had been extensive consultation on a draft bill, and then there was zero consultation on the final bill. As I was part of the group who was incredibly unhappy about that, we have gone out of our way to do consultation in the best way that I know how. We have consulted, we have listened and we have actually made changes.

We have also agreed to make further changes when there is a full review, remembering that this is an interim review and that a full review is required in 2022. With respect to the requirements of the guardian, some of the issues she raised were practice issues, which are really to do with policy and practice and which are best dealt with in that area. Some were accepted, some were already implied in the existing legislation and some of them have been left to the full review where they can be reviewed again.

That is the same for all the stakeholders. There are some that were accepted, there are some that are practice priorities that can be done through the department, and there are others that are more suited to the full review, which is required by legislation in 2022.

**Mr SZAKACS:** I appreciate the minister's response, but specifically my question related to the guardian, not in relation to other stakeholders and matters that they may or may not have raised. It was specifically regarding the matters raised by the guardian in the consultation that the minister undertook, and those matters that were not proceeded with and the reasons that those matters were proceeded with.

**The Hon. R. SANDERSON:** Stage 1 of this bill was to amend the Children and Young People (Safety) Act to implement critical changes to strengthen the effective and efficient operation of the act, and to give effective suggestions that received overwhelming stakeholder support.

Stage 2, which will be the full review in 2022, will refer the remaining suggestions to the full review of the Children and Young People (Safety) Act, which will commence in 2022 and which will be completed by February 2023 as per section 169 of the act. Any that were not accepted, or those that were not considered to be practice, will be considered again in 2022.

**Mr SZAKACS:** I have a final question to the minister on this clause. How many foster and kinship carers left or exited their role in the 2019-20 financial year, and are the reasons those kinship carers or foster carers who exited or left tracked and published?

**The Hon. R. SANDERSON:** I seek some clarification, Mr Acting Chair. I believe that we are still on clause 2, which is to do with the commencement of the act, and each person can have three questions.

**The ACTING CHAIR (Mr Cowdrey):** Correct. As I have said, I have been lenient in regard to the first two clauses—

**The Hon. R. SANDERSON:** I do not understand the link to the actual—

**The ACTING CHAIR (Mr Cowdrey):** —as is practice in regard to high-level principles and consultation, so I am happy to take the question. If the member is happy to perhaps direct that

question to a more pertinent clause later in the committee process, that could be taken on advice as well.

**Mr SZAKACS:** The minister raised a couple of points there for clarification. That was my third question.

**The Hon. R. Sanderson:** I heard you say 3.5 earlier.

**Mr SZAKACS:** I did.

**The ACTING CHAIR (Mr Cowdrey):** The member for Cheltenham has only asked three questions here.

**Mr SZAKACS:** I have not proceeded with that half a question. I am happy for the minister to take this on notice if that would be more pertinent, and certainly for the matter of the clause generally the approach of the Chair is to have these matters of consultation reporting in the early clauses 1 or 2. I am happy for the minister to take my question on notice if that would be easier.

**The ACTING CHAIR (Mr Cowdrey):** Perhaps, rather than on notice, if the minister is happy to answer that question at a more relevant clause, I think that is fine. As long as both the member and the minister are happy to proceed in that way, we will come back to that when the appropriate clause comes up.

**Mr SZAKACS:** Sorry, Chair. I guess I will be happy to hear from the minister as to whether she would like to answer it later or whether she would like to take it on notice, so that I can—

**The Hon. R. SANDERSON:** From my recollection, it was something to do with foster care numbers. If that comes up somewhere in this bill, I will be happy to answer that.

**The ACTING CHAIR (Mr Cowdrey):** We will deal with it at a later clause. Are there any further questions on clause 2?

**Ms WORTLEY:** What format did the consultation with children take and where are the results of that consultation? Where is it recorded and is it public information?

**The Hon. R. SANDERSON:** I thank the member for her question. Relationships Australia on behalf of DCP spoke to children and young people in care and those who have left care in confidence, so that will not be published. We did speak to CREATE, who put in a written submission, and their policy position is available on their national website.

**Ms WORTLEY:** Minister, what have you done to allay concerns raised by stakeholders that the bill and its contents could be in breach of the UN Convention on the Rights of the Child?

**The Hon. R. SANDERSON:** Can I clarify which part of this bill you think that applies to?

**Ms WORTLEY:** It has been raised already, and I am sure you are aware of that. It is not a secret.

**The Hon. R. SANDERSON:** Perhaps you are talking about adoption and the rights of the child. We have amended the amendment so that now we have strengthened the voice of the child to be heard, and they also have a right to legal representation with regard to adoption. Remember, we are amending a Labor bill introduced in 2017, so if there is a breach of the United Nations convention I would need to know which part you are talking about because it may have existed the whole time.

**Ms WORTLEY:** Is there anything in the bill when it commences that will improve accountability of the 14,500 calls to the Child Abuse Report Line that went unanswered last year?

**The Hon. R. SANDERSON:** Chair, unfortunately I cannot see any relationship between the commencement of this bill and that question. It is completely off topic and it is clearly wasting time.

**The ACTING CHAIR (Mr Cowdrey):** Yes, I am happy to step in with regard to that question as well. That is an operational matter for the government, as opposed to policy in regard to this particular bill.

Clause passed.

Clause 3.

**The ACTING CHAIR (Mr Cowdrey):** As I said, I am now going to ask members if they could please direct their questions more directly to the clauses as appropriate as we move through the remainder of the bill in committee. The first amendment on the file is in regard to an insertion after clause 3, so I will now ask that clause 3 as printed stand if there are no questions on the first part of clause 3, which is—

**Ms Hildyard:** Can we ask questions on clause 3 before you put it?

**The ACTING CHAIR (Mr Cowdrey):** Yes, I just got to asking for questions in regard to clause 3 as stands, but it is a very limited clause. I draw that to the member's attention.

**Ms HILDYARD:** Thank you, Mr Chair. The minister has spoken earlier today, and indeed when she introduced the bill, about this being a bill that has come about as a result of a review of the act. We had considerable discussion about the timing of that review, the delay in relation to that review and this bill coming to the house.

Given that the minister has spoken about this being the first review and that another one is due, my question in relation to this clause and in relation to future potential amendments to the bill is: when will the minister commence work on the next review ahead of the requirement for this to occur in 2022 and has that work already commenced?

**The ACTING CHAIR (Mr Cowdrey):** I remind the member that asking a question is not an opportunity to provide a speech to the house. The initial part of that question I would almost deem as that, but take that as some advice more than anything else.

**The Hon. R. SANDERSON:** The new review will be commenced in October 2022.

**Ms HILDYARD:** Also in relation to that next review and then a future amendment bill coming to this house, in order to ensure that the best possible provisions are included in that future amendment bill what systems will you employ to measure the efficacy and outcomes as a result of this bill?

**The Hon. R. SANDERSON:** Please clarify your exact question.

**Ms HILDYARD:** What systems will you employ to measure the efficacy of this bill and the depth or success of outcomes as a result of this current amendment bill?

**The Hon. R. SANDERSON:** Already required in legislation is an annual review of the act. We have also included an extra review required regarding the adoption from care. That will be completed after the fourth but not before the fifth anniversary of the commencement of this act.

Clause passed.

New clause 3A.

**Ms HILDYARD:** I move:

Amendment No 1 [Hildyard-1]—

Page 4, after line 2—Insert:

3A—Substitution of section 7

Section 7—delete section 7 and substitute:

7—Safety and best interests of children and young people of highest importance in operation of Act

- (1) The protection of children and young people from harm, and the need to act in the best interests of children and young people, are each of the highest importance in the administration, operation and enforcement of this Act.
- (2) To avoid doubt, nothing in subsection (1) is to be interpreted as creating a hierarchy between the matters referred to in that subsection (however both of those matters are of a higher priority than any other needs of children and young people in the administration, operation and enforcement of this Act).

**The ACTING CHAIR (Mr Cowdrey):** Would you like to speak to that amendment, member for Reynell?



**Ms HILDYARD:** Can I just be clear so I understand the process. We go to the amendment I have proposed first, there are then questions about that, then questions about the substantive clause; is that correct?

**The ACTING CHAIR (Mr Cowdrey):** This is the insertion of a new clause altogether. We have passed clause 3 as printed. We are now discussing the amendment that is the insertion of a new clause 3A. You can speak to your amendment, and the question will then be put to the committee as to whether to agree to that amendment. We will then move to subsequent clauses.

**Ms HILDYARD:** In my copy of the bill, there is no insertion of a new clause.

**The ACTING CHAIR (Mr Cowdrey):** That is right. Your set of amendments, set 3, amendment No. 1, proposes to insert new clause 3A to follow clause 3.

**Ms HILDYARD:** I think it is actually clause 4, but that is fine.

**The ACTING CHAIR (Mr Cowdrey):** It will become clause 3A. That is what has been listed.

**Ms HILDYARD:** The amendment in my name is about strengthening the best interest principles. I will explain to the committee the intention in relation to that issue. Before I do so, can I say that the insertion of the best interest principles is welcomed. However, there is a view amongst particular stakeholders that those principles have not been consistently or robustly applied at various points throughout the bill, and I spoke about that in my second reading contribution this morning.

This amendment is focused on ensuring that those best interest principles are better applied throughout the act. It is also focused on ensuring that both the best interests of children and young people and the protection of children and young people from harm are each of the highest importance in the administration and operation of this act. I am happy to take questions on this amendment, but that is the intention, and I did elaborate further on that in my second reading speech earlier today.

**The Hon. V.A. CHAPMAN:** I have a question of the mover of the amendment. Who specifically requested this amendment?

**Ms HILDYARD:** There are many stakeholders who—

**The Hon. V.A. CHAPMAN:** Who?

**Ms HILDYARD:** Sorry, can I answer the question? There are many stakeholders who spoke with me after the minister's round of consultation, and a number of those stakeholders raised this particular issue. I can say that most of the stakeholders who did so, except for a couple, had been stakeholders who I understand—of course, I was not privy to all the details of the minister's consultation, but from my understanding, from what people advised me—after consultation with the minister, had concerns in relation to this issue.

I am not at liberty to name all those stakeholders. Some of them spoke with me in confidence, so I am really not at liberty to explain that, but I can say that some of those stakeholders were stakeholders who I understand—as I said, I can only say that not having all the details of the minister's consultation process—had been involved to some degree in that consultation. I am sorry I cannot provide more information to the committee about that particular issue given the nature in which people provided me with information. I am sure the Attorney would understand that there is a need to make sure that people are comfortable to bring those issues forward.

**The Hon. V.A. CHAPMAN:** Without naming these people, who of these, if any, were not stakeholders at the round table?

**Ms HILDYARD:** I refer to my previous answer. I cannot disclose for reasons of their—

*The Hon. V.A. Chapman interjecting:*

**Ms HILDYARD:** Well, you have just asked me to name the ones who were not at the round table. That is my understanding of your question.

**The ACTING CHAIR (Mr Cowdrey):** Members!

**Ms HILDYARD:** Are you doing this bill, or is the minister doing this bill?

**The Hon. V.A. CHAPMAN:** I am a member of the parliament, thank you, and I am entitled to ask questions of the mover of an amendment.

**The ACTING CHAIR (Mr Cowdrey):** This will be your third question now, Attorney, if we are concluding the answer for the member for Reynell.

**The Hon. V.A. CHAPMAN:** I am seeking to clarify the second question because I prefaced it quite clearly by saying 'without naming them'. Could the mover of the amendment indicate whether any of these stakeholders were not members of the ministerial round table?

**Ms HILDYARD:** It is very difficult to answer that question without naming particular people or organisations. Also, I was not at the ministerial round table, so I do not know all the details about who came along on that day or whether there were several days. I am not privy to that information.

If the minister would like to share that information, I would be very happy to see the results of that consultation and the results of the round table and who attended, but I am not privy in full to that information. I am very happy to receive it, but I cannot respond to that, as I said, without disclosing what people have brought to me and the content of those issues, nor can I comment on who was at an event that the minister convened. The minister may have more information for the Attorney on that particular issue. As I said, if the minister wants to share it, I would be very happy to receive it.

**The Hon. V.A. CHAPMAN:** My third question then is: were these the same unnamed people stakeholders in respect of the development of the previous government's bill, which culminated in the act of 2017, in which there is no reference to best interests?

**Ms HILDYARD:** I refer to my previous answer.

**The Hon. R. SANDERSON:** I would like to ask how the 2017 bill that was introduced by the then Labor government, of which you were part, made no reference at all to 'best interests'. I fought strongly to have best interests included. The United Nations convention makes it very clear that the best interests of a child should be a primary consideration but not necessarily a paramount consideration. I believe that the amendments I have brought forward strike the right balance to include the best interests of the child whilst keeping safety the paramount consideration. Can you explain why you are now speaking against your own government, that you were part of, including this, that ignored all the same stakeholders who said the same thing and why you are now requesting it?

**Ms HILDYARD:** I think there are about five questions in there, but I will do my best.

**The ACTING CHAIR (Mr Cowdrey):** Members, I draw the minister's attention to the request I made earlier, about straying away from long-winded questions and statements to the house. I will allow the member for Reynell an opportunity to respond.

**Ms HILDYARD:** As I said, I think there were multiple questions in that statement. I was not the minister at the time but, yes, I was a member of the government. As I said in my second reading contribution, and as I just said in responding to an earlier question or when I introduced the amendment, I support and we support and welcome the best interest principles being introduced. However, we suggest that this amendment will actually provide a clearer, more robust and better set of guiding principles, but we support the best interest principles being introduced. It seems there is some adversarial discussion emerging but, again, we welcome the best interest principles being introduced.

The committee divided on the new clause:

Ayes ..... 20  
Noes ..... 24  
Majority ..... 4

AYES

Bedford, F.E.  
Boyer, B.I.  
Close, S.E.  
Hildyard, K.A. (teller)  
Malinauskas, P.  
Odenwalder, L.K.

Bettison, Z.L.  
Brock, G.G.  
Cook, N.F.  
Hughes, E.J.  
Michaels, A.  
Picton, C.J.

Bignell, L.W.K.  
Brown, M.E.  
Gee, J.P.  
Koutsantonis, A.  
Mullighan, S.C.  
Stinson, J.M.

## AYES

Szakacs, J.K.

Wortley, D.

## NOES

Basham, D.K.B.  
 Cowdrey, M.J.  
 Ellis, F.J.  
 Knoll, S.K.  
 McBride, N.  
 Pederick, A.S.  
 Sanderson, R.  
 Teague, J.B.

Bell, T.S.  
 Cregan, D.  
 Gardner, J.A.W.  
 Luethen, P.  
 Murray, S.  
 Pisoni, D.G.  
 Speirs, D.J.  
 Whetstone, T.J.

Chapman, V.A.  
 Duluk, S.  
 Harvey, R.M. (teller)  
 Marshall, S.S.  
 Patterson, S.J.R.  
 Power, C.  
 Tarzia, V.A.  
 Wingard, C.L.

## PAIRS

Piccolo, A.

van Holst Pellekaan, D.C.

New clause thus negatived.

Clause 4.

**The CHAIR:** Member for Reynell, you have amendment No. 2 standing in your name, which relates to clause 4. Would you like to move that now?

**Ms HILDYARD:** This amendment and the next one are consequential to the amendment I moved previously.

**The CHAIR:** Thank you for your guidance. So those amendments will disappear and we will deal with clause 4 as printed.

**Ms HILDYARD:** Firstly, what does the minister see as being of paramount importance in relation to the care of children?

**The Hon. R. SANDERSON:** Safety remains the paramount consideration; however, we have inserted 'the best interests of a child' as well.

**Ms HILDYARD:** Does the minister believe that the inclusion of this clause will help to manage the ongoing risk of exploitation and abuse of children in care identified by the Guardian for Children and Young People?

**The Hon. R. SANDERSON:** Sorry, could I seek clarification. Are we talking about the bill—not the act but the bill?

**Ms HILDYARD:** Yes.

**The Hon. R. SANDERSON:** Which reads:

Clause 4—Amendment of section 8—Other needs of children and young people

- (1) Section 8(2)—delete 'requirement' and substitute:  
 requirements

And then:

- (4) Each person or body involved in the administration, operation and enforcement of this Act must, when performing a function or exercising a power in relation to a child or young person, act in the best interests of that child or young person (however, this subsection does not displace, and cannot be used to justify the displacement of, section 7).

Which relates to the safety of the child.

**The CHAIR:** Yes, that is correct, clause 4. The member for Reynell's first question at least was in relation to the best interests of a child. Correct?

**Ms HILDYARD:** Yes.

**The CHAIR:** For my benefit and the minister's benefit, could you repeat your second question, please.

**Ms HILDYARD:** Minister, will the inclusion of this clause, which is essentially an insertion of the best interests principle, help to manage the ongoing risk of exploitation and abuse of children in care identified by the Guardian for Children and Young People in their last annual report?

**The Hon. R. SANDERSON:** While this bill maintains safety as the paramount consideration for the decision-maker, which of course is in the context of child protection administration, it is consistent with the child's best interests. This is intended to further embed the principled framework of which a child's best interests are a consideration. Safety is not inconsistent with the best interests approach.

As I mentioned earlier, the United Nations Convention on the Rights of the Child states that the best interests of the child shall be 'a primary consideration', not 'the only consideration', and it does not say 'paramount'. We have further embedded the best interests of the child as well as maintained safety as the paramount consideration.

**Ms HILDYARD:** I guess this is a follow-up because I am not clear about the minister's answer. Practically, how will the insertion of this clause to do with the best interests principle help to manage the risk of ongoing exploitation and abuse of children in care, which the Guardian for Children and Young People clearly identified as a very concerning factor in her most recent annual report?

**The Hon. R. SANDERSON:** I can give you a practical example from the most recent Rice review regarding C1 and C2. The first priority was securing the safety of the children, which was established, and then the second priority was the wraparound supports and further engagement with those young people.

**Ms WORTLEY:** Minister, do you agree with the Nyland recommendation that a community visitor scheme is in the best interests of children in care?

**The Hon. R. SANDERSON:** I thank the member for the question. As she would be aware, the former government agreed to a trial of a visitor scheme. That trial has come to an end and there was an evaluation. That is now with the Minister for Education to determine and it is with the Treasurer as part of our budget bid.

**Ms WORTLEY:** Minister, how does this amendment interact with section 8(3) of the act?

**The Hon. R. SANDERSON:** It is an additional requirement. I think it fits in quite well with section 8—Other needs of children and young people.

**Ms WORTLEY:** How do the adoption provisions set out in this bill interact with the amendment at clause 4?

**The Hon. R. SANDERSON:** Could you please explain that question a bit more? I am not clear.

**Ms WORTLEY:** For clarification, in relation to the amendment to the adoption provisions set out in the bill, how do they interact with the amendment at clause 4?

**The Hon. R. SANDERSON:** I am advised that any court, when making an order, whether that be a removal order or an adoption order, would have to turn their mind to the best interests of the child.

Clause passed.

Clause 5.

**Ms HILDYARD:** What specific consultation has occurred with Nunga Babies Watch to reduce the incidence of Aboriginal and Torres Strait Islander babies being removed at birth?

**The Hon. R. SANDERSON:** I seek clarification as to where this fits with this part of the legislation.

**Ms HILDYARD:** Sorry, my bill is—

**The CHAIR:** You are quite right. Your question, member for Reynell, relates to clause 6, which we have all realised. Do you have a question in relation to clause 5?

**Ms HILDYARD:** Yes, I do. I just have my 5 and 6 together. My act is an earlier version and it has different numbering; excuse me.

**The CHAIR:** Do you want to get a later edition?

**Ms HILDYARD:** I will. Minister, what does this bill do to deal with the link between children in care and future contact with health, justice and welfare services?

**The Hon. R. SANDERSON:** I am sorry, I need clarification. My understanding is that clause 5 relates to placement principles. Could you reiterate the question?

**Ms HILDYARD:** I do not understand why my earlier question was called out of order. I do not really understand—

**The CHAIR:** It was not called out of order, but you were quite specific in your first question in relation to Aboriginal and Torres Strait Islander children and young people. We are just getting you an updated version of the bill, member for Reynell.

**Ms HILDYARD:** Sorry, I do not understand. Could somebody explain how the first question I asked was not relevant to the placement principles?

**The CHAIR:** Given that you mentioned in your question Aboriginal and Torres Strait Islander children, I think we jumped to the assumption that it related to clause 6.

**Ms HILDYARD:** They are covered by those as well.

**The CHAIR:** Let's try again. Member for Reynell, could you clarify the most recent question you asked, and then if you would like to go back to your first question we can. We are still on clause 5.

**Ms HILDYARD:** I understand that. I am really not sure how to be clearer, but I can ask it again.

**The CHAIR:** Well, the minister has asked for clarification.

**Ms HILDYARD:** How does this amendment bill—and obviously I am asking in relation to the placement principles and their insertion at clause 5, so in relation to that clause in this bill—or that clause in particular, deal with the very worrying link between children in care and future contact with health, justice and welfare services?

**The Hon. R. SANDERSON:** I thank the member for the question. Regarding the section 11 placement principles, the court does not currently have the power to make an order in relation to the placement of a child. The amendment has been made to give effect to the principle of timely decision-making and ensuring that decision-making about the placement is as close to the child as possible.

**Ms HILDYARD:** That does not answer the question. I will try again in a different way.

**The CHAIR:** You could seek clarification.

**Ms HILDYARD:** How will the insertion of the placement principles support the much-needed change to the resource mix to prevent children going into care?

**The Hon. R. SANDERSON:** We believe that you might be talking about the Aboriginal placement principle, whereas clause 5 relates to deleting a subsection, not actually inserting one. I am not inserting anything: I am deleting something. Clause 5 is a deletion.

**The CHAIR:** My understanding is that we are amending section 11—Placement principles, which already exists. We are simply amending it.

**Ms HILDYARD:** Yes, but I would have thought, Mr Chair, that the questions are relevant to either clause 5 or clause 6, because you are absolutely right: we are deleting a section and inserting a section, so both those clauses are relevant to the questions that I am asking, if that makes sense.

**The CHAIR:** The questions you are asking are relevant to the clauses rather, yes.

**Ms HILDYARD:** Do you understand my point?

**The CHAIR:** Yes, I understand. I guess that in this situation—and it comes up from time to time—members ask questions of a minister, and really it is up to the minister to answer those questions in whatever way he or she sees fit. The minister here can answer in the way she sees fit.

**The Hon. R. SANDERSON:** The placement principles under section 11 relate to all children in placement. As I mentioned, the court currently does not have any power to determine a placement: it can determine a removal and guardianship. It cannot determine who then has the child in its placement. So we are removing subsection (4), which provides: 'To avoid doubt, the requirement under this section applies to the Court.'

The court does not have that power, so we have removed that just to make it clear. It is tidying up some confusing legislation, which is obvious because it is confusing both of us. That is why it is being removed.

**Ms HILDYARD:** My question still stands.

**The CHAIR:** As I said, the minister can interpret your question and answer in whatever way she pleases. She has advisers with her today. I know they will be familiar with the bill and the amendments. Let's have another go, member for Reynell. You have asked that question.

**Ms HILDYARD:** I will try to ask question No. 2 again and pick up the point.

**The CHAIR:** Yes, we will all listen carefully.

**Ms HILDYARD:** I am aware of what clause 5 of the bill does. It does go to issues around placement principles. I am asking a question in relation to placement principles. I will have a series of questions at clause 5 about placement principles and at clause 6 about placement principles, because to me it is irrelevant whether you are deleting or inserting the subject matter of those clauses. Clauses 5 and 6 relate to placement principles. I understand perfectly what the act is doing, or what the bill intends to do. I am attempting to ask questions about placement principles, so I will try my second question again, if that is okay.

**The CHAIR:** That is right, member for Reynell; however, what we are dealing with is a specific amendment, and that is to delete subsection (4). I guess that if we were very specific we would need to ask how that particular deletion affects placement principles.

**Ms HILDYARD:** If you are deleting those placement principles and inserting other placement principles in the next clause, can the minister please advise how that deletion and subsequent insertion will deal with the very worrying link between children in care and future contact with health, justice and welfare services?

**The Hon. R. SANDERSON:** We have sought further advice and, as I have already stated, it is really a tidy up. There is nothing more I can say on this topic. They are not related. This placement principle is regarding every child, and then the Aboriginal placement principle is a separate section. It is a tidy up. We have even checked with parliamentary counsel. There is nothing more I can add.

**The CHAIR:** The amendment bill we are dealing with deletes subsection (4) of the existing act, which reads: 'To avoid doubt, the requirement under this section applies to the Court.'

**Ms HILDYARD:** I am still trying to get an answer to my question. I do not need clarification of what we are doing; I just want an answer to the substantive question.

**The Hon. R. SANDERSON:** It does not make a difference if it is in or out. If you can explain why you need it in there.

**The CHAIR:** Order!

**Ms HILDYARD:** This is a really important question—a really important question for South Australian children—and it would be excellent to get an answer to it.

**The CHAIR:** I am going to try and rein this in a bit. Member for Reynell, you have asked one question, you have sought clarification on that and the minister has answered it as she sees fit. Would you like to ask a further question on clause 5?

**Ms HILDYARD:** We will talk about the insertion of the principles at clause 6, but at the moment in relation to clause 5, will this change do anything to ensure that there is an improvement in notice being given to the minister of serious sexual and other assaults of children in the department's care?

**The Hon. R. SANDERSON:** As I have stated many times, this is a technical amendment only. It seeks to tidy up an error in the legislation. That is all it seeks to do.

**Ms WORTLEY:** To clarify, we are talking about the wording, 'To avoid doubt, the requirement under this section applies to the Court.' Is that what we are speaking about?

**The Hon. R. SANDERSON:** Yes.

**Ms WORTLEY:** So you think there is no doubt that it is not necessary to include that in there?

**The Hon. R. SANDERSON:** I did not even think it. It was recommended as a technical improvement. I am not a lawyer. This was recommended by lawyers, not me. This is not my idea. This was an opportunity to tidy up an amendment that existed in the bill. We can leave it in there if it is very upsetting to anyone. It was really just tidying up a bill. It does not actually do much other than make the technical amendment and tidy up the bill. We can leave it in there if you are really wedded to it.

**Ms WORTLEY:** Can I have some clarification on that? So this was put in there to avoid doubt and you are happy for that to be removed?

**The Hon. R. SANDERSON:** This deletion was to operate in conjunction with new section 56A in clause 17, which confirms that the court is not authorised to make orders relating to the placement or contact arrangements. I believe there is a Labor amendment that was put in that then deletes the necessity for that, so we do not need it. It is just a tidy up, but we can leave it there if you prefer.

**The CHAIR:** We are dealing with the amendment bill as it stands.

**The Hon. R. SANDERSON:** The advice from parliamentary counsel is that we should do it. It is a tidy up. There are further amendments that you are making to this. It will become clear as we go further.

**Ms WORTLEY:** So it is a tidy up. What does it actually do by deleting it?

**The Hon. R. SANDERSON:** It really is a technical amendment to avoid doubt. The courts do not have the power to determine a placement. This is really a technical amendment; it is a tidy-up. It does not do anything other than fix a piece of messy legislation and make it clearer.

**The CHAIR:** So we have the answer?

*An honourable member interjecting:*

**The CHAIR:** What we need to do is deal with the amendment bill as it is in front of us. The opposition members have been asking why the minister and the government are looking to delete a particular section and the minister has answered that. The answer was: to make it a tidy piece of legislation. Are there any further questions on clause 5?

**The Hon. Z.L. BETTISON:** So the clarification is: by the removal of that, what does the clause now do?

**The Hon. R. SANDERSON:** It was not required in the first place because, as I have said several times, the courts cannot determine a placement. A court can determine removal. They cannot determine a placement. They never could. This really should never have been in there. I do not know who put it in. If it was put in there in 2017, it was not necessary. It was put in the original bill. It is a technical amendment; it was discovered when we opened up the bill. The drafters have seen that it is unnecessary, 'Let's clean it up, remove it.' It is a technical change. It is a tidy up. That is all it is.

Clause passed.

Clause 6.

**Ms HILDYARD:** I move:

Amendment No 4 [Hildyard–1]—

Page 4, lines 28 to 30 [clause 6, inserted section 12A(b)]—Delete 'to participate in' and substitute:

, and in particular Aboriginal and Torres Strait Islander children and young people, their families and communities, facilitated by Aboriginal community mechanisms, to lead decision-making about, and participate in,

In regard to the first amendment, more broadly, and similar to what I said in relation to the insertion of the best interests principles, the inclusion of the Aboriginal and Torres Strait Islander Child Placement Principle are absolutely welcomed. However, a number of stakeholders have spoken with us about the fact that an articulation of the principles on their own could be insufficient to ensure Aboriginal children and young people are both physically safe and culturally safe and cared for through being placed where they are connected to their culture and kin.

The reason we are moving this amendment based on that feedback from stakeholders is that we think the principles can be better and more robustly brought to life through increased participation of Aboriginal and Torres Strait Islander families and communities in child protection decision-making. I have a number of other points, but I understand we are going to deal with them separately.

**The Hon. R. SANDERSON:** What is the Aboriginal community mechanism, and what consultation have you undertaken?

**Ms HILDYARD:** I think that is two questions. I will go to the second question first. It is similar to how I responded in terms of consultation. I think the Attorney asked me a question about who I had consulted with in relation to the best interest principle earlier. I am not sure if you were in here, Mr Chair, or if that was our acting chair. I am drawing on that because it is a similar explanation.

The minister outlined earlier today how she consulted with particular groups, individuals and organisations, a range of stakeholders. Some of those stakeholders—post that consultation, as of course they would have—spoke with me about their views on both the nature and extent of the consultation but also spoke with me about their views in relation to the content of the bill. As I am sure the committee would understand, a number of those stakeholders do not necessarily wish to be named in particular.

Certainly, in terms of the question about how that consultation occurred, after those particular individuals or organisational representatives approached me, I met with some of them. There was then ongoing communication via telephone conversations, etc., with me and my staff. Of course, as I should as the shadow minister, I responded to those approaches and communicated with those particular individuals and organisations.

**The Hon. R. SANDERSON:** To the first question—I know you answered the second question—what is an Aboriginal community mechanism? Can you explain that, please?

**Ms HILDYARD:** The purpose of this clause is to ensure that Aboriginal and Torres Strait Islander children and young people, their families and communities facilitate those discussions and therefore, through their facilitation and leadership around decision-making in relation to those particular discussions and the decisions that those discussions relate to, they will identify what those particular mechanisms are.

**The Hon. R. SANDERSON:** That mechanism is important because we do not know what this looks like and what is involved. It has been brought in this morning at 8.48. We have had no time to consult on or consider this. We certainly would be happy to consider this as part of the full review. It is obviously very quick, and this is important. However, I will put on the record that our government is scoping an Aboriginal peak body that has been called for for several decades. Our department has committed money to scoping that. That peak body would be in the best position to be part of that review in 2022 to look at whether we can improve these principles.

I believe that we have done a very good job of putting this together based on the consultation. It does not mean it cannot be improved. However, I think that we need time, we need to enact this and we need to see it, and then with the peak bodies' help and consultation I am more than happy to look at this again in 2022 should I still be the minister.



**Ms HILDYARD:** I am sorry if I missed a question in there, so I will just respond to the content of what was said.

**The CHAIR:** There is no obligation to ask a question. It is usual practice.

**Ms HILDYARD:** It is not a criticism. I am just trying to respond.

**The CHAIR:** Any speaker is quite able to provide some commentary.

**Ms HILDYARD:** Absolutely, and it was not a criticism. I am just explaining that I am not sure exactly what the question is, but I think I understand the sentiment of the statement made by the minister, so I will attempt to respond to that.

First of all, can I say that I am very pleased to hear that there is the scoping around the peak body. Can I also say that I am very glad to hear there is an openness to improvements on the bill and, certainly to go back to the very first point I made in relation to this clause and the points I made in my second reading contribution this morning, we absolutely welcome the principles. Our desire is to improve those principles, and obviously we have indicated the particular issues that were raised with us and communicated with parliamentary counsel about those issues and attempted, with their advice, to come up with the best way to improve the application of those particular principles.

What I can say is that the core of that desire to improve the application of those principles is a desire to empower Aboriginal and Torres Strait Islander children, young people, their families and communities to lead decision-making, to be empowered to lead facilitation of decision-making, and that is at the core of what we are trying to improve. To go back to the minister's first question, we are trying to ensure that Aboriginal and Torres Strait Islander children, young people, their families and communities can lead the development of those mechanisms, etc., for those discussions.

It is absolutely about trying to improve the bill. I am glad there is an openness to looking at how we might be able to do that. I can indicate that of course we have our debate in this house today—and, I suspect, tomorrow, given the time—but there will be a point at which this bill passes or not and it will potentially go to the other place. I suspect there will be an opportunity there also to look in detail at how we can improve this bill and respond to the issues that have been raised by various stakeholders. I hope that responds to the statements that have been made.

The committee divided on the amendment:

Ayes ..... 20  
 Noes ..... 24  
 Majority ..... 4

AYES

Bedford, F.E.	Bettison, Z.L.	Bignell, L.W.K.
Boyer, B.I.	Brock, G.G.	Brown, M.E.
Close, S.E.	Cook, N.F.	Gee, J.P.
Hildyard, K.A. (teller)	Hughes, E.J.	Koutsantonis, A.
Malinauskas, P.	Michaels, A.	Mullighan, S.C.
Odenwalder, L.K.	Picton, C.J.	Stinson, J.M.
Szakacs, J.K.	Wortley, D.	

NOES

Basham, D.K.B.	Bell, T.S.	Chapman, V.A.
Cowdrey, M.J.	Cregan, D.	Duluk, S.
Ellis, F.J.	Gardner, J.A.W.	Harvey, R.M. (teller)
Knoll, S.K.	Luethen, P.	Marshall, S.S.
McBride, N.	Murray, S.	Patterson, S.J.R.
Pederick, A.S.	Pisoni, D.G.	Power, C.
Sanderson, R.	Speirs, D.J.	Tarzia, V.A.
Teague, J.B.	Whetstone, T.J.	Wingard, C.L.

## PAIRS

Piccolo, A.

van Holst Pellekaan, D.C.

Amendment thus negated.

**Ms HILDYARD:** I move:

Amendment No 5 [Hildyard–1]—

Page 4, lines 34 to 38 [clause 6, inserted section 12A(c)]—Delete:

encouraging Aboriginal and Torres Strait Islander people, their children and young people and State authorities to act in partnership when making decisions about the placement of Aboriginal and Torres Strait Islander children and young people under this Act

and substitute:

enabling Aboriginal and Torres Strait Islander children and young people, their families and communities, facilitated by Aboriginal community mechanisms, to take the lead in partnership decision-making with State authorities about Aboriginal and Torres Strait Islander children and young people under this Act

I do not think I need to go through it again at length but, as I said earlier, we welcome the inclusion of the Aboriginal and Torres Strait Islander Child Placement Principle. What we are trying to do with each of these amendments is to better empower Aboriginal and Torres Strait Islander children, their families and community members.

This amendment in particular is about moving away from simply enabling Aboriginal and Torres Strait Islander people to participate in the care and protection of their young people to enabling Aboriginal and Torres Strait Islander children, their families and communities to lead decision-making. It is also about 'enabling' Aboriginal and Torres Strait Islander children and young people, their families and communities to take the lead in partnership decision-making with the state government about Aboriginal and Torres Strait Islander children and young people rather than simply, as the bill does currently, 'encouraging' Aboriginal and Torres Strait Islander people, their children and young people and state government to act in partnership when making decisions about the placement of Aboriginal and Torres Strait Islander children and young people.

The crucial issue here is that we are moving away from simply encouraging participation to enabling Aboriginal and Torres Strait Islander children and young people, their families and communities to take the lead in partnership decision-making with state government and other relevant authorities.

**The Hon. R. SANDERSON:** I am very pleased that you are turning your mind to how we can improve the Aboriginal placement principle. As I said earlier, I have no problem with doing that, but I will commit here on the record that we will do that as part of the full review, which is next year, 2022. That way we will have time to consult fully. By then, hopefully we might have our Aboriginal peak body for Aboriginal children and young people, which could be included in that consultation, and then we would really have the opportunity to make the most amazing Aboriginal placement principles possible.

I indicate that it is not that I am opposed to your ideas; it is the timing of it and that we could do a full review and do full consultation next year as part of that review. I indicate that the amendments that all relate to the same principle we will be opposing.

**Ms HILDYARD:** Do I take that as a question?

**The CHAIR:** No, it is a statement. Once again, the minister is not obliged to ask a question, but you are quite able to speak again to that, member for Reynell.

**Ms HILDYARD:** I am very pleased to hear that the minister appreciates the sentiment with which I bring these amendments and also to hear the minister again speak about the development of a peak body and a desire to have robust consultation and conversation with Aboriginal and Torres Strait Islander children, young people, their families and communities.

What I would say is that I appreciate that sentiment. However, I do believe in relation to this particular amendment that it is about empowering Aboriginal and Torres Strait Islander children, young people, their families and communities to take the lead in partnership decision-making in relation to children and young people who are covered by this act. I think there is absolutely consultation that can and should occur about a whole range of issues, but I do think that this principle is important and I would like to continue to try to progress that today, notwithstanding that I appreciate there will be further consultation, the development of the peak body, etc. I do worry a little that the review of the act is due, as I understand it, at the beginning of 2022.

**The Hon. R. SANDERSON:** October.

**Ms HILDYARD:** October 2022. I do think that is a reasonably long time. It is 18 months before this principle could then be enshrined as part of that broader review, so I would encourage the committee to absolutely consider further consultation in relation to the next review and to seriously consider whether we could make this amendment today, which is absolutely solely focused on empowering the leadership of Aboriginal and Torres Strait Islander children, young people, their families and communities to lead decision-making in relation to their children and young people.

We could do that and enshrine that principle today and then, of course, over the next 18 months there will be all sorts of processes. I am recommending to the committee that we do take that important step today.

**The Hon. R. SANDERSON:** Not that I was really asked a question, but I would state that it would be inconsistent if we agreed to one amendment and not to all the others on the view that we need to consult. This needs to be an open and transparent activity. Our government did consult and it consulted widely. It consulted with our Aboriginal expert advisory committee, which is made up of a group of Aboriginal experts in child protection from around the country, including April Lawrie. It was widely consulted and that is how this was determined.

I think we should give this the opportunity to run. Once we have an Aboriginal peak body for Aboriginal children and young people, that could be one of the very first things that they are tasked with, that they turn their minds to or that we work with them on and say, 'Let's look at this.' We have already consulted and this is how we have come up with this bill. I would just make clear that I appreciate your sentiment; however, I will not be agreeing to any amendments on the fly, without consultation and with no notice.

**Ms HILDYARD:** I would just like to respond. I think we are giving a series of statements to each other, which seems to be okay.

**The CHAIR:** It is fine, yes.

**Ms HILDYARD:** I have heard the minister's response, but I did want to be very clear that certainly this has been developed in consultation with particular stakeholders. It is certainly not something that has just been developed without consultation, so I just absolutely want to make that point.

Of course, as I spoke about earlier in relation to two different clauses, because of the nature of the consultation the minister undertook, various stakeholders did approach me about particular issues after that consultation. It is not appropriate and it is difficult for me to go through exactly who those particular bodies were, but I do want to place on record again that there certainly has been consultation. This clause came about because of a deep listening to the concerns of particular stakeholders, so I do want to just place on the record that, whilst the amendment is in this house today, it certainly comes after significant discussion with stakeholders.

The committee divided on the amendment:

Ayes ..... 20  
 Noes ..... 24  
 Majority ..... 4

AYES

Bedford, F.E.  
 Boyer, B.I.  
 Close, S.E.

Bettison, Z.L.  
 Brock, G.G.  
 Cook, N.F.

Bignell, L.W.K.  
 Brown, M.E.  
 Gee, J.P.

## AYES

Hildyard, K.A. (teller)  
Malinauskas, P.  
Odenwalder, L.K.  
Szakacs, J.K.

Hughes, E.J.  
Michaels, A.  
Picton, C.J.  
Wortley, D.

Koutsantonis, A.  
Mullighan, S.C.  
Stinson, J.M.

## NOES

Basham, D.K.B.  
Cowdrey, M.J.  
Ellis, F.J.  
Knoll, S.K.  
McBride, N.  
Pederick, A.S.  
Sanderson, R.  
Teague, J.B.

Bell, T.S.  
Cregan, D.  
Gardner, J.A.W.  
Luethen, P.  
Murray, S.  
Pisoni, D.G.  
Speirs, D.J.  
Whetstone, T.J.

Chapman, V.A.  
Duluk, S.  
Harvey, R.M. (teller)  
Marshall, S.S.  
Patterson, S.J.R.  
Power, C.  
Tarzia, V.A.  
Wingard, C.L.

## PAIRS

Piccolo, A.

van Holst Pellekaan, D.C.

Amendment thus negatived.

Progress reported; committee to sit again.

**CRIMINAL LAW CONSOLIDATION (CAUSING DEATH BY USE OF MOTOR VEHICLE)  
AMENDMENT BILL**

*Final Stages*

The Legislative Council agreed to the bill without any amendment.

**CORRECTIONAL SERVICES (ACCOUNTABILITY AND OTHER MEASURES) AMENDMENT  
BILL**

*Final Stages*

The Legislative Council agreed not to insist on its amendment No. 1 to which the House of Assembly had disagreed; agreed not to insist on its amendments Nos 2, 9, 11 and 15; agreed to the amendments made by the House of Assembly in lieu thereof; and agreed to the consequential amendments made by the House of Assembly.

At 17:56 the house adjourned until Wednesday 31 March 2021 at 10:30.

*Answers to Questions***CORRECTIONAL SERVICES DEPARTMENT, STAFFING**

**403 Mr ODENWALDER (Elizabeth)** (17 February 2021). What are the total FTE numbers for each Department for Correctional Services and privately run prisons and in Community Corrections for each month of the 2019-20 financial year?

**The Hon. V.A. TARZIA (Hartley—Minister for Police, Emergency Services and Correctional Services):**  
The Department for Correctional Services has advised:

	AWP/APC	Cadell Training Centre	Mobilong Prison	Port Augusta Prison	Port Lincoln Prison	Yatala Labour Prison	Community Corrections
Jul-19	165.60	74.85	206.60	318.19	81.40	367.52	334.09
Aug-19	183.70	74.30	216.87	320.22	78.40	385.69	343.58
Sep-19	175.59	74.30	212.97	317.73	78.57	385.48	337.27
Oct-19	171.80	74.30	213.73	316.25	79.20	380.48	343.32
Nov-19	169.70	73.60	211.56	315.49	80.70	381.59	342.26
Dec-19	169.70	72.50	194.91	311.62	78.20	376.16	339.00
Jan-20	167.88	74.40	185.45	310.96	76.80	375.93	334.90
Feb-20	166.02	72.30	181.76	308.01	76.20	376.25	329.15
Mar-20	164.59	72.96	179.81	302.78	75.40	367.48	327.81
Apr-20	166.48	71.89	186.55	298.18	75.67	365.30	316.67
May-20	164.31	69.30	183.87	299.21	75.05	362.14	324.71
Jun-20	169.30	69.30	183.10	298.01	76.55	354.69	329.95

Information related to FTE numbers at the privately operated prisons is commercial-in-confidence and is not in the public domain.

**PRISONER NUMBERS**

**404 Mr ODENWALDER (Elizabeth)** (17 February 2021). What was the maximum number of prisoners held at the Adelaide Remand Centre in July 2019?

**The Hon. V.A. TARZIA (Hartley—Minister for Police, Emergency Services and Correctional Services):**  
The Department for Correctional Services has advised:

171.

**PRISONER NUMBERS**

**405 Mr ODENWALDER (Elizabeth)** (17 February 2021). What was the maximum number of prisoners held at the Adelaide Remand Centre in October 2020?

**The Hon. V.A. TARZIA (Hartley—Minister for Police, Emergency Services and Correctional Services):**  
The Department for Correctional Services has advised:

244.

**PRISONS, DRUG USE**

**406 Mr ODENWALDER (Elizabeth)** (17 February 2021). If drugs are discovered on a prisoner or in a prisoner's possession upon transfer from another prison how is it recorded?

**The Hon. V.A. TARZIA (Hartley—Minister for Police, Emergency Services and Correctional Services):**  
The Department for Correctional Services (DCS) has advised:

A DCS Incident Report is recorded on the DCS Incident Management System.

**PRISONS, DRUG USE**

**407 Mr ODENWALDER (Elizabeth)** (17 February 2021). Are police always called when drugs are discovered at any time on a prisoner or in a cell and is the normal legal process entered into?

**The Hon. V.A. TARZIA (Hartley—Minister for Police, Emergency Services and Correctional Services):**  
The Department for Correctional Services (DCS) has advised:

DCS makes information on all drug finds available to South Australia Police (SAPOL).

SAPOL are called if DCS attribute drugs to a specific prisoner or the drugs found are of substantial quantity and require investigation.

In all cases, the normal legal process is entered into.

#### **POLICE, BODY-WORN CAMERAS**

**408 Mr ODENWALDER (Elizabeth)** (17 February 2021). How much will the implementation of the body-worn camera trial cost and has the PSA been consulted about the trial?

**The Hon. V.A. TARZIA (Hartley—Minister for Police, Emergency Services and Correctional Services):** The Department for Correctional Services has advised:

Specific costings are being finalised. The Public Service Association (PSA) is aware of the project and formal consultation has commenced.

#### **TAFE SA**

In reply to **the Hon. G.G. BROCK (Frome)** (3 March 2021).

**The Hon. J.A.W. GARDNER (Morialta—Minister for Education):** I have been advised of the following:

TAFE SA has met with stakeholders across the state to better understand region specific issues. TAFE SA is currently identifying opportunities for how it can improve transparency around its regional delivery and its support for regional industries and communities.

#### **FRUIT FLY**

In reply to **Ms BEDFORD (Florey)** (4 March 2021).

**The Hon. D.K.B. BASHAM (Finniss—Minister for Primary Industries and Regional Development):**

Under the Plant Health Act 2009, all imported consignments must be inspected prior to their release for sale in South Australia to ensure that the conditions of entry have been met. The inspections must verify that each consignment is not affected by pests such as fruit fly and are conducted so that at least 2 per cent of each consignment is inspected prior to release. I am advised that a 2 per cent inspection rate is consistent with international standards for inspections such as these. These practices are the same as adopted under the former Labor government.

#### **SNAPPER FISHERY BAN**

In reply to **Mr BELL (Mount Gambier)** (17 March 2021).

**The Hon. D.K.B. BASHAM (Finniss—Minister for Primary Industries and Regional Development):**

The recent snapper closure in the South East was based on science.

The latest snapper stock assessment report was completed by the South Australian Research and Development Institute (SARDI) in 2020 and is publicly available on the Department of Primary Industries and Regions (PIRSA) website.