

HOUSE OF ASSEMBLY

Thursday, 17 November 2022

The SPEAKER (Hon. D.R. Cregan) took the chair at 11:00.

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

The SPEAKER read prayers.

Parliamentary Committees

PUBLIC WORKS COMMITTEE: ADELAIDE BOTANIC HIGH SCHOOL EXPANSION

Mr BROWN (Florey) (11:02): I move:

That the ninth report of the committee, entitled Adelaide Botanic High School Expansion, be noted.

The public works submission from the Department for Education proposes a \$98 million expansion of Adelaide Botanic High School. The expansion site is in the Adelaide Parklands among our city's peak public and cultural destinations. The River Torrens can be found to the north-west, the universities of Adelaide and South Australia to the west and south, the Adelaide Botanic Garden to the east, and Adelaide Zoo to the north.

The central business district and inner north areas, which neighbour this scenic landscape, are experiencing school enrolment pressures. Department projections indicate these pressures are set to continue, with a likely increase in school-age cohorts over the next 30 years. Adelaide Botanic High has 1,119 students enrolled this year, with a capacity of 1,250, indicating that the school is currently unable to accommodate any significant increase in demand.

The department monitors and projects school capacity by utilising current enrolment demand, housing growth, and demographic changes to inform the design and implementation of capacity management strategies. These strategies are developed with schools and local education teams to ensure the best outcome for local families. The strategies often include the provision of capacity management plans, school zones, and additional accommodation. The current shortfall between supply and demand at Adelaide Botanic High School is driven by broad factors, including population growth and increasing birth rates, as well as more local factors such as urban infill.

The public works project proposes the construction of a new building at Adelaide Botanic High to accommodate a 700-student enrolment increase, creating a total capacity of 1,950. The refurbishment of the school's existing basement is also planned, allowing the expansion of the bike store and associated end-of-trip amenities. The demolition of localised sections of the existing school's southern facade is also scheduled to allow connection to the expansion building.

The key aims of this project are to address the current and future demand in the CBD and inner north areas, to lead in the delivery of contemporary education and to make a significant and positive contribution to families in the CBD and inner north.

A key feature and strength of the original school's design was the internal learning spaces. A range of general and specialist learning areas were highlighted and celebrated through various articulations in the facade, providing visual engagement between the school's curriculum and its urban surroundings. The proposed design retains this key feature.

With a strong focus on providing learning pathways to industry, such as the Lot Fourteen innovation precinct, the school expansion will place learning and innovation on display through a series of deliberate gestures physically and visually connecting the school to the surrounding tertiary precincts. The design will make use of the strong historical access emanating from the Barr Smith Library, to encourage links to and from the university, and from the central promenade to

Lot Fourteen. It will produce a fenceless environment where the school boundary is seamlessly blended into the Parklands setting.

The vision is to provide an integrated, multidisciplinary learning environment to engage every student and improve education outcomes. Student engagement is expected to be enhanced by offering creative, flexible learning spaces. The expansion building will support modern learning methodologies and promote collaborative teaching practices.

Architecturally, the design supports government sustainability initiatives to conserve water and energy. Outdoor learning and social spaces will also be created to integrate the building with the natural environment. A specialist environmental consultant has been appointed to provide technical advice relating to a range of ecologically sustainable development strategies. Much of this detail will be completed during the upcoming design development and contract documentation phases. Ongoing discussions and workshops with design team members and interrogation of design standards will reveal various opportunities.

In regard to sustainability, the anticipated outcomes include compliance with National Construction Code 2019 section J, with aspirations to better it by 10 per cent, and compliance with the Department for Infrastructure and Transport's vision for ecologically sustainable development, which encourages a holistic life-cycle approach to building design, construction and maintenance. In addition, a construction and demolition waste management plan will be required to minimise material to landfill and maximise re-use and recycling of materials.

Commissioning and testing of all services, including HVAC, lighting and solar, will be required prior to occupation to ensure the intended design has been implemented in the most efficient and effective manner. The builder's results will be verified by the department. Construction is scheduled to commence in November 2022, with completion in January 2024. Students and staff will remain at the school site for the duration of the works, with any interruptions to school operations minimised.

The committee has examined written and oral evidence in relation to the expansion of Adelaide Botanic High School. Witnesses who appeared before the committee were the member for Adelaide; Mr Bill Glasgow, Executive Director, Infrastructure, Department for Education; Mr Simon Morony, Executive Director Across Government Services, Department for Infrastructure and Transport; and Mr Adam Hannon from Cox Architecture. I thank the witnesses for their time in presenting the project to the committee.

Based upon the evidence considered and pursuant to section 12C of the Parliamentary Committees Act 1991, the Public Works Committee reports to parliament that it recommends the proposed public works.

The Hon. J.A.W. GARDNER (Morialta—Deputy Leader of the Opposition) (11:07): I am very pleased to see this report coming out of the Public Works Committee for the expansion of Adelaide Botanic High School. This is a tremendously important body of work. It is a tremendously important piece of educational infrastructure both for residents living in the Adelaide High School area and in the seat of Adelaide certainly—I see the member for Adelaide made a contribution towards the Public Works Committee, as is very suitable—and, indeed, more than that, for the whole of the public education system.

The Adelaide Botanic High School shared zone is very much the central part of the public education system and there are very full schools surrounding the Adelaide High School area. So, when the Adelaide shared zone schools become full, that has significant and dramatic impacts upon the whole of the public education system, significant impacts for those other shared areas. More than that, in Adelaide High School and Adelaide Botanic High School we have particular lighthouse educational opportunities available within the public education system for some particular areas of study.

The language program at Adelaide High School—and this is relevant as a result of the need for expanded capacity of both—takes 60 students each year, and those students are required to sign up to do two languages and to pursue language studies right through to year 12. Without those 60 students a year being in that special entry program at Adelaide High School, the public education

system would actually have far too few—it has fewer students than we would like doing language to year 12, but this program is a significant component of the language studies that are offered.

For students who have a disposition towards the study of languages and an opportunity to pursue that in a fashion that is nothing short of excellence, that opportunity within the public education system is vital for our state, for our education system and for opportunities, especially for those students who have those skills who might be able to achieve their best if they were studying at a school that had that program to year 12 in the private system but whose parents cannot necessarily afford those fees. Having that option in the public system is critical.

I do not know if all members are aware of this, but there are actually very few public schools that do have a language program strong up to year 12. The introduction of the International Baccalaureate at Roma Mitchell, Aberfoyle Park, Unley High School and Norwood International High School has ensured that there are some language programs going through to year 12, but the SACE year 12 language study numbers are low and have been low for a significant number of years. Without those year 12 programs being available, it is very difficult to encourage students in years 9 and 10 to choose language study in year 10 and then year 11 when it becomes optional because there is not that critical mass of students.

That is what Adelaide High provides to the system, along with a number of other things. That is irreplaceable. Were the shared high school zones in the city to be so full with students living within the zone that those special entry programs were forced to close or stop offering that entry, it would more than damage the things that make Adelaide High and Adelaide Botanic great—those special entry programs, those lighthouse students—and it would indeed have a disastrous effect on the study of languages in the public education system in South Australia. It is that important.

There is also a sports special entry program in Adelaide High School: rowing and cricket are offered there, and having that option within the public education system is important. And, indeed, there is the health sciences program at Adelaide Botanic, which is a smaller program, certainly, than the languages program at Adelaide High School but nevertheless important.

These schools are popular schools. Indeed, when Adelaide Botanic High School was completed and students enrolled in 2019, it was an extraordinarily happy time for the community. It meant that students were able to come into the school who would otherwise have been on waiting lists. The suburb of Prospect, for example, was added to the zone in 2015, and that meant that students were coming into town for public education rather than going north, which was their previous option.

It comes with complexity. I do not want to go into that now—there are other opportunities, and I am sure we will look at those in the future—but I do want to say that what this build will create is the capacity for students living within the Adelaide High School zone and the Adelaide Botanic High School shared zone to be assured a place in their local public school. This is not just through the year 6/7 transition process, but it gives students who move into the zone at other year levels a much greater chance that they will be able to enter the school, which is great news.

The advice that I was given when I was Minister for Education was that the build would provide that capacity, certainly throughout the rest of the decade. The Labor Party had an election commitment to increase the size of the zone, and they are delivering on that, as they should. It was an election commitment. I would only say that it will make earlier the requirement to look at further expansion of the infrastructure, assuming that the minister would not like, as I am sure he would not like, to close those special entry programs, then it brings forward the time when further infrastructure will be needed. We will be paying close attention to that.

We do, however, have a couple of years, obviously, with the provision of 700 extra spaces, when we will certainly have room for those students for the next couple of years. And as the department does that planning, I am sure they will take into account the significant capacity challenges and keep a close eye on it.

I want to commend all the public servants who have been involved in the preparation of this material. This obviously was a process that took some time. Infrastructure SA had a close look at it.

We were conscious of the need for improved infrastructure for some time, and many different options were looked at.

Some people wrote to me, suggesting that there should be a third city high school. Some people, who I will not name, suggested that we needed to adjust those other programs or zones. That was something, of course, that was of absolutely no interest to me, to constrict any opportunity for any student, as I have outlined already. There are, indeed, a range of options, but certainly Infrastructure SA was very supportive of the proposal that was ultimately put forward by the education department and that we see here today.

I was very pleased as the former minister to secure the support of the former cabinet for the funding to do not just this project but, of course, also the further expansion of Roma Mitchell Secondary College, which is an important part of the mix because it is not just within the CBD zones that there is increasing capacity but also within the inner north. Roma Mitchell is a very popular school, it is a growing school, and it is a school that is developing an extremely positive academic reputation as well.

Their International Baccalaureate program, they achieved international accreditation for that a year ahead of schedule, in two years rather than the three that it usually takes, and so they have students who are this year graduating year 12 with their IB a year ahead of some of the other schools that have taken it on. That is a sign of the popularity of Roma Mitchell. I look forward to that progressing through the Public Works Committee in due course. It was part of the same body of work as this one.

I want to thank and acknowledge Julieann Riedstra, the former chief operating officer of the education department, who did an awful lot of precursor work in this area, and Ben Temperly, the current—and former, but now again current—chief operating officer, who personally was heavily invested in this work and did an excellent job. Bill Glasgow, as I identified before, is the current head of infrastructure in the education department. He brings a wealth of knowledge and experience. Prior to his involvement in education he worked on some very, very significant projects internationally, and he now brings that expertise to South Australia. It helps ensure that we have confidence in this build.

I also want to acknowledge a former school principal who developed postgraduate expertise in this area and whose work informed the original Adelaide Botanic High School build—and also the underpinning principles and educational pedagogy of all of the other new high schools, new R to 12 schools that we built over the last five or six years—and that is Deb O'Riley. She has recently retired from the education department; she is still available for work, as I understand, judging by her LinkedIn profile. She was an absolute powerhouse in the education department.

The design theories behind having these flexible learning spaces whereby you can actually move between explicit instruction and project-based opportunities for high school students include; flexible areas where students can engage effectively with their learning, depending on what is being offered, and purpose-built environments to offer these specialist subjects and other subjects—Deb was an absolute star.

Cox Architecture, I understand, are involved in the new build, as they were in the original one. They did an outstanding job there, so I commend that team. I am running out of time, so I cannot thank anyone else, but I want to commend the project. I am pleased to hear that the Adelaide City Council matters seem to have been resolved and I look forward, therefore, to this project proceeding apace, being ready for the beginning of the 2024 school year.

The Hon. B.I. BOYER (Wright—Minister for Education, Training and Skills) (11:17): It is not without a sense of relief that I rise to speak on this Public Works Committee report. I will begin by endorsing pretty much everything the shadow minister, the member for Morialta, has said. It was only right that he took the opportunity to acknowledge the work of so many people who have been integral in seeing this very significant process now progress to the point that it is at. Of course, it has not been without some challenges, but I thought the shadow minister spoke very well about the importance of this expansion, this 700-place expansion.

Obviously, Adelaide Botanic High School has been an incredible success. The growing demand very soon after the school opened, I think, is a ringing endorsement of how popular it has

been. It is certainly a different model to what we have elsewhere, not only in the public system but probably in the education system more broadly here in South Australia. I think the way that it has been adopted by parents in the shared zone is a ringing endorsement of how successful that model has been, and that there is demand elsewhere for an option like the one that Adelaide Botanic High School provides in the shared CBD zone.

I want to use my time to acknowledge some people and I want to begin by acknowledging the advocacy of the members for Badcoe and West Torrens particularly, who I was very pleased to join at Adelaide High School a couple of weeks ago. I must say, it is very rare, Mr Speaker, as I am sure you will agree, to see the 'lion of the Labor Party'—I hope I can call him that in here—get emotional.

He was somewhat emotional that day about the fact that we were on the way to delivering our commitment to having suburbs and part suburbs in his seat and in the seat of the member for Badcoe reinstated to the shared CBD zone. I know that the member for West Torrens feels that acutely, being an old scholar of Adelaide High School, and he has been a champion for many years making sure that the residents he represents and the young people, as he was some time ago, seeking a fantastic public education get the opportunity to do that at Adelaide High School and now will again get that opportunity from 2024 to choose between two fantastic public schools in the shared CBD zone.

I want to acknowledge the unrelenting advocacy provided by both members, which has really paid off. I am both proud and relieved that we have been able to come to an agreement now with Adelaide City Council. The most recent update I can give the house today is that the construction licence has now been granted, which is the key piece of documentation the department needs, which will mean that shovels should be in the ground very soon, which is wonderful.

I said that it was not without its challenges, and we were sailing pretty close to the wind for a while there. I want to reiterate what the member for Morialta said in terms of thanking those people who did the heavy lifting in terms of negotiations with the council to get it to the point that it is now at. You do not get to choose the timing of things sometimes and the fact that those negotiations were running concurrently with an election did not help the situation.

The member for Morialta was right in acknowledging the work over the best part of a year now from people like Ben Temperly and Julieann Riedstra, who has retired now but, knowing Julieann, she is quite possibly listening to this session at home, as she is known to do. I acknowledge Bill Glasgow, his team, and Helen Doyle. An enormous amount of work and an enormous amount of negotiation went on behind the scenes around the land swap and making sure that council were ultimately in a position where they were comfortable with what we were putting on the table and working, of course, to a very tight time line because we had committed to having those suburbs and part suburbs I mentioned before reinstated for the start of the 2024 school year, which is when we can now say we will have those extra 700 places available in the system.

I also want to touch upon the fantastic work of Cox Architecture and Lendlease, who will be the architects and builders for the expansion at Adelaide Botanic High School. As I understand it, they were the architects and builders for the original build at Adelaide Botanic High School. For those in this place who have not had a chance to have a look at Adelaide Botanic High School, I would highly recommend it. It is incredible. I was blown away when I went in there.

It is obviously a very grand and impressive looking building from the outside, but the inside is something else and a lot of the credit for that must go to Cox Architecture and Lendlease. I am really excited that they are going to be involved in the expansion as well because I know that means we are going to get an incredibly high standard of build once again. It is going to be something that fits in beautifully with the original build. The amenities are going to be fantastic.

The designs that I was pleased to present, along with the member for Badcoe, show that there is going to be a pretty spectacular kind of roof level exercise area, which is something very rare in the South Australian experience. I will be fascinated to see that as well. I want to acknowledge the work of Cox Architecture and Lendlease in having designed and built the original building. The amenity of the inside is in no small way one of the reasons that the school has been so incredibly popular.

I am not going to say too much more other than to say that now, of course, the physical work begins in terms of getting shovels in the ground, making sure that we meet our deadlines to have these 700 extra places available in the shared CBD zone at Adelaide Botanic High School for the start of the 2024 school year.

Pleasingly, those residents of the electorates of the member for Badcoe and the member for West Torrens who will be welcomed back into the shared zone will next year be able to go through the expression of interest and enrolment process. I know that will make it real for them and that they will see that it is all happening. It will help them do that planning as well in terms of giving the family, and more importantly the young person who is going to high school, that certainty about where they will be for that big transition period, and it is a really big transition period.

There are not many things you get to do that are more exciting than the planning, building and delivery of a new school. In particular, with this project I am incredibly pleased that the Labor Party gets to deliver on one of its key election commitments here, which is all about fairness. I know we bandy that word around in here all the time, but we made a clear judgement call.

The expansion was an election commitment from both parties in here, which is a really good thing. We looked at it long and hard and decided that, if we were going to spend what I think is not far off \$98 million of public funds to expand a public school, it is only right and fair that we use those funds, that opportunity and that extra capacity we are building to welcome those suburbs back into what was once the shared CBD zone. It is fantastic that we are now on the way to delivering that.

Again, just to reiterate my earlier comments, I thank all those public servants who have made this a reality and I also congratulate again the members for Badcoe and West Torrens on being the champions of this.

Ms HOOD (Adelaide) (11:26): I also want to reiterate many of the comments made by the education minister on this important project. It is a wonderful legacy that former Labor governments have given our community in building Adelaide Botanic High and first committing to the school. I am a proud public school student, and I was also a SchoolCard kid and first in the family to go to uni. It is actually what inspired me to study journalism and go on to become the education journalist, education reporter and editor at *The Advertiser* newspaper.

The fact of the matter is that education is the great equaliser. It does not matter how many parents you have, what they earn or the postcode that you are born into, to be given a great public education really is the greatest gift that we can give a young person. So to expand Botanic, to allow an additional 700 students to access this state-of-the-art incredible school, is something that I am so incredibly proud of.

I remember the then shadow education minister, the member for Wright, and I attending and having a tour of Botanic High, and I was just so incredibly proud to be part of a party that invests in infrastructure and educational facilities like this. As the member for Adelaide, I am now proudly on the governing council of Adelaide Botanic High. Earlier this year, the governing council sat down with Cox Architecture and talked about the expansion of the school, the wonderful facilities and how the school is really designed to encourage our kids to work together, work with their teachers, and also go off and have those quiet learning spaces in which to do their work. It was a far cry from the classrooms that we were all used to.

At my own high school, Naracoorte High, we still had a few blackboards and the occasional whiteboard, but at Adelaide Botanic High almost every classroom has things like 3D printers. In their food technology area, they even had a food 3D printer. It was absolutely incredible. I am very excited that one day my own two children, Audrey and Ned, will have the opportunity of going to either Adelaide High or Adelaide Botanic High.

On the expansion, I want to make the point that to invest in a high school like this in the Parklands, where students in my community will be able to go to a first-class school in a parkland setting close to museums and universities and Lot Fourteen, says that we believe in them, that we value them and that when those children and those students walk into that school they know we that want the very best for them and that we want them to fulfil their greatest potential.

To all the families in my community, I want to say that I am so incredibly excited the Malinauskas Labor government will be delivering this project and that we will be expanding Botanic High so that your children have the opportunity of an incredible education. I look forward to welcoming those new students to Adelaide Botanic High in 2024.

Ms STINSON (Badcoe) (11:30): I welcome this report and thank the committee for its hard work because this is yet another step along the way to what is quite a momentous achievement and something my community is just so incredibly grateful for and also fought so incredibly hard for. This report is another step along the path to delivering the upgraded Adelaide Botanic High School, which is exciting in itself, but of course it is also a step along the way to returning suburbs in my area to the city high school zone, that shared zone.

As members may be aware, in February 2019 the news filtered through that the previous government had decided to axe nine suburbs from the western suburbs and the southern suburbs, including my electorate and those in West Torrens, from the shared city high school zone. That came as a crushing blow, a huge surprise and quite a shock to people in my area and also the member for West Torrens' area.

The reason for that was that both parties had committed to delivering this expanded shared high school zone for several years. In fact, if you look back, there had been commitments even seven years prior to that indicating that this would be a policy and, of course, a policy of both governments going forward. It was not even really an issue at the 2018 election, though it was something that people raised with me because they were really looking forward to it and thought that they would get their suburb included into that city school zone no matter which party got in because that was what was promised.

Of course, not even a year into that new government, that promise was completely and utterly shattered. Not only was it an incredibly serious broken promise but also there was no forewarning whatsoever. There was no consultation, there was no heads-up to the community, there was no conversation with the schools or anyone in our area whatsoever. It was done by press release, and I and everyone else found out one day in February. It was a massive shock to people in my area. It was a shock for many reasons, not only because people had invested a lot of time and energy in the prospect of going to these shared high school zone schools but also because a lot of people had invested a lot of their money in it.

Obviously, families have to make decisions about how they are going to spend their limited income, and lots of them had made decisions about where they wanted to bring up their families and had taken school zones into consideration. I do not think anyone can be blamed or criticised for that. It is a natural part of managing one's family, that they think about where they want their kids to go and what different schools may offer and what might suit their child or children.

There were some real-world consequences. I have to say that, although I am incredibly proud that our side fought for the return of the school zone and we are now delivering that, there are some people in my community who have been affected and who have suffered those consequences; we cannot change that for them, the consequences they have suffered because of the decisions they made for their family based on a commitment that was never delivered by the other side.

There is anger in my community about the failure to deliver this commitment, but there is not a lot I can do about the decisions of the former government. But what we can do is stick to the commitments that we on the side of the house made. We made a very solemn promise to people in my community. We stood beside them and fought for the school zone to come back, and now this is an opportunity for us to come good on what we said to people that we would do, and that is to restore their school zone. Why? Because it is the fair thing to do.

They had an expectation of what would happen. That was dashed, but we think that decision was unfair. We are a party that is about fairness, we are a party that is about sticking to your commitments and we are also a party that is about delivering on your election promises, so that is exactly what we are doing. That is why I am so excited to see yet another brick in that road towards delivering the school zone back to the communities that had an expectation for so long that their children would be able to enrol at either Adelaide High School or Adelaide Botanic High School.

I want to take the opportunity to thank everyone who fought so hard. There were people who, quite frankly, did not vote Labor. There were people who had never been involved in any sort of protest action whatsoever. There were grandmas, there were little kids, there were people who knew someone who was affected by this decision and got on board and fought hard. It was the community that got out there and organised petitions, organised rallies and organised community barbecues to get people on board with what they were trying to achieve—that is, a fair result, fairness and delivering back the school zone they had expected to be able to utilise. I want to thank all those people.

There were mums and dads who were working hard during the day and then giving up their time in the evening to get together at each other's houses to plan out events, to plan out pressure they could put onto the government and also onto the then opposition and to get together and make banners in their spare time into the wee hours. They made salads for community barbecues to get people to come along and participate in this protest action, and they were up late with their kids drawing on giant bits of cardboard to try to make the message clear that they would not stand for this unfair decision to take their school zone away from them.

I also want to thank my colleagues who made this happen: the then shadow education minister, Susan Close; the now education minister, Blair Boyer; my absolutely hardworking and hard fighting colleague in the seat of West Torrens, Tom Koutsantonis; and, of course, Peter Malinauskas. Those powers combined led to this decision.

There was a lot of work that went into how this was going to be achieved and how we were going to deliver for people in these areas who had been so badly affected by the previous government's decision. It was not reached lightly and it was not reached quickly. This was a process over many years of consideration about how this would be achieved, and I am so glad that all those tough discussions were had and that we have now reached a position where we know we can deliver on this election commitment and the pledge we made to our communities.

What this means is that there will be 700 new places at Adelaide Botanic High School. If you have not visited Adelaide Botanic, please go and check it out. It is next level. It is an absolutely amazing educational facility and one that the students there absolutely relish. They realise how fortunate they are to be educated in such an amazing facility with incredible teaching staff.

The addition of those 700 new places is what is allowing people in those nine booted out suburbs to be able to now once again be back in the shared city high school zone. Of course, that includes suburbs in my area like Marleston, Glandore, Black Forest, Kurralta Park and also part of Clarence Park, which is now part of Elder. I am so incredibly excited and so is my community about the expansion that is happening to the school that will enable them to get the fairness they have wanted for so long.

I have to say that when I was doorknocking at the most recent election this was the number one issue that was raised with me in those affected suburbs. I would knock on a door in Marleston and the first thing I would be asked is, 'Are you going to deliver on this election commitment? Is Labor going to give us back the school zone that we always thought we were entitled to?' Now I can say to those people, 'Look at this. We're doing it. We're actually delivering on those promises that we made.' We are so grateful that those people have placed their faith in us, voted for us, so that we are in a position now to deliver on that commitment, which those opposite were not prepared to do whatsoever.

I am looking forward to communicating with my community over the next six or eight months as we near the time when students can enrol, in mid next year, for the 2024 school year to go to either Adelaide High or Adelaide Botanic High School. We will be rolling out information and talking with people in my community directly about the transition arrangements that we will have in place. We recognise that there has been quite a lot of disruption caused in these intervening years, and we are keen to address that.

We realise that there are people in different situations who may already, for example, have a child enrolled in a different school now, people who have questions about where siblings will go and how they can manage this within their own families. I am aware of those considerations and we will be having those discussions with people one on one so that we can find the best solutions for

their family, given the complications that have been caused by this decision by the previous government. I am incredibly excited. I cannot wait to be there on the day in 2024, that first day at school, where students in my area will again be able to enrol in and attend one of the city high schools.

I would also like to spend a moment to acknowledge the work the Labor government has done and is continuing to do at other schools in my area. It is my dream that people in Badcoe will have confidence in all our public schools and the high quality of education that we are providing in our public schools, particularly at Plympton International College. Previously, we invested \$4 million in a new STEM facility, and it is absolutely outstanding.

We have also recently cut the ribbon on the new drama and arts facility, which was several million dollars as well, funded under the previous Labor government. At the most recent election, I promised \$3 million for a new kiss-and-drop facility to address the increasing numbers of students who are now attending that school, and the parking and traffic that goes with that. I have had discussions about that with the local community and I look forward to cutting the ribbon on that one as well.

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Infrastructure and Transport, Minister for Energy and Mining) (11:41): The decision by the previous government to take the western suburbs out of the school zones for Adelaide Botanic and Adelaide High said to me that this former government were nothing but undergraduate politicians who thought it would be funny to dislocate people in the electorates of Badcoe or West Torrens because they could. It was an ultimate abuse of power.

For me, it said that the Premier was not fit to govern and had to be removed, that his judgement about the way he conducted himself with local communities in and around South Australia lacked the leadership that was required of anyone to hold the office of Premier. It was cruel, it was mean, it was mean-spirited and it was intended to hurt. It was designed to hurt and it was targeted at the western suburbs, the inner southern and western suburbs, and it was done deliberately. Not a single Liberal MP had a boundary change. There was no sharing of the pain. It was all put on the western suburbs and, quite frankly, that just gave us more fire in the belly to fight. That just inspired us to fight even harder.

Think of what it is to be a western suburbs family planning on your children's future, planning on where you are going to send your children to school, and having that ripped away from you simply because of a change of government. I also point out that in the electorate of West Torrens nearly 40 per cent of people's first or second preference goes to the Liberal Party. What does that say to all of them? These families were trying to plan for their children's future, where to send their children, and those options were ripped away from them by a cruel government who did not care about the long-term interests of their own citizens—their own citizens.

I went to Adelaide High School. Adelaide High School has always been a western suburbs school. The idea that somehow a school located on West Terrace, metres from the western suburbs, is not a western suburbs school is ridiculous. The politicising of these boundaries by the previous government I think speaks of the character of the former Premier, who he was and the way he conducted himself. But the people of South Australia were able to see through that, especially the people of the western suburbs.

Our education minister has done a magnificent job of being able to chart a course that is fair and equitable, but the people I am worried about are all those boys and girls who missed out on going to Adelaide Botanic and Adelaide High over the proceeding six years from when this decision was taken. Basically, an entire cohort was denied access to the state's first public school, their closest public school. It was ripped away from them with no care, no apology—nothing.

To this date, the largest public rally in the last six years against a previous government, against any government, was the march of mums and dads and boys and girls up Glover Avenue to Adelaide High School from Thebarton Theatre. Still to this day, it remains the largest protest against the previous government. It was people power at its best. It demonstrated the very best of what South Australia is and exposed the very worst of who the Liberal Party are: cruel, cruel and mean, mean-spirited.

They could have been generous. There were other options that government could have taken to keep those children enrolled. They chose not to, and I can just imagine the laughter in the cabinet room when that decision was being made and that stamp went down on that submission by the then Premier about how good this would be and how it would impact the western suburbs.

But justice has a way of coming to light, and justice has been done. Justice was done on 19 March, then justice again was fulfilled in the first budget, and since the agreement to allow the expansion of Adelaide Botanic—which was skilfully negotiated by the Minister for Education, to whom I am eternally grateful in this place—the people of the western suburbs now have the choice of three great schools: Adelaide Botanic, Adelaide High and Underdale High School, three great public institutions.

Families have choices again, which is great. It is great for the western suburbs, and it is great for the school communities of Adelaide High School and Adelaide Botanic that they are actually now representative of the areas in which the schools are located. It is good to have a mix of kids at a school. It is good to have people from affluent families, people from working-class families and people from migrant families. That is who Australia is: a good mix, not this exclusivity they have tried to build around Adelaide High School and Adelaide Botanic.

It is about making sure we keep our country egalitarian, making sure our children are being raised in a manner that allows them to see the entire spectrum of Australian life and Australian families, rather than being segregated simply because of where they grow up, where they live or who their parents vote for, which is even worse. Make no mistake: this was all about who their parents voted for and where their parents decided to live.

The impact educationally is one aspect to remember, but what about the impact financially? The moment this decision happened, the moment the marches happened and the moment the protests happened, immediately overnight on realestate.com every real estate agent in the state was advertising every home that was in the Adelaide High School zone as having a higher value than homes outside the Adelaide Botanic/Adelaide High zone. What did that tell people who are in Mile End, Torrensville and Badcoe about whether or not they had value to this former government? What did it say to them?

The class wars: you might remember the case of a dentist over the former land tax changes. The Liberal Party then commented on the aspirations of that gentleman and the car he was purchasing and said, 'How dare people who are accumulating wealth criticise us about land tax.' What is wrong with aspiration? What is wrong with hoping your home grows in value? What is wrong with hoping your children go to a good school? What is wrong with that aspiration? Why would you inflict class warfare in the 21st century on South Australian families?

They paid the price for that. Let's hope they learn from it. I do not think they will. As the results of the most recent election show, they have not learned from it and they are not learning from it. Thankfully, now they have a government that is supporting aspiration, that does want to give children and families choice and that does want to see them have access to choices about the schooling that is right for them, close to public transport routes and being able to walk to school. We are continually spending billions and billions of dollars on infrastructure to meet morning and afternoon peaks—billions. It is \$7 billion over the next four years alone on road infrastructure, excluding the north-south corridor, because children are not catching buses, not riding their bikes and not walking to school.

Why would you take kids who can walk to a school out of that zone? It makes no sense whatsoever. But again that is what the Liberal Party did. We want to encourage decarbonisation and we want to encourage kids to walk to school—healthy outcomes. We want to encourage kids to ride to school—good connectivity. We want to see children go to school with kids who grow up in their area, kids in their neighbourhood, playing on weekends and having a safe, good, healthy upbringing in a good public school—as a community, not dividing communities by some arbitrary line.

They cut Mile End in half. So one part of Mile End can go to Adelaide High and the other part of Mile End cannot go to Adelaide High. They all went to the same primary school—

An honourable member interjecting:

The Hon. A. KOUTSANTONIS: They are neighbours. Why would you do that? What is the rationale behind that, other than cruelty?

Adelaide High School changed my life. It put me on a path that has allowed me to achieve amazing things in my life that my parents as migrants would never have imagined. I hope that this decision by this government, and the work done by this education minister, will see young kids, who never imagined what they could become or do, have access to some of the best public schools in the state. They can go on and do amazing things with their lives, without the prejudice and class warfare imposed on them by those small, little minds of the Liberal Party.

Mr BROWN (Florey) (11:51): I want to thank members for their contributions to this debate. I want to thank the member for Morialta for his contribution; it is good to see that projects of this type receive bipartisan support. I would also like to thank the Minister for Education for his contribution; I know he has been a passionate supporter of this particular project. Whilst I am of course not a resident of the areas that have had zones changed, I do know people who live in those areas, and I can tell you that they are most supportive of the policy and also of the great work that the Minister for Education has done to bring about this expansion of Adelaide Botanic High School.

I would like to thank the member for Adelaide for her contribution—I think the house certainly benefited from understanding where she has come from in this debate on this particular project—and also the big support that she and her community have for the project. I thank the member for Badcoe for letting us know some of the historical context of how this particular project will assist her residents in being able to get better access to the schools in the Adelaide CBD.

I need to mention, of course, the contribution of the Minister for Infrastructure. As all members of this house would be aware, he is a very proud alumnus of Adelaide High School. In my personal opinion, I think he does his school proud. You can always tell the passion when he talks about his time at Adelaide High School. I also know that many of his constituents are very supportive of the passionate way in which he has engaged in the debate on the school zones issue and of the big support that he has for this particular project. With those brief remarks, I again support the motion.

Motion carried.

PUBLIC WORKS COMMITTEE: ROMA MITCHELL HOUSE ASSET PROTECTION UPGRADE

Mr BROWN (Florey) (11:54): I move:

That the 10th report of the committee, entitled Roma Mitchell House (136 North Terrace, Adelaide) Asset Protection Upgrade, be noted.

Prominently located along North Terrace in Adelaide's central business district, Roma Mitchell House is primarily leased by the Minister for Infrastructure and Transport from Funds SA. The basement of the building offers direct underground access to the Adelaide Railway Station, making it a popular daily thoroughfare with commuters. Roma Mitchell House also provides office accommodation to the Central Adelaide Local Health Network, SA Dental service and SA Police.

Key objectives of the proposed upgrade include improved design outcomes to ensure fit-for-purpose assets, enhanced sustainability of infrastructure and improved maintenance partnerships between tiers of government. Work is scheduled to commence in January 2023, with completion in December of that year. Design and construction will be undertaken by private contractors, to be appointed through a competitive tender process in accordance with the state government's procurement policy.

Based upon the evidence considered and pursuant to section 12C of the Parliamentary Committees Act 1991, the Public Works Committee reports to parliament that it recommends the proposed public works.

Motion carried.

PUBLIC WORKS COMMITTEE: EAST GRAND TRUNKWAY

Mr BROWN (Florey) (11:56): I move:

That the 11th report of the committee, entitled East Grand Trunkway, Stages 2A and 2B, be noted.

This public works proposal from Renewal SA aims to create six serviced industrial lots as an extension to the Grand Trunkway Estate in Gillman. The Grand Trunkway Estate project offers master-planned industrial allotments suitable for a range of potential uses in an emerging key industry area. The estate is located at the western edge of the northern economic corridor and has strong transport links to Outer Harbor, the interstate main rail line and the upgraded expressway system through the Port River Expressway.

In 2015, Renewal SA completed stage 1 of the development, comprising seven filled allotments totalling 7.54 hectares and one unfilled allotment of 5.24 hectares. In June 2020, Renewal SA terminated its agreement with Veolia Environmental Services to deliver the Veolia Energy Park proposal. That proposal was intended to supply development-ready industrial land to the market from the 2021 financial year onward under a private sector development model.

As a result of the terminated agreement, the planned land supply did not occur. Sales of developed lots averaged one allotment per year between the 2019 and 2021 financial years. However, in the 2022 financial year, four allotments were transacted and further demand for allotments was received. Given the limited land supply in the area, there is a need for Renewal SA to invest in the creation of serviced, development-ready land to meet private sector demand and to facilitate private sector investment in the area.

The proposed public works, labelled stages 2A and 2B, aim to provide four serviced and development-ready, and two serviced unfilled, allotments for release to the market in an area of high demand. In addition, the works will continue the construction of Newhaven Road, as part of the subdivision that could ultimately be extended to become a connector road between the Port River Expressway and Inner Harbor East. In addition to the stage 2 works, the design facilitates a future third stage, which will involve subdividing another 14 hectares to create an additional 10 allotments.

Totalling approximately 500 hectares, Renewal SA holds significant lands in the suburbs surrounding the stage 2 development area, including Gillman, Port Adelaide and Dry Creek. It is expected that the development of stage 2 and the future development of stage 3 will satisfy the foreseeable demand and spur future demand for industrial land in these suburbs. As a result, land values are expected to increase, which will improve the financial feasibility for the development of the surrounding land. This is expected to underpin a cost-effective program for the ongoing supply of industrial land to the market.

The creation of serviced allotments across stages 2A and 2B will include the placement of approximately 140,000 cubic metres of engineered allotment fill, the installation of a stormwater network with two pollutant traps, the creation of approximately 600 lineal metres of road, and service connections for each allotment, including sewer, water, electricity and stormwater. The total project capital cost for stages 2A and 2B is estimated to be \$10.734 million, excluding GST. State government funding for the project was committed as part of the state budget for 2022-23.

Based upon the evidence considered and pursuant to section 12C of the Parliamentary Committees Act 1991, the Public Works Committee reports to parliament that it recommends the proposed public works.

Motion carried.

Bills

STATUTES AMENDMENT (ATTORNEY-GENERAL'S PORTFOLIO) BILL

Second Reading

The Hon. J.K. SZAKACS (Cheltenham—Minister for Police, Emergency Services and Correctional Services) (12:00): I move:

That this bill be now read a second time.

I rise to introduce the Statutes Amendment (Attorney-General's Portfolio) Bill 2022. To ensure the government and related legislation continues to operate in a business as usual manner, the Attorney-General's portfolio bill is required to rectify minor errors, omissions and other deficiencies identified in legislation committed to the Attorney-General.

As is typical of these portfolio bills, the bill makes various amendments to a small number of acts within the Attorney-General's portfolio, as well as further justice-related amendments, to give effect to certain reforms that were previously contained in the Statutes Amendment (Attorney-General's Portfolio and Other Justice Measures) Bill 2021.

That bill was introduced in parliament last year but unfortunately did not pass under the former government before the end of the sitting. The bill seeks to implement a number of priority amendments contained within the former bill. These amendments are all minor or technical changes that are intended to address anomalies or other issues that have the potential to cause confusion or inefficiency. The government agrees that it is appropriate to progress these amendments without further delay to ensure the proper and efficient functioning of the justice system. Further consideration will be given to the need to progress any of the other amendments from this previous bill in due course.

Turning to the substance of the bill, part 2 of the bill amends the Bail Act 1985. Clauses 3, 4 and 5 of the bill amend the Bail Act to allow for the court to prescribe the wording and form of certain documents used in bail proceedings where the court is the relevant bail authority. These amendments replace the existing requirement for those documents to be in a prescribed form. The requirement for all other bail agreements to be in a prescribed form remains the same. The courts have indicated that they would prefer to have the flexibility to prescribe the form of these documents. This would allow for greater harmonisation with the broader rollout of the Electronic Court Management System to the criminal and protection jurisdictions of the court that has just commenced.

Clause 6 of the bill amends section 11 of the Bail Act, which deals with conditions of bail, to clarify who is the relevant bail authority where a person on bail seeks approval to travel interstate. Currently, section 11(6) of the Bail Act provides that permission to leave the state may be granted by a judge, magistrate or police officer above a certain rank. This means that in theory a police officer could give permission for a person on bail to travel interstate where bail was originally granted by a court.

For the avoidance of doubt, the amendments clarify that where the relevant bail authority is a court, permission to leave the state must be sought from a court. Similarly, where the relevant bail authority is a police officer, permission to leave the state must be sought from a police officer who is above the rank of sergeant or the responsible officer for a police station.

Part 3 of the bill amends the Burial and Cremation Act 2013 to remedy an inconsistency between the Burial and Cremation Act and the Births, Deaths and Marriages Registration Act 1996 in relation to the certification requirements for the issuing of a cremation permit. Section 10(5)(b)(i) of the Burial and Cremation Act currently provides that the Registrar of Births, Deaths and Marriages must not issue a cremation permit unless the application is accompanied by two death certificates issued under section 36 of the Births, Deaths and Marriages Registration Act, this being one certificate signed by a medical practitioner who was responsible for the deceased's medical care immediately before the death or has examined the body of the deceased after death, and a second certificate signed by another medical practitioner.

This is inconsistent with the existing requirements of section 36 of the Births, Deaths and Marriages Registration Act, which only contemplates the provision of one death certificate, being a certificate from a doctor who was responsible for the deceased person's medical care immediately before death or who examined the body after death. To avoid confusion the bill amends the Burial and Cremation Act to clarify that while two death certificates are still required to issue a cremation permit, only one death certificate needs to be provided under section 36 of the Births, Deaths and Marriages Registration Act, with the second death certificate to be in a form determined by the registrar.

Part 4 of the bill amends section 66 of the Correctional Services Act 1982 to remove a now obsolete reference to a repealed definition of 'serious drug offence' within the meaning of the Sentencing Act 2017 and reinserts the repealed definition into the Correctional Services Act 1982. The amendment will rectify a procedural anomaly caused by the amendments to the Sentencing

Act 2017 overtaking the Correctional Services (Accountability and Other Measures) Amendment Act 2021 in parliament last year.

The practical effect of these amendments is to ensure that prisoners who have been sentenced to imprisonment for less than five years in respect of a serious drug offence are not entitled to automatic release on parole at the end of their non-parole period. Instead, parole in these cases will be at the discretion of the Parole Board.

While the bill contains a relatively small number of amendments, it addresses important issues to ensure that our justice system continues to work effectively, and effectively for our community. I commend the bill to members and seek leave to insert the explanation of clauses into *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

These clauses are formal.

Part 2—Amendment of *Bail Act 1985*

3—Amendment of section 6—Nature of bail agreement

This amendment allows a bail agreement, in circumstances where the bail authority is a court, to be in a form determined by the court. The requirement for all other bail agreements to be in the prescribed form remains.

4—Amendment of section 7—Guarantee of bail

This amendment allows a bail agreement, in circumstances where the bail authority is a court, to be in a form determined by the court. The requirement for all other bail agreements to be in the prescribed form remains.

5—Amendment of section 8—Form of application

This amendment allows a bail agreement, in circumstances where the bail authority is a court, to be in a form determined by the court. The requirement for all other bail agreements to be in the prescribed form remains.

6—Amendment of section 11—Conditions of bail

This clause amends the provisions of section 11(6)(c) to clarify that the conditions of bail in relation to allowing a person to leave the State may only be varied with the permission of a judge or magistrate (if the bail authority is a court) or a police officer of or above the rank of sergeant or the responsible officer for a police station (if the bail authority is a police officer).

Part 3—Amendment of *Burial and Cremation Act 2013*

7—Amendment of section 10—Cremation permits

This amendment clarifies the requirements for 2 certificates to be provided as set out in section 10(5)(b), the first being a certificate under section 36(3) of the *Births, Deaths and Marriages Registration Act 1996* certifying that the deceased died from natural causes signed by a medical practitioner in accordance with the requirements set out in that subparagraph, and the second a certificate in a form approved by the Registrar signed by another medical practitioner.

Part 4—Amendment of *Correctional Services Act 1982*

8—Amendment of section 66—Automatic release on parole for certain prisoners

These amendments remove a reference to a repealed definition of serious drug offence within the *Sentencing Act 2017* and insert the repealed definition into section 66.

Mr TEAGUE (Heysen) (12:07): I have followed along with the minister just now, and the reason I reflect on it now is that, relevantly, the minister's contribution departed from the words of the Attorney of 5 May in the second reading in another place only insofar as it reflected on the inclusion, in this short subset bill, of clause 6 which was part of the original portfolio bill introduced in the last parliament by the previous government and again features in the bill I introduced earlier in the year.

It is only there because it was an amendment moved by the Liberal Party in the other place, providing for the appropriate authority to deal with any application for travel interstate. So it is good

that is there and that it is whole. The observation I make about this is that it is one of those examples of how this parliament can operate in an edifying and efficient way on the one hand and, on the other, it can engage in the most stupefying delay, regurgitation and rehearsal. I do not want to overdo this. On my last count, we now have about five portfolio bills that are on their way through the house.

The only explanation that I have been given for why this particular bill contains only those amendments, which have been described now in the other place and again repeated by the minister just now to the Bail Act, the Burial and Cremation Act and the Correctional Services Act (a subset of the previous portfolio bill), and why that lot has been carved out and presented separately was that they were somehow deemed to be of greater priority.

The unedifying aspect of that is that here we are and, by the time that all makes its way through to this place, we actually have the balance of these uncontroversial provisions sitting there in parallel legislation that may as well all be wrapped up again, and it happens all to be there on the face of the portfolio bill which I introduced and which has been on the *Notice Paper* now ever since the beginning of June. I am not going to stay on it for any longer, but I want to address one matter of substance.

On 1 June, a day that had the spotlight shone on it for completely unnecessary reasons—because I thought I had taken what was a completely uncontroversial step in reintroducing all this uncontroversial legislative amendment from the previous government—I gave the house notice in private members' time that this would take a while because it is the whole suite of amendments: 'Here they all are. They're uncontroversial. Tell me if they're not, and I'll need a bit more than the standard 15 minutes to do that,' so I sought leave at the outset.

On that occasion—and bearing in mind it is private members' time and it is the short period of time allocated for private members' debate—far from engaging in the question of the merits, the Manager of Government Business took such umbrage at the prospect of that extra time (provided for in the standing orders) being taken to step through the introduction of these matters that he blew a fuse and moved a motion to adjourn debate on my bill to about now, to about November.

He saw the error of his ways subsequently and came back in here with his tail between his legs and moved a motion restoring it to the *Notice Paper* at a more orderly time, and I am glad that he did. I am glad that we all had a reminder of the proper role of private members' time and the fact that it is not really within the government's purview to determine how that might be ordered—far from the government having any right to prior notice about how private members conduct themselves in this house.

However, the irony of that was that, but for that seeing sense, we could have actually found ourselves in a situation where we had all these portfolio bills all being moved in unison and the whole parliament found itself having been delayed for more than a year. I just indicate that very briefly. I would love to see a means by which, where we are dealing with legislation that is of a workmanlike and ordinary nature that is uncontroversial, we do not need to have some sort of race for credit about who authored what and we do not need to have some sort of process of filling the *Notice Paper* with lots of piecemeal provisions.

We really do not edify this place by going through a process of rehearsing what the subject of these things are. There is plenty of area for public interest debate beyond it. I just make those observations in the particular context of the way this has found its way here.

The DEPUTY SPEAKER: Member for Heysen, I apologise for interrupting, but just confirm for me that you are the lead speaker on this matter.

Mr TEAGUE: I anticipate that is correct, Mr Deputy Speaker.

The DEPUTY SPEAKER: I will just draw your attention—while I have been pretty lenient about how you have meandered around the issue, I would like you to get back to the substance of the bill, please, at some point.

Mr TEAGUE: The changes that are to be applied have been summarised by the minister. I will not repeat them, but I indicate that clause 6 has found its way back into the bill. It is not clear to me why these three pieces of legislation were carved out in the first place from the overall bill, but

that is a matter for the government. It is particularly unclear to me why clause 6 was omitted in the form that it was introduced by the Attorney in the other place, but it is appropriate that it is there.

This is a matter for the government and the advice that it has taken, and it might be a matter for the committee briefly, but I flag that there may be a possibility to consider the circumstances of a section 5(1)(f) situation, in which section 5(2)(a) applies, where the court has determined a prescribed person. I expect that is something the government has turned its mind to, and I might take the opportunity to ask about that in committee, unless the minister would like to address that by way of any closing remarks on the second reading debate. With those words, I commend the bill to the house.

Mrs PEARCE (King) (12:17): I rise to speak in support of the Statutes Amendment (Attorney-General's Portfolio) Bill today. This portfolio bill takes the most urgent of three sections from last year's Statutes Amendment (Attorney-General's Portfolio and Other Justice Measures) Bill to ensure that government and related legislation continues to operate as efficiently as it can.

Whilst the amendments are all minor and technical in nature, they address anomalies and other issues which have the potential to cause confusion, inefficiency or impede process improvements. Part 2 of the bill seeks to amend the Bail Act 1984. This will give greater flexibility to the courts in how they prescribe the wording and forms of documents which are used in bail proceedings where the court is the relevant bail authority. This amendment replaces existing requirements for those documents to be in a prescribed form, which will allow the courts greater flexibility during the rollout of their Electronic Court Management System.

Part 3 of the bill amends the Burial and Cremation Act 2014 to remedy an inconsistency with the Births, Deaths and Marriages Registration Act 1996, clarifying that while two death certificates are required to issue a cremation permit only one needs to be provided, and section 36 of the Births, Deaths and Marriages Registration Act, with that second certificate to be in a form determined by the registrar.

Part 4 will amend section 66 of the Correctional Services Act 1982 to remove an obsolete reference to a repealed definition of 'serious drug offence' in the Sentencing Act 2017 and will reinsert the repealed definition into the Correctional Services Act 1982, ensuring that prisoners sentenced to less than five years' imprisonment for serious drug offences are not entitled to automatic release on parole at the end of their non-parole period. This will give the decision-making authority to the Parole Board, and it will be at their discretion whether an offender is ready to serve the rest of their sentence in the community.

As I said earlier, the amendments are all minor and technical in nature, but by addressing the anomalies and other issues which have the potential to cause confusion or inefficiency or impede process improvements they will help make a fundamental difference to our state, particularly when it comes to community justice and ensuring our communities are safe and strong.

We see it today with this keen eye for detail to get the legislation right, just as we have seen it in the work we have been progressing in the Attorney-General's space, whether it be in passing legislation in line with our election commitment to strengthen Carly's Law alongside an increase in penalties for a range of child sex offences, ensuring predators spend more time behind bars, significantly increasing the maximum penalty for gross indecency with or in the presence of a child from five years to fifteen years in prison and, just as importantly, targeting online predators who download, share or create despicable child abuse material.

We have brought in legislation to scrap age categories for vile image-based offending, meaning offenders who previously could have faced a lesser penalty when the age of the victim was unknown will no longer be shown leniency, with such offences involving children of all ages now being penalised more harshly.

We are also restoring funding to the Women's Domestic Violence Court Assistance Service, which provides significant support to survivors of domestic and family violence by helping them to access and secure necessary legal protections against abusive partners. Its services include assisting women to apply for intervention orders, report any breaches of an order and end tenancy agreements to help keep them safe. By restoring this funding, we are helping to ensure the service

can continue and cope with growing demand, as we know around 800 women are already accessing support each year.

Whilst I am on the topic of what we are doing to support women, I am so pleased that we are in the final stages of negotiation for funding the Working Women's Centre to provide frontline support to address workplace sexual harassment and discrimination. I understand that last financial year, 14 per cent of inquiries that were made to the centre were about sexual harassment and a further 38 per cent were about sexual harassment and discrimination. The support we will be providing will allow the centre to reach more women and allow them to come forward in a safe way, which has not always been the case.

It is an incredibly important step, one that aligns with the recommendations made by federal Sex Discrimination Commissioner Kate Jenkins during her 2021 review, because we are listening, and we are serious about justice for all. I thank Abbey and the incredible team at the Working Women's Centre for all of the amazing work they do to support women and educate workplaces and for all the steps they are taking to help us instil gender equality and respect for girls and women across the board so that we can make our workplaces safer for all.

We are also providing a funding boost to support the Operation Ironside trials, one of the most complex law enforcement operations in our country's history, by allocating \$8.8 million over the next four years to support the Office of the Director of Public Prosecutions to effectively handle these matters as they progress through the courts, with funding to provide for additional staff with scope to also recruit more Sheriff's Officers and judge's associates so there is an efficient and consistent approach to these matters.

And we are not done yet. I would like to take this opportunity to applaud the Attorney-General for the work that is currently being undertaken to seek the implementation of the Uluru Statement, including the restarting of the Aboriginal Voice to Parliament following respectful consultation, establishing a truth-telling process and Treaty, because we have so much to learn from the oldest living culture in the world, one that is so heavily engrained and reflected in our lands. We have a responsibility to listen to the voice of the Aboriginal people and to be able to genuinely work with them as one towards a fairer and more reconciled country.

Just recently, I attended an event with the member for Newland for KSJ, a 100 per cent Aboriginal-owned business that is focused on creating jobs, career pathways and business opportunities for Aboriginal people. I thank the amazing people at KSJ, particularly Kiara, for all the time that has been taken to help me better understand what we need to be looking at to support active steps in this space.

It is safe to say that our accomplishments so far in only six months have been bold when it comes to justice reform, and what I have reflected here are only a few of the many active steps we are taking in this space. We make no apologies for remaining bold in our plans to see them through, further protecting South Australians and ensuring that our state is safer and a more equal state that we can be proud of living in. Our communities expect no less from us. With that, I commend the bill to the house.

S.E. ANDREWS (Gibson) (12:25): I rise to speak on the Statutes Amendment (Attorney-General's Portfolio) Bill 2022. This takes the most urgent sections from last year's Statutes Amendment (Attorney-General's Portfolio and Other Justice Measures) Bill to ensure that government and related legislation continue to operate as business as usual. The bill will provide more flexibility to our courts, clarify an inconsistency in legislation, and remove an obsolete reference to a repealed definition. What it does is demonstrate a government that is committed to ensuring our community is safe.

One of the changes in this bill ensures prisoners sentenced to less than five years' imprisonment for a serious drug offence are not entitled to automatic release on parole at the end of their non-parole period. The decision on whether to grant parole will be at the discretion of the Parole Board, which is the appropriate body to assess whether the offender can re-enter the community.

I am proud to be part of a Malinauskas Labor government that is committed to progressive reforms to ensure that the victims of crime and the most vulnerable in our community have fair and

safe access to the justice system. In our first eight months in office, we have already taken action, including passing legislation, as per our election commitment, to strengthen Carly's Law and increase penalties for a range of child sex offences. The state government has also provided \$150,000 in funding for the Victim Support Service Court Companions initiative, and—

Mr TEAGUE: Point of order: I just make the observation—pursuant to standing order 127, of course—that digression in these circumstances is particularly to be noted. In circumstances where the minister and members opposite have described, inaccurately, this bill as having a discrete subset subject matter that is supposedly an urgent subset of the broader portfolio bill, this is clearly digression and in circumstances where there are plenty of other justice portfolio bills on the *Notice Paper*. So, if anyone wants to catalogue the achievements or otherwise of the government in relation to areas as diverse as we have heard about already in the debate, then those opportunities will come, but I do ask that you direct the member's contribution back to the particular subject matter of this bill. It is interesting—

The Hon. J.K. SZAKACS: Sir—

The DEPUTY SPEAKER: No, hold on, let him finish. He has not finished yet.

The Hon. J.K. SZAKACS: Well, I raise a point of order.

The DEPUTY SPEAKER: Minister, take your seat, please. He needs to finish first and I will give you a chance.

Mr TEAGUE: I have finished. I ask you, Deputy Speaker, to bring the member back to the subject matter of the bill.

The DEPUTY SPEAKER: I am not ruling in favour of your point of order. You probably would have had more help had you not digressed in your own contribution to this chamber, but I will put that aside for a moment. My understanding is that, as the bill deals with the Attorney-General's portfolio, a range of bills dealing with justice issues, I am more than happy for members to provide any contribution that provides context to those justice issues. That is my ruling. Member for Gibson, do you wish to continue?

S.E. ANDREWS: The Court Companions initiative provides support to victims, witnesses and their families in criminal courts across South Australia. It is a free and confidential service and crucial to assist victims who need support during the court experience. The Court Companions are trained and experienced to work with victims and witnesses of all ages. While Safer Spaces provides confidential telephone support to victims of crime, navigating the criminal justice system—

Members interjecting:

The SPEAKER: Member for Gibson, can you hold on a second. If the minister and the member for Heysen wish to continue—I am warning both the minister and the member for Heysen. If they wish to continue, they do so outside the chamber or I will ask them to leave. That is your choice. I think we owe the member for Gibson the courtesy to hear her in silence.

S.E. ANDREWS: I thank the staff and volunteers of the Victim Support Service for their work to support our constituents. It is true that all women, regardless of age, background, residential location or wealth, will very likely experience or witness domestic and family violence. It is important, therefore, that as a government we have delivered on our election commitment to restore funding to the Women's Domestic Violence Court Assistance Service. The service provides support to women affected by domestic and family violence, primarily relating to helping women apply for intervention orders and ending tenancy agreements.

Additionally, the state government is currently in the final stages of negotiation for funding the Women's Legal Service to provide face-to-face legal advice and education to vulnerable women at risk of or experiencing domestic violence and family violence in the northern and southern regions.

I can only imagine the fear of victims who have been subjected to domestic and family violence, to know that the offender is in society, potentially tracking them down to further perpetrate violence. The government will be introducing legislation to ensure monitoring of domestic violence

defendants on bail. I want to take this opportunity to thank the staff and volunteers at all domestic and family violence services across our state for the work they do supporting women and children.

Workplace sexual harassment and discrimination will affect one in three women in our community and, as we know, it can occur in small and large businesses, not-for-profit organisations and right here in state parliament. Recognising this, the state government is currently in the final stages of negotiation for funding for the Working Women's Centre to provide frontline support to address workplace sexual harassment and discrimination. Centre director, Abbey Kendall, recently told the ABC, and I quote:

In the last financial year 14 per cent of inquiries to the centre were about sexual harassment and a further 38 per cent were about sexual harassment and discrimination.

I am proud to have been a committee member of the Working Women's Centre. I have seen firsthand the important work they do assisting women who are underpaid, mistreated or abused by their employers. Abbey and her entire team do a fantastic job and I thank them deeply on behalf of all women who have benefited from their work. The state government will be introducing legislation to make the experience of domestic violence a ground of discrimination in the Equal Opportunity Act.

An issue that is gaining recognition but has been occurring in our community for generations, coercive control, describes the systematic pattern of behaviour used by a person to dominate and control another person, usually an intimate partner. It is almost exclusively perpetrated by men against women and includes emotional and financial abuse, stalking and intimidation.

It is very difficult for women to escape from a partner exercising coercive control. This behaviour affects a diverse group of women, including Aboriginal and Torres Strait Islander women, women from migrant backgrounds, women living in rural, regional and remote areas, and LGBTIQ+ people. This is why our Malinauskas Labor government will be introducing legislation to criminalise coercive control.

Finally, our government has committed to investigating changes to victim impact statements. We have supported in principle changes to the Sentencing Act 2017 to provide that victim impact statements should not be edited for admissibility purposes and that it should be left to the judge or magistrate to exercise discretion as to admissibility of content in a victim impact statement.

As a responsible government, we will be undertaking consultation on the proposed reform before progressing any legislative changes. We are a government that puts the victims first, protects their rights, provides them with appropriate support and assistance and ensures that contemporary laws are in place to protect our community, particularly women and children. I commend this bill to the house.

Ms WORTLEY (Torrens) (12:34): I rise to speak on the Statutes Amendment (Attorney-General's Portfolio) Bill. While this portfolio bill addresses the most urgent sections from last year's Statutes Amendment (Attorney-General's Portfolio and Other Justice Measures) Bill to make sure the wheels of justice are turning, most of the amendments in the bill before us are minor. I will just go through them briefly before I proceed to talk about some of the other things in the justice area that our government is effecting.

Part 2 of the bill before us amends the Bail Act 1985 to allow the courts more flexibility with prescribing the form of documents during the rollout of their electronic court management system. Part 3 amends the Burial and Cremation Act 2013 to remedy an inconsistency with the Births, Deaths and Marriages Registration Act 1996. It clarifies that, while death certificates are still required to issue a cremation permit, only one needs to be provided under section 36 of the BDMR Act, with a second certificate to be informed and determined by the Registrar.

Part 4 amends section 66 of the Correctional Services Act 1982 to remove an obsolete reference to a repealed definition of 'serious drug offence' in the Sentencing Act 2017 and reassert a repealed definition into the Correctional Services Act 1982. This, of course, will ensure prisoners sentenced to less than five years' imprisonment for serious drug offences are not entitled to automatic release on parole at the end of their non-parole period.

I would like to take the opportunity to tell the house about the other measures the government has taken, since taking office only some eight months ago, to address other gaps in our justice

system which are significant and worthy of mention here today. Firstly, as committed at the election, we said we would make legislative change for women to stay safe, and I am proud that the government has immediately taken action to do this. Whilst we are in the process of determining how to criminalise coercive control, with state and federal legislation about to be introduced, we are also working on the experience of domestic violence as a ground of discrimination in the Equal Opportunity Act.

We will also require those who are granted bail and charged with serious domestic violence offences to be electronically monitored as a condition of that bail. A legislative review is also being conducted on consent to sexual activity. These points of law are critical in the fight to keep our communities safe and in our ongoing effort to strengthen the fight against family violence.

We have already restored funding to the Women's Domestic Violence Court Assistance Service that was cut by the former government. This important service helps women with intervention order applications, variations and revocations, ending tenancies, and liaising with police to report breaches of intervention orders and other domestic violence issues.

Prevention is the key to our government's response to family violence, and we have committed \$1 million in funding over three years to establish two domestic violence early intervention and recovery hubs in the north and south of Adelaide to support and empower women. We have enacted paid domestic violence leave for workers, pursuant to the Fair Work Act of South Australia.

We know that on average one woman a week dies from family violence in Australia. Hundreds of women in South Australia are affected, meaning thousands of families—women, children, young adults and men—are living in trauma. This investment is for the future of families, and for women who are failing to cope. We recently discovered that one in three South Australian women at work experience sexual harassment. Last financial year, the Working Women's Centre reported that 14 per cent of inquiries to the centre were about sexual harassment, and a further 38 per cent were about discrimination and sexual harassment combined.

Perpetrators via their employers have been allowed to carry on due largely to nondisclosure agreements which prevents naming and shaming. Early intervention, and instilling gender equality and respect for girls and women, is still at the forefront of what needs to occur. I suggest this needs to happen from birth, for both boys and girls, so that all are raised with equity and empowerment. An amount of \$2 million over three years will go to the Working Women's Centre to help the service hire more lawyers who in turn help more women.

Attorney-General Kyam Maher in the other place is already on the record as saying this funding was really important and aligned with recommendations made by federal Sex Discrimination Commissioner, Kate Jenkins, during her 2021 review. The Attorney-General made the point that women do not just suffer sexual harassment at work—which is bad enough—there is also underpayment of wages. So it is critically important that women have a resource like the Working Women's Centre.

Also vital is helping victims to get to court, and helping to support them generally. We provided \$150,000 per annum for the Victim Support Service Court Companions; and the Victim Support Service: Safer Places—another \$100,000 per annum initiative.

The tragedy of Carly Ryan, the first girl in Australia to be murdered by an online predator, in 2007, should still be resonating in this place. I met Carly's mother when we were on an inquiry and she has continued to pursue justice in that area. Together with Carly's mother, Sonya, and South Australia Police, the government has moved to strengthen Carly's Law, which makes it a criminal offence for a person over the age of 18 to misrepresent themselves to a child online in order to meet them.

Gone is the need to prove intent to harm the child. The misrepresentation of age and intent for an adult to meet a child is enough for police to protect our children and make an arrest. We are continuing to crack down on child sex offenders by closing loopholes. We are imposing bigger sentences and closing bail options.

With regard to the legislation before us today, while the amendments that are going to come into effect are minor—and I have spoken about part 2, part 3 and part 4 of the bill—they do have a

significant impact. There are many more instances where our government has taken action in the justice area and we will continue to do so. But I will leave it for today to commend the Statutes Amendment (Attorney-General's Portfolio) Bill 2022 to the house.

Ms THOMPSON (Davenport) (12:40): I rise, too, to offer my support for the Statutes Amendment (Attorney-General's Portfolio) Bill 2022, presently before the house. This portfolio bill takes the most urgent of three sections from last year's Statutes Amendment (Attorney-General's Portfolio and Other Justice Measures) Bill to ensure that government and related legislation continues to operate as business as usual. The amendments address anomalies and other issues with the potential to cause confusion, inefficiency or impede process and improvements.

Part 2 of the bill amends the Bail Act 1985 to allow the courts more flexibility with prescribing the form of documents during the rollout of their Electronic Court Management System. Part 3 amends the Burial and Cremation Act 2013 to remedy an inconsistency with the Births, Deaths and Marriages Registration Act 1996. It clarifies that while two death certificates are still required to issue a cremation permit, only one needs to be provided under section 36 of the Births, Deaths and Marriages Registration Act, with the second certificate to be in a form determined by the registrar.

Part 4 amends section 66 of the Correctional Services Act 1982 to remove an obsolete reference to a repealed definition of 'serious drug offence' in the Sentencing Act 2017 and reinserts the repealed definition into the Correctional Services Act 1982. This ensures prisoners sentenced to fewer than five years' imprisonment for a serious drug offence are not entitled to automatic release on parole at the end of the non-parole period; instead, parole will be at the discretion of the Parole Board.

The Malinauskas Labor government is committed to progressive reform and has a large agenda in the justice space. I am particularly proud to be part of a government that is committed to doing everything in our power to better support, protect and empower women affected by domestic violence. Restoring funding to the Women's Domestic Violence Court Assistance Service that was cut by the former government is an essential component of this effort.

This important service helps hundreds of women affected by domestic violence to access free legal advice and provides invaluable support by helping survivors of domestic and family violence secure the necessary legal protections against an abusive partner. Its services include assisting women to apply for intervention orders, report any breaches of an order and end tenancy agreements to help keep them safe.

By restoring this funding, the Malinauskas Labor government will ensure the service can continue and cope with growing demand, with around 800 women accessing the support each year. The investment also means the service can expand its focus to better support those in regional areas, as well as women from culturally diverse backgrounds who may face additional barriers in reporting abuse and seeking support.

In recent years, this service has helped to protect thousands of SA women and empowered them to escape abuse. We know just how important free, easily accessible legal advice is for those at risk. Our government is acting quickly to ensure these vital services can continue. The restoration of this funding is part of a suite of measures that we will progress to help prevent and end domestic violence and support those who experience it.

We are also currently in the final stages of implementing the Women's Legal Service to provide face-to-face legal advice and education to vulnerable women at risk of or experiencing domestic violence and family violence in the northern and southern regions. Services via videoconference are currently provided in those regions; however, due to the high proportion of family and domestic violence in these areas, there is rationale for targeting the region with face-to-face support, which is often much more impactful.

The Malinauskas Labor government is committed to enacting a range of legislative change, preventative actions and policies that help women stay safe. In line with our election commitments, we will soon be introducing legislation to criminalise coercive control. Across Australia, communities just like many here in our state are rightly calling for the criminalisation of coercive control and this

reform will represent a major step forward in the need to address the horrendous prevalence of domestic violence.

We know that coercive control is overwhelmingly perpetrated against women by a current or former intimate partner and often precedes other forms of domestic violence. Those who experience it are dominated and controlled through intimidation, humiliation, exploitation, isolation and by removing their sense of self-worth. The controlling behaviour often includes threats and actual violence and, in some cases, tragically precedes murder.

We will be consulting with the domestic and family violence sector and our community to determine the most effective way to legislate against coercive control and how to educate service providers and our community and to teach people to recognise it when they see it and to ensure that perpetrators are brought to account for all acts of domestic violence.

Within this consultation period, we will be exploring the many aspects of community awareness, training and resourcing that are needed to support the implementation of future legislation. We are committed to hearing the voices of victim survivors, at-risk groups, women who live in regional areas, women from diverse cultural backgrounds and Aboriginal women as we move towards introducing legislation that will be introduced to the South Australian parliament in 2023.

There is still so much that we can do in this space. We intend to progress a range of legislative change and reforms. Yesterday, our Minister for Women and the Prevention of Domestic and Family Violence introduced legislation to provide up to 15 days of paid family and domestic violence leave. The proposed amendments to the Fair Work Act 1994 will support workers by ensuring they can immediately access paid leave for reasons including attending medical appointments, legal proceedings, counselling, relocation, the making of safety arrangements and other activities associated with the experience of family and domestic violence.

The legislation will apply to all workers in the state industrial relations system, which covers public sector and local government employees. South Australian private sector employees are covered by the commonwealth Fair Work Act 2009, which was recently amended to include paid family and domestic violence leave.

As family and domestic violence disproportionately impacts women, the proposed changes also promote gender equity by addressing some of the socio-economic impacts, such as loss of income and employment security. Fifteen days of paid family and domestic violence leave will set a national benchmark. People experiencing domestic violence should never need to make the choice between their financial security and independence and their safety. We will also be introducing legislation to:

- include the experience of domestic violence as a ground for discrimination in the Equal Opportunity Act;
- require those who were granted bail who have been charged with serious domestic violence offences to be electronically monitored as a condition of bail; and
- review legislation pertaining to consent to sexual activity.

Our government is committed to working alongside service providers, women's organisations, women experiencing domestic violence and other stakeholders to use all possible levers to prevent and end domestic violence. I commend this bill to the house.

Ms SAVVAS (Newland) (12:48): I am very proud to be speaking to the statutes amendment bill today. Of course, there are lots of implications of this bill and it is varied in terms of its effect, but it is an important one with real implications for the criminal justice system and beyond.

There are five main components to the bill and, although the amendments are mostly technical, they will address anomalies and inefficiencies impeding the efficiency of justice across our state. I personally know all too well the importance of increasing efficiency in the courts, having interned and worked briefly at the Magistrates Court and seen firsthand the incredibly hard work put in by the Courts Administration Authority, both employees and volunteers.

Part 2 of our amendment will allow the courts more flexibility when prescribing the form of documents during the rollout of their Electronic Court Management System, a much-needed efficiency dividend when going through the onerous process of changing databases and systems. I would like to also acknowledge while we are here in the house today the staff at the Courts Administration Authority and all our courts across Australia, noting the necessary work that each and every one of them do in our justice system.

There are many other components to the bill, but part 4 amends section 66 of the Correctional Services Act, removing a reference to the repealed definition of a 'serious drug offence' in the Sentencing Act and reinserting it into the Correctional Services Act, ensuring that prisoners sentenced to less than five years are not entitled to automatic release on parole at the end of their non-parole period.

We know the impact that serious drug offences can have in our communities, in our families, and this amendment means that prisoners will not automatically be entitled to release on parole at the end of the non-parole period. This of course means that discretion will be determined by the Parole Board itself, giving greater oversight of those outcomes, rather than an automatic response.

The majority of these amendments are technical, but there are a variety of areas considered here relating to our wider agenda for justice reform. Personally, I am incredibly proud of the path we are paving relating to justice reform, particularly with respect to Aboriginal justice reform. I would like to acknowledge the tireless work of the Aboriginal affairs minister, our Attorney-General in the other place, for not only his work as a minister but over many years in this space as an advocate and a proud Aboriginal man.

We are of course implementing the Uluru Statement from the Heart and restarting the Treaty process with Aboriginal people. Providing an Aboriginal Voice to Parliament is much-needed reform and one we are undertaking with respectful consultation and consideration of Truth telling and Voice. I am incredibly proud to be part of a government taking real action in that space following on from the 2017 Uluru Statement from the Heart, which calls for definitive structural reform in the space of Aboriginal self-determination and representation.

We have already commenced work in that place with the inaugural Commissioner for First Nations Voice, spending the last three months engaging with our communities on the best way to provide a direct Voice to Parliament and better engage with our government. We are also legislating to protect and strengthen our Nunga Courts so that they have a formal and recognised place in our justice system; time willing, I do look forward to speaking to that at some stage later today.

There are a number of other pieces we are working on in this space, including increasing penalties on a range of child sex offences, providing funding for the Victim Support Service Court Companions and Victim Support Safer Places as well. We are also restoring funding to the work of the Women's Domestic Violence Court Assistance Service, and we are in the process of negotiating with both the Women's Legal Service and the Working Women's Centre to strengthen accessibility for women facing barriers in the justice system.

There is so much to do in the space of criminal justice and also in correctional reform, but we are making steps. Most recently, we have made commitments to the family of the late Sophia Naismith, who was tragically killed at the age of 15 when Sophia and her friend were hit by a Lamborghini. We have committed to dangerous driving reforms in response to that moving forward. I do wish to thank not just the Naismith family but all families for their courage in this space, particularly those facing the constraints and emotional turmoil of the criminal justice system and for continuing to advocate for change from personal experience. I commend the bill.

The Hon. A. PICCOLO (Light) (12:54): I rise to speak briefly on this bill. The bill is essentially one which falls in the broader justice portfolio and covers a number of areas. In fact, some of these proposals were submitted in the last parliament, and now they have been initiated and also carried forward in this parliament. The bill provides for the courts to have more flexibility in terms of the electronic management system. It also clarifies some issues around births, deaths and marriages in terms of death certificates and amends section 66 of the Correctional Services Act.

One of the things that motivated me to enter this place was the issue of justice and what we could do in the area of justice to improve the quality of people's lives. While predominantly I was motivated more by economic justice than other issues, certainly there are other forms of justice that also need to be addressed. This parliament has an obligation, I believe, not only to improve justice in our society through legislation but also to improve the existing arrangements to make sure they operate in a just way and to refine those systems when they are not doing so—in other words, removing barriers to justice. Justice is very important.

A number of other speakers have touched upon a whole range of areas this government is seeking to reform to ensure that a broader range of people can access the justice area. One of the areas that I believe needs improvement is consumer justice. Since its heyday in the Dunstan period, when this state led the nation in terms of consumer law reform, we have given over most of our powers to the federal government, the commonwealth, and I think the area of consumer justice has to improve. Consumer justice is in the hands of the ACCC at a national level, and the ACCC tends to be more interested in the big fish in the economic field, quite rightly.

I can understand that, but it does not take away from the fact that there are a lot of ordinary people hurting in our community because of injustices imposed upon them in the consumer area. I am sure I am no different from a lot of other members in this place who get a number of inquiries and representations made to them by constituents with complaints about retail and areas around building and airlines. Building and airline consumer justice issues is an area that has increased. Obviously, the building trade boom has led to a whole range of things happening. Secondly, the—

Mr TEAGUE: Point of order.

The ACTING SPEAKER (Mr Brown): A point of order from the member for Heysen.

Mr TEAGUE: It is standing order 127 once again. It is not for members to sit and stew over matters. I again raise that, in the particular circumstances of the contribution, there is a clear digression from what is a very discrete subject matter. We have heard contributions that range over justice-connected, perhaps, observations. This is clearly a digression from anything related to the particular subject matter of the bill.

The ACTING SPEAKER (Mr Brown): Member for Heysen, the member has not been speaking for very long and he is about to draw together the comments he has been making about the bill that is before us. I would remind members, however, that it is not appropriate for people to traverse the world, as it were, when talking about matters in bills. I would please ask members to stick to the bill before us, but there is nothing wrong with members talking about how the bill that is before us fits into a framework of policy, for example. With those words, I call on you, member for Light.

The Hon. A. PICCOLO: I do appreciate the interjection and the point of order by the member for Heysen because it gives me an opportunity to respond to some comments he made, which must have been in order because he made the comments—

The ACTING SPEAKER (Mr Brown): Member for Light, I would ask you just to continue with the bill. Let's not talk about things that were discussed earlier.

The Hon. A. PICCOLO: We cannot talk about what we are talking about?

The ACTING SPEAKER (Mr Brown): I would ask you not to rehash debates that might have been had earlier today.

The Hon. A. PICCOLO: Well, it was actually part of this bill, Mr Acting Speaker.

The ACTING SPEAKER (Mr Brown): While we are on the topic of mechanics, it might be a good time for you to seek leave to continue your remarks.

The Hon. A. PICCOLO: I seek leave to continue my remarks.

Leave granted; debate adjourned.

Sitting suspended from 12:59 to 14:00.

*Parliamentary Procedure***ANSWERS TABLED**

The SPEAKER: I direct that the written answer to a question be distributed and printed in *Hansard*.

PAPERS

The following papers were laid on the table:

By the Treasurer (Hon. S.C. Mullighan) on behalf of the Deputy Premier (Hon. S.E. Close)—

Judicial Conduct Panel—Report to the Attorney-General pursuant to Section 25 of the Judicial Conduct Commissioner Act Report

By the Minister for Health and Wellbeing (Hon. C.J. Picton)—

Chief Psychiatrist of South Australia—Annual Report 2021-22

Death of Holly Alexandra Thredgold—17 June 2022 Report of actions taken by SA Health following Coronial findings October 2022

Health Advisory Council—

Barossa and Districts Annual Report 2021-22

Ceduna District Annual Report 2021-22

Country Health Gift Fund Annual Report 2021-22

Eastern Eyre Annual Report 2021-22

Eudunda Kapunda Annual Report 2021-22

Far North Annual Report 2021-22

Gawler District Annual Report 2021-22

Hills Area Annual Report 2021-22

Kangaroo Island Annual Report 2021-22

Kingston Robe Annual Report 2021-22

Lower Eyre Annual Report 2021-22

Mid West Annual Report 2021-22

Port Lincoln Annual Report 2021-22

Southern Fleurieu Annual Report 2021-22

Local Health Network—

Barossa Hills Annual Report 2021-22

Central Adelaide Annual Report 2021-22

Eyre and Far North Annual Report 2021-22

Flinders and Upper North Annual Report 2021-22

Limestone Coast Annual Report 2021-22

Riverland Mallee Coorong Annual Report 2021-22

Southern Adelaide Annual Report 2021-22

Regional Mental Health Services Review—Letter of Interim Recommendations Report July 2022

SA Office of the Chief Psychiatrist—Focused Inspections of Older Persons' Mental Health Services in Regional SA Report 2021-22

South Australian Ambulance Service—Annual Report 2021-22

By the Minister for Child Protection (Hon. K.A. Hildyard)—

Guardian for Children and Young People—Annual Report 2021-22

By the Minister for Human Services (Hon. N.F. Cook)—

Human Services, Department of—Annual Report 2021-22

South Australian Housing Trust—Annual Report 2021-22

By the Minister for Education, Training and Skills (Hon. B.I. Boyer)—

Australian Children's Education and Care Quality Authority—Annual Report 2021-22
Australian Children's Performing Arts Company (Windmill Theatre Co)—
Annual Report 2021-22
Carclew Inc.—Annual Report 2021-22
Child Death and Serious Injury Review—Annual Report 2021-22
History Trust of South Australia—Annual Report 2021-22
South Australian Commissioner for Aboriginal Children and Young People—
Annual Report 2021-22
South Australian Commissioner for Children and Young People—Annual Report 2021-22

Question Time

SECURE JOBS, BETTER PAY BILL

The Hon. D.J. SPEIRS (Black—Leader of the Opposition) (14:02): My question is to the Premier. Does the Premier stand by his remarks about the Secure Jobs, Better Pay Bill? With your leave, sir, and that of the house, I will explain.

Leave granted.

The Hon. D.J. SPEIRS: Yesterday, the Premier advocated for the Secure Jobs, Better Pay Bill, which includes a controversial single interest employer authorisation scheme. Business SA, the Australian Industry Group, the Motor Trade Association of South Australia and Northern Territory, the South Australian Wine Industry Association, the Master Builders Association South Australia and the Australian Hotels Association have raised severe risks posed by the bill for South Australian businesses, including that it would 'damage small businesses, who would have costly new conditions and requirements imposed upon them for nothing in return'.

The Hon. P.B. MALINAUSKAS (Croydon—Premier) (14:03): I thank the Leader of the Opposition for his question. There are elements of the Secure Jobs, Better Pay Bill that I think would go a long way to informing better outcomes around industrial disputation in the state of South Australia, and I will give the Leader of the Opposition an example.

Earlier today—and I understand the Leader of the Opposition may have had a similar opportunity—I had a chance to chat with the business owner of Crane Services, a company which is currently in industrial disputation with the CFMEU. That is a process that is currently playing out under existing industrial relations law. Having familiarised myself a little more with the circumstances of that dispute, it's fair to say that I can see the merit of a role for an independent arbiter here.

On this side of the house, the Labor Party has always advocated for a strong, robust, genuinely independent umpire in the industrial relations system. That was the Industrial Relations Commission in the past, and today of course it's known as the Fair Work Commission. If there is an ability to go into arbitration to have an independent umpire make a ruling about what represents the best balance between the interests of capital and labour, then I think we get a better outcome.

At the moment, there is no capability for either employer or employee to arbitrate on a matter such as this, which can result in protracted disputation which, in my estimation, rarely helps workers, let alone businesses. So I do think there should be a mechanism for arbitration. My understanding is that that is not a view that is shared by the CFMEU. I appreciate that it is also a view that is not shared by some employers.

My assessment is that the only people who would be concerned about going to the independent umpire are those people who believe they might be disadvantaged by it. I don't share that view. I think getting the balance right in industrial relations between both employers and employees is the right thing to do for both parties. The use of an independent arbiter in the form of a fair work commissioner can go a long way.

Mr Tarzia interjecting:

The Hon. P.B. MALINAUSKAS: The member for Hartley interjects not necessarily from a basis of knowledge. If there is a—

Members interjecting:

The SPEAKER: Order, member for Hartley!

The Hon. P.B. MALINAUSKAS: If there is a—

Members interjecting:

The SPEAKER: Order! The member for Hartley is warned for the first time.

The Hon. P.B. MALINAUSKAS: If there is a mechanism for compulsory arbitration where the outcome is binding upon parties, then I believe that could play a constructive role in addressing the sort of disputation that we see that a South Australian employer is experiencing at the moment. To bring it back more directly to the Leader of the Opposition's question, yes, I do think there are elements of the Secure Jobs, Better Pay Bill that will go some way to enhancing industrial relations in our country rather than diminishing it.

CRANE SERVICES

The Hon. D.J. SPEIRS (Black—Leader of the Opposition) (14:07): My question is to the Premier. Apart from arguing for some elements—

Members interjecting:

The SPEAKER: Order! The exchange between the Treasurer and the member for Schubert is preventing the leader from asking his question. The member for Schubert is called to order.

The Hon. D.J. SPEIRS: My question is for the Premier. Apart from arguing for some elements of the federal Labor government's workplace relations bill, is the Premier doing anything to assist Crane Services through this dispute? With your leave, and that of the house, I will explain.

Members interjecting:

The SPEAKER: Order!

The Hon. D.J. SPEIRS: I just realised there was some more to add to give the question even more value.

Leave granted.

The Hon. D.J. SPEIRS: The federal construction watchdog was dismantled by the federal Labor government two weeks ago. Today, it was reported that John Setka's CFMEU has rejected a 16 per cent pay increase for workers at local business Crane Services and, instead, is launching industrial action, with members refusing to work and protesting outside the gates. The Master Builders Association chief, Will Frogley, has described this behaviour as a 'militant approach.'

The Hon. P.B. MALINAUSKAS (Croydon—Premier) (14:08): I thank the Leader of the Opposition for his question. As I just mentioned, I have spoken to the owner of Crane Services, Mr John Nicholls. He has been keeping me informed about that dispute from his perspective, and that's something that I welcome. As I mentioned earlier, I had the opportunity to speak to Mr Nicholls earlier today and he explained to me the circumstances from his perspective. I haven't spoken to the CFMEU or any of their representatives, so I have not heard their side of the story—and history tells us that there are normally two.

Nonetheless, again I simply reiterate that I think that this is a demonstration of why there is value in having an independent arbiter who can compulsorily compel parties to participate in arbitration in this instance. Because on face value—and again I qualify the remarks I am about to make by saying that I have not heard the other side of the story—when you hear reports of a 16 per cent pay rise, I think that sounds as though it's a pretty healthy offer on behalf of the employer, notwithstanding the fact that we don't understand the full context of what base that is coming off or what has been happening in terms of real wages in that sector for some time.

Notwithstanding that, if there was the capacity to arbitrate, then that would have been a viable option to the employer in this instance that I hope can be realised. In answer to the Leader of the Opposition's question, I absolutely and unapologetically advocate for those sorts of outcomes. If the state parliament or the state government had the means to intervene in an industrial relations dispute in South Australia, then we would consider it, but that is not available to us and it hasn't been

available to any state legislature around the country since WorkChoices in 2007, since the referral of those powers to the commonwealth following the WorkChoices legislation.

Nonetheless, as the Premier of the state I make my position known. I am more than happy to advocate accordingly and will continue to do so at any opportunity that is granted.

The SPEAKER: The leader on a supplementary.

CRANE SERVICES

The Hon. D.J. SPEIRS (Black—Leader of the Opposition) (14:11): My supplementary is to the Premier. Will the Premier reach out to the CFMEU on behalf of Crane Services to try to reach an amicable resolution to this matter?

Mr Brown interjecting:

The SPEAKER: The member for Florey is warned.

Members interjecting:

The SPEAKER: The member for Florey is warned for a second time. The Premier has the call.

The Hon. P.B. MALINAUSKAS (Croydon—Premier) (14:11): I don't think they take my calls, I would say to the Leader of the Opposition.

The Hon. J.A.W. Gardner: They took your money!

The SPEAKER: Order!

The Hon. P.B. MALINAUSKAS: This is the problem the opposition has in this regard because what they know all too well—and as best as they may try, as well as they may try to paint a picture otherwise—is that my view of industrial relations in this country is very, very different from the CFMEU's. I have a fundamentally different position about the way good IR operates. The opposition may well do their level best to try to suggest otherwise, but it just isn't true, which is why it doesn't resonate. I have never spoken to Mr Setka in my life. I haven't been in receipt—

Mr Tarzia interjecting:

The SPEAKER: Order! The member for Hartley is warned for a second time.

The Hon. P.B. MALINAUSKAS: The member for Hartley's interjections are a valuable contribution from the government's perspective because they again are not based in fact.

An honourable member interjecting:

The Hon. P.B. MALINAUSKAS: No, the government's perspective. They are not based in fact. I haven't spoken to the CFMEU regarding this, and I am not too sure that my position would be one that would necessarily be welcomed by them.

CONSTRUCTION, FORESTRY, MARITIME, MINING AND ENERGY UNION

The Hon. D.J. SPEIRS (Black—Leader of the Opposition) (14:13): My question is, again, to the Premier. Has the Premier heard the CFMEU advertisements running on FIVEaa radio? With your leave, sir, and that of the house, I will explain.

Members interjecting:

The SPEAKER: Order!

Leave granted.

The Hon. D.J. SPEIRS: The CFMEU advertisements play regularly on FIVEaa radio, and it seems plausible that the \$125,000 payment that the Labor Party made to the CFMEU—

Members interjecting:

The SPEAKER: Order!

The Hon. D.J. SPEIRS: —has been used to fund these advertisements.

The SPEAKER: Leader, you will resume your seat. I have for some time now—

Members interjecting:

The SPEAKER: Order, member for Newland!

The Hon. S.C. Mullighan: Stop setting him up.

The SPEAKER: Order! The Treasurer is called to order. I have for some time now warned members that the better course is to ensure, in relation to seeking leave to introduce facts, that speculation and opinion do not substitute for facts, and 'it seems plausible' is clearly an invitation to an opinion or an argument. Leader, I will give you an opportunity to rephrase, but members should be advised—

Members interjecting:

The SPEAKER: Order! Members should be advised that from today's question time sufficient warning has been given in relation to that matter.

The Hon. J.A.W. Gardner: What about standing order 98?

The SPEAKER: Order! That can be raised in the normal way.

EMPLOYMENT FIGURES

Mr BROWN (Florey) (14:14): My question is to the Treasurer. Can the Treasurer provide the house with an update on the employment market in South Australia?

The Hon. S.C. MULLIGHAN (Lee—Treasurer) (14:14): I'm grateful to the member for Florey for asking this question because we should take today as an opportunity to reflect that today a record has been set in South Australia: the highest number of people in work in the state's history—897,100 South Australians now in employment. This is extraordinary. Also, of course, a record number of people are in full-time work: 595,000 people in full-time work.

In the last month, the ABS records that total employment grew by 11,800 people, which is actually more than the increase in labour force participation. In gross terms, that means that everybody who entered the labour market over the last month found a job—and then some. That is great news. We have seen total employment grow by more than 7,000 jobs since March of this year and, pleasingly, full-time employment has increased by just under 10,000 jobs.

Mr Cowdrey interjecting:

The SPEAKER: Member for Colton!

The Hon. S.C. MULLIGHAN: In fact, the labour market is so strong we have even seen the member for Colton find something to do this week.

Mrs Hurn interjecting:

The SPEAKER: The member for Schubert is warned.

The Hon. S.C. MULLIGHAN: It is extraordinary. Maybe even the deputy leader—

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

The Hon. S.C. MULLIGHAN: —will find something to do in the current labour market.

The SPEAKER: Treasurer, there is a point of order which I will hear from the—

The Hon. A. Koutsantonis interjecting:

The SPEAKER: The member for West Torrens is called to order. Member for Morialta.

The Hon. J.A.W. GARDNER: Standing order 98, and personal reflections as well for that matter.

The SPEAKER: Yes, there is some force in the member for Morialta's contribution. The Treasurer's robust remarks are noted, but equally he ought have in mind standing order 98.

The Hon. S.C. MULLIGHAN: Thank you, Mr Speaker. I am grateful for your guidance. As I was saying earlier, the participation rate has increased over the past month up to 63.4 per cent, although we should be honest to admit that there is still room for improvement in that metric, of course. South Australia, although it has a very low unemployment rate, is still at the top of the nation for its unemployment rate, but there is still room for improvement. There has been improvement, though, in the employment to population ratio, and the underemployment rate has fallen as well. These are very encouraging, strong results.

But we have to be honest: we are being told by the federal government, by the Reserve Bank, by economic commentators, that Australia should prepare itself for seeing softer economic conditions next calendar year. South Australia won't be immune from that. The impact of high rates of inflation, rising interest rates, global uncertainty, and the reverberations of disrupted supply chains over the last two years will continue to make themselves felt and, during the course of next year, make themselves felt more severely.

We also have, of course, what may be a significant impact from what the member for Chaffey has been raising, if we have ongoing impacts from flood conditions in the Riverland. All of these may well choose to be significant challenges to the state's economy. But I have to say, what a basis to confront future economic challenges from, when we have remarkably strong economic growth, strong jobs growth and the highest levels of employment on record.

There is always more to do, not just for the state government but also for the community. We have to continue investing to support the economy. We have to keep backing South Australian small businesses, in particular, and supporting South Australian jobs, and I am pleased to report that is what this government is committed to doing.

Members interjecting:

The SPEAKER: Order! The member for Hartley and the Treasurer will cease their exchange.

Mr Tarzia interjecting:

The SPEAKER: Order! Member for Hartley, your colleague the member for Colton is seeking the call.

Members interjecting:

The SPEAKER: Order, member for West Torrens!

INDUSTRIAL RELATIONS

Mr COWDREY (Colton) (14:19): My question is to the Premier. Does the Premier have a plan to protect South Australian businesses from intimidation and, if not, does he intend to support legislation to protect the construction industry? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mr COWDREY: The South Australian Liberal Party is fast-tracking the introduction of new legislation to protect the South Australian construction industry from thuggish union behaviour, which has been reported to include—

Members interjecting:

The SPEAKER: Order!

Mr COWDREY: —intimidation of subcontractors, threatening behaviour, verbal assault and increased disruption on worksites.

The SPEAKER: Member for Colton, there are two difficulties with the leave that you have sought to introduce facts. If you are referring to legislation and that legislation is before the house, then to some extent—

An honourable member: It's not before the house, sir.

The SPEAKER: Well, if it is not before the house then it is an expression of a future intention, highly speculative and not a present fact. I am going to give you an opportunity to recast the question. You might, in fact, decide to sever the purported facts from a question that probably stands alone in its own right.

Mr COWDREY: I do believe that it is on the public record that the introduction will come but, in any case, I will take your advice. My question is again to the Premier. Does the Premier have a plan to protect South Australian businesses from intimidation and, if not, what does he intend to do?

The Hon. P.B. MALINAUSKAS (Croydon—Premier) (14:20): I will do everything I reasonably can, given the status—

Members interjecting:

The SPEAKER: Order!

The Hon. P.B. MALINAUSKAS: —of our constitution to do what the state government has at its disposal to advocate for better industrial relations in our country, which I think I have articulated at length today. What I would say to the member for Colton, who earlier referred to their 'fast-tracking of legislation', where is it?

Members interjecting:

The SPEAKER: Order!

The Hon. A. Koutsantonis: This is making us look bad, please make it stop.

The SPEAKER: Order! The member for West Torrens knows better. Member for Morialta.

The Hon. J.A.W. GARDNER: Point of order: standing order 98. You have ruled that out of order, the Premier is defying you and the member for West Torrens is undermining you by talking over you, sir.

The Hon. A. Koutsantonis: Undermining him? I'm promoting him. I'm his biggest fan.

The SPEAKER: Order! There is some force in what the member raises in the chamber. Premier, you have to hand standing order 98. I bring you back to the substance of the question.

The Hon. P.B. MALINAUSKAS: As I was saying, I appreciate that there are some in this house who will one day get around eventually to the fast-track effort, but notwithstanding that—

Mr Cowdrey interjecting:

The SPEAKER: The member for Colton is warned. The Premier has the call.

The Hon. P.B. MALINAUSKAS: The government, as I outlined previously, is committed to doing anything we reasonably can to harness and promote good industrial relations in the state of South Australia, notwithstanding the fact that industrial relations legislation that governs the private sector is not the responsibility of the state government, so we are left with the strength of our advocacy and I will deploy that tool as best I can.

RIVERLAND COMMUNITIES

Mr WHETSTONE (Chaffey) (14:22): My question is to the Premier. Is the government now prioritising recovery efforts in the Riverland over preventative action and, if so, why? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mr WHETSTONE: This morning, the Premier announced that he would visit the Riverland next week to make a series of recovery announcements with no mention of preventative action. The opposition has received advice from the local members that river communities are confused about what preventative action is being taken to protect their homes and businesses and why the Premier's announcements have been delayed yet another week.

The Hon. P.B. MALINAUSKAS (Croydon—Premier) (14:23): The member for Chaffey has my mobile number. I made the offer to the member for Chaffey both in person and on the floor of this house on a repeated basis.

Mr Whetstone: I rang you and you never responded. I texted you and you never responded.

The SPEAKER: Order! Member for Chaffey, you are warned. The Premier has the call.

The Hon. P.B. MALINAUSKAS: I have made it clear to the member for Chaffey, and I am happy to do it again, that at any point in time—

Members interjecting:

The SPEAKER: Order!

The Hon. P.B. MALINAUSKAS: No, the member for Chaffey and I have spoken in this house this week and I said to the member for Chaffey, 'If there are any issues that you think—

Members interjecting:

The SPEAKER: Order! Member for Morialta! Member for Chaffey!

Members interjecting:

The SPEAKER: Member for Chaffey, you are warned. The Premier has the call.

The Hon. P.B. MALINAUSKAS: Member for Chaffey, I stand—

Mr Brown interjecting:

The SPEAKER: The member for Florey is warned for a third time.

The Hon. P.B. MALINAUSKAS: My offer stands available to the member for Chaffey to engage with the government at any opportunity that he sees fit because we are trying to do our level best under a difficult set of circumstances. Nobody in this chamber—and I hope this is true for the member for Chaffey—wants to see anything but a concerted effort across politics, across levels of government to do everything we can.

Last week, I had the great opportunity to be able to engage with local government and a range of community members in the Riverland about the substantial work that has been undertaken by the state government in collaboration with local government in Riverland communities to prepare for the water that is coming. What do we know, Mr Speaker? Only moments ago, we were able to update the people of South Australia with the information that we are in receipt of only today that the modelling forecasts now for the probable amount of water will go from 165 gigalitres a day to 175 gigalitres a day. We had a press conference immediately prior to the commencement of question time.

The good news for the Riverland is that the lower probability scenarios have remained the same, so those forecasts have not gone up. Nonetheless, every time we hear about a new model coming down the line it causes a moment of pause—I think was the term I used earlier today—because it has resulted in a revision upwards. Thankfully, that 175 gigalitres a day forecast, should that end up being accurate, is still at a level that is below the critical number of 210 gigalitres a day, which is important for the Renmark community for which the levee is designed to withstand.

The principal effort that the state government is engaging with, with a substantial contribution from state Treasury, is to invest in the maintenance of the building up of that levee in and around Renmark. Renmark, as the member for Chaffey knows better than anyone, being the lowest lying community in the Riverland is the most vulnerable to those water levels rising. The levee hasn't been maintained as well as it should have, and that has been a challenge for successive governments. Nonetheless, we made it clear from the moment we were in receipt of this information it would be all hands on deck without any consideration about whether or not it's a local government responsibility or a state government responsibility to throw all the resources we have at our disposal.

I am sure the member for Chaffey has had the opportunity, like I have, to go on the frontline and see that work is being undertaken. That is only the beginning. There is other work that the SES has been doing at an extraordinary pace, principally through the effort of volunteers, to provide a

whole range of information. There have been community meetings and sandbag provision efforts. There is no shortage of sandbags. The state government is in possession of a vast quantity of sandbags, and there are a lot more on the way. We are happy to provide more detail about that if there are any more questions on it.

I will be on the ground again on Tuesday in the Riverland. I invite the member for Chaffey to accompany me at all those meetings that are currently being arranged. I am more than happy to provide the member for Chaffey with the full details of my schedule. He is welcome to be with me and the officials and advocate for his community as he reasonably should, because we want to do everything we can. I am conscious I have gone over time, but I more than happy to explain in more detail about the work that is in train, including that which I announced on ABC radio, if there are any further questions.

CONSTRUCTION SITE SAFETY

Mr ODENWALDER (Elizabeth) (14:28): My question is to the Minister for Infrastructure and Transport. Can the minister update the house on the importance of safety on construction sites?

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Infrastructure and Transport, Minister for Energy and Mining) (14:28): Sir, I can. There are clear reasons that exist, and clear laws that exist, that need to be adhered to around construction sites. SafeWork SA advised that an unauthorised visitor to a construction site may be unfamiliar with or have no understanding of the safety risks they may be exposed to.

These risks could include falls from buildings, scaffolding or even open excavations; protruding reinforcement bars; collapsing materials, causing suffocation or crushing; and contact with hazardous substances and plant. So it is extremely concerning to learn that, last week, a member of this house entered a state government construction zone without appropriate PPE.

Members interjecting:

The Hon. A. KOUTSANTONIS: I know. That member was the Leader of the Opposition.

Members interjecting:

The SPEAKER: Order!

The Hon. A. KOUTSANTONIS: I have been advised that puffer jackets are not PPE.

Members interjecting:

The Hon. A. KOUTSANTONIS: Don't get upset. I'm not Nick McBride. Don't get upset. We have been advised that last week the Leader of the Opposition entered without authorisation the Glenthorne Farm nature playground construction. The area is an active construction zone and entry to the site requires approval as well as appropriate PPE. There are signs, fencing and bunting that indicate this area is a construction zone for authorised access only. It would appear the Leader of the Opposition knew that PPE was required because earlier this year when he was a minister he was there pictured in full PPE. He had the full gear on. He likes to dress up. PPE was on.

Members interjecting:

The SPEAKER: Order!

The Hon. J.A.W. GARDNER: Point of order.

The SPEAKER: Point of order, member for West Torrens. There is a point of order that I will hear from the member for Morialta.

The Hon. J.A.W. GARDNER: Standing order 98: the minister has now gone well beyond.

The SPEAKER: Yes, as well as digression and personal reflection. I draw the member for West Torrens' attention to standing orders.

The Hon. A. KOUTSANTONIS: It would appear that the Leader of the Opposition knew the requirements of visiting the site was full PPE because, while he was in government, he was wearing full PPE and then just wearing a puffer jacket.

We are all aware in this house that when visiting a construction site visitors must wear PPE and it must be worn in accordance with any information, training or reasonable instruction provided by a site supervisor. There are rules in place for a reason—that is, to ensure that members of the public are not exposed to risk arising from a construction site because unauthorised entry to construction sites may expose a person to a number of hazards that, if not controlled, could result in the likelihood of fatalities or serious injury. I know it's improper to have props, sir, but I have seen the Leader of the Opposition in his full PPE—

The SPEAKER: Order! There will be no props.

The Hon. A. KOUTSANTONIS: That would be disorderly, sir—

The SPEAKER: It would be.

The Hon. A. KOUTSANTONIS: —and I apologise to the house in full. But if you want to lead the state, if you want to be Premier, follow the rules.

SANDBAGS

Mr WHETSTONE (Chaffey) (14:31): My question is to the Minister for Emergency Services. Can the minister clarify whether any sandbags are available to Riverland communities and, if so, exactly how many are available today? Why are only 20 sandbags per household available? With your leave, sir, I will explain.

Leave granted.

Mr WHETSTONE: This morning, the Premier claimed on radio when asked, 'What sandbags are currently available?' that there is 'a residual component that are on site in the Riverland, then there's an additional 6,000 in storage'.

The Hon. J.K. SZAKACS (Cheltenham—Minister for Police, Emergency Services and Correctional Services) (14:32): I thank the member for his question. I won't seek to correct his quoting of the Premier, but he will, I'm sure, revise that on reflection in *Hansard*. As I did yesterday, as I have privately with the member for Chaffey and as I reiterated this morning in response to what I think is some quite outrageous political grandstanding from the member for Chaffey around this suggestion—

Members interjecting:

The SPEAKER: Order!

The Hon. J.A.W. GARDNER: Point of order.

The SPEAKER: Minister, there is a point of order from the member for Morialta.

Mr Tarzia: Advocacy.

The SPEAKER: The member for Hartley is on three warnings.

The Hon. J.A.W. GARDNER: The minister is in breach of standing order 98.

Mr Whetstone: Look after your own community.

The SPEAKER: Order! The member for Chaffey is called to order. Minister, the point of order that has been raised is standing order 98. I draw your attention to standing order 98 and ask you to respond to the substance of the question.

The Hon. J.K. SZAKACS: I will speak further to what I thought and, despite my previous remarks, I remain—as the Premier has indicated and as the Deputy Premier has indicated and as other members in the place have committed to—available to the member for Chaffey. But I reiterate the conversation I had with him yesterday to give him my assurance post question time that there was absolutely no basis of fact in which he imputed that there was a shortage or no sandbags in either the Riverland or in this state. The member's question goes directly to two points: one is what are the holdings in South Australia? I'm pleased to put on—

Mr Whetstone interjecting:

The SPEAKER: Order, member for Chaffey!

The Hon. J.K. SZAKACS: —the record once again now those numbers so that we would hope he would take the reasonable position to correct or to at least curtail his position that he has taken incorrectly that there are no sandbags.

The second part of his question was around the number of permanent installations across the five locations in the Riverland being undertaken by the SES, who will be distributing them, the mechanisms by which they will be distributing them and the numbers. I might touch on the latter part of that first and then I will go to the facts at hand that will hopefully, once and for all, put the member's mind at ease.

The 20 or so that have been indicated by the SES for a number of weeks now have been the operational advice that the SES has been putting not only to government but the community of South Australia. When it comes to taking advice about the way that sandbags are best used and the way that sandbags can best protect those properties that can be protected, I will take advice from the SES. The advice that the SES has put to government, and has put to me and reiterated just a moment ago from the Chief Officer of the State Emergency Service, was that an average home that can utilise the defence of sandbagging can utilise between about one dozen and two dozen sandbags.

The method by which the SES will be distributing these sandbags is now far more labour intensive, and that is that the SES are undertaking a more hands-on approach with moving sandbags through our community. They are utilising that opportunity in a preparedness role to start the conversations, continue the conversations, with members of the community about what are their plans to leave.

When the power goes off because it has been disconnected due to safety, what is the plan that that individual will have to leave? When the road of access to their property or potentially the river itself or the Waikerie ferry, for example—when that shuts or when that is impeded—what is their plan to leave and what is their plan to ensure that their lives are prioritised as well as their properties?

I do note that it is towards the end of my time, but with indulgence I will continue because this is an important matter for which I do ask the support of the member for Chaffey and all those opposite to take a reasonable and responsible dialogue with our community. As for the numbers of sandbags which the member alleges do not exist in stores or in availability, I can confirm that as we speak right now sitting in those locations that are immediately deliverable to the members of the Riverland community are over 70,000 sandbags, held by the SES in South Australia, and a further 190,000 sandbags.

Arriving next week, because we haven't sat idly by—and I do note the scurrilous conversations yesterday about how dare we go out and procure directly from manufacturers in India. This government has gone out and next week there will be a further 200,000 sandbags arriving in Adelaide—a further 200,000 sandbags. The week after that, within the next seven to 10 days after that, a further 174,000 sandbags will be arriving in Adelaide.

Due to the time constraints, can I just say that, in total, because this government has been taking action, because we haven't been wanting to see the public discussions and narrative around this hijacked by cheap political opportunism—

Members interjecting:

The SPEAKER: Order!

The Hon. J.K. SZAKACS: —1.5 million sandbags have been locked in to supply and secure and support our communities.

Members interjecting:

The SPEAKER: Order! Minister, there is a supplementary question from the member for Chaffey.

SANDBAGS

Mr WHETSTONE (Chaffey) (14:38): To the Minister for Emergency Services: now that the government have bags on order from India, why doesn't the government take a trip to Bunnings or why doesn't the government go online to bulkbags.com.au?

The Hon. J.K. SZAKACS (Cheltenham—Minister for Police, Emergency Services and Correctional Services) (14:39): Thank you, member, and thank you through you, Speaker. I did not want to embarrass the member about his ongoing suggestions about the availability of these bags, but I did seek advice last night from the State Emergency Service and I did actually reach out to the member and ask him to provide with me in good faith some information if he could so that we could test the veracity of these products.

The advice I have received from the SES is that they simply will not risk their operational capacity on the quality of these bags that the member refers to. Not only are there issues with the design and manufacture of these bags but they are also environmentally damaging. These are bags that may be sitting in situ in these communities for—

Mr Whetstone interjecting:

The SPEAKER: Member for Chaffey, order!

The Hon. J.K. SZAKACS: These aren't bags that are of the 1.5 million we have been securing—

Members interjecting:

The SPEAKER: Order! The member for Chaffey is warned.

Members interjecting:

The SPEAKER: Order! The question has been asked and the minister is seeking to answer. Member for Chaffey, you are warned.

The Hon. J.K. SZAKACS: These bags may be sitting in situ in these communities for a considerable period of time, and that is why the SES has made two operational decisions, the first of which is to procure hessian sandbags as quickly as possible and whilst getting the best guaranteed supply chain as possible. They are from India. Again, I have no idea what the problem is here about—

Mr Whetstone interjecting:

The SPEAKER: Member for Chaffey!

The Hon. J.K. SZAKACS: —emergency services procuring over one million sandbags. I am not sure what local Bunnings the member would suggest we could walk into and find a million sandbags, but we will work through that—

Members interjecting:

The SPEAKER: Order, member for Chaffey!

The Hon. J.K. SZAKACS: The second is that if the member is suggesting that the SES and the government would not exhaust alternative supply chains so as to not exhaust local products available to the public on an as-needs basis or on a basis other than as emergencies would dictate, if the member is suggesting that the government buy out all these small supplies in South Australia at a time when there is, in every jurisdiction, a tapping out—

Members interjecting:

The SPEAKER: Order!

The Hon. J.K. SZAKACS: —of the availability of—

The Hon. S.C. Mullighan interjecting:

The SPEAKER: Order! The Treasurer is called to order.

Members interjecting:

The SPEAKER: The member for Chaffey is called to order.

Members interjecting:

The SPEAKER: Order! The minister has the call.

Mr Whetstone interjecting:

The SPEAKER: The minister has the call.

The Hon. S.C. Mullighan interjecting:

The SPEAKER: Order! The Treasurer is called to order. The minister has the call.

The Hon. J.K. SZAKACS: Whilst I wouldn't want to respond to interjections, I would urge those on the opposition benches not to feign interest in this issue because, if they are going to walk out of this place and once again peddle that there are no sandbags, then you could not by any other measure—

The Hon. J.A.W. GARDNER: Point of order.

The SPEAKER: Minister, please be seated. There is a point of order, which I will hear under standing order 134 immediately from the member for Morialta.

The Hon. J.A.W. GARDNER: The minister is making reflections: 127 and 98.

An honourable member interjecting:

The SPEAKER: Order! This is a matter of some significance to the state. All members present are familiar with the standing orders. We will listen to the minister in silence.

The Hon. J.K. SZAKACS: Thank you, sir. If there is a suggestion, through the interjections of those opposite, that they will simply walk out of this house—

The SPEAKER: You will not respond to interjections, minister.

The Hon. J.K. SZAKACS: No. Thank you, sir, and I wouldn't begin to, but if there are suggestions that members will simply ignore the data I have provided, that the government has provided, that the Chief Officer of the SES has provided, to prosecute an alternative political argument at a time of significant community anxiety, then I will leave that to their judgement. What we will do in this place, as part of this government—

Mr Whetstone interjecting:

The SPEAKER: Order, member for Chaffey!

The Hon. J.K. SZAKACS: —is secure supply—

Mr Pederick interjecting:

The SPEAKER: Order, member for Hammond!

The Hon. J.K. SZAKACS: —to give the sandbags to communities that need them most—

Mr Teague interjecting:

The SPEAKER: The member for Hartley is on three warnings.

The Hon. J.K. SZAKACS: —and we will look past—

Mr Whetstone interjecting:

The SPEAKER: Member for Chaffey!

The Hon. J.K. SZAKACS: —the suggestion that we as a government would implement strategies as proposed by those opposite—that a supply chain secured from us would be about ducking down to the local Bunnings or local Mitre 10 to protect our state.

*Parliamentary Procedure***VISITORS**

The SPEAKER: Before I call the next question, I acknowledge the presence in the gallery of Brian Edwards and Wendy Strode. I understand they are guests of the member for Playford.

*Question Time***SA AMBULANCE SERVICE**

S.E. ANDREWS (Gibson) (14:44): My question is to the Minister for Health and Wellbeing. Can the minister update the house on resourcing for the South Australian Ambulance Service?

The Hon. C.J. PICTON (Kaurana—Minister for Health and Wellbeing) (14:44): I thank the member for Gibson for her question. I certainly can update the house in relation to resourcing for the SA Ambulance Service. I know the interest of her local electorate in the inner southern suburbs, in particular, to make sure that we get more ambos on the road to respond to cases in the community. We know that we have been through a period in the past four years or so of a war with our ambos, where there was report after report, consideration by the government—

Mrs Hurn interjecting:

The SPEAKER: Member for Schubert!

The Hon. C.J. PICTON: —that more ambulance resources were needed but was absolutely ignored under the previous government—

Members interjecting:

The SPEAKER: Order!

The Hon. C.J. PICTON: —and that is now being completely reversed.

Mr Tarzia interjecting:

The SPEAKER: Member for Hartley!

The Hon. C.J. PICTON: We are now investing record amounts into our Ambulance Service and with a pathway for additional resources going in right now.

Members interjecting:

The SPEAKER: Order! The minister has the call.

The Hon. C.J. PICTON: I know members will be very pleased to know—in fact in the member for Dunstan's own electorate we have already put additional ambulance resources into the Norwood area. This is not something I received any representations from the member for Dunstan about, but we have done it anyway because it was important for those areas—additional emergency ambulance, additional emergency service support and an ambulance already on the road. The good news for the member for Gibson and also for the member for Elder is that next week we are going to have another two ambulances on the road in the inner southern suburbs.

Members interjecting:

The Hon. C.J. PICTON: I am asked whereabouts they are going to be.

The SPEAKER: Order! The minister has the call.

The Hon. C.J. PICTON: These will be based in Edwardstown and Marion.

Members interjecting:

The SPEAKER: Order! The member for Chaffey is on three warnings. The member for Schubert is warned for a second time.

The Hon. C.J. PICTON: Two additional 24-hour ambulances into the inner southern suburbs providing additional emergency support for people in life-threatening situations. But that's not all, of course, because we have another additional 24-hour ambulance that will be starting before the end

of the year in the member for Light's electorate in the Gawler area, which is another critical area with a lack of supply of ambulances, with only one ambulance serving that area.

Before the end of the year, that's another 44 additional paramedics on the road serving the community, and that will be five additional ambulances on the road 24 hours a day since we were elected. Of course, we also have additional—

Mrs Hurn interjecting:

The SPEAKER: Order!

The Hon. C.J. PICTON: —dispatchers going in, 10 additional dispatchers who have gone into the headquarters of SA Ambulance. We also have now done the work in terms of the rollout, over the course of four years, of our commitment for 350 ambos across the state.

Members interjecting:

The SPEAKER: The member for Schubert is warned for a final time.

The Hon. C.J. PICTON: Across every ambulance station in South Australia there is a blueprint listed of where those additional crews are going, and the time frames for when they are happening, because we will be recruiting extra ambos in this state. Previously, we had a situation—

An honourable member interjecting:

The SPEAKER: Member for Chaffey!

The Hon. C.J. PICTON: —where we graduated many more ambos in South Australia than we actually employed in SA Ambulance. People had to go interstate or overseas to get a job or work in a different area after they graduated as a paramedic. We will now be able to offer these people jobs here in South Australia, working as paramedics, improving response times for the community across South Australia, meeting our election commitments, meaning that when people call 000 they can get those ambulances with a response time that's not like what happened over the past four years—they have just gone down and down and down.

Members interjecting:

The SPEAKER: Order! Before I call the member for Schubert, I observe that the members for Chaffey, Schubert and Florey are on three warnings.

FLINDERS MEDICAL CENTRE

Mrs HURN (Schubert) (14:48): My question is to the Minister for Health and Wellbeing. How many storage spaces are being used to treat patients right across the health system in South Australia, and what type of patient experience does it deliver? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mrs HURN: ABC radio on 9 November reported that the minister had defended the decision to use storerooms at the Flinders Medical Centre to host inpatient beds, despite the fact that Dr Kerrie Freeman, the Chief Executive of the Southern Adelaide Local Health Network, stated that it doesn't deliver good patient experiences.

The Hon. C.J. PICTON (Karna—Minister for Health and Wellbeing) (14:48): I think this is perhaps a repeat of the question that was raised the other day, and I again refer the member to the comments that were made by Dr Freeman on the radio—which she is seemingly quoting from—in terms that these are redevelopments of spaces within Flinders Medical Centre to make sure that additional beds can go in, in the short term. It was only a few months ago that the shadow minister was out holding a press conference out the front of Julia Farr Centre saying that we had to move patients into Julia Farr Centre in urgent form even though—

Members interjecting:

The SPEAKER: Order! The minister has the call.

The Hon. C.J. PICTON: —in the middle of winter we were supposedly going to move patients into the Julia Farr Centre—

Members interjecting:

The SPEAKER: The member for Schubert!

The Hon. C.J. PICTON: —even though there was no heating in the building whatsoever, that the building had been completely stripped bare by the previous government to sell it off—

Members interjecting:

The SPEAKER: Order!

The Hon. C.J. PICTON: —that none of the appropriate services were included—

Mr Whetstone interjecting:

The SPEAKER: The member for Chaffey!

The Hon. C.J. PICTON: —inside the building and that all of the kitchen and other facilities you would need to support people inside that building were not inside that building. I beg forgiveness, in that I will take my advice from Dr Kerrie Freeman and the Southern Adelaide Local Health Network more than I will take my advice from the shadow minister, who would have had patients moved—

The Hon. A. Koutsantonis interjecting:

The SPEAKER: Member for West Torrens!

The Hon. C.J. PICTON: —into a building without heating or cooling in the middle of winter.

Members interjecting:

The SPEAKER: Order! The member for Schubert and then the member for Waite.

FLINDERS MEDICAL CENTRE

Mrs HURN (Schubert) (14:50): My question is to the Minister for Health and Wellbeing. Will the minister clarify whether a toilet, a corridor or a stairwell are considered unconventional spaces? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mrs HURN: In a parliamentary committee last week, the Chief Executive of the Southern Adelaide Local Health Network commented that 'when a surge is on they will continue to push into any space they can'.

The Hon. C.J. PICTON (Kaurna—Minister for Health and Wellbeing) (14:50): I think the Southern Adelaide Local Health Network also made very clear that we are delivering 136 extra beds at Flinders Medical Centre. We believe that we need to build additional beds at that hospital to make sure that people are cared for. Where are the promises or policies from the opposition to do so? Absolutely none. What did they do—

Members interjecting:

The SPEAKER: Order!

The Hon. C.J. PICTON: —when they had the opportunity when they were in government?

The SPEAKER: Minister, please be seated. Member for Schubert, you must be on six warnings now. You will depart under 137A for the remainder of question time. Minister.

The honourable member for Schubert having withdrawn from the chamber:

The Hon. C.J. PICTON: What did they have the opportunity to do when they were in government? Well, they had, supposedly, they said, a southern health expansion plan, but when you looked at what was the expansion that was happening—

Mr Pederick interjecting:

The SPEAKER: The member for Hammond is warned.

The Hon. C.J. PICTON: —at Flinders Medical Centre that supposedly, according to the member for Dunstan, was going to fix ramping almost immediately, well, it was rebadging some beds—

Members interjecting:

The SPEAKER: Order!

The Hon. C.J. PICTON: —from inpatient beds—change the sign over the top so these are now emergency department beds. There was no increase in beds at that hospital whatsoever. There was an independent report that was commissioned by the previous government that said that that action actually made the situation worse in the hospital.

We have a different view: rather than just shuffling the decks, like the previous government did, we actually believe we need more beds in the system, more capacity in the system—and that's exactly what we are delivering.

EXTREME WEATHER RESPONSE

Ms HUTCHESSON (Waite) (14:52): My question is to the Minister for Emergency Services. Can the minister inform the house about the emergency services response to the storm event last weekend?

The Hon. J.K. SZAKACS (Cheltenham—Minister for Police, Emergency Services and Correctional Services) (14:52): I thank the member for Waite for her question. I do want to note particularly that, amongst the significant response of our emergency services to storm events on the weekend and leading into the early days of this week, the member for Waite herself was on one of those CFS appliances contributing to her community and doing an outstanding job.

There were 423,000 lightning strikes that hit the state. There were severe troughs and thunderstorms on Saturday, and anyone in this place would absolutely share my view, I am sure, and we would share a collective view that some of the scenes we saw with those downed trees, downed powerlines and Stobie poles bent over due to the force of these winds were quite extraordinary events and winds and weather systems that our state does rarely see.

Whilst the climate is changing, and whilst we know that because of that climate change these events are becoming more severe and those events are becoming more frequent—not just in South Australia but right across the globe—the effect of these weather events does have a profound impact on our communities. Whilst they have a profound impact on our communities and on those people who are living through that and on those people who have had significant damage to their homes or have been without power or without water, it always is important to remind ourselves that there is an equal if not more of a profound impact on those volunteers and staff from our emergency services who are responding during this crisis and during these emergencies.

Whilst the wind was blowing, whilst powerlines were down, whilst trees were blocking roads, our volunteers from the SES and CFS and our career staff from the MFS were on the road. They were in our communication centres, taking phone calls. They were in the emergency services headquarters, embedded in the SES hotline, taking those phone calls from concerned members of the public—members of the public who were, in my view, being extraordinarily resilient in the face of these events coming through.

As has been put to me in the days after the event, there were a number of members of the public—quite a large volume of members of the public—who decided themselves not to contact authorities, not to call 000, not to call hotline services at the time, despite there being trees over their roofs and in their homes, powerlines down, and facing quite a degree of danger themselves, because they were thinking about others who may have been in worse situations. That does speak a lot about the strength of the community not only in the areas impacted but across all parts of our state where in times of need, in times of emergency or crisis, the community does come together. They do come together.

That was demonstrated to me firsthand when I spent some time in the electorate of Waite with the member and her local CFS brigade. We spent some time on the ground, where I also visited a number of volunteers across the southern regions to thank them personally for their service, to thank them personally for the work that they were doing and to also assess firsthand the type of risks they were responding to. In a cliché that can often be used, but I don't think is inappropriate whatsoever in this case—the bravery in which our volunteers and staff stood up on that day and have been serving us all week.

ALUMINIUM COMPOSITE CLADDING

Mr BATTY (Bragg) (14:56): My question is to the Minister for Planning. Has the government determined what buildings are eligible for its recently announced limited loan scheme for the removal of dangerous flammable cladding? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mr BATTY: The 95-word announcement of this policy on the department's website suggests the scheme is only available for high or extreme risk rated buildings, despite other risk rated buildings also having received demands from council building fire safety committees to remove the dangerous cladding.

Members interjecting:

The SPEAKER: Order! Member for Bragg, before I turn to the minister I might observe that by suggesting a particular interpretation to a series of words on a website, we again confront the difficulty that arises in relation to the standing orders when we have in mind the introduction of facts. To suggest something of course invites an argument or opinion. I'm going to allow the question on this occasion.

The Hon. N.D. CHAMPION (Taylor—Minister for Trade and Investment, Minister for Housing and Urban Development, Minister for Planning) (14:57): For the purposes of clarity, I inform the member that loans will be automatically eligible for those in the extreme and high-risk category, and on a case-by-case basis in the moderate category.

ALUMINIUM COMPOSITE CLADDING

Mr BATTY (Bragg) (14:58): My question is again to the Minister for Planning. When will the government's limited loan scheme for dangerous flammable cladding open and close? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mr BATTY: I am advised that the minister told my constituents to apply for the loan scheme quickly because it won't be there forever.

The Hon. N.D. CHAMPION (Taylor—Minister for Trade and Investment, Minister for Housing and Urban Development, Minister for Planning) (14:58): Well, that's exactly right. There is no surprise in that. I do find it a little odd that the opposition would ask these questions after spending—how long; that's right—the entire term of government doing nothing.

Members interjecting:

The SPEAKER: Order!

The Hon. N.D. CHAMPION: It's a bit rich, but anyway, there will be a period of consultation. We have appointed Wendy Campana. Wendy will be talking to—I've got past the partisan bit, so you might want to listen to this. What will happen is that Ms Wendy Campana will spend her time talking to the owners of these apartments and the body corporates involved. It is a serious issue, and the member for Bragg is, I think, genuinely interested.

There will be that two-month period. We anticipate the loans being available from next year. Of course I want people to get moving on accessing these loans because it has been a long time to live with this risk. As we know, in some apartment blocks there are some people who want to act immediately and some people who perhaps don't have the capacity or the willingness to act. I am

unashamedly saying to those apartment owners: 'Get on with it.' I think that is not an unreasonable thing for the government to do, given that we are taking taxpayers' money—

Mr Tarzia: When is it opening?

The Hon. N.D. CHAMPION: Well, I said from next year, Vincent. You might want to listen.

Members interjecting:

The SPEAKER: Order!

The Hon. N.D. CHAMPION: You might want to listen. They will be available from next year. That's quite clear.

The SPEAKER: The minister has the call.

Mr Tarzia interjecting:

The SPEAKER: The member for Hartley knows better. The minister has the call.

The Hon. N.D. CHAMPION: Given you took four years of doing nothing—

Members interjecting:

The SPEAKER: Order!

The Hon. N.D. CHAMPION: Members opposite spent four years—four long years—doing nothing, doing absolutely nothing. Now there is this sudden need for urgency. It's a bit much. We are going to go about this in a coordinated way. We have appointed Wendy Campana, and she is going to talk to these people about accessing the loans and about getting the quotes. Often these building owners need to get quotes involved and they need to talk to their insurance agencies. A whole range of things need to be put in place because this is a complex matter and we do want to get on with it.

POWER SUPPLY

Mr TEAGUE (Heysen) (15:01): My question is to the Minister for Energy. In the light of the Minister for Emergency Service's answer just now to the member for Waite, I ask: when will power be restored at Estia Aged Care at Aldgate and in surrounding areas of Stirling and Upper Sturt, some parts of which no present estimate has been given by SA Power Networks?

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Infrastructure and Transport, Minister for Energy and Mining) (15:01): I heard the member on radio today worrying about his constituents, and he is right to do so because, from what I understand, the Estia nursing home has a generator that's operating to offer only hot meals to its clientele but no other electrical services. It is an unsatisfactory situation and I agree with him.

I also heard Paul Roberts on the program directly after the member saying that they weren't aware that Estia had reached out, and that is unfortunate. My message to organisations like the one in the member's constituency is that, if there are groups that are more vulnerable than others, they need to reach out. We operate a 'dumb grid' in this state. That is, often SA Power Networks do not know when individuals are blacked out. It relies on a reporting system.

Many people do not have smart meters. It is not tracked to know when power is out. We have a list of people who have strategic reasons and medical reasons for needing reserve on their homes. For whatever reason, this property wasn't on that list. I am chasing that up today. I thank the member for raising it today on the radio. I also note that there was a letter to the editor this morning that was read out by Stacey Lee on the ABC.

I can only imagine the discomfort and concern it is causing to the families and to the residents of that facility that they are unable to get power to them quickly. I imagine, as the member said on the radio today, that the staff are working diligently to make sure that those loved ones of the families concerned are looked after appropriately. It is unacceptable in today's day and age to have a community like that, a facility like that, without power for this long unattended to.

I suspect that, had SA Power Networks known earlier, they would have provided generation backup facilities for that facility, but for whatever reason they were unaware of it. That is a lesson for

all of us in this house—that if you have facilities like this in your community that are suffering long-term blackouts you can reach out. You can reach out to SA Power Networks, to your local member of parliament, to your federal member of parliament, to your council or even to the government and me personally, and we will make sure that we can get these people facilities.

I understand they will be reconnected today, but I will double-check again for the member and get back to him. I thank him for raising this matter because it's important for all of us to know that there are many people in our community who have no voice. They may be suffering from dementia or they may be suffering from other ailments that mean they cannot reach out. My father was one of these people in Netley who lost power in their home. He hadn't charged his phone and he had no access to his home phone number. It is important that we reach out to these communities.

If there are any other members in this house who have long-term blackouts, which are occurring because of the storms last weekend, through aged-care facilities or other special facilities, or constituents who have special medical needs who aren't being attended to, please contact me personally after question time and I will make sure that SA Power Networks do everything they can to get power to those homes.

Ministerial Statement

RIVER MURRAY UPDATED FLOW ADVICE

The Hon. J.K. SZAKACS (Cheltenham—Minister for Police, Emergency Services and Correctional Services) (15:05): I seek leave to make a ministerial statement.

Leave granted.

The Hon. J.K. SZAKACS: I rise to advise the house on the current high flows in the South Australian River Murray. Obviously, we have all seen the incredible reports from further up the Murray, with so many upstream communities experiencing flooding, and our thoughts are with those communities. Over recent weeks, when providing updates on those flows expected in South Australia, the government has emphasised that the peak of the River Murray flood is very difficult to predict, particularly while it is passing through the broad flood plain that lies between the Murray and the Edward-Wakool River system. I understand the anxiety that this level of uncertainty can create in communities right across the river.

Predicting flows in the Murray-Darling is a complex task, with contributions from many parties, including the Bureau of Meteorology, the Murray-Darling Basin Authority and the Department for Environment and Water. Adding to this, the Murray-Darling system is a vast mix of rivers, tributaries and flood plains, and estimates are further complicated by continuing variable weather systems and unusually heavy rainfalls across the basin.

Based on the latest data and modelling, the high probability forecast peak has increased and is now estimated to be around 175 gegalitres a day at the SA border. The timing of early December for the arrival of the peak flows remains unchanged. There continues to be a moderate probability of a peak of 200 gegalitres a day and a low probability forecast of 220 gegalitres a day. Both of these predictions remain unchanged from the last update, but communities should continue to consider this information in their flood emergency preparedness.

To provide some context to the house, a flow rate of 200 gegalitres a day would make this the third largest recorded River Murray flood, behind 1931 and 1956. The 1956 flood saw flows of around 340 gegalitres a day. The significant rainfall that was forecast for large areas of the Murray-Darling Basin over the past week did exceed expectations, particularly in the upper reaches of the Murray catchment.

The additional rainfall, coupled with flood management releases from dams upstream, has increased the possibility of flows staying at or near peak levels throughout December, and we are expecting high flows to continue into January. As a guide, flows are not expected to drop back below 150 gegalitres a day until well into January 2023, with flows as high as 100 gegalitres a day expected to continue for an extended period after that. There is also further rainfall in the order of 25 millimetres to 100 millimetres forecast for the upper reaches of the Murray catchment over the coming week, which does have the potential to extend the duration of high flows.

To help support community, business and personal planning for this flood event, the Department for Environment and Water has added a number of new information products to its website at www.environment.sa.gov.au, including:

- flood mapping of major river towns at a flow of 200 gigalitres a day;
- estimated travel times of flows along the river;
- estimated water levels in the River Murray corresponding to various flow rates; and
- estimated arrival times and duration of flows.

These will be updated as required following any upgraded forecast. The government will continue to provide relevant updates as new information comes to hand.

REMOVAL OF MAGISTRATE

The Hon. S.C. MULLIGHAN (Lee—Treasurer) (15:08): I table a ministerial statement given in the other place.

Grievance Debate

STATE GOVERNMENT

The Hon. D.J. SPEIRS (Black—Leader of the Opposition) (15:08): What a shambles it has been for the government this week. We found out a great deal about this government this week. We found out a great deal about this Premier.

Members interjecting:

The SPEAKER: Order!

The Hon. D.J. SPEIRS: This is a government characterised by arrogance, a government who thinks it is all a big game, a government who thinks it is a bit of a frat party actually. They are in this for a laugh, not about serious governing for the state of South Australia.

This state has been dealing with the worst storms for six years, not the fault of the government but a response is still required. There is a cost-of-living crisis, a ramping crisis and a child protection crisis. We heard today from the member for Chaffey about concerns he holds for his community as rising floodwaters enter the Riverland. What do we have from the Premier and his arrogant team? We have posing for selfies with sports stars.

We have the announcement of the AFL Magic Round. That round has plenty of merit in its own right, but we do know—well, we think—\$20 million will be handed to the AFL to run some extra matches in Adelaide. But it was what happened at the press conference that was of most concern. Yes, we are concerned about the lack of transparency around the money to the AFL, but it was the locker room language, which could have been dismissed with an apology from the Premier, but, no, instead he tried to cover it up with a smirk and a chuckle and probably a fist bump with his mates on the other side, the boys in the Labor Party. That is not what we want from our Premier.

I am not even going to say the icky, creepy, misogynistic words that he raised in that press conference last week when standing alongside the chief executive of the AFL. It is embarrassing, it got national coverage and it brought our whole state into disrepute and, when challenged, he came up with this strange definitional excuse. Quite frankly, it was an embarrassment.

Then we had the situation with the LIV Golf tour. I could prevaricate around this and I could say, 'It's okay. We're getting some tourism dollars into South Australia.' Yes, that will happen, but at what cost? Other jurisdictions right around the world are fleeing in the opposite direction from the LIV Golf tour because it is owned and administered by a tyrannical Saudi Arabian dictator—a dictator who believes that women should be under guardianship for their whole lives, a dictator who believes that marital rape is okay and a dictator who, until a couple of years ago, said that women could not front the wheel of a car in his jurisdiction.

But this government, again, have dug in, despite the member for Newland, despite the member for Elder, despite Irene Pnevmatikos in the other place and other members raising deep

concerns about this and the government's appeasement of a tyrannical regime that treats women, people with a disability and people who categorise themselves as LGBTI as people who are of second worth. That regime has been endorsed by the Labor Party's appeasement of them.

If I were the Premier of this state, I would head in the opposite direction, but they have doubled-down and it was selfies with Greg Norman with the arrogance, the smirking and the chuckling of the Premier. They still chuckle and they still laugh. They lean back on their benches dripping with arrogance like a Christmas turkey. It is repulsive.

Then we had the CFMEU situation, a tyrannical militant union that is taking businesses in this state to the brink. What did the Premier say on 7 August? He said:

I have made it clear that intimidating behaviour is never consistent with the interests of working people. I will always call it out and stand against any behaviour that gives the union movement a bad name.

The Premier said:

I have been concerned from the outset that a bad culture within sections of the CFMEU could find its way over the border into SA. The prospect of that is something I will continue to remain vigilant against.

The Hon. J.A.W. Gardner: By giving them money.

The Hon. D.J. SPEIRS: By giving them money, by failing to call them out and by appeasing the domestic violence convictions against the head of the CFMEU. The Premier and the government have been shown up for arrogance this week. They have been shown up for a complete lack of compassion and they really have shown that they are not fit to run the state of South Australia.

WAITE ELECTORATE

Ms HUTCHESSON (Waite) (15:13): On Saturday, at about 4.30pm some parts of my electorate were wishing they had their ruby slippers with them because the twister came to our town. At a time when I was at Marion shopping centre collecting some tablecloths for the big Rotary fair that was to be held on Sunday, all of a sudden all the lights went out. I do not know if you have ever been in a big shopping centre when lights go out, but it can get a little bit scary.

Mr Whetstone interjecting:

Ms HUTCHESSON: It is dark, thank you, member for Chaffey. It took about 45 minutes for them to evacuate cars out of the centre. All the while, I had no idea what was going on in my electorate. Eventually I had a call from a friend of mine who said, 'There are trees everywhere, there are powerlines everywhere, what do we do about it?' Of course, dial 000 was my advice. At the same time, I rang my son and said, 'Perhaps you had best to head up to the CFS station because your pager is about to go off.'

One of the biggest storms my community has ever seen hit hard and in all sorts of places. It zigzagged its way from west to east and many houses met with grief that day. On the way up from Marion, I pulled over outside the fairground where the Rotary club had put so much work into planning their return from COVID, and unfortunately all the marquees and structures they had already put up for the fair were crushed. Some of them were across the road and there was all sorts of carnage in terms of trees and branches down. It was heartbreaking for them and heartbreaking for me that I had gone to get tablecloths for the fair that was not going to go ahead.

I managed to stop and assist the Rotary team in starting to clean up some of the mess, whilst hundreds and hundreds of wind gusts and rain started. We saw CFS trucks going here, there and everywhere as they were responding to all the callouts. The damage bill for Rotary was over \$25,000 at early estimates.

Whilst the fairground was being cleaned up, things were unfolding further up the hill as well, and eventually my son rang and said, 'There is no way you are getting home up our main road,' so in order to get home to get to the CFS station so that I, too, could help our community, I went through Coromandel Valley, through Ironbank, and came across not one, not two, not three but four trees that were across the road. Thankfully, the Ironbank truck was right behind me and they continued to clean that up while I found another route up to the station. That night we went to so many houses

that had been crushed by trees. We went to plenty of driveways where residents were not going to be able to get out, and there were trees all over the ground.

It was not until Sunday in daylight that the scope of the storm was truly realised. It was heartbreaking to see whole streets where house after house had serious structural damage, not to mention the work that was to be undertaken for the rest of that day and indeed for the next couple of weeks. In the whole area, all you could hear were chainsaws and generators. Whilst it was hard to listen to in terms of the work that was being done, it was very lovely to see our community come together with their chainsaws, their drink bottles, rakes and gloves to help out one another. In Blackwood and Belair, there was plenty more devastation on roads such as Cumming Street, Winns Road and Louis Avenue. Road after road of work needed to be done.

I would like to take this opportunity to thank all the first responders who answered the call over and over again. I think no truck went back to the station. They went from callout to callout trying to help residents. There were welfare checks, doorknocks on some doors where trees had crushed houses, there were little notes with people's mobile numbers so they could be contacted if they needed to be. It was heartbreaking, but our community has come together and we are working hard to get cleaned up.

Mitcham council are out every day trying to collect the refuse from the roadside verges. SA Power Networks had been working incredibly hard trying to restore power. We still have just under 1,000 residents left with no power, which includes me unfortunately, but hopefully by Saturday everybody—and, of course, the member for Badcoe, although not in my electorate, had to have a shower elsewhere this morning.

Speaking of showers, our local gyms have really come to the party. Anytime Fitness Blackwood, Premium Fitness and the Blackwood Recreation Centre have opened their showers to the community so that they can have a hot shower, with Premium Fitness also offering toasties and coffee.

One final thing, if I may: Cafe 1923, where I visited this morning with the Premier, has been offering all emergency services and SA Power Networks responders free coffee whenever they needed it. So a big thankyou to all our first responders, a big thankyou to all our communities who have come together. We will get through it. There is learning to be had from it, but I do know we will be more prepared next time.

REMEMBRANCE DAY

Ms PRATT (Frome) (15:19): I rise to recognise that Remembrance Day has recently been observed and wish to pay tribute to those who fought and sacrificed their lives to keep us free. I choose today to reflect on some anecdotes from within the electorate of Frome, in honour of our service men and women.

In Burra earlier in the year, back in March, the Centenary of the Fallen Soldiers Memorial by the Burra RSL sub-branch and local community welcomed the Governor of South Australia, Her Excellency the Hon. Frances Adamson AC, who officiated. It was a proud day, when we reflected on the 12-metre high cenotaph which was first unveiled by Prime Minister Billy Hughes on 29 March 1922 and which still stands proudly in the Burra market square. I acknowledge and congratulate the outgoing president, Mike Pinkerton, and the members of that branch on organising such a wonderful occasion.

In the smaller township of Mallala, their iconic World War I monument turned 100 years old in October, and a commemorative remembrance ceremony was held to celebrate that milestone. The monument was officially unveiled on 15 October 1922, and features the names of 10 local men who died in service or who were killed in action during the war. Congratulations to the volunteers from the Mallala Museum, the Mallala Lions Club and the Mallala RSL, who all contributed to marking the occasion.

In Spalding, a piece of World War II history now lies in honour in a dedicated shelter for generations to come, after a new, fully enclosed shelter was officially opened on Sunday 6 November. A small group of Spalding volunteers have worked together since 2016 to restore and then shelter a 25-pound field cannon before the town lost its last World War II veteran,

James Cadzow. The team, led by Kevin Fitzgerald, disassembled the cannon, painted it and put it back together again before the shelter roof was built.

The following year, with the help of a grant from the Department of Veterans' Affairs, that project was completed. Sadly, Mr Cadzow passed away before the shelter was built, but that did not stop the volunteer committee from continuing on with the project. They undertook a hugely successful 'buy a brick' campaign, and I was very proud, ahead of Remembrance Day, to attend a service and make my own address in recognition of our fallen men and women.

On Remembrance Day, I attended the service in Kapunda, and we all bore witness to a quite remarkable and heartfelt speech written by Ross Vogt, a nonagenarian, and delivered by his son. It was quite something to hear from a man who, during the World War II years, had tried to enlist but, being recognised as an essential worker, a farmer, was directed back to the property. We know that when our men—and women, but mostly men—signed up, enlisted, and went off to war, for those who remained behind there was often guilt and stigma.

I also want to thank all the friends I have in the electorate of Frome who volunteered to be my representative at services. I specifically want to mention Lynne Sutton attending Balaklava, Jenny Loftes in Burra, Mary Morris in Eudunda, Richard Daley for the Jamestown RSL at Hallett, Mark Hill at Tarlee, Leone Moore in Watervale, Ian O'Loan attending at Mallala, and Denis Hart attending the Two Wells service.

In closing, I reflect on an opportunity I had recently to attend the launch of the Disability, Ageing and Lifestyle Expo, where I was introduced to the Veterans Connect and Wellbeing Program run by the Catalyst Foundation. It is a program that assists those navigating the complex system of veteran services. In making that reference, I note the tragic passing of former army medic and Crows AFLW premiership player Heather Anderson. Her loss is deeply felt by her family and by the veteran community, and I would like to remind the house of the Defence All-hours Support Line on 1800 628 036.

On a final floral note, I wish to thank the Clare Valley florist and Two Wells florist for providing the beautiful wreaths that were laid across the electorate of Frome. Our friendly local florists are there for us at the best and worst of occasions and without them we would be bereft of a way of expressing our feelings of love and compassion.

BADCOE ELECTORATE

Ms STINSON (Badcoe) (15:24): I rise to provide the house and my community with an update on progress on a broad range of election commitments that I was very pleased to make to my community of Badcoe, and I am incredibly pleased to now be delivering on in my community. I am going to rip through them because there are quite a few of them and there is quite a lot happening.

First-up, today we saw the tabling of the Public Works Committee's report into Adelaide Botanic High School. That work is steaming ahead and what it means for my community is that, once we have those 700 extra places at Adelaide Botanic, the school zone, as it was always meant to be delivered in my community, will finally be restored to nine suburbs in the western and inner southern suburbs and that includes, of course, suburbs in my area. I am incredibly excited about that. I am excited about talking to people soon about enrolments, which will start mid next year for the 2024 school year. What this is about is fairness; it is about righting a wrong, and I am pleased to be delivering on that.

Also on schools, for Plympton International College I made a commitment of \$3 million for a new kiss and drop. Everyone knows the drama of trying to drop your kids off, particularly in a built-up suburban area like the very popular Plympton. That school has seen rocketing enrolments because of the vision of this government, when we were last in government, and that of Susan Close to have a focus on Chinese language and culture at that school. That is really delivering, but it means that it is pretty popular and there is a little bit of traffic going on.

I was pleased to sit down with representatives from the Department for Infrastructure and Transport, the education department and the school leadership last week and go through the preliminary designs that we have for a kiss and drop. It looks really fantastic. We are going to be presenting that to the school governing council very soon, as we are taking on the feedback already

that has been provided—very constructive feedback from principal Amy Whyte and her team. That is a good and exciting development for our community, and I look forward to joining the school this evening for their school presentation night.

Black Forest Primary School has been a long-awaited project, with \$5 million being committed by the Labor government way back in 2017. Unfortunately, not a lot happened in the last four years, but now it is revving up and it is happening again. It has gone out to tender and we will be seeing some construction there within the next few months. That is going to provide new indoor and outdoor learning spaces for this very popular and fantastic primary school in my area.

In Barwell Avenue, I have committed funding for a pedestrian crossing and road safety measures because there is a kindergarten right there—and that is happening. I thank the West Torrens council for making the most of \$1 million that I had dedicated to do some other road safety measures around the area while they are also doing the pedestrian crossing. There is community consultation coming up on that and it starts next Monday 21 November, and I encourage people to have a look at the really well-developed plans and artist's impression so that they can see what is being done and tell us what their ideas are to make it even better.

The Aldridge Avenue playground is a playground that can, let's face it, be made a lot better, so \$200,000 is going to that—that is in Plympton Park. The community consultation starts on that next Thursday afternoon. Come down to the park and you can have a chat with me and the people who are designing that playground. The feedback that I got from my community was that they wanted more play equipment for little kids.

It is all well and good for the big ones to have the big play equipment but we need some things for the little ones to be able to play on as well. I am really excited about that, and it will be at 4.30pm at Aldridge Avenue Reserve next Thursday. Come down and have your say. I want to make sure that that election commitment delivers what I promised it would, and that it is as good as it can possibly be.

Regarding the planning review, one of the top issues, if not the top issue in Badcoe over recent years, has been planning and development. Our area is certainly subject to urban infill and some of the consequences that go with that, but also some of the benefits that go with it as well. We promised to review the Planning and Design Code and that is exactly what we are doing. An expert panel has been appointed and there is public consultation going on right now and into December.

That is why I am holding the Badcoe planning forum on Saturday 3 December. The minister Nick Champion will be there and able to hear people's concerns and take them on board as part of the consultation process. If you cannot make it, there is a survey in your letterbox from me so you can write down what you think and send it back to me so that we can take in all that very valuable information and use it to make our planning laws better.

Finally, I want to talk about green space. I have been doing my bit and keeping to my commitments to make sure we look after our tree canopy. That includes saving historic old trees at Black Forest, looking at what we can do to improve the amount of green space in the new Le Cornu development and also paying attention to what is happening with the Mike Turtur Bikeway Overpass and South Road.

There is more stuff on my page, but I cannot get to it all because we are so busy, but that is an update on what is happening.

HAMMOND ELECTORATE

Mr PEDERICK (Hammond) (15:29): On Saturday 12 November, South Australia experienced a very severe statewide storm. Strong winds took down numerous trees, resulting in vehicles being smashed, roads being blocked and damage to over 300 powerlines across the state. Other infrastructure was also damaged in the storm.

Many buildings in the City of Adelaide had water coming through the roof, while a transmission tower just 20 minutes from my place at Coomandook got taken out near Taillem Bend. Around 143,000 lightning strikes were recorded across the state, and there was chaos on the roads, with multiple traffic lights in the city out of action. Also, 163,000 homes and businesses have been

without power for various periods of time, some having power returned on Saturday while others have been forced to go without power for up to a week.

SA Power Networks staff and other contractors have been working 16-hour shifts to repair fallen powerlines and get electricity back to all homes and businesses, and they have had to call in reinforcements from interstate to assist with these efforts. We are thankful for the amazing effort of SA Power Networks in restoring electricity. We also need to recognise the incredible work of our State Emergency Service, the Country Fire Service and the Metropolitan Fire Service over this time.

In the 24 hours following Saturday's storm, the SES received more than 1,500 calls for help for incidents including downed trees and flash flooding. Over the past days, our SES personnel, our CFS personnel and our MFS personnel have taken time out of their daily lives to respond to hundreds of incidents and help with the clean-up effort. This is at a time when a lot of human resources are being directed towards ensuring home and shack owners along the full length of the River Murray are prepared for the impending flooding from high river flows.

For residents along the river requiring sandbags and advice on sandbagging, I have been advised just recently that this Friday, tomorrow, through to Monday 21 November 2022 from 9am to 3pm sandbag deployments will occur at the Blanchetown Sports Club on Onslow Terrace, Blanchetown; at the Mannum Football Club in Hammond; at 45 North Terrace, Mannum; at the Bowhill Community Centre at 88 Weber Street, Bowhill; at the Murray Bridge Showgrounds, again in Hammond; at 113 Old Princes Highway, which is the showgrounds at Murray Bridge; and at the old Glossop High School at 535 Old Sturt Road, Glossop. Sadly, with sandbags in short supply, as has been indicated in the last couple of days, only 20 bags per household will be available.

While I am on my feet, I would like to congratulate the town of Mypolonga (Mypo as it is known locally) on being awarded the Agriculture Town of the Year for 2022. The other finalists were Crystal Brook, Kapunda, Orroroo and Waikerie, and they all did an outstanding job. Mypolonga is a small rural town in my electorate, located 15 kilometres upstream from Murray Bridge on the River Murray, with a modest yet mighty population of just over 500 people. Mypolonga was settled as a soldier settlement area after World War I and has a strong RSL sub-branch to this day.

The town is perhaps best known for producing dried stone fruit, and I certainly recommend trying some if you have not already. Some of the other great produce coming out of Mypolonga include cheese, olives, olive oil, citrus, wine grapes, buffalo and cows' milk, jams, chutneys and gin. The town has a fantastic primary school. It is also home of the Mypolonga netball club and the mighty Mypolonga (Tigers) Football Club, which has had some great success in the River Murray football league over the years. This is the second year that Mypolonga has been a finalist for ag town of the year after narrowly missing out to Kimba in 2021.

Just quickly, I want to congratulate some of the winners in Hammond in the 2022 South Australian Tourism Awards. On the night, there were two Hall of Fame inductions and over 30 category winners across the state. In Hammond, in category 12, Tour and Transport Operators, gold went to Juggle House Experiences, Kelly Kuhn—great work; and in category 16, Tourism Wineries, Distilleries and Breweries, gold went to Kimbolton Wines in Langhorne Creek—great work. Monarto Safari Park won gold in category 2, Tourist Attractions; category 26, Excellence in Accessible Tourism gold; and category 30, Voters' Choice Award (Experience and/or Service) gold.

In the last few seconds, I would like to acknowledge the Follett family and all their team out at Langhorne Creek at Lake Breeze. They attempted to put on a huge Handpicked festival on the weekend. Sadly, when 25 millimetres of rain was predicted, 65 millimetres landed in a hurry and closed the festival. They had 7,000 people coming. I got there late in the day and there were a few sorrows getting drowned. I wish them all the best in the recovery and the further staging of that event so they can welcome big bands like the Hilltop Hoods once again.

GAWLER VILLAGE FAIR

The Hon. A. PICCOLO (Light) (15:35): Today, I would like to bring to the house's attention one of the events that has returned to Gawler and was missing for a couple of years as a result of the COVID-19 pandemic. Every year, the two Rotary clubs of Gawler—the Gawler Rotary Club and

the Gawler Light Rotary Club—combine to hold the village fair. The village fair is held in Pioneer Park at the northern end of Murray Street on the first Saturday in November of each year.

The event was first held in 1976 and, as I mentioned, is run by the two Rotary clubs with support from the Town of Gawler. The aim of the village fair is to enable local organisations to raise much-needed funds and showcase their activities to the wider community. The Rotary clubs provide publicity during the weeks leading up to the fair and also help provide three-by-three marquees, covered stalls, trestles and also organise entertainment. I can say that I was one of the stallholders this year, as I have been in past years.

Participation for community organisations is free and participants retain all their takings. The event is held as a way of trying to get local organisations to fundraise much-needed funds. I understand that this year the event raised somewhere between \$19,000 and \$20,000. It was extremely well attended, partly because it was the first event in three years and, secondly, because we had some wonderful weather on that particular Saturday, which actually brought out all the people to the village fair.

A large, broad range of organisations are part of the village fair, and the following categories have been represented in the past: community support, service groups, disability support, entertainment/display, schools and playgroups, church groups, environmental groups, art and craft groups, recreational, and elderly, amongst many others. Stalls are also there to sell food, drink, local produce, plants, trees and shrubs, arts and crafts, novelties and a large range of second-hand items. I think almost every stall has a raffle, so as you go around it is quite an expensive event to visit every stall at the village fair. Importantly, all these funds go into important local projects.

Entertainment demonstrations included organisations like the Gawler Town Band, the gymnastic club, the dog obedience club and the Gawler Car Club. From time to time, various school bands and other groups also provided entertainment. The Rotary clubs, combined with the Gawler Art Society and, in conjunction with local schools, also organised a junior art exhibition, which has been particularly successful. I noticed this year that quite a few artworks were presented and quite a few people were visiting.

Since its inception in 1976, the village fair has enabled local community organisations to raise in excess of \$600,000 for community projects. The organising clubs have to meet a whole range of local government and state government health and safety obligations that make sure the event is accessible to all people, particularly those who have some sort of lived disability. In terms of setting up the venues for the day, a number of volunteers and hundreds of volunteer hours are organised by Rotarians to set up the various stalls for the community to benefit.

During the day, staffing and managing the event site requires a large number of Rotarians at all times, and cleaning up is a major operation. It would be fair to say that the Gawler Village Fair is a major event, attracting thousands of people and also supporting a lot of community organisations in our town.

With the few moments I have left, I would like to take this opportunity to congratulate the new elected members in my electorate, and my electorate covers three council areas. In the Light Regional Council, I would like to congratulate Alyson Emery and Michael Phillips-Ryder, whose wards cover my electorate; in Gawler, I would like to congratulate Isaac Solomon, Ethan White, Helen Hennessy and Mick Launer, the new councillors; and in the City of Playford one of the new councillors whose ward is in my electorate is Chantelle Karlsen.

It is interesting that one of the wards now has all women councillors and that we also have a couple of councillors who are under the age of 21 years. It is great to see such diversity in local government in my area.

Parliamentary Procedure

SITTINGS AND BUSINESS

The Hon. K.A. HILDYARD (Reynell—Minister for Child Protection, Minister for Women and the Prevention of Domestic and Family Violence, Minister for Recreation, Sport and Racing) (15:40): I move:

That the house at its rising adjourn until Tuesday 29 November 2022 at 11am.

Bills

STATUTES AMENDMENT (ATTORNEY-GENERAL'S PORTFOLIO) BILL

Second Reading

Adjourned debate on second reading (resumed on motion).

The Hon. A. PICCOLO (Light) (15:41): I believe I have the call. Prior to lunch, I was about to finish my contribution. There is not much more I can add to what has already been mentioned by the various speakers in this debate. I reaffirm that issues of justice should be a major priority for this chamber, and certainly this is one of those bills that improves our justice system. With those few comments, I recommend the support of this chamber for the bill.

The Hon. J.K. SZAKACS (Cheltenham—Minister for Police, Emergency Services and Correctional Services) (15:42): I thank members for their thoughtful contributions, particularly the members for Heysen, King, Gibson, Torrens, Davenport and Light, and I apologise if I missed anybody. I commend the bill to the house.

Bill read a second time.

Third Reading

The Hon. J.K. SZAKACS (Cheltenham—Minister for Police, Emergency Services and Correctional Services) (15:43): I move:

That this bill be now read a third time.

Bill read a third time and passed.

MAGISTRATES COURT (NUNGA COURT) AMENDMENT BILL

Second Reading

The Hon. J.K. SZAKACS (Cheltenham—Minister for Police, Emergency Services and Correctional Services) (15:44): I move:

That this bill be now read a second time.

Today, I rise to introduce the Magistrates Court (Nunga Court) Amendment Bill 2022. This bill implements our government's election commitment to provide the Nunga Courts with a formal and recognised place in the justice system. The Nunga Courts at the Port Adelaide and Murray Bridge Magistrates Courts are, respectively, the oldest and second oldest specialist courts for sentencing Aboriginal and Torres Strait Islander people in Australia.

The Port Adelaide Nunga Court began on 1 June 1999, and the Murray Bridge Nunga Court was established in January 2001. His Honour Magistrate Chris Vass SM was the inaugural magistrate in both these courts and was instrumental in their establishment. I commend him for his pioneering work. There are currently three Aboriginal courts that operate on the Nunga Court model: the Port Adelaide Nunga Court, the Murray Bridge Nunga Court and the Maitland Narungga Court, which commenced last year.

The Nunga Courts are an integral and effective part of the sentencing process, but they are not currently established by legislation. It is critical that Aboriginal elders and respected persons have a voice in the courts to facilitate a culturally appropriate sentencing process. In South Australia, Aboriginal people are grossly over-represented in the criminal justice system. This is not a new problem. The over-representation of Aboriginal people in custody was formally identified in 1991 by the Royal Commission into Aboriginal Deaths in Custody. Since that time, the proportion of the adult prison population who identify as Aboriginal has only increased. It is up from 14 per cent in 1991 to 24 per cent in 2022.

In 2020-21, in South Australia the rate of Aboriginal defendants was 13.4 times the rate of non-Aboriginal defendants, and of those defendants whose matters were finalised, 48 per cent of Aboriginal defendants with a guilty outcome received custodial orders, compared with just 34 per cent of non-Aboriginal defendants. This is unacceptable and we must do better.

Now more than ever, in the light of these shameful statistics, it is vital that we have dedicated supports and responses within the criminal justice system for Aboriginal and Torres Strait Islander people, just like the Nunga Courts. Among other things, the Nunga Courts provide an important opportunity for Aboriginal and Torres Strait Islander communities to participate in the sentencing process and to help build trust in the criminal justice system.

As a longstanding feature of our justice system for over 20 years, it is time that Nunga Courts receive the formal recognition they deserve. To that end, this bill would deliver on the government's election commitment to provide a legislative basis for the Nunga Courts by amending the Magistrates Court Act 1991 to establish the Nunga Courts as a division of the Magistrates Court, known as the Nunga Court Division.

The bill provides the Nunga Court Division with jurisdiction to determine and impose sentences for offences heard and decided within the criminal division of the Magistrates Court, where the defendant is an Aboriginal or Torres Strait Islander person, has pleaded guilty to the offence and has applied to be sentenced on the offence in the Nunga Court. In considering an application to be sentenced in the Nunga Court Division, the bill provides that the court should grant the application except where the court considers that it would be inappropriate to do so.

In sentencing a defendant, the Nunga Court must be assisted by one or more persons who are regarded by the defendant and accepted within the defendant's Aboriginal or Torres Strait Islander community as an elder or respected person or a person qualified to provide cultural advice relevant to sentencing the defendant. This will ensure that Aboriginal or Torres Strait Islander elders or respected persons have a voice in the sentencing process.

There is also scope for the Nunga Court to be assisted by any other person the Nunga Court considers appropriate. The bill requires the Nunga Court to take steps to ensure that any proceedings are conducted expeditiously and with as little formality as possible and in a way that is likely to be understood by everyone, including the defendant, their family and any other member of Aboriginal or Torres Strait Islander communities. In addition, the bill sets out the purposes of the Nunga Court, which are to:

- include members of Aboriginal and Torres Strait Islander communities in the sentencing process;
- provide an opportunity for Aboriginal and Torres Strait Islander defendants, magistrates, Aboriginal and Torres Strait Islander advisers and other participants in the sentencing process to discuss the offending, sentencing and criminal justice system; and
- increase the confidence of Aboriginal and Torres Strait Islander communities in the criminal justice system.

Importantly, this bill provides that, when the Nunga Court Division of the Magistrates Court is sitting, the court is to be known as the Nunga Court or another name that may be assigned to the court by the Chief Magistrate. This is to enable the Nunga Court to be known by a name that is culturally appropriate for the place in which it is sitting. Before assigning another name to the court, the Chief Magistrate must consult with Aboriginal and Torres Strait Islander justice officers and any other persons or bodies recommended.

There is also scope for the Chief Magistrate to consult with any other bodies as appropriate. Significant consultation was undertaken throughout the development of this bill. These stakeholders include the Chief Magistrate, with the assistance of Magistrate Paul Bennett; the Chief Justice, the Hon. Chris Kourakis; Judge of the Youth Court, Judge Penny Eldridge; State Courts Administrator, Penny Croser, on behalf of the Courts Administration Authority; Dr Robyn Layton AO, QC, Co-Chair of Justice Reinvestment SA; the South Australian Aboriginal Community Controlled Organisation Network (SAACCON); the Aboriginal Legal Rights Movement; the Family Violence Legal Service; the Law Society of South Australia; the Legal Services Commission; and Tiraapendi Wodli.

A significant part of the consultation process was a roundtable discussion at the Port Adelaide Magistrates Court, where the Attorney-General met with a whole host of Aboriginal elders and respected persons, as well as the Aboriginal justice officers and other representatives from the Courts Administration Authority.

Having been the member for Cheltenham for a number of years now and also a longstanding born and bred member of the western suburbs community, I can speak with great confidence as well as personal gratitude toward the work that the Port Adelaide Nunga Court and all the individuals there have been undertaking now for a number of years.

The consultation that I referred to was facilitated by Aaron Zammit, Manager of Aboriginal Programs within the Courts Administration Authority, and I would like to echo the remarks of the Attorney-General in the other place and thank Aaron for all his work towards this consultation. I am told that the Magistrates Court session was an incredibly productive and fruitful opportunity to hear from those who have worked in the Nunga Court for many years, working with Aboriginal people in the sentencing process and contributing invaluable insight into how this bill would best protect the existing court.

Again echoing the thanks of the Attorney-General in the other place, I would like to thank and make a special mention to Aunty Yvonne Agius, who was at that session and has been involved with the Nunga Court since it first commenced, playing a significant role in the lives of so many Aboriginal people.

This bill will protect and strengthen our existing Nunga Courts by ensuring that they have a formal and recognised place in our justice system and that there are appropriate supports and responses within the justice system for Aboriginal and Torres Strait Islander people. I commend this bill to the chamber. I seek leave to have the explanation of clauses inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

These clauses are formal.

Part 2—Amendment of Magistrates Court Act 1991

3—Amendment of section 3—Interpretation

This clause amends section 3 of the principal Act to insert and amend definitions relevant to the measure.

It also provides that the Court will be known as the Nunga Court, or another name assigned by the Chief Magistrate, when sentencing an Aboriginal or Torres Strait Islander person in the Nunga Court Division of the Court. The Chief Magistrate must undertake consultation before assigning another name to the Court.

4—Amendment of section 7—Divisions of Court

This clause amends section 7 of the principal Act to include the Nunga Court Division as a Division of the Court.

5—Amendment of heading to Part 2 Division 2 Subdivision 3

This clause amends the heading to Part 2 Division 2 Subdivision 3 of the principal Act to add a reference to Aboriginal and Torres Strait Islander Elders and Respected Persons.

6—Insertion of section 7C

This clause inserts new section 7C into the principal Act to provide that Aboriginal or Torres Strait Islander Elders or Respected Persons or persons qualified to provide relevant cultural advice must (and any other person the Court considers appropriate may) assist the Nunga Court by providing advice on Aboriginal or Torres Strait Islander society and culture or any other matter the Court considers appropriate.

7—Insertion of section 9AA

This clause inserts new section 9AA into the principal Act to set out the purpose, jurisdiction and procedures of the Nunga Court.

Mr TEAGUE (Heysen) (15:53): I rise to commend the bill to the house and indicate the support of the Liberal Party.

The DEPUTY SPEAKER: Member for Heysen, are you also the lead speaker?

Mr TEAGUE: Yes, I am the lead speaker. I rise to commend the bill to the house and indicate the Liberal Party's support for this initiative to formalise what has been a practice of long standing in the Magistrates Court. The bill will create the Nunga Court, and courts that might possibly be of other names, as a division of the Magistrates Court and give what has been now for some long period of time more formal recognition to the successful operation of the Nunga Court as it will be subject to clause 4 of the bill.

The minister in bringing to this house the bill, as presented by the Attorney in the other place and the contribution of the Attorney at that time, has highlighted the history of the Nunga Court. I will make some brief reflection on that history. It was an initiative of individual magistrates in the early days. Leading among those was Magistrate Chris Vass who, as a member of the Judicial Aboriginal Cultural Awareness Program and Regional Manager of the Port Adelaide Magistrates Court and its associated circuits, including in the APY lands, took those early steps.

As is well known, it was the result of several years of collaborative work between Mr Vass and several other interested groups, including Aboriginal community groups, state government agencies, the ALRM, police prosecutors, members of the profession and Aboriginal people. That has been reflected on in terms of the government's record keeping in recent times as being foundational to what is now becoming the establishment of the Nunga Court as a division.

I take the opportunity to put on the record Mr Vass's observation in 2001, motivating as it did the establishment of the practice. Mr Vass said:

...there was enormous dissatisfaction with the court system as it was. There was a lack of trust, a lot of frustration about not being able to have their say in court...and they felt that lawyers were often not putting their story across the way they wanted.

I also note the observations of Mr Kym Boxall, who is the second magistrate appointed to preside over an Aboriginal court, and he had described Aboriginal people in the mainstream court process in this context as, and I quote:

...fairly helpless pawns in a system that they didn't understand.

Again, that goes back to 2001.

It was very early in my time practising as an independent barrister at the independent bar in Adelaide that, at Kym Boxall's invitation, I attended at the Nunga Court at Port Adelaide to see the Nunga Court in action. It had by then been in action for just a few years and was still in its early stages. It remains one of those early memories of mine; I felt privileged to be able to participate and to see the Nunga Court in action.

I know that over the now more than 20 years or thereabouts of the operation of the Nunga Court, we have seen its capacity to make the operation of the justice system, insofar as it affects Indigenous people who would otherwise be alienated in the course of being subjected to the justice system, that bit more connected, relating to and accountable in the operation of the justice system. As we have heard in terms of the statistics, the Nunga Court and courts in other parts of the state operating under different names have had significant benefits.

I also note the government's indication in relation to the range of consultation undertaken. In this regard, I refer more particularly to the letter to the Attorney from the President of the Law Society dated 16 August 2022 in which the President indicates the society's welcome of the Nunga Courts being entrenched in legislation in South Australia and provides its endorsement of this step, indicating that it will continue to appreciate the opportunity to provide feedback in relation to the legislation and, I am sure, going forward as this court is established as a division of the Magistrates Court.

It is certainly my desire and that of the Liberal Party to see the expeditious passage of the bill. I commend the bill and the future of the Nunga Court, the subject of it, to the house.

Mrs PEARCE (King) (16:02): I spoke earlier today in this place reflecting on steps we are taking to make our state fairer for all, and I am pleased to speak again on another step we are taking to achieve just that. This step is in relation to our commitment for our Nunga Courts, to strengthen them and ensure that their place in our justice system is formally recognised.

We were once frontrunners in this space. We led the nation by developing an Aboriginal sentencing court more than 20 years ago, back in 1999 in Port Adelaide. Two years later, in January 2001, the second Nunga Court, which is also the second oldest in the country, was established in Murray Bridge.

The Nunga Courts work to improve trust in the justice system among Aboriginal and Torres Strait Islander communities, including them in the sentencing process and, importantly, ensuring there is a sentencing process that is culturally relevant, delivering good outcomes for rehabilitation and, importantly, reducing rates of recidivism. It is available to all defendants who are Aboriginal or Torres Strait Islander who have pleaded guilty to an offence and who have made an application to be sentenced in the Nunga Court.

Sentencing takes place with the defendant being assisted by one or more people well regarded by them or accepted within the defendant's community. With everyone sitting on the same level, the magistrate included, the Nunga Courts operate less formally than other courts. The court then emphasises the defendant having to interact with elders about their offending and the harm their offending has caused. Anecdotally, it has been shared that offenders often find this more impactful than just receiving a fine or a short prison sentence.

Nunga Courts are a good idea that have proved themselves successful over more than two decades of operation here in South Australia. We want to enshrine them in law so that we can formally recognise them as having a place in our criminal justice system. By amending the Magistrates Court Act 1991, we will be establishing the Nunga Courts as a division of the Magistrates Court, to be known as the Nunga Courts Division.

This bill also sets conditions in which a person can access the Nunga Court such that it will require persons to be Aboriginal or Torres Strait Islander and that they must have pleaded guilty to the relevant offence. This bill also ensures that the Nunga Court can be assigned another name if it is considered culturally appropriate for the place where the Nunga Court is sitting. The power is granted to the Chief Magistrate after consultation with the Aboriginal and Torres Strait Islander justice officer and any other persons or bodies recommended.

I am so pleased that this bill delivers on another election commitment by the Malinauskas Labor government. Having undertaken consultation on this bill, including a forum at the Port Adelaide Magistrates Court in March, the Attorney-General met with Aboriginal justice officers, Aboriginal elders and respected persons, the Court Administration Authority and others who have been involved in the Nunga Courts.

As the Attorney-General mentioned in the other place, this consultation also involved input from a wide range of stakeholders. We know, though, that there is still much work to be done to improve Aboriginal justice in this country. Aboriginal people remain significantly over-represented in our criminal justice system, making up 24 per cent of the adult prison population despite only making up 2.4 per cent of the South Australian population. If we are to meet the target of Closing the Gap, we must focus on ending Aboriginal and Torres Strait Islander adult and children over-representation in our justice system.

We are committed to doing this, and that is why we have appointed an advisory commission consisting of leading experts who will explore the issues and develop recommendations on options available to reduce over-representation of Aboriginal people in the justice system. The advisory panel consists of local, interstate and international representatives. They have been tasked to provide advice to the government early next year, and I am very much looking forward to learning more from them.

Another commitment we fully intend to fulfil is delivering on the Uluru Statement from the Heart, delivering on Voice, Treaty and Truth. I am absolutely confident that with the recent appointment of Kurna, Ngadjuri and Ngarrindjeri man Dale Agius as South Australia's inaugural Commissioner for First Nations Voice we are on our way to deliver on Voice, Treaty and Truth in South Australia.

Having concluded the first phase of the consultation, Commissioner Agius has undertaken dozens of visits across South Australia to hear directly from Aboriginal people about their views on

what Voice should look like and how it should operate. I cannot stress how important this is. I strongly believe that we still have so much to learn from the oldest living culture in the world, one that is so heavily ingrained and reflected in our land. To do that, we must listen to the voice of First Nations people if we are truly serious about working together to build a fairer and more equitable state for all. We cannot lose sight of that.

Just recently, I attended an event hosted by a local business that is 100 per cent Aboriginal owned and focused on creating jobs, career pathways and business opportunities for Aboriginal people. I was able to catch up with a dear friend there, one who has always taken the time to discuss with me different ways we can work towards making our state fairer for all. That is exactly what I love about my community—the genuine care and consideration to work towards being better, not just for themselves but for the community and the next generation.

I am proud of the steps that we are taking and of the bills that we are introducing, such as this one, as it reflects that we are listening and that we are taking active steps to make our state fairer and more equitable for all. With that, I commend the bill to the house.

Ms STINSON (Badcoe) (16:08): Some in this house would be aware of my previous life prior to entering this place as a broadcast reporter for the ABC but also for 10, 7 and overseas as well. What you might not know is that my journalism career, at least in broadcasting, began in Western Australia, and I was lucky enough to be posted in Karratha, which is in the very far north of WA. It is a fascinating place. It is a place where a lot of different objectives collide. It is a big area for mining, but it is also a place that has some of the oldest signs of the oldest culture on earth—that is, our Aboriginal culture.

I started out my career living in an Aboriginal community and reporting on Aboriginal affairs. After that, I moved to Alice Springs in the Northern Territory, and certainly reporting on Indigenous affairs was a very key part, if not the majority, of the reporting that I was doing in that location as well. It was a great privilege to have that time, and it gave me insights into a part of Australia that in my view is not only fascinating but also completely horrifying. I was lucky to work in those Aboriginal communities in WA and the Northern Territory and then also be exposed to working in the APY lands as part of my work chiefly with the ABC here in Adelaide.

After that, I went on to largely focus on court reporting, and that also led to my serving on the board of the Victim Support Service. So in so many elements of my past careers I have thought about, considered, reported on and investigated Aboriginal justice systems. I have been very lucky to observe justice systems, Aboriginal approaches and alternative approaches to delivering justice in Western Australia, the Northern Territory and here in South Australia. It is something that I have a great interest in, and now in this place, in this role, I feel a great responsibility to use this opportunity to do what I can on those things that I think are most pressing in our community.

It is my personal belief that the treatment of Aboriginal people in this country is the greatest stain on us as Australians and that it is the most pressing social issue in this nation, in terms of how we support Aboriginal people and communities and how we advance through reconciliation. I have felt absolutely ashamed when I have been in some communities that there are people living in our nation in the conditions that they do. Over the years, some of the things I have seen have moved me greatly.

I was not expecting to get emotional, but I am remembering all the things I have seen in some of those communities and it is actually very devastating. Of course, one of the devastating elements is the massive, massive over-representation of Aboriginal people in our justice system—in our courts, in our remand centres, in our jails, in our youth detention centres and in our child protection system. Those figures are just beyond any sort of fair representation of the number of First Nations people that we have in our population.

That alone is something that I feel is completely outrageous and something that I hope my generation does something about—that we see some real change in the period of my life and that we are not just leaving it to the next generation, another generation, to look at what I think is a national travesty. With all that in mind, I have had the great privilege of looking at and considering Aboriginal traditional approaches to justice over the years. Of course, one of those is the Nunga Court which

operates here in South Australia and which is not dissimilar to some of the systems that operate in the Northern Territory and Western Australia as well.

The Nunga Court delivers really important justice outcomes, and that includes improving trust in the justice system among Aboriginal and Torres Strait Islander communities. That trust cannot be underestimated—that is everything because if you do not have trust in the people who are administering the system, then why would you invest in it? Why would you believe that it is ever going to deliver any sort of result for you as a victim, as a perpetrator or as the loved one of someone who finds themselves caught up in the justice system?

This Nunga Court is also about including Aboriginal and Torres Strait Islander communities in the sentencing process. Obviously, well before there was European settlement here there was a justice system and justice systems that existed in this land. Of course, with European settlement came the obliteration of those justice systems and their being replaced with an entirely foreign system, which is of course derived from the British system that is exercised today.

Obviously, it is pretty difficult to unscramble the egg, but what something like the Nunga Court does is pay due regard to those systems that existed previously and practices that still continue in parts of Australia today, and also the principles that underlie them in terms of the role of elders and in terms of instilling responsibility and even collective responsibility for some of the bad things that sometimes happen and that sometimes people do.

It also ensures that the sentencing process is culturally relevant and that it delivers good outcomes for rehabilitation and reducing recidivism. When you look at statistics on the number of Aboriginal people who are in our justice system and keep coming back through the justice system, it is absolutely crystal clear that we really should be having measures that target recidivism and that really get at the causes of crime, rather than simply having people cycle through the system and for the system to essentially become a way of life. That is true for people of any cultural background, but considering the large number, the disproportionate number, of Aboriginal people in our justice system, it is especially true in their situation.

The Nunga Court is an Aboriginal sentencing process and it operates through the Magistrates Court. It is available to defendants who are Aboriginal or Torres Strait Islander and who have pleaded guilty to an offence and have applied to be sentenced in the Nunga Court. That element of pleading guilty is also a key feature of this system. It delivers not only results for the individuals who are involved but also results for our justice system as a whole in ensuring a more efficient and effective justice system.

When someone is guilty, it is really important that we encourage them and give them opportunities to be able to enter a guilty plea at the earliest possible opportunity so that we can deliver justice for everyone in a timely way and in an efficient way wherever possible. Often there are reasons why people cannot plead at an early opportunity, but in those instances where defendants are willing to plead guilty and are properly advised, this system is a very good approach. There is also the issue of application, so they need to actually apply to be sentenced through the Nunga Court and obviously be well informed about what that involves and the different approach that is taken.

In sentencing the defendant, the Nunga Court must be assisted by one or more people who are regarded by the defendant and accepted within the defendant's community (which is important), as an elder or respected person or a person qualified to provide cultural advice on sentencing. That role of elders is critical in this process. I think it really is an incredibly helpful thing, but it can also be a really beautiful thing to see elders of a community getting involved in this process, getting involved in the life of someone who is probably at their lowest ebb, and taking some responsibility and engagement in that process.

That has untold benefits not just for the defendant but also for the entire community, to feel not like someone from their community is having something imposed on them without their understanding or their knowledge or their participation, but that a representative of their community, an elder and respected person, is involved in that and has a role in explaining to the community what is going on and being a part of the justice that is administered.

The Nunga Court, in my observation, operates a lot less formally than other courts. One of the features is that everyone is seated at the same level, which is a symbolic thing and also an important thing in the way that we interact. Maybe we could actually learn a few things from that example in other aspects of our justice system as well. Elders and respected people, as well as family and community members, are involved in the process to support the defendant in achieving rehabilitation outcomes.

Sentencing in the Nunga Court often emphasises offenders having to interact with elders about their offending and about the harm they have caused. That is an approach that is at the heart of restorative justice practices. I am a big fan of the process of restorative justice. Certainly, in my experience as the Chair of the Victim Support Service and as a long-serving board member there, I had a great deal of interaction with victims of crime. Also, in my work as a court reporter I often came into contact and had lengthy conversations—and even ongoing relationships to this day—with people who have been the victims of quite horrendous crimes in our community.

I think that there is a perception in our general community that a victim of a crime always wants vengeance, that they want to see someone else suffer and that they want to see someone else penalised or deprived of liberties or rights. That is certainly the case in a number of instances that I have covered and with a number of people I have dealt with, but it is more complex than that. I think you can want to see justice delivered and penalties applied, but you can also want to see that the defendant does not commit those crimes again.

The strongest message that I used to get from victims was that they did not want to see the same crime perpetrated on someone else, that they did not want to see someone else have to go through the same experience that they and their family had gone through. Making sure that an offender is rehabilitated is actually a key concern of many victims and certainly the vast majority of victims I have had interactions with for well over a decade of experience reporting on the justice system and being a part of Aboriginal communities especially. I think the restorative justice approach is incredibly important in this model. Personally, I think that is an approach that we could be looking at much more extensively as we look at reforms to our justice system more broadly.

Although a lot of what we may look at in the Nunga Court is geared towards the defendant and the defendant's experience, I think that it also reflects what victims of crime want to see as well. As I said, they want to make sure that what happened to them does not happen to others and that a person who offends against them—who maybe has reasons or circumstances why they have found themselves in a situation of offending—as far as is humanly possible does not find themselves in a situation again under those stressors where they are committing crime again, particularly when we are talking about violent crime against other people.

Although we may think of the Nunga Court as a process that gets around the defendant—and it certainly is—it is also in the interests of victims who want to make sure that that defendant does not come into contact with the justice system again. As a state, we should not want that defendant to be coming back again either. The whole purpose of the justice system in its most enlightened is that a person is held to account for their crimes, that they are treated in a way that they understand those crimes, that they repent, essentially, for those crimes and do not commit them again—essentially, they learn a lesson and do not do it again.

I think that is really at the heart of what a number of these measures that are laid out in the Nunga Court are about. It is about learning from one's mistakes and moving on. By doing that, we create a better and safer society and a place that the defendant wants to be a part of and engage in rather than one they want to disconnect from and feel that there is no hope.

Anecdotally, offenders do find this process quite difficult. It is certainly more difficult than paying a fine or racking up a debt. Depending on how things go, it can even be more difficult than serving a prison sentence or a custodial penalty. With the results that we have seen from not just the Nunga Court but other Aboriginal justice and sentencing measures and restorative justice measures, the proof is in the pudding.

We can see that there are good results—not perfect results by any means—from investing in this pathway, investing in people, both defendants and victims, to try to make sure that the same situations that created these crimes are not repeated and that people have mechanisms and tools at

their disposal to ensure that they do not ever again find themselves perpetrating crimes against other people, sometimes, in fact often, their loved ones.

This bill does not actually change the Nunga Court program. What it does is it enshrines in law the ongoing formal and recognised place of the Nunga Court in our criminal justice system. It was quite surprising to me that it does not have that status, so I am glad to see that we are now moving on this to make sure that this is a permanent part of our Magistrates Court system, that it is properly resourced, as it should be, and that it retains its place despite the comings and goings of the court system sometimes. This bill sets out the circumstances in which a person can access the Nunga Court, such as requiring that a person must be Aboriginal or Torres Strait Islander and that they have pleaded guilty, as I said, to the relevant offence.

The bill sets out the purposes of the Nunga Court which, of course, includes members of the Aboriginal and Torres Strait Islander community in the sentencing process to provide an opportunity for Aboriginal defendants, as well as magistrates, Aboriginal and Torres Strait Islander advisers, supporters and other participants in the process to discuss the offending and the sentencing as they go through the criminal justice. As I said, this is also a measure that is about instilling the confidence of the Aboriginal community in the established justice system and ensuring that they feel part of it and involved in the process rather than feeling it is just a process being done to them.

An interesting element of this is that the bill also sets out that another name can be assigned to the Nunga Court if it is considered culturally appropriate or, indeed, if the phrase 'Nunga Court' is inappropriate or is not assisting in its aims. For example, it might be changed to reflect the place where the court is sitting at the time. That power is granted to the Chief Magistrate, and the Chief Magistrate must go through consultation with Aboriginal and Torres Strait Islander justice officers, and others, if deciding to change the name.

That may seem like a really small thing, but we all know that words are powerful and especially so in these contexts. It can provide a level of cultural comfort and cultural safety that are incredibly important when we are talking about marginalised groups in our society participating in the justice system, having faith in it, and therefore feeling like they want to adhere to the penalties that might be applied and, also, that they sufficiently understand what is going on so that they are not returning back to that same system. Although not a lot will change with the Nunga Court program, giving the flexibility to change the court's name, although a small thing, is a very positive aspect of the legislation that is being put forward.

In closing, I would like to say that this is obviously just one part of our government's commitment to Voice, Treaty and Truth. As I said, I do not think there is anything more important as far as our social policy in this nation goes than addressing the shocking, distressing and appalling treatment that has been meted out to Aboriginal people in past centuries. We are in a position now, each of us, and also collectively as governments, to do something about it and to right the wrongs of the past.

This work with the Nunga Court may seem small, but it forms part of a patchwork of legislative and social reform both at a state level and at a federal level that, when put together, makes up Voice, Treaty, Truth and the reconciliation pathway. I have been incredibly moved over the years by some of the things I have seen, but I am incredibly buoyed by the opportunity that we have right now to make a real difference, and I could not be happier and feel more privileged to be part of this process, and that includes this piece of legislation today.

The Hon. N.F. COOK (Hurtle Vale—Minister for Human Services) (16:28): Naa marni, ngai nari Nat Kartanya Cook, marni ngadlu tampinhi, ngadlu Kaurna yartangka tikanthi. I pay my respects to all Aboriginal elders past, present and emerging on Aboriginal land.

It is an absolute privilege to speak on this bill. I do look forward to a time in this place when we have an Aboriginal member able to speak on such a piece of legislation in this house—not just in the other place—and to speak on legislation that impacts and reflects truly its effects on Aboriginal people. This bill absolutely delivers on yet another of the Labor government's election commitments. Our Tarrkarri-ana Aboriginal affairs policy promises a range of measures, including legislation to protect and strengthen our Nunga Courts so that they have a formal and recognised place in our

justice system. South Australia led the way in developing an Aboriginal sentencing court in 1999. This bill ensures it is enshrined in law.

The Nunga Court delivers important justice outcomes, including improving trust in the justice system amongst disproportionately affected Aboriginal and Torres Strait Islander communities; including Aboriginal and Torres Strait Islander communities in the sentencing process; ensuring the sentencing process is culturally relevant and delivers good outcomes for rehabilitation and reduction in recidivism; and supporting good rehabilitation outcomes to lower the overall rates of crime.

The bill is a result of listening to Aboriginal voice. I have been so fortunate to have been part of consultation over the years in relation to having Aboriginal people and groups in my electorate and across the state connected to the portfolios I am connected to who have shared their knowledge and views with me over many years, both in parliament and before. The conversations and experiences have reinforced for me the importance of reconciliation across the board, not just in our courts or justice system.

I was very proud this year to attend a range of Reconciliation Week events, NAIDOC Week events and launches of various reconciliation action plans—very important statements placed on the record. They are not merely aspirations but firm goals for us to achieve. The NAIDOC Awards lunch was an amazing experience. We celebrated the achievements of many Aboriginal people from across every corner of the state. I had a wonderful lunch and spent some time with some of the very important Aboriginal grannies. They are a wonderful group of people.

Reconciliation requires learning. My office joined senior officials from the Department of Human Services earlier this year at Tandanya for an afternoon of Kurna language and cultural training. Thanks, Jack Buckskin, for providing this training and this important experience. I know my office is planning another session to include more of my colleagues and to have another deep dive into culture and learning. I would encourage all members of parliament to reach out and experience this time engaging in Aboriginal culture and truly immersing.

Jack was very entertaining, and I am sure that is no surprise to people in this place who have worked alongside and with Jack. He did not impart just words; he really imparted the meaning and the context to us. He explained the importance of family structures and how this impacts your introduction to and acknowledgement of others. The Kurna language is beautiful. It is complex but simple in so many ways.

The importance of respecting land, boundaries, authority and ways to show respect were all part of this session. By the end of the day, everyone in the room was able to introduce themselves and do a tailored Acknowledgment of Country in Kurna language. I am not going to pretend we could all do it very well at the end of the day, but practice is making it closer to perfect. I do not think it will ever be perfect, but it will be closer.

In relation to the Nunga Court, the Aboriginal sentencing process in the Magistrates Court is very important. It is available to defendants who are Aboriginal or Torres Strait Islander who have pleaded guilty to an offence and who have applied to be sentenced in the Nunga Court. In sentencing the defendant, the Nunga Court must be assisted by one or more persons who are regarded by the defendant and accepted within the defendant's community as an elder or a respected person, a person qualified to provide cultural advice on sentencing.

The Nunga Court operates less formally than other courts, such as by having all people, including the magistrate, seated on the same level as the defendant. Elders and respected persons, as well as family and community members, are involved in the process to support the defendant in achieving rehabilitation outcomes. Sentencing in the Nunga Court often emphasises offenders having to interact with elders about their offending and the harm they have caused. Anecdotally, offenders often find this more difficult and therefore more impactful than copping a fine or a short prison sentence.

There are currently three Nunga Courts that operate: Port Adelaide, Murray Bridge and Maitland Nunga Court. This commenced last year. The Port Adelaide Nunga Court is the oldest Aboriginal sentencing court in the country, as I stated before, trailblazing in 1999 on 1 June. The

Murray Bridge Nunga Court is the second, established in January 2001. Some other states now operate their own Aboriginal sentencing courts also. There is the Koori Court in Victoria.

This bill will support the existing and effective Nunga Court program, enshrining it in law, ensuring it has that ongoing formal recognition in our criminal justice system. It will be establishing the Nunga Court as a division of the Magistrates Court. The bill sets out the circumstances in which the person can access the Nunga Court such as requiring the person to be Aboriginal or Torres Strait Islander, having pleaded guilty to the relevant offence.

The purposes of the Nunga Court are spelt out and these are to include members of the Aboriginal and Torres Strait Islander communities in the sentencing process, to provide an opportunity for Aboriginal and Torres Strait Islander defendants, magistrates, Aboriginal and Torres Strait Islander advisers and other participants in the sentencing process to discuss the offending, the sentencing and the criminal justice system. It will increase the confidence of Aboriginal and Torres Strait Islander communities in the criminal justice system.

This bill also sets out that another name can be assigned to the Nunga Court if it is considered culturally appropriate for the place where the Nunga Court is sitting. The power is granted to the Chief Magistrate after consultation with Aboriginal and Torres Strait Islander justice officers and any other persons or bodies recommended.

I noted at the beginning that the bill delivers on an election commitment of the Malinauskas Labor government. I understand that the Attorney-General, the Hon. Kyam Maher in the other place, undertook significant consultation himself on the bill. It included holding a forum at the Port Adelaide Magistrates Court in March with Aboriginal justice officers, Aboriginal elders and respected persons, the Courts Administration Authority and others who have been involved in the Nunga Court.

It is important to recognise those who have been involved and consulted, including Chief Magistrate Mary-Louise Hribal; Chief Justice Chris Kourakis; Judge Penny Eldridge, a judge of the Youth Court; State Courts Administrator, Penny Croser; Dr Robyn Layton AO, KC, Chair of Justice Reinvestment SA; the South Australian Aboriginal Community Controlled Organisation Network (SAACCON); the Aboriginal Legal Rights Movement (ALRM); Family Violence Legal Service; the Law Society of SA; Legal Services Commission; and Tiraapendi Wodli, who I recently visited, and what an incredible place.

What next? We know that Aboriginal people remain significantly over-represented in the criminal justice system, with the Aboriginal adult proportion of the total prisoner population in 2022 up to some 24 per cent, despite making up only 2.4 per cent of the South Australian population. Ending the over-representation of Aboriginal and Torres Strait Islander adults and children in the justice system are key Closing the Gap targets nationally. The government is committed to reducing the rates of Aboriginal incarceration and so has appointed an advisory committee of leading experts to explore the issues and develop recommendations on options to reduce the over-representation of Aboriginal people in the justice system.

The eight-person advisory commission, which includes local, interstate and international representatives, has been tasked with providing advice to government for consideration early next year. This will consist of Chris Larkin, Heather Agius, Jonathan Rudin, Distinguished Professor Larissa Behrendt AO, Leanne Liddle, Major Moogy Sumner AM, Adjunct Associate Professor Scott Wilson, and Professor Tracey McIntosh.

I am also very pleased to advise the house that our Aboriginal affairs agenda goes well beyond the Nunga Courts. Both the Labor Premier, Peter Malinauskas, and our Labor Prime Minister, Anthony Albanese, opened their acceptance speeches after winning their 2022 elections with references to Aboriginal and Torres Strait Islander issues. So many people have commented that they had never seen this before after any election, let alone two in two months.

It would take years, if not generations, to right the wrongs of the past, but it starts with recognition and acknowledgement. It was back in July 2019 when our now Premier made one of the very first policy commitments for the 2022 election. He committed us to delivering on the Uluru Statement from the Heart at a state level—Voice, Treaty, Truth. This was after the former Liberal Premier had described Treaty as 'a cruel hoax'.

I genuinely hope that those opposite will join us in delivering on our commitment to all of the Uluru Statement. We are well underway in this work. We have appointed Kurna, Ngadjuri and Ngarrindjeri man Dale Agius as this state's inaugural Commissioner for First Nations Voice. Commissioner Agius has just concluded the first phase of consultation, having undertaken dozens of visits across the state and hearing directly from Aboriginal people about their views on what the Voice should look like and how it should operate.

I also note that Dale was poached from my department, where he was undertaking invaluable work. I am sure that you, Mr Deputy Speaker, would have worked alongside Mr Dale Agius over the years and know the value of his work and that you would join me in condemning the Attorney-General for pinching him from my department.

He did help us bring together the community in Port Augusta when we were working out how to deliver on another election commitment to improve community safety in the town. I am really pleased to advise that this planning and consultation work has resulted in a new service we announced at a recent country cabinet meeting in the Upper Spencer Gulf. I look forward to visiting in the near future and seeing the excellent work that is going on in Port Augusta to make it a much safer place for everybody.

Dale is sorely missed, but in all seriousness I do wish him well in this critical new role. I cannot think of anyone more qualified, more thoughtful or kinder to undertake that role. He will link all these pieces together, including that of the work of the Nunga Courts, I am sure, in our conversation as we work to close the gap, as we work to ensure true equity—Truth, Treaty, Voice—in our community. I commend the bill to the house.

S.E. ANDREWS (Gibson) (16:42): I rise to speak on the Magistrates Court (Nunga Court) Amendment Bill. I am proud to speak on this bill and to be a member of a Labor government that cares about our First Peoples. I will start by acknowledging the traditional owners of the land on which we meet today, the Kurna people, their elders past and present, and recognise that this always was and always will be Aboriginal land.

South Australia led the way in developing an Aboriginal sentencing court in 1999, and this bill ensures it is enshrined in law. The bill delivers on the government's election commitment in our Tarrkarri-ana Aboriginal affairs policy, to legislate, to protect and to strengthen our Nunga Courts so they have a formally recognised place in our justice system.

The Nunga Court delivers important justice outcomes, including improving trust in the justice system among Aboriginal and Torres Strait Islander communities, including Aboriginal and Torres Strait Islander communities in the sentencing process and ensuring that the sentencing process is culturally relevant and delivers good outcomes for rehabilitation and reducing recidivism.

The Nunga Court is an Aboriginal sentencing process in the Magistrates Court. It is not an easy option, as the court is only available to defendants who are Aboriginal or Torres Strait Islander who have pleaded guilty to an offence and who have applied to be sentenced in the Nunga Court. In sentencing the defendant, the Nunga Court must be assisted by one or more persons who are regarded by the defendant and accepted within the defendant's community as an elder or respected person or a person qualified to provide cultural advice on sentencing.

Elders and respected persons as well as family and community members are involved in the process to support the defendant in achieving rehabilitation outcomes. This provides the defendant with added accountability when they are going through their rehabilitation. In fact, sentencing in the Nunga Court often emphasises offenders having to interact with elders about their offending and the harm their offending causes. Anecdotally, offenders often find this more difficult and therefore more impactful than copping a fine or a short prison sentence. It helps to break the cycle of offending.

This bill delivers on another election commitment of the Malinauskas Labor government, and I am proud that we are delivering on our commitments and improving our state. I know that our Attorney-General undertook significant consultation on this bill, including holding a forum at the Port Adelaide Magistrates Court in March with Aboriginal justice officers, Aboriginal elders and respected persons, the Courts Administration Authority and others who have been involved in the Nunga Court. In addition, the Attorney has consulted with many other stakeholders.

This is what we do: we listen to our community. Whether it is through our community safety forums, senior forums, at a parkrun, while doorknocking, or talking to my neighbours at the local shops, I keep in regular touch with my community. As I said in a recent contribution to this place, Aboriginal people remain significantly over-represented in the criminal justice system, with the Aboriginal adult proportion of the total prisoner population up to 24 per cent in 2022, despite Aboriginal Australians making up only 2.4 per cent of the South Australian population. The Attorney-General informed the other place, and I quote:

In 2021 in South Australia, the rate of Aboriginal defendants was 13.4 times the rate of non-Aboriginal defendants, and of those defendants whose matters were finalised, 48 per cent of Aboriginal defendants with a guilty outcome received custodial orders, compared with 34 per cent of non-Aboriginal defendants. This is unacceptable, and we must do better.

It is a national shame that we are jailing Aboriginal offenders at such a high rate, especially for young people. Ending the over-representation of Aboriginal and Torres Strait Islander adults and children in the justice system is a key Closing the Gap target nationally, and this government is committed to reducing the rates of Aboriginal incarceration.

I must mention one of the cornerstone commitments of this Labor government, our commitment to delivering on the Uluru Statement from the Heart at a state level—Voice, Treaty, Truth. Our inaugural Commissioner for First Nations Voice, Dale Agius, has already conducted dozens of visits across the state, hearing directly from Aboriginal people. I also urge all members to be on the right side of history when we vote nationally at the referendum. It is not enough to just assume a vote will succeed. Everyone needs to get to the ballot box and vote. This is about fairness, dignity and respect.

I am lucky to have some wonderful community groups in my electorate, and recently I was excited to be at the wonderful opening of a mural by Ngarrindjeri and Wirangu artist Jackie Saunders at Tutti Arts, Brighton. Tutti Arts supports the creative development of learning disabled and neurodiverse artists. Jackie, in collaboration with Pitjantjatjara and Yankunytjatjara artist Elizabeth Close, created *Laying Under the Stars*, a mural inspired by Jackie's memories of warm nights lying in the backyard with her family looking up at the stars. All residents who catch the Seaford train to or beyond Brighton can look out for this beautiful mural when they are on the train pulling into Brighton Station. Congratulations to Jackie and Elizabeth on a wonderful job, and thank you to the team at Tutti Arts. I am proud to have them in my electorate.

I am also pleased that the Living Kurna Cultural Centre located at Warriparinga is just over the boundary of my electorate. The centre was built in 2001 as a result of work between the Kurna community and the City of Marion and offers Aboriginal and environmental education programs, events and performances. I encourage everyone to visit.

In addition, the City of Marion also has the Marion Cultural Centre, which I can see straight out of my electorate office window, and they will soon celebrate 21 years of service to our local community. There are many other Aboriginal events and workshops locally throughout the year, including basket weaving soon at the Glandore Community Centre in the member for Badcoe's electorate.

I will return directly to the bill. While none of the Nunga Courts are located in my community, I am sure that Aboriginal people from southern Adelaide will use the court if required. I believe that this is a good initiative, and after 20 years of delivering results for our Aboriginal and Torres Strait Islander community members it should be enshrined in law. I commend the bill to the house.

The Hon. A. PICCOLO (Light) (16:50): I rise in support of the Magistrates Court (Nunga Court) Amendment Bill and in doing so acknowledge that this bill delivers on the government's election commitment to our Aboriginal affairs policy to legislate to protect and strengthen our Nunga Courts so that they have a formal and recognised place in our justice system.

Any form of justice system, or criminal justice system, must ensure that it actually achieves a key objective, and that objective is to reduce crime in the future. In doing so, we need to ensure that those people who offend for the first or the second time do not reoffend.

I am reminded of a conference I went to once in WA some years ago, and the guest speaker of that conference was the actual police commissioner of the day. He posed the question: what is the biggest factor to reducing crime in any state? Everybody expected the police commissioner to say, 'More police.' He said, 'No. More police actually increases the clear-up of crimes.' In other words, if you have more police, you are more likely to apprehend an offender when crimes are committed, etc.

He said that the only thing to reduce crime is to instil in your population the cultural values that crime is the wrong thing. It sounds simple but the reality is that I think he is right. When people do the right thing, when essentially they have the capability to do the right thing there is a context of doing the right thing. By that I mean that we have a culture where we support certain behaviours and do not support other behaviours.

In western society, we have developed the criminal justice system as a way of dealing with those people who do not behave in a way that we believe is appropriate in our society, and that has been an accepted practice for centuries now. In other cultures, though, they deal with this behaviour in a different way. It is important that we understand that anything that we do in the criminal justice system must always have an objective to actually reduce crime in society and with respect to those people who have offended to help them not to reoffend.

In our criminal justice system we need to make sure that we make clear what behaviours are appropriate in society and what behaviours are not appropriate. That is quite clear and that is why we have laws to make that clear. It is sad that we have so many laws these days. You would think that some behaviours that are inappropriate would be obviously inappropriate, but we actually need laws to remind some people that certain behaviours are inappropriate and carry sanctions.

Putting that issue aside for a moment, if we are to achieve less crime, if we are to help people not to offend again and reduce the rate of reoffending, we need to make sure that our criminal justice system works fairly and is just. By that I mean that we need to understand what led to that behaviour and what will change that behaviour. While there is generally a view that criminal justice systems need to be punitive, I am not sure that actually makes our community any safer. Punitive may exact some revenge, etc., but I am not sure that, in the long term, it leads to a safer community or better behaviours.

If you want a classic example of that, it would be the United States of America. Their jails are full to the brim, and they have probably the highest crime rate in the world and the highest incarceration rate in the world, which indicate a system that does not work. But the Americans persist. I am hopeful that we never follow that sort of course of action and that we have a better understanding of how to change people's behaviour for the better. This, I think, is the context of where the Nunga Courts come in.

Nunga Courts are not so much about treating differently but trying to treat appropriately people with a First Nations background, to ensure that those who have entered the criminal justice system have pleaded guilty to an offence and are then brought before the Nunga Court for appropriate advice on what is the best sentencing. That best sentencing must—not solely, but in the main—be designed to actually prevent the reoffending. I think it is appropriate that we understand the cultural context of that offending and also the cultural context that leads to changed behaviours. Not to do so would just be purely punitive and seek to punish people without the benefit of rehabilitation and minimising crime.

I think what we are doing here today is a good thing. South Australia has led the way in the past in terms of the Aboriginal Sentencing Court in 1999, and this bill enshrines it in law. The Nunga Court will deliver important justice outcomes, including improving trust in the justice systems amongst Aboriginal and Torres Strait Islander communities by including Aboriginal and Torres Strait Islander communities in the sentencing process and ensuring that sentencing processes deliver good outcomes for rehabilitation and reducing reoffending.

Some in the community may see this as a way of treating people differently. Certainly, we may be treating people differently, but we treat people differently in a whole range of ways and a whole range of contexts because to treat them the same would create an injustice or would not get a good outcome for both the people involved in it and the community at large. I think this proposal

actually improves it, both for the individuals involved in the criminal justice system and, importantly, for the community at large.

As I said, we need to make sure that our objectives are always to minimise crime and improve safety in our community, and we do that when people accept their responsibility in our society. What we are doing here is helping the Aboriginal community make it very clear what behaviours are appropriate and inappropriate and, more importantly, lead to changes in these behaviours.

The Nunga Court is an Aboriginal sentencing process in the Magistrates Court. The process is available to defendants who are of Aboriginal or Torres Strait Islander background, have pleaded guilty to an offence and have applied to be sentenced in the Nunga Court. In sentencing the defendant, the Nunga Court must be assisted by one or more persons who are regarded by the defendant and accepted within the defendant's community as an elder or respected person or a person qualified to provide cultural advice on sentencing.

I think this is a good thing. It may be something which, if not already done, we may need to look at in other cultural groups in our society, to make sure that people understand the cultural context of certain behaviours. If we are going to change behaviours for the better, we need to understand that cultural context and also help people to have the appropriate feedback from our court systems in that cultural context.

It is very important that the community understands what this does not mean. What this does not mean is that we are weakening our laws or are giving people softer sentences, etc. What we are doing here is giving people the appropriate sentence to achieve the desired outcome. The bill has been developed, as I understand it, in consultation with a whole range of stakeholders to make sure that it is appropriate and likely to work.

As mentioned by the speakers, we need to find out why and how we redress the over-representation of Aboriginal people in our criminal justice system. I think the figure is that they represent 2.4 per cent of our population, yet represent 24 per cent of the people in our criminal justice system.

When I was the minister for social inclusion and had responsibility for looking after the youth detention centres, one of the things I will never forget is seeing the face of a 10-year-old child behind bars in our youth detention centre, and I recall thinking, 'This is not the way for a civilised society to deal with children.' A 10 year old is a child, yet they were behind bars in a detention centre because, essentially, society did not know how to deal with this young person.

This probably is a story told many times for young offenders of Aboriginal or Torres Strait background. We need to redress that. As a number of speakers have said, if we do not redress that, we are carrying forward the injustices of the past to today and into the future. With those few comments, I certainly support this bill and ask other members to support it as well.

Ms SAVVAS (Newland) (17:01): Much like the member for Hurtle Vale did earlier, I have been practising my Kurna welcome when giving speeches at local events and out and about in the community. Today, in the house I would also like to acknowledge traditional country in language, knowing how important actions are in the quest to move forward with reconciliation.

Naa marni, marni naa pudni Tandanya, Kurna me yernnah ngadlu, Kurna yarta tampinithi. I would like to give my deepest respect, ngai tal ya, while I commend the bill, to all the Aboriginal people who have assisted in the development of our Aboriginal policy agenda.

Many of my colleagues and I, including the member for Adelaide sitting by my side, are already walking side by side with our dearest Uncle Tamaru, our Nyuck Un Talya, and we do look forward to walking side by side with Aboriginal people of all nations moving forward. I was able to teach the Tea Tree Gully University of the Third Age an acknowledgement of country in language the other day, proving that it is never too late to start your personal journey with reconciliation.

I am incredibly proud to be here today at Tandanya, the land of the red kangaroo, to speak to our election commitment legislating and protecting our Nunga Courts so they finally have a formal and recognised place in our justice system. We have a strong history with respect to the Aboriginal

courts, having developed an Aboriginal sentencing court in 1999. This bill finally enshrines that bill into law, ensuring it has an ongoing formal and recognised place in our criminal justice system.

The bill establishes the Nunga Court as a division of the Magistrates Court and also sets out those specific circumstances in which a person can access the Nunga Court, noting that it will not be accessible to non-Aboriginal people, non-Torres Strait Islander people or people pleading not guilty to the relevant offence. The intent of the bill is to include members of the Aboriginal and Torres Strait Islander communities in the sentencing process and very much to increase the confidence of Aboriginal and Torres Strait Islander communities in the justice system.

We know, of course, that there is a significant over-representation of Aboriginal people in the criminal justice system, with the Aboriginal adult proportion of the total prisoner population up to some 24 per cent in 2022, despite making up only 2.4 per cent of the South Australian population. This is obviously a key target nationally for state and federal governments alike and something that we need to address and a significant component in strategies to Closing the Gap around the country.

I would say, if I may be so bold, that we are very much committed on both sides of the house to reducing the rate of Aboriginal incarceration. I know that there are a number of members who feel that is something incredibly close to their own hearts. The entrenchment of the Nunga Court into law delivers important justice outcomes and does assist with that target, improving trust in the justice system among Aboriginal and Torres Strait Islander communities and also including them in the process and ensuring that process is culturally relevant. It also delivers good outcomes for rehabilitation and reducing recidivism.

I am incredibly proud of the relationship our government has with Aboriginal affairs and also with specific Aboriginal communities, and I would like to take a moment to acknowledge those Aboriginal leaders who are taking the time to contribute to our policy and agenda. I note the member for Hurtle Vale mentioned Jack Buckskin earlier, and I know that he is very much a friend of many members in this place and has acted as very much a teacher and mentor to many of us as well.

I would also like to acknowledge our Nyuck Un Talya, our dearest Uncle Tamaru, who has been providing Kaurna language to me and a number of colleagues. I know that we have found those lessons not only insightful and helpful with our journey but we have all also developed a close personal relationship with Uncle Tamaru, one that we will have for many years to come.

I would also like to acknowledge the contribution of some outstanding Aboriginal people in my local community, particularly Kiara Johnson from Redwood Park, who founded KSJ Consulting, which is a 100 per cent Aboriginal-owned consultancy business. They are creating jobs, career pathways and business opportunities for Aboriginal people across the state. I understand that in their short three years since coming into being, they have had a number of huge opportunities to inform reconciliation action plans in state government local government and business communities.

I would like to acknowledge Kiara and her role in that project. She started her business during COVID, yet despite that it has met with such success in three short years. I thank her as well for having the member for King and I out to House On Haines at the Gully Pub a few weeks ago to celebrate the anniversary of her consultancy with a number of Aboriginal people who have contributed to reconciliation action in our state.

It is important while we are here today and commending the bill to talk about the significance of the bill and the way the Nunga Court will work in reality. There are three Nunga Courts that are operating at present at Port Adelaide, Murray Bridge and the Maitland Nunga Court, which commenced its operations in 2021. The Nunga Court process is available to defendants who are Aboriginal or Torres Strait Islander who have pleaded guilty to an offence and who have applied to be sentenced in the Nunga Court.

In sentencing the defendant, the Nunga Court must be assisted by one or more persons who are regarded by the defendant and accepted within the defendant's community as an elder, a respected person or a person qualified to provide culture advice on sentencing. We know that it will also operate less formally than some other courts, and I think that one of the most significant things to mention here is the way that it changes perceptions and attitudes by having all people, including the magistrate, seated at the same level as the defendant.

I have had this discussion with lots of members in the Aboriginal community, and I know just how important this is. Our teacher, Uncle Tamaru, continues to teach us the relevance of walking side by side, physically, emotionally and in our words and actions, and how that creates a sense of mutual respect for the community.

The Nunga Court also allows elders and other senior members of the community to be involved in the support process for the defendant to achieve outcomes for rehabilitation. Of course, as I mentioned before, we know that Aboriginal people are over-represented in our criminal justice system, but we also know that in statistics relating to recidivism they are over-represented as well, and more often than not they are returning to the criminal justice system multiple times.

I do believe that that is an important thing to question when we are considering which principles undermine our sentencing process as well as the way in which particular groups of individuals are sentenced. Sentencing in the Nunga Court often emphasises offenders having to interact with elders about their offending, and this can be a more impactful way to discourage future offending from occurring.

I am so proud of our agenda generally with respect to Aboriginal people, and it does feel particularly significant to speak to that agenda in this place twice in one day. I look forward to the progression of our agenda, particularly with respect to Aboriginal Voice.

One of the cornerstone commitments of the Malinauskas Labor government is, of course, our commitment to delivering on the Uluru Statement from the Heart at a state level—Voice, Treaty, Truth. I would like to acknowledge the work of our inaugural Commissioner for First Nations Voice, Dale Agius, particularly the work he has already undertaken so soon out in the community having just concluded the first phase of consultation in that process.

There are a number of people who are walking side by side with the government and assisting in the development of that agenda, and I would like to acknowledge their work and their contributions in delivering significant and important change for Aboriginal people. I commend the bill.

The Hon. A. MICHAELS (Enfield—Minister for Small and Family Business, Minister for Consumer and Business Affairs, Minister for Arts) (17:10): I rise also to support the Magistrates Court (Nunga Court) Amendment Bill. We know that South Australia has led the way in developing an Aboriginal sentencing court, having started this process in 1999, and this bill ensures it is enshrined in law. The Nunga Court delivers important justice outcomes. We know that it improves trust in the justice system amongst our First Nations communities, it includes Aboriginal and Torres Strait Islander communities in the sentencing process and ensures the sentencing process is culturally relevant and delivers very good outcomes for rehabilitation and reducing recidivism.

A number of members have spoken about the Nunga Court and how it operates, and I want to touch on that. The Nunga Court is an Aboriginal sentencing process and sits within the South Australian Magistrates Court. It is only available to defendants who are Aboriginal or Torres Strait Islanders who have pleaded guilty to an offence and applied to be sentenced in the Nunga Court. It is a fantastic process to be able to legislate through this bill.

In sentencing a defendant, the Nunga Court must be assisted by one or more persons who are regarded by the defendant and accepted within the defendant's community as an elder or a respected person or a person qualified to provide cultural advice on sentencing. The Nunga Court operates less formally than other courts, such as having all people, including the magistrate, seated on the same level as the defendant.

Elders and respected persons, as well as family and community members, are involved in the process to support the defendant in achieving rehabilitation outcomes, and that is critical. Sentencing in the Nunga court often emphasises offenders having to interact with elders about their offending and the harm they have caused. We know anecdotally that offenders often find this more difficult and therefore more impactful than paying a fine or facing a short prison sentence.

There are currently three Nunga Courts that operate, including the first one ever in the country that was set up at Port Adelaide and opened on 1 June 1999. The second oldest in the country is that operating in Murray Bridge, which opened in 2001, and of course there is one at Maitland as well that commenced last year. Other states have followed suit, following the lead of

South Australia. For example, in Victoria we have the Koori Court in Victoria that operates as an Aboriginal sentencing court.

This bill seeks to enshrine the Nunga Court program into law to ensure that it is an ongoing, formal and recognised place in our criminal justice system, and that is important. The bill establishes the Nunga Court as a division of the Magistrates Court. It sets out the circumstances in which a person can access the Nunga Court, such as requiring that a person be Aboriginal or Torres Strait Islander and have pleaded guilty to the relevant offence.

It sets out the purpose of the Nunga Court. These purposes are critical. They include that members of the Aboriginal and Torres Strait Islander communities are part of the sentencing process. They provide an opportunity for First Nations defendants, magistrates, Aboriginal and Torres Strait Islander advisers and other participants in the sentencing process to discuss the offending, the sentencing and the criminal justice system, and that is quite impactful. It increases the confidence of First Nations communities with the criminal justice system.

The bill also sets out that another name can be assigned to the Nunga Court if it is considered culturally appropriate for the place where the Nunga Court happens to be sitting. This power is granted to the Chief Magistrate after consultation with First Nations justice officers and any other persons or bodies recommended.

This bill delivers on an election commitment of the Malinauskas Labor government. The Attorney-General undertook significant consultation on the bill, including holding a forum at the Port Adelaide Magistrates Court in March with Aboriginal justice officers, and elders and respected persons, the Courts Administration Authority, and others who have been involved in the Nunga Court.

An extensive range of stakeholders have been consulted, including the Chief Magistrate; the Hon. Chief Justice Chris Kourakis; Judge Penny Eldridge of the Youth Court; State Courts Administrator Penny Croser; Dr Robyn Layton AO, KC, Chair of Justice Reinvestment SA; South Australian Aboriginal Community Controlled Organisation Network; ALRM; Family Violence Legal Service; The Law Society; Legal Services Commission; and Tiraapendi Wodli.

What we know is that we need to take action on this and formalising the Nunga Court is part of that. We know our First Nations people remain significantly over-represented in the criminal justice system, with the Aboriginal adult population of the total prisoner population making up some 24 per cent in 2022, despite only representing 2.4 per cent of the South Australian population. Ending the over-representation of our First Nations adults and children in the justice system is a key Closing the Gap target nationally.

The government is committed to reducing the rate of Aboriginal incarceration and so has appointed an advisory commission of leading experts to explore the issues and develop recommendations on options to reduce the over-representation of Aboriginal people in the justice system. The eight-person advisory commission, which includes local, interstate and international representatives, has been tasked with providing advice to government for consideration early next year and consists of Chris Larkin, Heather Agius, Jonathan Rudin, Distinguished Professor Larissa Behrendt AO, Leanne Liddle, Major Moogy Sumner, Adjunct Associate Professor Scott Wilson, and Professor Tracey McIntosh. I look forward to reviewing their recommendations.

One of the cornerstone commitments of the Malinauskas Labor government is our commitment to delivering on the Uluru Statement from the Heart at a state level—Voice, Treaty, Truth. We are well underway with this work, having appointed Kurna, Ngadjuri and Ngarrindjeri man Dale Agius as the state's inaugural Commissioner for First Nations Voice. I want to congratulate Dale on his extraordinary effort in the first phase of consultation, undertaking dozens of visits across the state hearing directly from Aboriginal people about their views on what the Voice should look like and how it should operate. I am very pleased that we are now consulting on a historic First Nations Voice bill.

I want to touch on the impact of arts and culture on our First Nations people and how that could also help in reducing incarceration rates. First Nations engagement in the arts space is an important part of it. I have been able to work with the Australia Council on a very important program that we had here a couple of weeks ago, Purrumpa. It was a national gathering and celebration of

First Nations arts and culture that took place at the Adelaide Convention Centre on Kurna Yerta from 31 October to 4 November. It was a historic occasion that marked the largest national gathering of First Nations arts and culture, convened by the Australia Council, in 50 years.

It was part of the anniversary of the establishment of the Australia Council's Aboriginal and Torres Strait Islander Arts Board. Purrumpa celebrated the remarkable achievements in the First Nations arts and culture sector over that last five decades. We had the initial one and nothing since for 50 years and we managed to snag the 50-year anniversary here in Adelaide.

In 1973, a national seminar on Aboriginal arts in Australia was held in Canberra and attended by about 400 representatives from across the country. Funded by the newly formed Aboriginal Arts Board of the Australia Council, the meeting established guidelines designed to encourage First Nations people around the country to participate in a broad range of arts activities.

Purrumpa, which we held here, celebrated that 50th anniversary as I mentioned, and it enabled a national collective voice across all areas of First Nations arts and cultural practice. As we reflect on the past and we look towards the future, this was a very important moment to come together and continue conversations about First Nations people's self-determination, their development, and priorities for the national advocacy of First Nations arts and culture.

Purrumpa was made possible through the support of the Malinauskas Labor government, and I am happy to announce that not only did our support secure this landmark event here in Adelaide but also that out of the 400 delegates, visitors and speakers, over one quarter of the delegates were South Australian artists and arts workers. I am very proud of the South Australian cohort who attended Purrumpa and of the opportunities it afforded them in relation to networking, learning, listening and, importantly, connecting. This event provides a clear example of our commitment to First Nations leadership in arts.

Coinciding with Purrumpa, I hosted a meeting of cultural ministers and officials from all across Australia here in Adelaide on 31 October. A key part of that meeting agenda was discussing First Nations initiatives within arts and culture, and it is wonderful to be able to report to the house that the conversations were positive and collaborative. I look forward to providing further updates to the house in due course.

Ministers who attended the meeting unanimously agreed to affirm the commitment to a First Nations Voice to federal parliament, something I am very proud to say the Malinauskas government is already working towards at a state level. I also want to acknowledge the work of our Chief Justice, Chris Kourakis. From very early on, when meeting him I became impressed by the passion he shows for reducing Indigenous incarceration. He has done a lot of work in that space, and I want to commend him for that.

Before I came to this place, one of the opportunities I had was to help form a charity called Fearless Theatre. It was a program that encouraged disadvantaged youth to get involved in theatre production. Our first program was actually run through the youth detention centre at Cavan. After the completion of that program, the board members got to attend Cavan to watch the graduation performance, and walking in there what struck me, what smacked me in the face, was the over-representation of our Indigenous youth in the detention centre.

What was heartbreaking, and what really crushed me, was that one of the other board members, who worked at the Aboriginal Legal Rights Movement, said to me when driving back that a lot of her clients actually said they would prefer to be at Cavan than out in their homes. That is something we need to address. As well as what is happening here in the Nunga Court, we need to address those issues to make sure there is sufficient support for rehabilitation, and to have these children out there in the community, taking up opportunities and having that support to better themselves.

This bill delivers on the Malinauskas Labor government's election commitment in our Tarrkarri-ana Aboriginal affairs policy to legislate to protect and strengthen our Nunga Courts so that they have a formal and recognised place within our justice system. I commend the Magistrates Court (Nunga Court) Amendment Bill to the house to ensure the Nunga Court is enshrined in law.

The Hon. J.K. SZAKACS (Cheltenham—Minister for Police, Emergency Services and Correctional Services) (17:23): I thank members who have contributed to the second reading debate, particularly those members—in fact, I think it was all members—who spoke in some detail regarding the disproportionate impact that crime and justice play in our Aboriginal community. This is a commitment that the government has made to implement these changes, but I think more broadly, as many members have spoken about, it is just one small piece in the puzzle in the government's commitment to justice reform for Aboriginal people.

The work that is being undertaken by the Attorney in the other place is to be commended, and there are multiple pieces of work that, without doubt, will see more legislation brought to this place as we continue to pursue better outcomes for Aboriginal people who find themselves in our criminal justice system.

I want to thank particularly those individuals, those current participants in the Nunga Court. Of course this does not create a new system; it is codifying the existing system. I do want to thank particularly those individuals who have committed themselves so significantly to improving outcomes for Aboriginal people through their dedication and commitment to Nunga Court.

I mentioned in my earlier remarks Auntie Yvonne Agius, who has been a member of Nunga Court from its first iteration. She is an extraordinary advocate, an extraordinary leader and someone I know many people in this place look to as a leader and someone who inspires them in the way that they—and we collectively—pursue better outcomes for Aboriginal people.

I thank the member for Heysen for his indication of the opposition's support for this bill, and I commend it to the house.

Bill read a second time.

Third Reading

The Hon. J.K. SZAKACS (Cheltenham—Minister for Police, Emergency Services and Correctional Services) (17:26): I move:

That this bill be now read a third time.

Bill read a third time and passed.

AUTOMATED EXTERNAL DEFIBRILLATORS (PUBLIC ACCESS) BILL

Introduction and First Reading

Received from the Legislative Council and read a first time.

STATUTES AMENDMENT (NATIONAL ENERGY LAWS) (GAS PIPELINES) BILL

Final Stages

The Legislative Council agreed to the bill without any amendment.

STATUTES AMENDMENT (NATIONAL ENERGY LAWS)(REGULATORY SANDBOXING) BILL

Final Stages

The Legislative Council agreed to the bill without any amendment.

SUMMARY OFFENCES (DOG THEFT) AMENDMENT BILL

Introduction and First Reading

Received from the Legislative Council and read a first time.

At 17:30 the house adjourned until Tuesday 29 November 2022 at 11:00.

Answers to Questions

RENTAL AFFORDABILITY

In reply to **Ms PRATT (Frome)** (19 October 2022).

The Hon. N.F. COOK (Hurtle Vale—Minister for Human Services):

I am advised that my office and the local homelessness service have followed up with the person who has been offered various forms of assistance.