HOUSE OF ASSEMBLY

Tuesday, 12 November 2024

The SPEAKER (Hon. L.W.K. Bignell) 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.

Bills

CHILDREN AND YOUNG PEOPLE (SAFETY AND SUPPORT) BILL

Committee Stage

In committee.

(Continued from 31 October 2024.)

Clause 94.

Mr TEAGUE: At clause 94, we are in the midst of part 8, dealing with family group conferences. Clause 94 deals with the chief executive's convening of a family group conference. I just go first to subclause (1)(a), the first of the two criteria of the exercise of the discretion. The chief executive needs to suspect that the relevant child or young person is at risk of harm. That raises the point about the new mandatory reporting threshold of 'serious harm'. It might be observed that that is ameliorating that new threshold, so it is a lower threshold for the exercise of the discretion.

I might just give the minister the opportunity to address that application of the lower threshold in the broad, meritorious in my view, in terms of the particular consideration the government has given to the retention of that test alongside the new mandatory reporting threshold of serious harm.

The Hon. K.A. HILDYARD: In short, we want to make sure that we have a legislative foundation in which to offer as many families as possible a family group conference.

Mr TEAGUE: Yes, okay, it was pretty broad, but the question was directed at least to the topic of the operation that is ongoing in the bill of these two thresholds. The minister's response begs the question: why have a threshold at all? I had not quite gone there. But what I am really directing that first question to is: where has the government's consideration gone in terms of establishing a mandatory reporting threshold of serious harm on the one hand—okay, so far, so understood—and then here, in (1)(a), retaining some sort of a threshold for the exercise of the discretion, but not serious harm, not the new mandatory reporting threshold, and taking it as given, for the purposes of the question, what if any specific consideration has been given?

To avoid the risk of repetition, perhaps in repeating the question, I will enhance the question: what consideration has been given to retaining a threshold at all, in circumstances of the minister's answer just now, and, given that threshold, what work has been done to consider: well, okay, it is harm, it is not the new mandatory reporting threshold of serious harm?

The Hon. K.A. HILDYARD: I do think the member understands this, but I just want to make it very clear: the new threshold relates to mandatory notifications; that requirement for those who are deemed to be mandatory notifiers—and we have expanded that group of people as we have discussed—to make a report. This does not, of course, stop anybody from making a report about a matter about which they have concern.

We have spoken at length about why we have moved the threshold in terms of that volume of reports and that desire to make sure we are ensuring that we provide particular support to those children and young people who are most at risk. What we are also doing through this clause, of

course, is, when there is a notification of harm, we want the CE to have the ability to respond in a variety of ways. We think, as I have spoken about at length in this place very often, family group conferences are an exemplary way to respond and hence why included in this clause is this provision to enable the CE to offer that as an action in relation to a notification about harm or potential harm.

Mr TEAGUE: The third question again goes back to the new mandatory reporting threshold. I just stress: there is no bogeyman on this topic. The new threshold is what it is and to the extent that it needs better understanding in the community, that is a matter for mature debate. We have addressed at the relevant part of the bill the risk that people are just going to keep on reporting in the same way as they have for 30 years and they are going to need to get to a process of, 'Right, this is a new regime where we want to hear mandatory reports about serious harm.'

We have also covered the territory, 'Why not mandate family group conferences across the board?' We have covered that along the way; that is what it is. There is a question, therefore, about the retention of any threshold for the exercise of the discretion of the chief executive. Why have a threshold at all? Why not just say that the chief executive, at the chief executive's discretion, can convene a family group conference? For all of those questions there has been plenty of opportunity for the government to engage and respond on that front.

The third question for the purposes specifically of (1)(a) is in the context of the new mandatory reporting environment. Presuming for a moment that that reform is successful in terms of changing the behaviour of mandatory reporters, and taking on board that the minister is perfectly entitled to respond that people can in all sorts of different ways report risk of harm, in the broad if the mandatory reporting—the source of the overwhelming amount of reporting that is coming into the department—is at the serious harm level, does it not beg the question: how is the CE going to know in a comprehensive way about how to exercise the discretion in terms of risk of harm when all of these mandatory reports are now coming in at risk of serious harm? Is there not a risk that there is a whole cohort who would have been the subject of reports over the last 30 years who now will not be the subject of reports, and therefore what is the chief executive drawing on for the exercise of the discretion beyond those mandatory reports of serious harm?

The Hon. K.A. HILDYARD: There are a few things. First of all, we know and we absolutely accept that getting the thresholds right is really important to our ability to effectively respond to children at risk of harm or at risk of significant harm, which is why that particular question was a significant one in the review and why there was a lot of commentary about that in the review. We believe that through the legislation we have responded in the best way in terms of taking account of the breadth of views that were provided in the review, and indeed that have been the subject of commentary for many years in South Australia.

What I would also point the member to is clause 4 and clause 5. Clause 4 defines harm and significant harm and clause 5 provides a further definition of 'at risk of harm' and 'at risk of significant harm'. In terms of understanding that difference and how we respond, I would point him to those definitions.

I would also come back to something I have said previously in response to the questions about those definitions: of course, as is the case right now and will be the case over the two years of implementation, we will be developing significant practice guidance that sets out harm and significant harm, and the sorts of actions that are available to those who receive and deal with those notifications to determine what is the best course of action, whether that be a family group conference or another sort of action in relation to that particular notification.

Clause passed.

Clause 95.

Mr TEAGUE: Clause 95, still within family group conferences, deals with procedures and attendees at family group conferences. I have said the word 'serious' a number of times in the last few minutes. I have misspoken, in that the definition is 'significant'. So for *Hansard* purposes, or for the record, I am using 'serious' and 'significant' with equivalent meaning, and 'significant' is the defined term in clause 4.

In terms of the procedures and attendees at family group conferences—I am conscious that this is a subject of some longstanding practice—the chief executive has the discretion to convene them and there is a certain amount of initiative and power that is devolved then to the coordinator of a family group conference. Is the government satisfied that with the chief executive having exercised the discretion, the coordinator has sufficient power and information to make their own inquiries as to necessary participants and dealing with circumstances, including the need to exclude would-be participants and including along the way?

The Hon. K.A. HILDYARD: Yes, and I say that because I have delved deeply into the operation of family group conferences here in South Australia and have had discussions with those who provide family group conferencing. They are deeply immersed in that process, deeply skilled at that process in terms of not just the actual facilitation of the conference but also, in all of my conversations with those practitioners, it is very, very clear that there is a significant amount of time and expertise expended in setting that family group conference up. That, of course, includes developing relationships with the parties who will be part of that family group conference and also ascertaining who should be in that family group conference and how that discussion will be facilitated. So, yes.

Clause passed.

Clauses 96 to 98 passed.

Clause 99.

Mr TEAGUE: We move to part 10 as proceedings before the Youth Court of South Australia, and clause 99 deals with applications for court orders. I maintain this focus on the use of the threshold of harm as distinct from significant harm. While I think I have indicated there is an ameliorative use of that threshold for the purposes of clause 94 that I welcome, to the extent that there is any threshold at all, in clause 99 we see it rather working the other way. The provision in subclause (2) of clause 99 provides:

> …an application for an order under this Part…may be made—
>
> (a) if the applicant—
>
> (i) reasonably suspects that a child or young person is at risk of harm…

These are, then, serious and consequential steps. Again, by reference to the new mandatory reporting threshold of significant harm, how, to start with, does (2)(a)(i) as a threshold square with the reform that is the subject of the new mandatory reporting threshold in this sense? Is it a drafting error that might be correctable?

The Hon. K.A. HILDYARD: I point the member to (2)(a)(i) and (ii) needing to be read in conjunction with one another because, of course, the word 'and' is significant in between (2)(a)(i) and (ii). It may be that that opinion does not exist that the making of such an order is necessary or appropriate to protect the child or to allow the performance of particular functions under the act in relation to the child. I would encourage the member to think about those two parts together, because it may be that that action is not required if there is not that concern that there needs to be that order made to protect the child from the risk of harm.

Mr TEAGUE: Yes, and I have. If we go from that first reference to the one that the minister has then just put in the conjunctive, that (2)(a)(ii)(A), we see both of those criteria referable to harm. It was really the flow-on question. Yes, it is right to shine a light on it. They are both referable to the threshold of harm, so the question is the same. You have on the one hand the applicant reasonably suspecting the lower level threshold of harm; that applicant also needs to be of the opinion that the making of the order is necessary to deal with the harm in both cases.

Now, if the minister was saying, 'I point you to the need for that person to be of the opinion that something needs to be done to prevent the risk of significant harm,' then alright, but it is the same threshold. Yes, if the order was not required in order to ameliorate the risk of harm, sure, it would be futile, but the suspicion and the opinion as to the necessity both turn on that lower threshold. In the circumstances, how is that squared away with the new mandatory reporting threshold of

significant harm in terms of going to the court for the seeking of orders at the lower threshold on both the suspicion and the consequence?

The Hon. K.A. HILDYARD: My answer is pretty much the same as the answer I provided in relation to clause 95, and that is that we do want the CE to be able to act. We think it is really important that should there be a suspicion that there is a risk of harm and a belief that it is necessary to put in place an order to protect a child or young person, we want to have that ability to act as a foundation in the legislation.

Again, as per my answer in relation to clause 95, we have thought very carefully about the provisions around mandatory notification and have considered the extensive debate that has occurred in this state about that, including that which occurred through the comprehensive review of the act, and we think that we have landed that in the right place, particularly when you couple that with the intention to have training, development, practice guidance, etc., developed over the next couple of years in consultation with practitioners.

Mr TEAGUE: I appreciate that, and I think clause 94 might have been the—

The Hon. K.A. HILDYARD: Sorry, yes, clause 94.

Mr TEAGUE: It is not just the mandatory reports that the chief executive is acting on, obviously, but I am dwelling on this point about coherence in terms of if there is a policy objective to deal with mandatory reports in terms of a new threshold of significant harm; we see that is the subject of part 7. Clause 72(1)(a) sets the threshold of significant harm for the prescribed person to make the mandatory report—that so much is clear—and in division 2 we see the chief executive assessing and taking action, and then assessing circumstances.

All of them, clauses 73 to 75 inclusive, are on that threshold of harm, subsequent to the mandatory threshold for the report of significant harm, and so where that then sounds here in clause 99, is that the starting point for those voluminous reports that are the subject of data informing the department, that is now effectively coming in at significant harm? Is there an as yet undisclosed body of information, reporting, feedback to the minister or the chief executive that is expected to be coming in still at this level of harm, and absent the general? If we are going to be receiving mandatory reports of significant harm now, how does it square away with the 73 to 75 process, and then in turn find itself ultimately—at least in one sort of consequential way—the subject of an order that is sought by the chief executive under clause 99(2)?

The Hon. K.A. HILDYARD: There is a coherence and, as I have spoken about, I think that implementation period will be really important in terms of how mandatory notification is approached. In terms of that implementation period and developing that understanding, as I have said in here before, we still want people to feel confident should they have a suspicion about a particular harm that should it be necessary for the CE to take particular action that there is a mechanism for them to do so.

The CHAIR: Is there any additional information, minister?

The Hon. K.A. HILDYARD: I think the other point to be made is that, yes, there is mandatory notification, and then there is community, for want of a better word, just to sum up that general community notification about a suspicion of harm. But the department also ascertains information from a range of other sources. It may be through discussions about a particular case plan with the Department for Health and Wellbeing or the Department for Education. So it is very important that that information is also considered in a holistic way in determining whether particular action does need to be taken as per subclause (2)(a)(ii), or (i) and (ii) together, but (2)(a)(ii) in terms of this clause and the clause that we spoke about previously.

The CHAIR: We are on clause 99. You have had your three.

Mr TEAGUE: Have I? I thought I had had two.

The CHAIR: Best case scenario, you have had three plus a supplementary. It is three. Is it going to be a quick one?

Mr TEAGUE: Yes, I think so.

The CHAIR: That does not reassure me.

Mr TEAGUE: It can be no more than a reference, with the Chair's permission.

The CHAIR: Okay, I will let you have it.

Mr TEAGUE: I refer in this sense to clauses 78 and 79, that is, directions that a person undergo certain assessments, all at the threshold of 'harm' as opposed to 'significant harm', and at clause 79, drug testing, again the risk of 'harm'. Perhaps of keenest relevance in this regard is clause 84(2), again, at the threshold of 'harm'. It might be convenient to come back to 84(2) in a subsequent context, but those are the references.

The Hon. K.A. HILDYARD: I can probably just take that as a comment. I am happy to continue to explore that. I think there will be other opportunities.

Clause passed.

Clause 100.

Mr TEAGUE: At clause 100, we are talking about parties to the proceedings, and obviously the applicant is one of those parties. In this context, I refer to the connection back to clause 84(2) and the threshold of risk of 'harm' being applied. It is a marquee provision because clause 84 is dealing with action following the removal of a child or young person, and clause 84(2) is providing a pretty full-bore stipulation that the child or young person must not be returned to the custody of a parent or guardian in the case the chief executive reasonably suspects that if the child or young person is so returned then the child or young person is at risk of 'harm'.

So we see there the application to the court, among other means. Removal occurs at the threshold of 'harm'. Return is prohibited at the risk of 'harm', yet we are operating in circumstances where that whole universe of mandatory reporters are exercising their obligations now at the level of 'significant harm'. It sounds in terms of the broader context of family capacity, family support, reunification, all of the above, that the mandatory report—let's say from the teacher, the clinician—is at 'significant harm', yet the suspicion that the chief executive forms on reasonable grounds is at the level of 'harm' and the prohibition to return is also at the level of 'harm'. I just invite the minister to address the coherence, or lack thereof, at that point.

The Hon. K.A. HILDYARD: The decision to remove a child without a court order, as you have said, is—another definition of threshold is 'significant harm'—obviously, for want of a better word, a very significant decision. As I have spoken about in relation to the other clauses, we want to have that foundation for the CE to be able to act if there is a risk of harm or if they deem that there is not a risk of harm. That is why there is that twofold way in which a number of these clauses are framed: because we want the CE to have those powers to act.

Mr TEAGUE: I appreciate that. It is for that reason I have been at some pains to highlight a meliorative use of that threshold on the one hand and what might be a rather contrary disconnect between the two, as to coherence in the bill about the threshold for removal and return, for example. To use the clause 94 circumstance in terms of the exercise of the discretion, call that, 'Harm threshold: good (if you are going to have a threshold at all)'. I understand it is not mandatory for the chief executive to call on a family group conference. There is a threshold that is applied. The chief executive needs to form a view that there is a risk of harm. It is the lower threshold—good. If you are going to have a threshold, that is an example of a good one.

That might be then contrasted, in particular, with the clause 84(2) scenario, where there has been a removal, as the minister describes, in circumstances of risk of significant harm that has either been reported or, without an order, the chief executive has formed that view somehow. Therefore, it is kind of like the sheep yards in the pastoral country with a great big funnel for entry. In you come for the water, but once you are in, then there is a very narrow pathway out and, as a result, once removed, you are not going readily back again. That is there on the face.

I have put the question as to whether it is a drafting error. If it is not and therefore it is using, you need to satisfy either the chief executive without an order that there is significant harm involved. That might come off a mandatory report of significant harm. Once that has been achieved, a child has been removed from his or her parents, the return under 84(2) is not happening while ever there

is a risk of harm. I hope the proposition is clear and, to the extent that it is not a drafting error, how are the two coherent and is it, in fact, a deliberate endeavour on the part of the government, in a sense, to say the removal without a court order is happening at a high level, but, once removed, there is no reunification while ever there is even the lower level of risk remaining?

The Hon. K.A. HILDYARD: The most simple way to answer that is to say we do not want to send children back unless we are convinced that there is not a risk of harm and we want to make sure that the chief executive has the power to take particular actions in relation to that assessment in the context of that child.

Mr TEAGUE: My last question in this run, if you like: why not at least empower the chief executive with the balancing discretion, to say that it is within the power of the chief executive not to return, where the chief executive is still reasonably satisfied of risk of harm, but that it is also within the power of the chief executive to return, notwithstanding that there is a perception of harm—no longer significant harm, the source of the removal, but there is a discretion at that point? This 84(2) leaves it at the high level. To the extent that that is deliberate, I query it and I just invite the minister to say anything further about how those two might work together.

The Hon. K.A. HILDYARD: It comes back to safety being the paramount principle in this legislation. We do not want to return a child if the chief executive deems that it is not safe to do so. We do want them to have the power, as we have spoken about in relation to other clauses, to take particular action.

Clause passed.

Clauses 101 and 102 passed.

Clause 103.

Mr TEAGUE: We are here dealing with other interested persons who may be heard and the provision for the discretion of the court to grant standing to what are still defined categories of person, so it is a limited discretion. They are a member of the child's or the young person's family, a person who at any time had the care of the child or the young person, or a person who has counselled, advised or aided the child or young person, and a discretion of the court to hear the manner in which those submissions—to the extent that they are largely going to be submissions—are made by any of those persons.

The question is: why limits on the court's discretion at all and is there an endeavour specifically to encompass everyone who might have participated in a family group conference, for example, or is there any other measure according to which those persons have been identified?

The Hon. K.A. HILDYARD: First of all, this is in the main an existing clause. The only difference is to clarify that the court can determine the manner and the form in which submissions are to be heard, which is actually what occurs now in practice. The change is just about clarifying that, and in terms of the people or the groups of persons that are listed there we believe that does cover the breadth of people who are already in practice, through the use of that particular clause, involved in any proceedings.

Mr TEAGUE: I think just one more at this point. Has the government given any consideration to whether there is any direct capacity for, either at the court's discretion or at the application of any such eligible person, funding to be provided such that they might be on a more equal footing particularly with those who are appearing for the department in those proceedings?

It is something that is well familiar to the minister, I am sure, this concern about the unequal capacity provision for those who might be involved in proceedings seeking to be heard and participating and so on. The question is: in conjunction with the exercise of the discretion to grant an opportunity for those parties to be heard, what consideration has the government given to providing something closer to equality of capacity to appear?

The Hon. K.A. HILDYARD: I do really understand the question. I think it is an important question. Of course, in relation to clause 103, we are not talking about particular people being parties but rather being empowered to be heard, which does not require representation as such, but I do take your point. Certainly, as the member would know very well, there are particular avenues through

which people can seek advice, depending on their particular circumstances. I am sure you know those avenues well, and that continues to be the case.

Certainly, two of the groups that we will be working with during the implementation phase are of course the Carer Council, the peak body connecting foster and kinship carers, and also our Direct Experience Group. That is certainly a matter that we can discuss with them in that implementation phase.

Clause passed.

Clauses 104 to 109 passed.

Clause 110.

Mr TEAGUE: At clause 110, we deal with the court's discretion to convene a family group conference. In terms of the operation of that court-convened family group conference, I would be interested if the minister can inform the committee in terms of particular consultation with the court about this juncture and whether or not there is sufficient funding for the court to do so. It is not going to make the court concerned about scarcity of resources when it has not happened until the court convenes it. Has there been any other input, from a practical point of view, from the court about how that might best be managed by the court?

The Hon. K.A. HILDYARD: What I can say, in a broad sense, is that we obviously worked closely with the Attorney-General and there was significant consultation with the Attorney-General, his department and, of course, the Youth Court. We are confident that resources will be available to be able to have the Youth Court convene those particular family group conferences.

Mr TEAGUE: I am grateful for that answer. Has there been any direct consultation with the Youth Court, and what is the source of the minister's confidence that resources will be applied? If there is a source of that confidence, how will those resources be applied?

The Hon. K.A. HILDYARD: We do understand the needs. I am not going to go into the detail, but I can absolutely say that yes, there has been that consultation and lengthy discussions with the Attorney-General and the Attorney-General's Department, and we are satisfied that those resources will be sufficient to enable the Youth Court to convene those family group conferences as per this clause—and they do now.

Clause passed.

Clause 111.

Mr TEAGUE: I have just been looking for the most convenient way to wrap up the part; it might just as well be at clause 111, but it is a question that relates to the part as a whole, really. The discretion to convene a family group conference is one super-added process. In terms of the range of the court's functions, obviously the Youth Court has a significant central role to play and that is very much the subject of part 10.

What consultation in relation to the bill, if any, has the minister undertaken with the court, with the judge of the Youth Court, with those professionals engaged in the day-to-day practice that is really going to be the subject of part 10? Will the minister inform the committee about the scope and nature of that?

The Hon. K.A. HILDYARD: There were a number of direct consultative meetings with the Youth Court, and we are satisfied that was a robust process.

Mr TEAGUE: If there is a corollary, at the pointy end, is there any direct consequence in terms of funding for the court's operations, for the court's infrastructure, for the court's functions more broadly, and the costs of those litigants and professionals engaged? So, funding consequences of any kind.

The Hon. K.A. HILDYARD: In the course of the consultation of course we have considered—and I think I answered that previously—any particular issues for the Youth Court in terms of personnel, etc., in terms of the introduction of the respected persons scheme, and in terms

of the convening of family group conferencing. We are satisfied with the outcome of that consultation and where we have landed in terms of the provisions right across this particular part.

Clause passed.

Clauses 112 to 140 passed.

Clause 141.

Mr TEAGUE: I am conscious that this comes off the back of a regime the subject of part 11 in terms of planning, and then we are well into part 12 and placement and contact arrangements. So I do not wish to deny the minister the opportunity to reflect on the application particularly of part 12 more broadly, but I just as a matter of convenience go to clause 141 and the review of contact arrangements by the review panel. I ask a question about the consultation around the operation of the panel and the satisfaction—and how so—the minister has formed in terms of the operations of the panel, its make-up and its functions in the service more broadly of part 12.

The Hon. K.A. HILDYARD: First of all, as per my answer to some previous questions, of course this was also canvassed in the comprehensive review, where around 1,000 people or organisations responded, and then of course we subsequently had the feedback period. What is important to note here is that consistent with recommendation 74 of the Nyland royal commission contact arrangements will remain reviewable by CARP.

However, the CARP process has also been strengthened by introducing a four-week period within which a CARP review has to be completed, requiring that the chair of CARP not be an officer or an employee of the department, requiring CARP to have regard to the submissions of the applicant and the child or young person and requiring that CARP provide to the applicant within 14 days notice in writing of their decision and the reason for the decision.

It is very important to note that clause 13 of the bill specifically requires—and there has certainly been feedback from children and young people, to go to your question about consultation in relation to this arrangement around CARP—that the voices of children and young people are heard in relation to decisions relating to their contact arrangements. Clause 13 provides flexibility—rightly so—in terms of the ways in which a child or young person's views might be presented. So, alongside the review and the feedback process, those discussions with young people themselves have certainly been very important to the development of that process.

Clause passed.

Clauses 142 to 144 passed.

Clause 145.

Mr TEAGUE: Clause 145 comes at the commencement of Part 13—Approved carers, licensed foster care agencies and licensed children's residential facilities. I note that I might endeavour to deal with the part as a whole here. The part continues to provide for the chief executive to establish categories of approved carers, and there is a prohibition in a subsequent clause with a notional penalty attached. I would perhaps put it broadly: is the minister satisfied that the arrangements for the chief executive's establishment of categories of approved carer remain appropriate, and penalties for breach of prohibitions also? Is there any anticipation from the government as to any material change that will come about as the result of the application of part 13?

The Hon. K.A. HILDYARD: This is an existing provision in the existing Children and Young People (Safety) Act, as I am sure the member is aware. It sets out that currently we have four categories of approved carers to provide out-of-home care: foster, kinship, and specific child-only carers who provide family-based care in their own homes for children under the guardianship of the chief executive, with the assistance, as the member is well aware of, a regular subsidy and regular placement support from either DCP's Kinship Care Program directly or from one of our many outstanding foster care agencies who provide particular support to carers.

Of course, the other category is family day care or guardianship carers, who are engaged and funded through an administrative arrangement with the Department for Education to provide

family-based, emergency and/or short-term care for children under the guardianship of the chief executive where there are no other family-based placement options available.

Clause passed.

Clauses 146 to 197 passed.

Clause 198.

Mr TEAGUE: We are here dealing with Part 17—Review of certain decisions under Act, clause 198, dealing with the internal review of certain decisions. My interest in this regard is particularly in relation to short-term carers—and if I can turn up the connection in the schedule, then I will. This is a change. Can the minister explain the rationale for the change in terms of the exclusion of short-term carers and the rationale otherwise for the regime for internal review at 198?

The Hon. K.A. HILDYARD: It is a really important question. The member may or may not be aware that SACAT's jurisdiction in relation to child protection was newly created in the Children and Young People (Safety) Act, and since the implementation of that act in 2018 there has already been identified a number of unintended consequences as a result of that new act.

One of the unintended consequences is that short-term carers have brought reviews in relation to long-term placement decisions, usually with family members. It has not been in the best interests of children, including very young babies, to have long-term placements with families delayed during the review process, so it is for this reason that it is only approved carers, who have cared for a child for at least six continuous months, who have the right to seek a review.

We think this amendment balances the rights of carers, who are an absolutely crucial part of the child protection and family support system, with the need for timely decision-making in relation to placements and, of course, that timely decision-making is in the best interests of a child. It is also really important to note that a range of mechanisms exist to review decisions made in relation to children in care, including, as we have just spoken, about the contact arrangements review panel and the department's central complaints unit. There are, of course, as the member is aware, additional oversight bodies, including the Ombudsman, who has the power to investigate any complaints.

Mr TEAGUE: I appreciate the answer. This might then deal with the review of decisions, the subject of clause 199. Again, for the sake of the record, I was fumbling around for schedule 1, and the prescribed persons set out in schedule 1 that speak to the change in 198. It might be appropriate to ask the question at 199, so I do not have further questions at 198.

Clause passed.

Clause 199.

Mr TEAGUE: We are still at part 17, division 2 and the 'Review by SACAT of decisions made under section 198'. Clause 199 provides for a review by SACAT of decisions made under section 198. There is a change of subject in clause 199. Clause 200, the other clause of the division that requires the views of the child or young person to be heard, is unchanged, but we have a provision now for 'Review by SACAT of decisions made under section 198 etc'—that is not me: that is the heading. Perhaps that is a convenient point at which to address the change of subject of clause 199, how that is going to operate and how SACAT is now going to function, to the extent that it has not been addressed at 198.

The Hon. K.A. HILDYARD: If I have this question right, the decision to be reviewed by SACAT is the outcome of the internal review rather than the initial decision made by the CE's delegate. The current position is that the external review is of the original decision, which does not make sense when the internal review changes or reverses the original decision of the internal review, if that makes sense.

Amendments have also been made to the existing SACAT provisions to ensure basically a change of panel members to ensure that the panel is constituted of members who have particular and appropriate expertise and experience to hear child protection and family support matters. That

change acknowledges the complexity of the child protection and family support system in which the department operates and, of course, where the decisions are made.

I can go into the detail, if you like, about the changes to the panel—those changes are set out—but the SACAT panel must sit with an assessor with social work qualifications or at least seven years' experience in the child protection and family support system in every case. In addition, rightly, in the case of a matter relating to an Aboriginal child or young person, the panel must also consist of an assessor who is an Aboriginal or Torres Strait Islander person.

Mr TEAGUE: It is clear that the review is in (1)(a), a decision of the Chief Executive under 198(4), which is the internal review, that the chief executive is required to come up with a decision. So that is reviewable. The 'etc' seems to be the subject of subclause (b), and there is the opening to anything else under the act that might be prescribed by regulation. Is there anything in the offing that is new about the 'etc'?

The Hon. K.A. HILDYARD: No.

Mr TEAGUE: But it is a wideranging possibility to confer jurisdiction on SACAT by regulation, so the argument might be made—the usual point—that it is likely to be consequential and there is a balance point about bringing back amendments in terms of conferring any significant further jurisdiction on SACAT that might otherwise be the subject of (1)(b). If there is nothing in the offing, then that is good to know about and, if it is otherwise the subject of regulations that might come, that we keep an eye on those gazetted regulations.

The Hon. K.A. HILDYARD: I might take that as a comment. Of course, we have narrowed it and, no, there is nothing in the offing but certainly we can continue those discussions should there be a need to in the future. But, no, there is nothing in the offing.

Clause passed.

Clauses 200 to 202 passed.

Clause 203.

Mr TEAGUE: It might be the most convenient point to ask a question about the operation of part 18, the interagency practice review panels. Clause 203 empowers the chief executive—and there is a note to comply with any other requirements in the regulations—becoming aware of an adverse incident, to appoint a panel to review and report on the relevant adverse incident. In terms of the operation of the part as a whole, to what extent has the minister engaged in any necessary consultation, satisfied that the operation of the part will continue to serve its purpose and represent best practice?

The Hon. K.A. HILDYARD: Probably, in a general sense, the new model contained in the bill certainly builds on existing child protection related death review models interstate and similar review processes that have been adopted in South Australia, for instance, in the health context. There has been an exploration of those models. In terms of the question about consultation, a very important conversation has occurred with the child protection expert group headed, of course, by now South Australian Australian of the Year Professor Leah Bromfield about not just this particular aspect of the bill but this aspect of practice to make sure that we have this right going forward.

It is something that we will continue to speak with the child protection expert group about going forward and it is also a discussion that we have had across government in terms of getting the model right.

Mr TEAGUE: I am just checking that I have the timing right. It is a convenient point to congratulate Professor Bromfield. It was, indeed, a very happy occasion last Thursday evening when South Australia's Australian of the Year was recognised for her nation-leading work. It is appropriate to give all the plaudits to Professor Bromfield and the significant work now recently celebrated 20 years in the development of best practice child protection. That might be a comment as well.

Clause passed.

Clauses 204 to 207 passed.

Clause 208.

Mr TEAGUE: This relates perhaps more or less equally to clauses 208, 209 and 210, particularly clause 210(1). Bear in mind that we are traversing an area that involves potentially very serious criminal conduct that might be the subject of serious criminal charges with very serious penalties attached. I realise we are at clause 208, but clause 209 in particular, one might say, in terms of clause 209 dealing with the impersonating of a child protection officer, to what extent has the government's consideration in relation to these provisions, particularly the penalties attached—they are relatively nominal penalties—extended in respect of the particular conduct?

Perhaps the government might respond and say, 'In relevant circumstances, they would be the subject of serious criminal charges.' A question might be: what work does the discrete offence and penalty do in circumstances where it might be acknowledged that in many such cases, and particularly clause 209 cases perhaps, this is almost inherently of the most serious nature in terms of criminal conduct?

The Hon. K.A. HILDYARD: Are you asking about penalties?

Mr TEAGUE: Yes. I am asking what work does a nominal penalty like this have in circumstances where the most serious of criminal charges might be applied in relevant circumstances with lengthy prison terms attached, and to what extent has the government, in considering a civil penalty of this kind, said, 'Well, here's an opportunity to apply the sort of whacking penalty, for example, that applies to restrictions on publication of information that might have the same sort of breach of personal safety and security implications'? I note that on those restrictions there are penalties of $50,000 and $120,000 and so on. Here we are talking about a series of maximum penalties of $10,000.

The Hon. K.A. HILDYARD: In relation to the particular matters contemplated at clause 209, this is based on the provision and the penalties that currently are in the old Family and Community Services Act. However, there are other parts of the act where we deemed it necessary to increase penalties. For instance, the penalties for harbouring or concealing a child have been increased from 12 months' imprisonment currently to three years, and that has been made because we think that is the right thing to do but also it brings it into line with the provisions in terms of penalties relating to the breaches of a written direction, which is, of course, at clause 166.

Clause passed.

Clause 209.

Mr TEAGUE: Again, perhaps all the more specifically, as I say it might be that the same question could be put at clause 210 as well, but clause 209 deals with impersonating a child protection officer and creates an offence for:

> A person who falsely represents…that—
>
> (a) they are a child protection officer; or
>
> (b) they are performing a function under this Act,

There is a penalty of $10,000, so it is in that group. I hear the minister that that is a retained offence and penalty. Perhaps it might be put this way: to what extent, if any, has this occurred? If it is occurring in circumstances where a civil penalty is appropriate that is something short of very serious criminal conduct, why not apply, as it were, the more serious range of civil penalties that are applied in subsequent clauses to other conduct relating to breaches of safety and security?

The Hon. K.A. HILDYARD: As I spoke about in my previous answer, we have made a decision for the right reasons to increase penalties, for instance, in the matter where a person harbours or conceals a child or young person. We have kept the penalty the same in this particular case.

In terms of your question about how many times or the circumstances in which the impersonation offence has occurred, I would have to check on that and take that particular question on notice and, I daresay, speak to other authorities also to understand the number or the volume in relation to that particular breach of the legislation.

Mr TEAGUE: Thank you, I appreciate that. I guess to further inform the inquiry and the answer that might come back on notice, is there work for this provision to do, for example, at the margins in relation to what are functions broadly related to the protection of children but that are conducted by a person not so entitled but nonetheless broadly in the space; that is, completely separate from the more sinister or criminal conduct? Is there work for it to do in terms of separating those who might broadly provide services in connection with children but who are on notice that they are not to represent that they are in fact a child protection officer or performing a function under the act? I guess it goes back to the question and I appreciate the minister taking that on notice.

The Hon. K.A. HILDYARD: Potentially. That is certainly something I will think about and contemplate whether there is that distinction to be had in relation to the ways, I guess, and the intention of a person who may breach this particular provision.

Clause passed.

Remaining clauses (210 to 220) passed.

Schedule 1 passed.

Schedule 2.

Mr TEAGUE: Schedule 2, part 1, clause 1 is a reference to, like other provisions at schedule 2, the name change. First of all, is it something that was not addressed in 2017? Should it have been an amendment made for the name change reference in 2017 and why both now?

The Hon. K.A. HILDYARD: Yes, it was a technical amendment that was missed when the 2017 bill was introduced and passed.

Mr TEAGUE: I guess I will ask the question: now that we are at 2024, there is still work, I presume, for the reference to 2017 being retained in 2024, and, if so, what work is that?

The Hon. K.A. HILDYARD: The short answer is yes because, potentially, a child who is still in the system was taken into care either before the 2017 act or since the 2017 act, so we need to make sure that any provisions that do or could relate to them are updated to ensure that they are contemplated in those pieces of legislation.

Mr TEAGUE: I say this against the background that it is a vanishingly rare event, for better or worse: is the minister satisfied there has been no material adverse consequence of that not having been referred to at the 2017 stage?

The Hon. K.A. HILDYARD: I am advised that there is nothing of concern.

Schedule passed.

Title passed.

Bill reported without amendment.

Third Reading

The Hon. K.A. HILDYARD (Reynell—Minister for Child Protection, Minister for Women and the Prevention of Domestic, Family and Sexual Violence, Minister for Recreation, Sport and Racing) (12:32): I move:

That this bill be now read a third time.

Just briefly, can I first of all say thank you to the shadow minister for his thoughtful and considered questions. I think it is clear from the debate that we have had that he and many other people through the review process, through the feedback process, but also, much more broadly, through the contemplation of our transformation of the child protection and family support system, have thought very deeply about what this legislation will mean in terms of the foundation and the framework that it sets for that transformative change.

I do appreciate the way that the shadow minister and the opposition have engaged in that process and, more broadly, as I have said at several times during this debate and, indeed, many

times in this parliament, I have so much gratitude to all of the people who have contributed to the development of this bill and who play such an important role in this system.

I particularly thank the children and young people who directly provided their feedback on this bill but who so generously share their experiences and certainly help me to shape my thinking about the way forward in this space. It is them that I always carry in my heart and mind as I go about my work as minister. I do not like to call it work; I call it more a vocation because I am deeply dedicated to driving this change. I thank them. I thank those birth and carer families who have really generously provided their feedback about this bill, but, again, about system change.

I wholeheartedly thank all of the workers in the sector, both those who work directly in the department and those in the many wonderful community organisations who are partners in this sector. They are the people who front up every single day and contemplate and carry the risk that is inherent in the child protection and family support system: the heartbreak and the really difficult decisions that need to be made to make sure we are doing the best we possibly can to help ensure the safety, the wellbeing and the care of children and young people.

I thank all of those partners right across those many community organisations who again are absolutely instrumental in what we do together to change the life trajectories of children and young people, those children and young people who most need our support. I thank them for the work that they do and also for their approach to what we do—an approach that is so much about partnership and working to transform the system together.

I really thank all of those people on the various advisory groups that we have established. We spoke just a few moments ago about the Child Protection Expert Group. I thank again Professor Leah Bromfield, now South Australia's Australian of the Year and director of the Australian Centre for Child Protection. I thank all of the members of the newly established Chief Executive Governance Group that comprises chief executives right across state government. I thank the members of the Direct Experience Group, the members of the Carer Council, the members of the Heads of Industry Forum, and again all of those children and young people who provide such wisdom to me as I go about this process of transformation.

As I always say, no one person can transform this system alone; no one person can improve the lives of children and young people alone. It is that partnership, and that willingness to work together toward this profound change that we need to make, that I am deeply appreciative of, that really makes a difference, and that has absolutely informed the development of this bill.

I have spoken about the shadow minister but I want to also thank those other colleagues who spoke to this bill. I know one of them is here in the chamber. I thank again the member for Dunstan and also the member for Elder who spoke with such passion and such wisdom and really generously shared some of their own experiences and journeys in terms of expressing why this area of work, of public policy, is so incredibly important to them. I thank them for that.

Finally, I want to thank Matt Pearce, my wonderful child protection adviser, and Ruth Sibley, my Chief of Staff, who have absolutely been on this journey to get the legislation to this place and support me in so many different ways. I could not do this work without them. I also thank Jackie Bray, the wonderful CE of the department, Elizabeth Boxall and, of course, Mark Herbst who have been incredible in terms of drafting a bill that is 220 clauses. That is a significant amount of work and I am really grateful to you all. Thank you so much and thank you to you, Mr Deputy Speaker.

Mr TEAGUE (Heysen) (12:38): I just want to make some observations about the committee process and where we got to. I recognise the work of the minister and the government. This has clearly set out the government's agenda in terms of child protection and certainly in terms of the legislation that relevantly governs and otherwise provides for child protection in the state.

This is a significant piece of legislation and I think I made the observation that in many ways it is an augmentation of the 2017 act. There is one aspect in particular that is novel, which is the subject of part 4. There is indeed—significant now—learning to be done in the application of part 4 that includes, perhaps primarily, the provision for delegation of powers and obligations to designated entities, the funding by government, the provision of information otherwise held by government to that designated entity, and then the range of applications of approach to Aboriginal and Torres Strait

Islander young people who are undoubtedly so much over-represented in terms of the need to draw on the capacity of government service in this regard.

In terms of that part's mandating of family group conferences, it is welcome, and if it is going further to prove up the beneficial capacity of family group conferences across the board then I expect that we will continue to see a drive towards a more or less comprehensive application of family group conferences for all children and young people who come within the orbit of the department. So part 4 is new—in some ways it is courageous in that particular sort of sense—and it might, by making particular provision for Aboriginal and Torres Islander children and young people, show the way towards what the application of best practice looks like for all children and I think that that will be one area of focus. As the debate goes now to another place, I will be interested in following closely where to from here in terms of the functions that are the subject of part 4.

Much has been said about some of the highlight changes that have been made that are what I have described as augmentation of the 2017 act. I suggest chief among them in terms of a guiding principle is the retention of safety as a paramount principle. That is an important and core starting point for debate that informs so many other parts of what goes on, the subject of the act.

As I have suggested from second reading and through the committee stage, I expect that to remain a matter of controversy and a focus for those who are engaged in the care of vulnerable children in terms, particularly, of what leads to maximum capacity for thriving, and we have seen a welcome reference to the UN conventions, we have seen a welcome addition of the best interests of children principle being applied as key. A paramount principle remains, that of safety. Again, I indicate that that might be expected to remain a matter of debate, and I would emphasise the capacity of the conventions and the principle of the best interests of the child in terms of guiding family support, capacity for reunification, and all of those other range of responses that are in the best interests of the child.

There has been some quite significant focus on the application of risk thresholds. The introduction of a new threshold for mandatory reporting is well known. How that now is applied in practice is, I think, a matter of real consequence over the time ahead. It will be important to see that a threshold has meaning to those who are the subject of the mandatory reporting obligations and, in turn, that it assists in terms of the department's functioning.

I have highlighted my concern about the differential retention of risk of harm in various ways throughout, in terms of both the application of the chief executive's discretion and in terms of the prohibition particularly the subject of clause 84(2), and those matters have all been tested in the course of the committee process.

I think as a starting point, given that mandatory reporting has been a matter of concern for a significant amount of time in terms of the department's capacity to deal with reports, I suggest that that change—yes, important that it has real effect—might not be where the eventual rubber really hits the road. The analysis might turn to those provisions where the threshold is remaining at that lower level of harm from the threshold for the application of the chief executive's discretion to call on a family group conference to the threshold for the chief executive and others to seek an order from the court and, as I have said a few times, I think that the retention of the lower threshold the subject of clause 84(2) might all be matters that come into focus as the operation of the act is commencing.

I look forward to the debate in the other place. I look forward to continuing engagement with all those individuals, non-government organisations and research institutes that have been engaged over a long period of time, including in response to drafts of this bill, and engaged in advocacy towards improvement for our state's most vulnerable children.

This is undoubtedly the most significant work, responsibility and opportunity for government and, indeed, for us all as South Australians. If we can come to a point where one of our core sources of confidence in this state is our capacity to care for our state's most vulnerable children, and indeed to see them thriving in every possible way, then we will have done our duty as representatives and members of this place. There is debate to occur in another place, but for this moment, the conclusion of the debate in the house, I hope that the process of the debate at all stages has served a purpose. I look forward to seeing it now continue into the future.

Bill read a third time and passed.

CRIMINAL LAW CONSOLIDATION (COERCIVE CONTROL) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 29 August 2024.)

Mr FULBROOK (Playford) (12:50): I feel it is my duty as a male MP to rise and speak in support of the Criminal Law Consolidation (Coercive Control) Amendment Bill 2024. For quite some time, there has been a rightful onus on men to call out any act of gender-based violence. Sitting back should never be an option and, as we move forward in proclaiming that enough is definitely enough, there are moments like these when we also ask that every corner of the parliament helps in this effort by erupting in support.

Today we have before us a bill that if it were not so serious could be described as groundbreaking. Today we rightfully create a new offence in the Criminal Law Consolidation Act 1935 that will carry a maximum penalty of seven years' imprisonment for anyone found guilty of cruelly entrapping their victim and imposing their will upon them.

To qualify further, I hope that what we do today sends a loud and clear message that as a community we will not stand for anyone who makes a deliberate and abusive effort to control a current or former intimate partner. Slowly the web is tightening, and I am optimistic. Legislation like this helps in becoming the trigger point for the legal system catching up with such perpetrators.

Having said that, in an ideal world where respect is universal, pieces of legislation like this might be considered unnecessary. Unfortunately, that is not the case, and it therefore takes pieces of legislation like this to correct some of the fault lines that scourge our community. Up until this point, the legal system only considers acts of coercive control as background to a crime rather than it being the crime itself. I would argue this does not align with community values, as nobody would ever want to wait for a serious assault or homicide to happen before the law finally starts kicking in.

Clearly, in these extreme matters, it is a case of too little, too late, and so today we have the option to not just take the steps to stamp out something that is horribly wrong but also do something that may save a few lives in the process. In Australia, one woman a week is murdered by her current or former partner. That horrific stat is not going anywhere other than up unless we as men mend our ways, and a piece of legislation like this has potential to be one of the many catalysts needed to help make this happen.

I know that there will be some who argue the narrative should be aimed at both genders, and I am pretty sure a law like this will be indiscriminate, but when we know that gender-based violence is overwhelmingly perpetrated by men, as a collective we need to own this and, dare I say it, own it with shame.

The web of control that is behind so many abusive relationships is currently invisible to our criminal law, but it is clearly evident to victim survivors that perpetrators are often relentless in imposing their will on others and, to achieve this, they will often hurt, intimidate, exploit, isolate, dominate, and terrify their victims over time. What this piece of legislation seeks to do is to establish that control is recognised when it restricts a person's freedom of movement or action, ability to engage in social, political, religious, cultural, educational, or economic activities, the ability to make choices with respect to their body, or their ability to access necessities: property, support services or, indeed, the justice system.

It is often the blokey thing to talk about Australia as a land of freedom, but how can this be true if our legal system denies this to some of our most vulnerable? This bill takes the necessary steps by qualifying that a person may be considered restricting the free will of another person through either physical, verbal or physiological restriction, removing the means by which a person is able to do something, deception, or any other behaviour that directly or indirectly significantly impairs their ability to do something.

Examples of this could include stopping the victim from taking employment, limiting the company they keep and controlling their victim's spending power by achieving low acts such as unnecessarily limiting their financial resources, unnecessarily making them their financial dependant or even making them account for every cent. I can think of one relationship close to home where the latter was a real thing, so in many ways there is a lot of truth to the example that I give. Fortunately, this victim eventually escaped, but sadly they endured many years of torment and subsequently lost many of the best years of their life.

If we are to be proud of who we are as Australian males, then actions like this must be stamped out, so today we are making it clear that this form of behaviour is not just unacceptable but hopefully also illegal. While as lawmakers we are fixated on what we get up to here, we must accept that many people do not always follow what happens within this place. It is therefore necessary that education tools are developed so there is widespread awareness that the legal system now stands in support of those wanting to call out these vile acts.

It is all good making laws, but I feel they need to be properly communicated, which is why I am pleased efforts will be made to build community awareness and understanding about this insidious form of violence. The See the Signs campaign focuses on ensuring South Australians understand what coercive control is and how they can seek support or help a loved one experiencing it. A vital point to make is that adjusting culture is akin to prevention being better than a cure, and I really welcome this.

I also understand that in the development of this bill a number of valued stakeholders were concerned with perpetrator misidentification or, to be more specific, when authorities mistakenly treat the primary victim of domestic abuse as the primary aggressor. This is something we really need to avoid as the effects of misidentification are devastating and ongoing and may give rise to perpetrators weaponising this potential crime to further torment their victims. I am assured this will not be the case as I am advised the key focus on the controlling impacts of the entirety of the behaviour under question will be the trigger point in directing the respective authorities' attention to the broader power dynamics in a relationship and the relative freedoms enjoyed by the parties.

This gives good reason as to why there is contingency for review within this bill. I have also noted that some may suggest it does not go far enough, highlighting that outside an intimate relationship coercive control may also be rife. It has been acknowledged by the minister that coercive control occurs in other kinds of relationships, potentially between siblings, carers, children towards parents, parents towards children or even in non-family contexts such as cults.

Nobody is suggesting these elements are unimportant, but the bill before us today, as a positive first step, concentrates on the areas of extreme risk. Who is to say this may not be broadened in the future? That is why a provision rightfully exists to ensure that a review of the offence takes place after the third but before the fourth anniversary of the commencement of this legislation.

Before I wrap up, I also want to use this opportunity to acknowledge the many advocates who have worked hard to champion this piece of legislation. I know there are many out there, and I also acknowledge they do not seek glory in their work: they just want to ensure that the right thing is done.

Over the last year, some very important people have come into my professional life, and these days they refer to themselves as the Northern Adelaide Community Collaboration, or NACC for short. As their Facebook page states, this collaboration consists of three service clubs and individuals centred on the cities of Playford, Tea Tree Gully and Salisbury and was formed to support a northern community voice in a submission to the South Australian Royal Commission into Domestic, Family and Sexual Violence. While some personal matters have stopped me from closely being involved in their most recent work, it has been a huge honour to help set things up, and they still meet in my office on a regular basis. I seek leave to continue my remarks.

Leave granted; debate adjourned.

Parliamentary Procedure

VISITORS

The DEPUTY SPEAKER: I would like to welcome the students in the gallery who are visiting us today. What school are you from? Welcome, Pulteney Grammar.

Sitting suspended from 12:59 to 14:00.

Bills

TOBACCO AND E-CIGARETTE PRODUCTS (E-CIGARETTE AND OTHER REFORMS) AMENDMENT BILL

Assent

Her Excellency the Governor assented to the bill.

MOTOR VEHICLES (PREVIOUS OFFENCES) AMENDMENT BILL

Assent

Her Excellency the Governor assented to the bill.

Parliamentary Procedure

PAPERS

The following papers were laid on the table:

By the Deputy Premier (Hon. S.E. Close)—

Annual Reports 2023-24—
Evidence Act 1929—Suppression orders made pursuant to Section 69A
Freedom of Information Act 1991, Administration of the—Addendum
Ombudsman SA—Audit of compliance with the Criminal Law (Forensic Procedures) Act 2007
Summary Offences Act 1953—Return of authorisations to enter premises under section 83C

By the Minister for Climate, Environment and Water (Hon. S.E. Close)—

Annual Reports 2023-24—
Coast Protection Board—Addendum
Premier's Climate Change Council

By the Minister for Energy and Mining (Hon. A. Koutsantonis)—

Stony Point Environmental Consultative Group—Annual Report 2023-24

By the Treasurer (Hon. S.C. Mullighan)—

Annual Reports 2023-24—
Dairy Authority of South Australia—Dairysafe
Dog Fence Board
Forestry SA (South Australian Forestry Corporation)
Veterinary Surgeons Board of South Australia
Regulations made under the following Acts—
Late Payment of Government Debts (Interest)—Calculation of Interest
Unclaimed Money—General

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

Annual Reports 2023-24—
Australian Health Practitioner Regulation Agency and National Boards

National Health Practitioner Ombudsman
Regulation made under the following Act—
Tobacco and E-Cigarette Products—Smoking Bans—
Residential Aged Care Facility

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

Regulation made under the following Act—
Construction Industry Training Fund—Miscellaneous

By the Minister for Police, Emergency Services and Correctional Services (Hon. D.R. Cregan)—

Regulation made under the following Act—
Fire and Emergency Services—Conduct and Discipline of Members

Question Time

VAILO ADELAIDE 500

The Hon. V.A. TARZIA (Hartley—Leader of the Opposition) (14:04): My question is to the Premier. What due diligence does the government undertake when engaging sponsors for major events? With your leave, sir, and that of the house, I will explain.

Leave granted.

The Hon. V.A. TARZIA: It was reported in *The Advertiser* that on Wednesday 6 November, the offices of VAILO, naming rights partner to the Adelaide 500, were raided by agents from the Australian Federal Police and the Australian Tax Office.

Members interjecting:

The SPEAKER: Members on both sides will come to order.

Members interjecting:

The SPEAKER: The Leader of the Opposition and the Minister for Infrastructure, the Premier will be heard in silence.

The Hon. P.B. MALINAUSKAS (Croydon—Premier) (14:05): A lot of research is done into the sponsors that the government engages with. The VAILO sponsorship agreement with the Adelaide 500 has a three-year naming rights agreement. That three-year naming rights agreement started a couple of years ago. This is the third year of that exercise, so it concludes at the end of this year, but there is an option for a two-year further extension if both parties deem it appropriate.

Naturally, the news in the media regarding the inquiries or the activity with the AFP or the ATO in regard to Mr Hickmann is a matter that will run its course. I understand from statements that have been released by Mr Hickmann's lawyers that that is associated with a—

The Hon. D.G. Pisoni interjecting:

The SPEAKER: The member for Unley will come to order.

The Hon. P.B. MALINAUSKAS: I understand, from the statement by Mr Hickmann's lawyers that it related—or they have explained it as a matter relating to inquiries associated with tax obligations with the ATO which, of course, the South Australian government doesn't have any visibility over. Notwithstanding the fact, from the South Australian government's position, through the Motor Sport Board, the advice that we have received is that VAILO has been a good payer in terms of its obligations—which are substantial—to the state, or to the Motor Sport Board regarding the sponsorship arrangements. That is something we will continue to monitor. There are very serious obligations upon VAILO to meet under that sponsorship agreement and it will be our expectation that those agreements are honoured.

But, I will tell you what: it is interesting that the fervour and the excitement that we see from the opposition—if they can identify any point of failure or any frustration associated with the

Adelaide 500, they are all over it like a rash. They are all over it like a rash because the position—at least the former member for Black had the courage—

Members interjecting:

The SPEAKER: Member for Morialta!

The Hon. P.B. MALINAUSKAS: —to acknowledge that those opposite with their cultural opposition, their dislike of the Adelaide 500—at least the former member for Black had the political smarts to realise that that was not a sustainable position. But now that the former member for Black is no longer in parliament, we see the leaders are back at it. They are back at it at every opportunity, seeking to criticise the Adelaide 500. The member for Morialta is very excited and very agitated and he is interjecting. That's okay. Go your hardest.

Members interjecting:

The SPEAKER: The member for Morialta, you are on your final warning.

The Hon. P.B. MALINAUSKAS: Go your hardest. Please critique the Adelaide 500 at your pleasure; meanwhile, on this side of the house, we are going to back this race in. We are going to back this race in because everybody knows that the South Australian Liberals hate the Adelaide 500; they cancelled the Adelaide 500, they sought to sell off all the equipment to do with the Adelaide 500, and only the Labor Party is committed to this event. We brought it back, tourism operators like it, South Australians like it, motor sport enthusiasts around the country like it, and that's why if they keep voting Labor they will keep getting the Adelaide 500, and if they vote Liberal we know what will happen.

Members interjecting:

The SPEAKER: The member for Elder will come to order.

Members interjecting:

The SPEAKER: The Minister for Trade will come to order.

VAILO COMPANY FOUNDER

The Hon. V.A. TARZIA (Hartley—Leader of the Opposition) (14:09): Supplementary: when was the Premier first made aware of these raids and what was the outcome of those raids?

The SPEAKER: That's not a supplementary, that's a separate question.

The Hon. P.B. MALINAUSKAS (Croydon—Premier) (14:09): When I read about it and heard about it through the media. It won't surprise the Leader of the Opposition, if he has any familiarity with the way these operations occur, that the South Australian government does not get advised on an hourly basis or in advance of activities occurring by the Australian Federal Police. The Leader of the Opposition really should know about that. The Leader of the Opposition should have a basic understanding of the way that these affairs occur, but nonetheless we welcome the line of inquiry from the opposition—

Members interjecting:

The Hon. P.B. MALINAUSKAS: —it only serves to remind everybody about the Adelaide 500. I couldn't help but hear an interjection from the member for Morialta regarding, 'Do the residents of Dunstan like the Adelaide 500 or not?' Let's just think that through. The residents of Dunstan had an opportunity to express their view at a by-election in March this year, only two years into the race, and they chose wisely. The residents of Dunstan chose wisely. On this side of the house we have a complete unanimity of opinion that we support the Adelaide 500. I am not too sure what the Greens think. I acknowledge the presence in the chamber of Councillor Snape who has been on the record with his opposition to the Adelaide 500. We welcome that too.

So the Libs and the Greens are working hand in glove over there; the Libs and the Greens fundamentally oppose the Adelaide 500. Only the Labor Party back the Adelaide 500. I do acknowledge the Independent member for Mount Gambier, the independent member for Frome, the Independent member for MacKillop—

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

The SPEAKER: Premier, please take your seat. The member for Morialta.

The Hon. J.A.W. GARDNER: The Premier was asked a question about when he knew the raids were taking place and he is debating.

The SPEAKER: I think he has answered that part of the question. I think he was just having a bit of fun with everyone. Premier, have you finished?

The Hon. P.B. MALINAUSKAS: I should acknowledge the independent members of the crossbench. I should mention most of all: when we contemplate support for the Adelaide 500 there is no more important a group of supporters for the Adelaide 500 than the South Australian people themselves.

I am very pleased to take this opportunity to advise the house that ticket revenue sales this year are up on last year and that is because this is a healthy form of entertainment for countless working families across the state. We have worked hard, in conjunction with the Motor Sport Board, thanks to the sponsorship of a range of partners, to keep this at an affordable pricepoint, with high-quality entertainment not just on circuit but off circuit too.

I think we are all looking forward to Australian acts performing at the Adelaide 500, including Cold Chisel on Sunday night, on the back of Crowded House on Saturday night. The fact that South Australians are voting with their feet, in a cost-of-living crisis, putting their hands in their pockets and turning out in droves at this weekend's event bodes well for the support of this event.

Members interjecting:

The SPEAKER: The Minister for Infrastructure and Transport.

The Hon. A. KOUTSANTONIS: Standing order 303: that was just unAustralian.

VAILO COMPANY FOUNDER

The Hon. V.A. TARZIA (Hartley—Leader of the Opposition) (14:13): My question is to the Premier. How long has the Premier been aware of any issues concerning VAILO's company founder? With your leave, sir, and that of the house, I will explain.

Leave granted.

The Hon. V.A. TARZIA: In budget estimates in June this year when asked if the Premier was concerned about the founder of VAILO's behaviour, in particular around his failure to pay his tax requirements, the Premier said:

> We are not concerned about it. I do not mind saying that having had the opportunity to speak to Aaron Hickmann on a number of occasions, his commitment to the event is something that we are very grateful for as a government.

The Hon. P.B. MALINAUSKAS (Croydon—Premier) (14:13): Our firm expectation is that every Australian taxpayer, as I think everybody agrees, should meet their tax obligations and that is a matter between Mr Hickmann and the Australian Tax Office. But with regard to the obligations that VAILO has had to the SA Motor Sport Board—

The Hon. D.G. Pisoni interjecting:

The Hon. P.B. MALINAUSKAS: Mr Speaker, the member for—

The SPEAKER: The member for Unley, we heard you the first, second and third time. Interjections are unparliamentary and the Premier is doing his best to ignore you, but you will leave if we hear another peep out of you.

The Hon. P.B. MALINAUSKAS: I thank the Speaker for his protection but on this side of the house I want the record to show that we very much value the interjections we get from the member for Unley. They normally help our cause rather than the opposite.

During that estimates period, if my recollection serves me correctly, there was a line of inquiry about Mr Hickmann or VAILO meeting their obligations under the sponsorship agreement. The

advice that I have consistently received throughout the VAILO agreement is that we have made clear that there are obligations upon VAILO. The advice that I have received repeatedly is that VAILO has met their sponsorship obligations. That will be a situation we will continue to monitor, as you would expect us to do with any sponsorship arrangement.

VAILO COMPANY FOUNDER

The Hon. V.A. TARZIA (Hartley—Leader of the Opposition) (14:15): My question is to the Premier. What action, if any, has the government taken in relation to the VAILO founder since June this year? With your leave, sir, and that of the house, I will explain.

Leave granted.

The Hon. V.A. TARZIA: It was reported in *The Advertiser* that in June the state government slapped a legal caveat restriction on two of the VAILO founder's properties, including a luxury $4.6 million home at Glenelg South and a $340,000 Holdfast Bay boat marina berth following the millionaire entrepreneur being embroiled in a state tax debt scandal and being investigated for a potential director ban over a failed medicinal cannabis venture.

The Hon. P.B. MALINAUSKAS (Croydon—Premier) (14:16): I might take this opportunity, Mr Speaker: I have become aware of other people that do support the Adelaide 500. I should acknowledge that the—

The Hon. J.A.W. GARDNER: Point of order. Standing order 98: the question was direct and related to the matter—

The SPEAKER: We haven't heard what the Premier has got to say.

The Hon. J.A.W. GARDNER: The Premier has started out by saying that he will take this opportunity to talk about other people—

The SPEAKER: And we haven't got past that bit.

The Hon. J.A.W. GARDNER: —which is clearly not cogent—

The SPEAKER: Let's just listen to what the Premier has to say, member for Morialta. The Premier.

The Hon. P.B. MALINAUSKAS: Can we just repeat the question?

The SPEAKER: Leader, could you repeat the question, please?

VAILO COMPANY FOUNDER

The Hon. V.A. TARZIA (Hartley—Leader of the Opposition) (14:16): So you are asking me to repeat the whole question again? Okay. My question is to the Premier. What action, if any, has the government taken in relation to the VAILO founder since June this year? With your leave, sir, and that of the house, I will explain.

Leave granted.

The Hon. V.A. TARZIA: It was reported in *The Advertiser* that in June the state government slapped a legal caveat restriction on two of the VAILO founder's properties including a luxury $4.6 million home at Glenelg South and a $345,000 Holdfast Bay boat marina berth following the millionaire entrepreneur being embroiled in a state tax debt scandal and being investigated for a potential director ban over a failed medicinal cannabis venture.

The Hon. S.C. MULLIGHAN (Lee—Treasurer, Minister for Defence and Space Industries) (14:17): As the leader canvassed in the explanation to his question, yes, there have been some restrictions placed on properties by the state government due to tax obligations not being fully met, but in regard to the matter of a directorship that, of course, is regulated by the Corporations Act and would be a matter for the federal government.

Parliamentary Procedure

VISITORS

The SPEAKER: Before I call the member for MacKillop, I would like to welcome to parliament today students from Pulteney Grammar School, who are guests of the member for Adelaide. It is great to have you in parliament. I bet you are a lot better behaved than some of the people in here! We also have students from Saint Ignatius College, who are guests of the member for Newland. It is great to have both schools in here today. Welcome to parliament.

Question Time

KOPPAMURRA MINING LICENCE

Mr McBRIDE (MacKillop) (14:18): My question is to the Minister for Infrastructure and Transport. Can the minister explain the process and timeframes associated with applying for a mining licence? With your leave, Mr Speaker, and that of the house, I will explain.

Leave granted.

Mr McBRIDE: Australian Rare Earths (AR3) have completed exploratory drilling in the Koppamurra region in the South-East. Local farmers are concerned about the impacts this type of mining will have on their water resources and high-value agricultural land. Some have heard that mining could commence in 12 months.

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Infrastructure and Transport, Minister for Energy and Mining) (14:18): First and foremost, thank you to the member for MacKillop for his question. I know he is a keen supporter of the agriculture sector, especially in his electorate, and he is a long-time proponent of the rights of farmers. But the state has to balance the farming obligations that communities have and, of course, our obligations to exploit our natural mineral wealth and endowment to make sure that the state gets the benefit of the resources we all collectively own that are beneath the ground.

I can assure the member and the house it is a robust and extensive process—in fact, it is so robust and extensive that to describe the entire process in just four minutes would not do it justice. However, comprehensive information about the process is available from my department's website.

In terms of timeframes, these depend on the complexities of each individual project. There is not a cookie-cutter development approval process. Every project is taken on its merits. Every project is different, every environmental impact is different, the topography is different, the land is different, and the existing use is different, so therefore we take each one on a case-by-case basis.

Prior to considering a mining lease application, proponents are required to submit an application that meets the minimum standards—considering potential impacts on the environment first and foremost—and describes the appropriate environmental outcomes that will be achieved. It is a requirement of the Mining Act that an application describes the results of community consultation and efforts to minimise the impacts and concerns raised as a result of the proposed project.

This process for gathering the required information, consulting with stakeholders, making a submission, and government assessing prior to the decision to grant by a government can take years. It can take as little as two years and up to 10 years, and it depends entirely on the complexity of the environmental approvals that are required and the resourcing capability of the proponent, which we take into account.

I note that AR3 are yet to make a mining lease application. Local members, by their democratic rights, are entitled to advocate on behalf of one industry or another, but I also think we should give people and the legislation that we have passed in this place through the Mining Act the benefit of the doubt to run through the regulatory processes before we make assumptions.

Having said that, despite all the approvals that every single mining company must go through to get a mining approval, the final approval rests with the executive and that is the minister. The parliament has deemed that this should be decided by an elected parliamentarian. I can delegate that authority to other people, but ultimately I can reach in at any time and use other considerations to approve or reject an application. That is what the parliament has entrusted me to do.

I will let my department do its independent assessment on the basis of the consultation and the processes that this company is required to do by law and regulation, it will be assessed thoroughly and independently, and once that is done a recommendation will be made and it will be assessed on its merits. I do ask the member to keep an open mind because mines equal jobs and jobs equal prosperity.

SOCIAL MEDIA REGULATION

Ms HUTCHESSON (Waite) (14:22): My question is to the Premier. Can the Premier update the house on social media reforms?

The Hon. P.B. MALINAUSKAS (Croydon—Premier) (14:22): I thank the member for Waite for her question. The member for Waite is as concerned as I think so many other parents around the country are about the impact that unregulated social media use is having on young people and the deleterious impact it is having on their health.

I am pleased to advise the house that on Friday of last week the Prime Minister convened a national cabinet meeting to discuss the social media reforms proposition that originated right here in the state of South Australia. Members of the house will recall that we initiated a policy in South Australia to introduce and implement a social media ban on children under the age of 16.

At the time we suggested that maybe the approach would be a total ban under 14 and allow parental permission for 14 year olds and 15 year olds, but nonetheless a social media restriction. That policy position, although it hasn't enjoyed universal support, had widespread support in the community and in large swathes of education experts, academia and the like.

We commissioned the French review, the French review made a bunch of recommendations and at that point—in fact, even before that point—we campaigned that this be a national reform rather than we see states adopting a hotchpotch or patchwork-quilt arrangement. I am very, very grateful that the Prime Minister has taken this up in support with the Leader of the Opposition federally—I acknowledge Peter Dutton's support of this reform, too—and now we have bipartisan agreement at the federal level, which is rare, for the social media reforms. National cabinet met last week and resolved that the social media ban should apply under the age of 16, and that should be a universal approach across the country.

So now we have national bipartisan agreement, at both the state and federal level, to implement world-leading legislation that will restrict social media service providers from providing accounts with the aim of addicting children under the age of 16. This is a big deal. This is a big deal, and a lot of parents care about it, and it started right here in South Australia.

I take this opportunity to again acknowledge the bipartisan support that exists. In fact, three days ago, or thereabouts, the Liberal Party of Australia itself put a meme up on Facebook saying:

> Government supports Coalition's plan to set an age limit of 16 for Australians to access social media.

The South Australian Liberal Party put that post up on Facebook, for which they are in a perfectly reasonable position to do so. But I have to say it was disheartening that on 11 November—so, yesterday—none other than Senator Alex Antic was at it again. He was at it again saying:

> Labor knows that the next generation of young people are being red pilled—

whatever that means—

> by social media and turning away from their bleak world view.

He goes on to say:

> Social media bans and 'misinformation' laws will ensure that young Australians only get a corporate left wing message bricking in a new generation of Labor voters.

What is it with this guy? What is it with your mate? What is it with the person that you put at the top of your ticket and allow, increasingly, to run your show? Not only is he opposing a position that you purportedly support, not only does he oppose a position that Peter Dutton supports, he somehow finds himself capable of opposing the position that every thoughtful parent across the country finds themselves willing to support. Shame on you! You should call it out but you are too gutless to do so.

VAILO ADELAIDE 500

Mr TELFER (Flinders) (14:27): My question is to the Treasurer. Will the government extend the VAILO Adelaide 500 sponsorship agreement? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mr TELFER: It was reported last week that Motor Sport's CEO Mark Warren was open to extending the contract. He said:

> At this stage, this is the third year and he's got a two year option to extend the contract. So we'll certainly be having those conversations.

The Hon. P.B. MALINAUSKAS (Croydon—Premier) (14:27): As the minister responsible for the Adelaide 500, I refer the shadow treasurer to my previous answer. There is a three-year agreement, and it concludes at the end of this year, as Mr Warren articulated in the media. There is an option for a two-year extension if both parties are happy to do so, and that will be assessed post this year's event.

VAILO ADELAIDE 500

Mr TELFER (Flinders) (14:27): My question is to the Treasurer. Does VAILO have any future obligations to pay money to the state under the Adelaide 500 sponsorship agreement and, if so, when do they arise?

The Hon. S.C. MULLIGHAN (Lee—Treasurer, Minister for Defence and Space Industries) (14:28): I don't have the details of the sponsorship agreement in front of me but I am happy to go back and look into that to provide some further advice to the house. But it's a bold line of questioning: in the week that we are having the by-election for Black, the Liberals are bringing up police raids—but there we go.

VAILO COMPANY FOUNDER

Mr TELFER (Flinders) (14:28): My question is to the Treasurer. Is the Treasurer aware of any small businesses in South Australia that are unpaid creditors of VAILO or any company connected to its founder?

The Hon. S.C. MULLIGHAN (Lee—Treasurer, Minister for Defence and Space Industries) (14:28): I am certainly aware of claims that have been made in the media but, as far as I am aware—and I will check this, of course—I haven't received any correspondence from anyone opposite about the matter, so I have had to rely on what I have heard in the media.

LIMESTONE COAST MINING

Mr McBRIDE (MacKillop) (14:29): My question is to the Minister for Energy and Mining. The department put out a YourSAy survey regarding energy and mining on the Limestone Coast earlier this year. The survey closed on 8 July. When will the report be made public?

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Infrastructure and Transport, Minister for Energy and Mining) (14:29): Thank you for the question, member for MacKillop, and thank you for your interest. The survey did close on 8 July. We are considering the results of that survey, and I do undertake in this house today to release those survey results before the end of the year.

It is important that the views of people on the Limestone Coast are well ventilated, that their views are known and made public. I think they would be very keen to see what the results of that survey are as well—I certainly am.

When you do these surveys it is always interesting, because you hear a lot of anecdotal evidence about what people are actually thinking. It is fascinating to have people stereotyped: because you are from a certain region you might be pro this or anti that, or whatever it might be, but in the confines of an online survey, where people can give confidential answers which are then assessed and obviously released, it is an important tool for the government to use in policy-making.

Personally, I will be interested to see what the results are, but I think all of us, as political leaders, have a responsibility to speak truth to power, and that truth to power was to our bosses, our voters and our constituents, to talk about the benefits of agriculture, the benefits of entrepreneurship, the benefits of mining, the benefits of energy security for our state, the benefits of education, and all other aspects of government life in people's communities.

This survey will be fascinating in understanding exactly what is going on in the Limestone Coast about energy. I do think it is important, and I would like to brief the local MPs before its release, so I undertake to do that. I think that is appropriate, and I undertake to brief the MPs of the Limestone Coast first. I also undertake to release it before the end of the year, because it is important that you be well informed so that you can talk to your communities about that. Then we can get on with the business of making sure this country and this state is energy independent.

FIELD RIVER CONSERVATION PARK

Ms THOMPSON (Davenport) (14:31): My question is to the Deputy Premier. Can the Deputy Premier inform the house about South Australia's newest conservation park?

The Hon. S.E. CLOSE (Port Adelaide—Deputy Premier, Minister for Industry, Innovation and Science, Minister for Climate, Environment and Water, Minister for Workforce and Population Strategy) (14:32): I am delighted to bring the house up to date with the establishment, the proclamation, of the Field River Conservation Park—long overdue but finally here. While it is in an adjoining electorate to that of the member for Davenport, I would like to say how grateful I am for her efforts not only with advocating for the Field River area but also, of course, for her outstanding representation for Glenthorne National Park and all the good things that are happening there.

I would like to give a little bit of background about the Field River Conservation Park. For those who have not been able to go down there, it is a river that comes down from the Mount Lofty Ranges—as, of course, do all the rivers in Adelaide. It goes through the suburbs of Reynella, Sheidow Park, Trott Park, Happy Valley and Woodcroft, and then it goes out to sea at Hallett Cove. The great thing about this river area is that it has a lot of pretty intact vegetation, as well as some that needs some management, but it is an area that has been able to preserve a number of important species.

For that reason the community has been asking, for years, for this to be turned into a park, and I am so pleased that we have finally been able to do that in this term of government. I am not sure what held up the last term of government, given the advocacy of the local member who was also the Minister for the Environment, but here we are now. We have been able to make the decision at last to do this.

The species we are looking at in this area, which will have that conservation park status around it, are the threatened yellow-tailed black cockatoos, fish like common galaxias, dwarf flathead, gudgeon and also congoli. Importantly, there are remnants of grey box grassy woodland which, as anyone who has been paying attention to the environment through the Mount Lofty Ranges will know, is an extraordinarily important piece of vegetation—and we do not have anywhere near enough of it to keep the environment healthy.

The area has great conservation values. It also has a community that has been wanting to see this level of protection for some time. What is really excellent is that there has been able to be so much money, in cash and in kind, put to establishing this conservation park. It is about $13 million, with significant amounts from the federal government; I would like to acknowledge Amanda Rishworth's efforts in advocating for this area.

There is a $4 million grant that was allocated under the Albanese government's Disaster Ready Fund, being that which we do to try to head off disasters, obviously, rather than the recovery fund. That money will go to the Kaurna Firesticks team. The Kaurna Firesticks team are all about going into the conservation areas, in this case Field River, to assist with the kind of fuel reduction burning that is consistent with cultural practices, sometimes known as a cold burn or a cool burn, which is able to reduce the load without doing environmental harm and also, of course, brings great cultural significance to the Kaurna people.

I am very pleased to know that there will also be an Aboriginal works team working in the area on weed control and carbon sequestration opportunities and also with the delivery of a prescribed burn program. I was in the south a year ago, I think, around the Aldinga Washpool area and had the opportunity to hear Kaurna elders thanking the community for continuing to care for their local environment, even when they as Kaurna had been alienated from that area. It is wonderful to be able to welcome them back as part of this important initiative in the south of Adelaide.

VAILO COMPANY FOUNDER

Mr TELFER (Flinders) (14:36): My question is to the Treasurer. What does the Treasurer say to small business owner Matt Kowald? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mr TELFER: Mr Kowald reportedly is waiting on payment of over $30,000 from VAILO for a scoreboard his company installed in May. He said on FIVEaa radio yesterday that: 'We have to put loads of things on hold and watch where you are spending and obviously we've had to pay all of our workers all their entitlements, super, all the people who went into this project, crane companies, everything. To not get it back to then pay all those people, it comes straight out of your bottom line. Our pockets are empty now.'

The Hon. S.C. MULLIGHAN (Lee—Treasurer, Minister for Defence and Space Industries) (14:36): It is the same message I send to all small businesses, consistent with the position that this government has taken and the changes that we have made since coming into government, and that is that when invoices fall due, regardless of circumstances, they should be paid. In fact, since we have come into government, we have changed the provisions that were put in place under the previous Labor government, which not only required that government invoices be paid within 30 days but also ensured that there was interest chargeable by people who were owed money by the government to small businesses when they were not being paid.

In fact, we have changed that now to 15 business days, so we don't just talk the talk: we walk the walk. I appreciate the shadow treasurer's interest in this matter, raising questions about the Adelaide 500. He is an assiduous shadow, because so concerned is he that he is going to go and personally research the issue himself, accepting free tickets to the race over the weekend. We look forward to seeing him there. He feels so passionately about the issue he is prepared to stand by his principles and go and investigate it himself, and I think that is a really positive thing for the shadow treasurer.

VAILO COMPANY FOUNDER

Mr TELFER (Flinders) (14:38): I appreciate the compliment. My question is to the Treasurer. What does the Treasurer say to the viticultural business Group Logistics Pty Ltd? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mr TELFER: Group Logistics is reportedly waiting on a payment of a $214,370 invoice from a company connected to the VAILO founder.

The Hon. S.C. MULLIGHAN (Lee—Treasurer, Minister for Defence and Space Industries) (14:38): I repeat my answer from the previous question, and that is: small businesses, when they have issued an invoice that needs to be paid, should expect it to be paid, regardless of the circumstances. We reiterate that when small businesses issue invoices for goods or services that have been provided, of course they should be paid according to the terms of those invoices.

I have seen those same media reports and it's always a concern for any member of the community but particularly for members on this side of the chamber when we see media reports of this not being done. I hope that they are able to pursue those matters and have those matters rectified. But again, it's pretty rich of those opposite to be accepting huge donations from Chinese investors who don't pay their workers properly and then come into this place and complain about the return of the Adelaide 500 while accepting free tickets to the same race.

Members interjecting:

The SPEAKER: Members on my left! The member for Hammond can leave the chamber for the rest of question time.

The honourable member for Hammond having withdrawn from the chamber:

VAILO ADELAIDE 500

Mr TELFER (Flinders) (14:40): My question is to the Treasurer. Has VAILO or its founder paid for any corporate hospitality at the Adelaide 500 this week and, if so, when were those payments made and how much?

The Hon. S.C. MULLIGHAN (Lee—Treasurer, Minister for Defence and Space Industries) (14:40): I would have to look into that because there are many businesses in South Australia that realise that it is a significant opportunity for them to promote their businesses and also to entertain those with whom they do business by taking out corporate hospitality suites.

As those opposite might imagine, the government doesn't necessarily have a running tally on which corporate facilities are being hosted by which of course we are aware that, for example, media outlets in South Australia have those facilities, the broadcasters have those facilities and prominent businesses here in South Australia have those facilities. But perhaps when the shadow treasurer is walking through with the benefit of his tickets that he has received for the weekend, he can investigate the matter personally himself.

Parliamentary Procedure

VISITORS

The SPEAKER: Before I call the member for Narungga, I would like to welcome to parliament today former Deputy Premier Graham Ingerson—Ingo, looking good, always great to have you in here—and his guests who are from the Adelaide Workers' Homes.

Question Time

YORKETOWN HOSPITAL

Mr ELLIS (Narungga) (14:41): My question is to the Minister for Health. When will colonoscopy services recommence at Yorketown Hospital? With your leave and that of the house, Mr Speaker, I will explain.

Leave granted.

Mr ELLIS: Colonoscopy services at Yorketown Hospital were suspended on 1 October, with the Yorke and Northern Local Health Network reporting at the time that it was due to a lack of equipment and hoping that suspension would only last for one month.

The Hon. C.J. PICTON (Kaurna—Minister for Health and Wellbeing) (14:42): I thank the member for Narungga for his question. As the member said, there are colonoscopy services that are provided at the Yorketown Hospital. I am advised that a surgeon visits once every month and on average every year 85 operations take place there.

A couple of years ago there were some upgrades to the theatre and associated suite at Yorketown Hospital. I am advised that at that time under the previous government there was no funding made available for new equipment at the Yorketown Hospital for those colonoscopy operations to take place. That equipment has now reached the end of life and we have had to replace that equipment. They have been working through SA Health and the team who look after biomedical equipment to obtain other equipment. Some of that has arrived at Yorketown already I am advised and some will be there shortly.

The advice that I have is that we are expecting, following the usual Christmas-new year break for those procedures, they will be back up and running in February next year and people in the Yorketown area will be able to utilise those services as expected in February next year. There are currently, I am advised, five people on the waiting list and the Yorke and Northern Local Health Network is making appropriate arrangements to make sure that they can be provided their scope elsewhere up until the time that those services are up and running in February next year with equipment that is fit for purpose to enable that to occur safely.

FLINDERS MEDICAL CENTRE EXPANSION

Ms CLANCY (Elder) (14:43): My question is also to the Minister for Health and Wellbeing. Can the minister please update the house on the state government's investments in health infrastructure and services in the southern suburbs?

The Hon. C.J. PICTON (Kaurna—Minister for Health and Wellbeing) (14:43): I thank the member for Elder for her question and for her commitment to health services in the southern suburbs in particular. Right across the southern suburbs we are investing in building a bigger health system. Nothing has highlighted that more so than what we announced, the Premier and I, at Flinders Medical Centre this morning, which is construction of the major works undertaking outside of Flinders Medical Centre of a brand-new tower block to be built. The biggest expansion of Flinders Medical Centre ever is now underway.

That work will include 98 additional beds within that seven-storey tower. This will be a tower that members of the public will be able to see for many, many kilometres around as it is being constructed over the next few years, giving additional capacity that we know is desperately needed in our healthcare system.

So 98 extra beds are going into that seven-storey tower. It includes two 32-bed adult inpatient units, an 18 same-day bed medical day unit and a 16-bed expansion of our ICU capacity as well. It also will have four new operating theatres, which is very important to make sure people can get the elective surgery operations they need but also increasing the load of emergency surgery that Flinders Medical Centre provides. Of course, it includes a new CT scanner suite as well as a whole new floor dedicated to a new eye clinic. We know many people in the southern suburbs need that care for cataracts or other eye conditions. They are going to have a dedicated new eye clinic available to provide those services. This is a $498 million investment in Flinders but also in the Repat as well. We are partnering with the Albanese federal government and thank them for their contribution to this project as well.

Of course, this is just one of the investments that we are making across health in the southern suburbs. Already this year we have opened 64 extra beds across the south. That includes beds that we have built at the Repat. It includes beds that we have fast-tracked inside Flinders Medical Centre, where we kicked out admin space and have converted that to a ward area. It also includes beds that we have fast-tracked at Noarlunga Hospital as well.

Down at Noarlunga, we have seen the biggest expansion to Noarlunga Hospital as well. If people drive around the back of that hospital, they will see that huge construction underway there at the moment, which will deliver 48 extra beds at Noarlunga, which is going to open next year—a mix of inpatient beds and mental health beds to make sure that we can meet that growing demand in the outer southern suburbs, reduce the demand on Flinders Medical Centre as well and, ultimately, make sure that people can get faster care right the way through the system.

We also made an announcement just last week. I was joined by the members for Elder and Gibson and also by Alex Dighton, the Labor candidate for Black, announcing the new Marion ambulance station, which will be constructed on the same site there. We have already put additional ambulance officers into Marion, into our new station that we opened recently with the member for Elder in Edwardstown on the Repat site. Marion will soon have a new station of its own. That will be built on the existing site, providing facilities that our ambos need to meet the demands of people across the southern suburbs as well.

Last but not least, we also know that providing primary care services is critically important as well. We are obviously working with the federal government on their Medicare Urgent Care Clinics, but we have been working on our own in terms of 24-hour pharmacies. We already have one of those underway in the member for Elder's electorate in Clovelly Park. That has been very well utilised by the community. Because of the success of that, we will soon start the procurement process for a new one of those, based in the Hallett Cove, Sheidow Park, Trott Park area as well, so more people can get access to those health services 24 hours a day.

VAILO ADELAIDE 500

Mr TELFER (Flinders) (14:48): My question is to the Treasurer. What is the total cost of the state dinner for the VAILO 500 this Friday night, and what is the sponsor's contribution to that cost?

The Hon. P.B. MALINAUSKAS (Croydon—Premier) (14:48): The dinner on the Friday night is a state dinner and has all the usual costs associated with state dinners—which are happening far less frequently since the change of government.

VAILO ADELAIDE 500

Mr TELFER (Flinders) (14:48): My question is to the Treasurer. Has the government paid any costs connected with celebrity influencers attending the Adelaide 500?

The Hon. A. Koutsantonis: You're coming!

The Hon. S.C. MULLIGHAN (Lee—Treasurer, Minister for Defence and Space Industries) (14:48): That's right. We have had the best, and now we are trying the rest. I think that is the message when it comes to the state dinner. Again, I find the tactic remarkable from those opposite, where they can accept over $400,000 in donations from a so-called Chinese mining magnate who did not pay workers properly, but then they come into this place and complain about the Adelaide 500 in an effort to talk down the event yet again. Even today in question time, we had the Leader of the Opposition complaining about Cold Chisel playing on the Sunday at the event—complaining about Cold Chisel!

Members interjecting:

The SPEAKER: Treasurer! Members on my right! The member for Newland, you are on your final warning. The deputy leader.

The Hon. J.A.W. GARDNER: Standing order 98, the question was fairly straightforward about whether influencers were being paid to attend.

The SPEAKER: The Treasurer, maybe if you can come back to—

The Hon. S.C. MULLIGHAN: I am, Mr Speaker. I am talking about the paid entertainment of the Adelaide 500, Mr Speaker, that is exactly what I am talking about. Last year we had Robbie Williams and the Leader of the Opposition professes to be a big fan of Robbie Williams, but he has just called out across the chamber that he wants Oasis. We go for Robbie Williams whose hits include *Party Like A Russian*, and *Candy*, and *Come Undone*—how apt for the state Liberal Party—and now he wants Oasis, who used to party pretty hard in the 1990s. I think we are picking up a theme here from the state Liberals, Mr Speaker.

GERANIUM PRIMARY SCHOOL SITE

Mr McBRIDE (MacKillop) (14:50): My question is to the Minister for Education. Can the minister update the house on the disposal of the Geranium Primary School? With your leave, Mr Speaker, and that of the house, I will explain.

Leave granted.

Mr McBRIDE: The Geranium Primary School officially closed last year following a decline in enrolments.

The Hon. B.I. BOYER (Wright—Minister for Education, Training and Skills) (14:51): I thank the member for MacKillop for this important question and I am happy to provide him and this place with an update on the disposal of that site. For those not familiar with Geranium Primary School, it was, in its day, a very large regional primary school. In fact, there were 247 pupils at Geranium Primary School I think back in 1965, so in its day it was what you would probably describe as one of our biggest country primary schools.

Unfortunately, as the population of the town dwindled, those enrolments dwindled as well, and the department made the decision—after a committee that was established in November 2022

to do a review into whether or not the school would continue—that, because there were no students enrolled or attending the school as at term 3 of that year, unfortunately the school would close.

I want to thank the member for MacKillop and the member for Hammond who both accepted my invitation to be on that committee as local members who have, of course, a really strong interest in that area and in regional schools in the parts of the state that they represent in this place for being a part of it. I know those committees are not easy. It is a very difficult decision to make to close any school even if it is one that no longer has any students.

But I am very pleased that we have made some progress, thanks in no small part due to the advocacy of the member for MacKillop, and those other members I mentioned as well, around trying to do what we could to preserve the site for community use. We know that in regional parts of our state particularly, more so than metropolitan areas, schools play a really important role over and above often just the education of the young people who live in that area. They are true community assets and, in the case of Geranium, there was a gymnasium and a swimming pool as well which are, of course, really important assets for the local community and not things that they had anywhere else nearby.

One of the saddest things, I think, about the decision that we took here in the end to close the school was that we are dealing on almost a daily basis with trying to make sure we upgrade our existing school infrastructure stock, refurbish it, fix it, maintain it, build new stock often at sites where they might have been used a bit beyond their original use-by date, but Geranium is actually in fantastic condition and a really good site.

Unfortunately, there are no students to go there, which is a great shame, but we have done some great work through the advocacy of the member for MacKillop and I must say the Department for Education led by Ben Temperly, who has had to take on something here which the department has not really done before, which is looking at actually disposing of the site and providing it to a community group so that they can continue the stewardship or maintenance of the site so that the community at large can continue to use that space. We are talking about some really important local—not just assets, but things like playgroups, the gymnasium, the swimming pool, a library and a play cafe, all things which are really important to the Geranium community which they would not have had we disposed of this site and sold it in the normal way.

I am very pleased to inform the member for MacKillop, and I thank him for his advocacy, that the formal transfer of the site will be completed by 31 January next year, which is fantastic news. It means it will go to the local community to be used as that hub, and those fantastic assets there, that have been built with South Australian taxpayer dollars over the years, will continue to be available for people who live in that part of our state for many years to come.

POWER PRICES

Mr PATTERSON (Morphett) (14:55): My question is to the Premier. What actions, if any, is the Premier taking to assist South Australians struggling to pay their power bills? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mr PATTERSON: The Australian Energy Regulator's 'State of the energy market 2024' report shows that South Australia has the highest average energy debt for residential customers in the country at $1,379, the highest of any state.

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Infrastructure and Transport, Minister for Energy and Mining) (14:55): Perhaps the member should have looked at the most recent AER report that was released about wholesale prices dropping dramatically in South Australia.

Members interjecting:

The Hon. A. KOUTSANTONIS: What is funny about that? If it's not true, get up and move the appropriate motion. I am standing in this house saying it is true. And I have got to say the member for Morphett, who takes glee in power prices going up across the country and globally, is appalling.

Look at the smile on his face. He thinks this is hilarious. It is not funny. People paying higher power prices is not funny.

Mr Patterson: No smiles. You're making it up again like usual. Making it up and trying to blame others.

The Hon. A. KOUTSANTONIS: I have to say it is fascinating to hear a person who has no solutions and only complaints, talk about what is going on in the electricity market. The truth is, as the member knows—

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

The SPEAKER: Minister, please resume your seat. The deputy leader.

The Hon. J.A.W. GARDNER: Standing Order 98, sir: when the minister goes personal it is no longer relevant to the question.

The SPEAKER: We are getting close to the end of question time. If the minister can just stick with the facts and answer the question.

The Hon. A. KOUTSANTONIS: Thank you very much, Mr Speaker. It is fair to say that I am pretty pleased that the government is focused on doing all we can to lower power prices. It is fair to say first, by starting out, that this is not a South Australian issue, this is a national issue that is occurring across the country. New South Wales, in the AER's most recent report, has shown a higher unit price for electricity in that state. Wholesale power prices there are higher than they are here, and it is problematic across the entire electricity market.

Prices are coming down in South Australia. We have recorded one of the biggest drops, but there is more to be done and the reason there is more to be done is because power prices in this country are set by the person who dispatches the last electron. The truth is, while gas prices are elevated and coal prices are elevated because of what is happening in Europe and what is happening in Asia, what we are seeing is elevated prices, and were it not for the interventions of the commonwealth government those prices could be even higher.

The member opposite knows this. He knows that electricity prices are coming down and wholesale prices are coming down. He knows that renewables put downward pressure on power prices. He knows that it is gas that is setting the price for electricity in this state and it is gas prices that are going up, and that is the reason why power prices are elevated across the entire country. So rather than complaints, how about there be an alternative policy we can debate. How about less than just over a year away from the next election, in the Parliament of South Australia we have a debate of ideas. We know what we want to do. We want to lower wholesale power prices and that will lead eventually to lower retail prices, because wholesale power prices dropping leads to a reduction in retail prices.

There are a number of factors in South Australia that are hard to overcome. One of them is the number of customers per line of transmission across the state and the distribution lines. We have one of the longest and skinniest grids anywhere in the world with the fewest customers on it. It makes up nearly half of our bill. Members opposite forced South Australians, and the people of New South Wales, to pay an extra $2.6 billion, or more, I think, to put up a brand-new interconnector that is still not operational.

Members opposite, who put all their hope into an extension cord into New South Wales, took their hands off the levers and were not in charge in the energy transition. We are making sure that new renewables are built in this state that will have a lower impact on prices by dropping prices here in this state.

The Hon. V.A. Tarzia interjecting:

The Hon. A. KOUTSANTONIS: Where's the what?

The Hon. V.A. Tarzia: Where's that pledge card?

The Hon. A. KOUTSANTONIS: The member opposite asked where's our pledge card. The Premier was criticised by members opposite during the election campaign for saying 'Beware of

politicians who get up and promise they can lower power prices', because members opposite promised $301 and they didn't do it, they weren't able to achieve it, and such was their humiliation, their energy minister lost his seat.

MINISTER FOR CHILD PROTECTION, NEW ZEALAND VISIT

Ms SAVVAS (Newland) (15:00): My question is to the Minister for Child Protection. Can the minister inform the house of her recent visit to New Zealand?

The Hon. K.A. HILDYARD (Reynell—Minister for Child Protection, Minister for Women and the Prevention of Domestic, Family and Sexual Violence, Minister for Recreation, Sport and Racing) (15:00): Thank you very much to the member for her question and for her really strong interest in the child protection and family support system and the improvements that we are making in the lives of children and young people.

I am really pleased to inform the house of my recent visit to New Zealand, which came at a pivotal time for our government as we continue to grow our family group conferencing offering and embark on the development of the first social worker registration scheme here in Australia.

Across the two days in New Zealand I held meetings and conversations with ministers, department officials, non-government organisations and community-controlled organisations across the many areas of their child protection and family support system. We were informed about and enabled to deeply consider their positive advancements in aligning government, community and sector effort to make lasting and impactful improvements in the lives of children and young people and their families.

The New Zealand family group conferencing model has been in place for over 20 years and South Australia's program is based on this model. As I have spoken about in this place before, our government has rightly invested more than $13 million into family group conferencing because we know that it works. The results here in South Australia are making a profound difference in the lives of children and young people. The learnings provided from another jurisdiction that has taken the path to expand family group conferencing offerings were crucial to ensure we are on the right path and learn how the government, the sector and particularly the extraordinary Maori-led organisations were aligned in their delivery of this important program.

Maori-led organisations are leading the way in this area, which, as we all know from our own experiences, is really important to ensure children are connected to culture, family, country and community. We held really important conversations with the Ministry for Children and the Chief Social Worker regarding our shared priorities and challenges across the two systems and how their Child and Youth Wellbeing Strategy is helping to drive change in the outcomes for children in New Zealand with their overarching vision that New Zealand be the best place in the world for children and young people, an ambition we of course hope to share and advance for our state.

A key element of my trip was meeting with the team responsible for the Social Worker Registration scheme, a scheme in place there since 2002. It was really helpful to learn from the team what has worked well in their rollout of mandatory registration and the challenges that they have faced, as well as meeting with independent statutory oversight bodies who advocate and provide advice to government for and with children. It was really important to me to ensure I met with those in the system who work with families every single day.

I held a lengthy discussion with organisations that provide services to families subject to a notification of concern. It was a privilege to sit and talk with these outstanding workers about how families navigate the system with the department walking alongside community organisations to ensure that families are supported to stay together. I am really grateful to the many people and organisations who gave us time and shared their wisdom. It helped to renew and cement our absolute determination to continue to drive change in the system and we were encouraged that our reforms are on the right path. I offer gratitude to all who took time to share their experiences with us and those who wholeheartedly encouraged our government in our endeavours, particularly those Maori community members.

POWER PRICES

Mr PATTERSON (Morphett) (15:04): My question is to the Premier. What actions, if any, is the Premier taking to support South Australians who cannot afford to pay their gas and electricity bills? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mr PATTERSON: The Australian Energy Regulator's 'State of the energy market 2024' report shows that the proportion of gas and electricity customers on hardship programs in South Australia has risen to 1.9 per cent and 2.4 per cent, respectively—the highest in the country.

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Infrastructure and Transport, Minister for Energy and Mining) (15:05): We have safeguards in place to make sure that people can get access to the rebates that the Treasurer has offered in the most recent budgets for people who are most impacted by this. But I do find it a little bit galling to have members of the opposition who have actively campaigned against the gas industry and have actively locked up vast areas of this state from fracture stimulation then complain about the price of gas. Think of the hypocrisy of that.

The Hon. V.A. Tarzia: You haven't reversed it.

The Hon. A. KOUTSANTONIS: That's our fault? It was our fault?

Members interjecting:

The Hon. A. KOUTSANTONIS: Fake news. Whenever you hear a politician say 'fake news', you know they have lost the argument. The argument, what he is actually saying—other than interjecting because he has nothing else to say—is, 'Yeah, my political party opposed gas extraction, but hey, don't blame us for higher gas prices.'

The Hon. J.A.W. Gardner: What are you doing about it?

The Hon. A. KOUTSANTONIS: Here we go: what are we doing about their actions? I have to say, no government in South Australia, no government in Australia, has done more to try to gain energy independence for our state than the Australian Labor Party in this state. We are doing all we can, despite the opposition of members opposite. I would have thought the shadow energy minister, who wants to be the mining minister one day, might actually school his colleagues on the importance of gas extraction and what it does to people's bills in their homes.

The SPEAKER: I would have thrown someone out until the end of question time, but given that judging by the clock question time had already ended it was fairly pointless.

Grievance Debate

POWER PRICES

Mr PATTERSON (Morphett) (15:06): More cost-of-living pain is on the way for South Australian households and businesses, with the Australian Energy Regulator revealing South Australia's wholesale prices are again the highest in the nation—in fact, 40 per cent higher than in any other state. The quarterly average wholesale power for the months July to September jumped by 35 per cent. Despite what the minister said in question time today, wholesale prices are up by 35 per cent compared with quarter 2 this year.

Of course, wholesale power prices play a big role in terms of household power bills. The AER's wholesale quarterly report has shown that the average price for electricity per megawatt hour in the third quarter of this year in South Australia was $201, the highest in the nation. In fact, that figure is 76 per cent up on this time last year when the same report came out that showed, again, South Australia had the highest wholesale prices in the nation.

South Australian families are going backwards. They have already had to deal with the highest power prices recorded by ESCOSA, which showed that average household retail power bills are up 44 per cent while this government has been in power. They are up to $2,621 per year. These record prices were for the period from July 2023 to June 2024, so news that the wholesale power

price has increased in South Australia by another 35 per cent between July and September will send shockwaves through South Australians.

The Malinauskas Labor government has no plan to ensure electricity is affordable and reliable here in South Australia, and families and businesses are being overwhelmed. Instead of focusing on plans to bring down power bills, we know that the Malinauskas Labor government is on track to spend $700 million on their hydrogen plans, which they have admitted will not reduce power bills for South Australian households.

We have recently learned that the Premier's signature hydrogen project is in disarray after it was revealed by the opposition that the government has put out a tender to truck in massive amounts of gas for up to two years. How much gas? The tender asks for four hours of gas per day, 7.2 terajoules, with an annual supply of 1,100 terajoules of gas to the Labor government's expensive hydrogen plant.

What is worse is that rather than supply our gas through reliable pipelines, it is going to have to be trucked in by a fleet of diesel-powered B-double trucks from another location. The government is refusing to reveal how many B-double trucks will be required. Depending on their capacity, it could be 30 trucks, it could be 50 trucks—who knows—it could be 100 B-double trucks a day coming along. It is absolutely shocking.

South Australians were never promised this, and this government is now having to rewrite history. It started out saying it is going to run on 100 per cent hydrogen 'but we might need a little bit of gas just to start it'—but now they need four hours of gas a day. The back-pedalling and the cover-up for this hydrogen hoax has just begun. Now they have said, 'We will also need it for commissioning and we will need it as backup.' It is clear that the government would not contract this amount of gas—1,100 terajoules a year—if they were confident in both the timing of the electrolyser coming online and also the amount of hydrogen that can be produced.

The fact that the Labor government is seeking up to two years' worth of gas supply surely means there is a delay in the procurement of these electrolysers. It also begs the question: how long are these delays going to take? How much will costs blow out? It really speaks to their lack of confidence in being able to produce the required amount of hydrogen to power these turbines within the first two years.

We know worldwide that the cost of electrolysers has increased significantly since Labor's hydrogen policy was announced in 2021. Just last month, we saw Origin Energy abandon its hydrogen venture in the Hunter Valley shortly after Fortescue had done theirs. That is because the economics of clean hydrogen projects increasingly fail to stack up.

South Australian families and small businesses are paying the highest power bills on record, and now the AER has revealed our wholesale power prices have surged by 35 per cent, despite what the minister said in question time today. The Premier has promised a green hydrogen plant, but instead South Australians are going to be getting gas-powered turbines propped up by a fleet of diesel-fuelled B-double trucks. It is no wonder that South Australians are paying the highest power prices in the nation.

REMEMBRANCE DAY

Mrs PEARCE (King) (15:11): Yesterday, at 11am, we paused for a moment of silence in honour of the brave Australians who have served our country throughout its military and peacekeeping history, with 103,000 Australians having made the ultimate sacrifice to protect our freedoms, while countless others carry the lasting impacts of their service. The Tea Tree Gully RSL hosted another lovely commemoration, and I would really like to thank Mal, Michael, Wayne and the team from the RSL, who are putting in countless hours each and every year to be able to bring our community together on this very special day.

A massive thank you also to the Tea Tree Gully Redbacks and the Salvation Army for their contribution to the service. I would also like to make special note of another very special ceremony that I attended yesterday to commemorate an important occasion hosted by the OnePlus Community. It was hosted by Pedare and the commemoration was a very first for our local community, which actually brought together students of all ages, I understand from year 5s all the

way up: from Pedare, from Gleeson and from Golden Grove—all coming together for this very important occasion.

It was truly special to see the efforts put in by those coordinating such an effort with the aim of ensuring that the sacrifices that have been made over the years, as well as the lessons that have been learnt, will continue to be understood by the next generation. I would really like to thank all the students, the teachers, the leadership team and the volunteers for helping to bring this monumental effort together.

I would also like to make special note of a beautiful service that was hosted by the Salisbury RSL, which this year was a particularly solemn event as the community paused to reflect and pay their respects to Robert (Hec) Howard, who was the President of the Salisbury RSL who unfortunately and sadly passed away a little earlier this year. Rob's devotion and care to both members of the RSL and those within our wider community was absolutely second to none, so much so that he will be remembered for three things: faith, service and family.

Rob loved the community he lived in. He was proud to be a man of the north, and was known as someone who would often be the first to put a hand out if someone needed help. He worked hard to rejuvenate the relationship between Salisbury RSL, the RAAF and the Air Force Association (SA) because he believed that would help ensure the best supports were available for those who served and those who continue to serve. He was also a major player in the commemorations and Air Force Centenary activities back in 2019 that were hosted in the northern suburbs.

His volunteering did not end with the RSL, and he was also extremely heavily involved in Northern Volunteering SA. Rob was not a man who did what he did for glory or attention, but I really do believe it is important to shine a light on those who go above and beyond for their local community, and I am really pleased that Salisbury RSL was able to shine a light on Rob this Remembrance Day.

I would also like to take a moment to thank the volunteers who were out in our community last weekend in the lead up to Remembrance Day. I had the pleasure of supporting and lending a hand to the Vietnam Veterans Association as well as to the Tea Tree Gully RSL. It was pleasing to see the efforts the Vietnam Veterans Association made in ensuring that a wide variety of conflicts and peacekeeping missions were reflected and honoured within our local community. I know this takes a lot of hard work and a lot of effort, but they certainly made it look seamless and I thank them for all they have done in that space.

It was also wonderful to catch up with Jim from the Tea Tree Gully RSL, who is doing absolutely amazing work at ensuring older veterans in our community remain connected to one another. When you do not have many supports or family around you it is very easy to become isolated, and we know that is not good for one's wellbeing or health. Jim goes above and beyond to connect to veterans in different aged care facilities to bring them out once a month to connect with one another, have a bit of a chat, and some afternoon tea. I know it is something these veterans really look forward to, and I see firsthand the benefit it provides. It is something completely voluntary that Jim has created on his own, and I really thank him for those efforts and look forward to seeing him again shortly.

COUNTRY SHOWS

Mr TEAGUE (Heysen) (15:16): I rise to report to the house the recent conclusion of the three key show events held during this spring, which started off with the Meadows Country Fair. As members will well know—because I come back frequently to report on progress—the Meadows Country Fair is famous for the milking competition, known as 'the udder tug'. That happens around lunchtime, and it starts with the experts on show—and there are some serious experts who know their thing when it comes to the udder tug. That is followed by the skulduggery that is the 'celebrity udder tug'. I was back in the frame for 2024 with a title to defend.

I look back now at the recent history of the celebrity udder tug at the Meadows Country Fair with some pride, and look to share the title around each year—not every year, but I go back and give it a red hot go. This year I am pleased to report that I did not get kicked and I did not have the milk tipped over and, with a bit of advice along the way, managed to come in an honourable second in

circumstances where the winners were a team from 5MU—I think the less said about that the better, but there is probably an ongoing inquiry into the bona fides of that outcome.

In all seriousness, the Meadows Country Fair is a famous event for Meadows and its surrounds, and it has been for a very long time for the reason that it reflects the spirit and commitment of the local community, the Meadows Community Association, and so many people in the area who keep fronting up year-on-year as volunteers to make sure that the show is brought on in Meadows. I salute them.

This year I want to single some out—and I hope I can do so with a maximum level of embarrassment to them—because with all the risks in modern life there is always a question: 'The insurance might be complicated,' 'Getting the cows to the show will be a bit hard,' 'Maybe we'll just have to move on to some sort of modern era.' It was actually hard to source the milking cows.

Glen and Belinda Schutz answered the call. Glen and Belinda met at the Meadows Country Fair years ago. They now have a dairy at Two Wells. They drove cows down from the Two Wells Bellview Jersey Stud. They provided those cows, which meant the udder tug could go on. You will never find more wonderful people. So we had another great day at the Meadows Country Fair, thanks in no small measure to them.

That was followed by the famous Uraidla Show. The Uraidla Show is an occasion that runs literally from dawn until midnight with all manner of local events going on, including of course lots of apple products, from juice to the real deal. They host a very good lunch in the middle of that. They are going from strength to strength at the Uraidla Show. That was tremendous and very well attended.

To round out the trifecta in Heysen, it is a salute to the Stirling Rotary folks, who this year ran for the second time the Hills Small Acreage Field Days at Echunga over two days, Saturday and Sunday of last weekend. After the first of the field days that was run two years ago, it is bigger and better this year and now aided by another six Rotary clubs from around the district, who all got together and helped to volunteer to make sure that everything ran smoothly. I have a special point of recognition for Greg Russell, as all of the Stirling Rotary people are quick to do.

The field days were characterised by seminars from experts, such as Emeritus Professor David Paton, about the need to make sure we know how to control kangaroos through the Hills, all the way through to the sort of machinery you might need if you have a small acreage, garden support and advice. We were there and very glad to see everyone from near and far coming along to the field days. So it has been a great spring in Heysen for the shows, and thanks to all who make them come to life each and every year.

The SPEAKER: Congratulations on your second place at the Meadows show in the milking competition. 5MU: Five Milking Udders, really. That is where it got its name. I reckon you would have come first if you had milked the cow like you milk the clock in here with some of those speeches that you do at night. Are we done with the dairy gags now? Well done, member for Heysen.

TEACHERS

Ms O'HANLON (Dunstan) (15:22): As we come to the end of another school year, it is an honour to stand in this place today to speak in celebration of the extraordinary contribution of the teachers in our communities. Being a mother of four children, the third of which is now just a year from finishing his schooling and the fourth of which is about to finish her primary years, I feel well placed to speak to the extraordinary importance of teachers and the roles they play in educating our children not just in literacy and numeracy but in how to be learners and thinkers and how to be good citizens and community members.

Teachers play a pivotal role in helping to shape our children's futures. They teach them to be studious and, crucially in this day and age, how to find and evaluate information. They teach them how to share and be good sports not just when they lose but, importantly, also when they win. My electorate has many schools, both public and private, such as East Adelaide, Norwood primary and Trinity Gardens schools, Prince Alfred College and St Peter's College and, just outside my electorate but for which the catchment is largely in my electorate, the outstanding Marryatville High School.

I have had the pleasure of meeting many of the wonderful teachers from these schools in my time as the member for Dunstan, and I extend my heartfelt gratitude to all of them for their dedication and commitment to our children, which does not go unnoticed. Teaching is not just a job: it is a vocation. Teachers work long hours, often taking home work. They go above and beyond to create engaging learning environments. Teachers face many challenges, be it adapting to new technologies, addressing the varied needs of students and work-life balance.

Despite this, teachers continuously seek to improve their skills and methodologies, demonstrating a dedication to the lifelong learning they encourage in their students. Teachers share their passions with their students, and their love for teaching shines through in their lessons, their interactions and the moments shared with our children. In fact, I was thrilled recently when my own daughter expressed an interest in becoming a teacher, and in that moment I could not help but attribute that to the inspiring experience she has had this year with her own teacher, Ms Anna Pellew.

Teachers are often the unsung heroes who inspire enthusiasm and curiosity, foster creativity and instil a love of learning that can last a lifetime. Teachers are essential in ensuring that every child is given the best possible chance to fulfil their dreams and aspirations. They are often the first to recognise a child's potential even when they have not seen it themselves, seeing beyond the grades and test scores to passions and personal attributes.

I know this from personal experience. When I think of my own educational journey, I remember the teachers who saw me, especially Mrs Robinson, my reception teacher whose kindness I have never forgotten, and Mr Enright, my year 10 maths teacher who believed in me even when I did not believe in myself. These teachers helped guide me. They challenged me and inspired me and I still think regularly of some of the life lessons, let alone use the academic lessons, they taught me.

One of the favourite parts of my role is the tours I am able to give to school students. They are attentive and enthusiastic and curious. One of the most delightful rewards I receive in my role is the letters I receive from children in my electorate. Just yesterday I received a bundle of letters from Norwood Primary students who I recently had the pleasure of taking through parliament. Their enthusiasm, their expression, was pure joy to read, like Aria who wrote, 'I never knew that going to Parliament House was going to be that fun, thank you!' Declan wrote, 'It was one of my favourite excursions in a long time!' It was clear to me their teachers had had meaningful conversations with them about what they had learned, about the role of their parliament and how, even though they cannot yet vote, their thoughts and ideas matter.

We owe it to the state's teachers, to our children and to society to advocate for their needs, support their efforts and recognise the invaluable role that teachers play in our communities. Let us honour their dedication, resilience and unwavering belief in the potential of every student—our children who we love and who are the future of our state and our nation.

RIVERLAND ECONOMY

Mr WHETSTONE (Chaffey) (15:26): I would like to give an update to the chamber on some of the challenges that the Riverland is facing at the moment. Sadly, it is culminating in a matter of circumstances that just continue to exacerbate the region. Currently, we are still recovering from the 2022 flood event; the clean-up continues. That flood event that has now been regarded as one in almost a century flood really has left its mark on the region.

While we are cleaning up, the grain growers this year have been hit by frosts, the wine industry has been absolutely mauled by the China tariffs, and the ability to rebuild those relationships will take a considerable amount of time. Now we are facing other trading tariffs with the US election results and potentially it will see a real barrier to some of these markets, potentially to some product that comes out of the Riverland.

Sadly, one of the worst frost events since 1982, just a month ago, has decimated crops right around the region. We saw damage right across South Australia, but the horticulture crops have seen a significant amount of loss and that is on the back of, as I said, the clean-ups, the China tariffs and the price reduction in that product.

The weather is one thing, China is another, but when I write to the minister looking for assistance, looking for some level of recognition in September and I do not receive a response from her it really does make me wonder just what is going on within the minister's primary production or agriculture office. The full evaluation of the damage, particularly from the frost, should have been immediate, not in a moment or when we get there.

What has happened is we have seen the frost, we have seen that crop burn, we have seen the damage, but in those four or five weeks since the frost, the vines have continued to grow. They are green again, so it is an artificial sense that everything is okay. But if you look underneath the canopy of the vineyards, there is no fruit. We have green foliage, but we have nothing that pays the bills. I guess what we really do need to look at is the full evaluation of the damage. I have sent invitations to the Premier and the minister to come out and ground-truth the impacts of the frost, the impacts and the hardship that is currently being experienced, particularly by the wine-growing population and the wine industry.

What we need to consider is emergency disaster support measures and allocate adequate resources, particularly to the FaB Scout program. As I said, we cannot get any satisfaction from the minister when we do not get any answers and we do not get a response. Also in September I asked the Treasurer, 'What support measures will be in place?' He really regurgitated what the minister had said, and that was very, very little.

What I must say is the harsh reality is the full extent of the damage has been done. We are now seeing the result of the damage in the horticultural tree crops. We are seeing a lot of almonds that have fallen on the ground and a lot of citrus is now on the ground. This is the harsh reality of the vagaries of being a primary producer and dealing with natural weather events. Where there is a role for government to play, they have almost gone missing.

Where to from here? In the immediacy it is checking on people's mental health, particularly those in the wine grape sector. Did you know that the Murray Mallee has the highest rate of suicide in South Australian regions, an average of 13 deaths every year? It needs to be ensured that they do have an adequate support mechanism that will help through these difficult times.

I also urge those struggling to utilise the Farm Household Allowance and engage with the FaB Scout mentoring program, because it is there to help. We need to look at how the Regional Investment Corporation (RIC) loans can be accessed and the application process can be expedited.

In the longer term, I have written to both state and federal ministers, looking to reignite the opportunity. We had a Horticultural Netting Infrastructure Program. Why can't we futureproof some of that horticulture with a frost fan program, something that could be put into place to help futureproof a lot of those very valuable crops that have been smashed by the frost?

Again, we do need new trading partners. We do need state and federal government to better understand how we mitigate some of these challenges that our primary producers are facing, particularly in the Riverland. I have written to too many ministers and received too little response. It is time for the governments to get on board and come out and have a look at the damage.

The SPEAKER: Member for Chaffey, I think it might be eight years today since that devastating hailstorm that ripped through the Riverland as well. I remember being up there the following day with you and Anne Ruston examining the damage, which, as you pointed out, goes on for months and months after the event.

SOUTH AUSTRALIAN MUSIC AWARDS

Ms HOOD (Adelaide) (15:32): I rise to speak about the South Australian Music Awards that I had the privilege of attending last Thursday evening. We know the enormous value that music contributes to our state both in economic gains and also, importantly, in the vibrancy, energy, character and culture that it brings to our community, in particular our CBD. That is why only a couple of months ago we stood together as we announced we had saved the Crown and Anchor, an icon of South Australia's music scene.

On Thursday night, the beloved Cranker took out best music venue at the SA Music Awards at the Dom Polski Centre. They were in incredible company, with other CBD venues UniBar, Hindley

Street Music Hall, the Grace Emily and Ancient World also nominated. I thank all those venues for the support they give our live music scene.

We boast some incredibly and enormously talented artists here in South Australia, and we were fortunate enough to hear them perform at the SA Music Awards, including West Thebarton, My Cherie, Guy Sebastian and Sons of Zoku. In particular, I mention Guy Sebastian. He was inducted into the South Australian Music Hall of Fame. He joins the likes of Cold Chisel, Paul Kelly and Humphrey B. Bear. From Salisbury East to becoming the very first winner of *Australian Idol*, Guy Sebastian has gone on to receive hundreds of nominations, top the charts, receive numerous awards and also undertake some really important charitable work.

Thank you so much to Guy for being such an amazing ambassador for South Australia. He performed on the night, which was just amazing. I am glad he was an inductee of the SA Music Hall of Fame, as his young son, as he was saying, got a bit confused and told his teacher he was off to Adelaide because dad was being 'abducted' into the Music Hall of Fame, so I am glad he was inducted in the end.

I want to shout out to other award winners on the evening. For the special awards:

- the International Collaboration Award went to Dr Oliver Fartach-Naini;
- the Community Achievement Award, Sisters of Invention—their acceptance speech just brought tears to my eyes; they are absolutely beautiful;
- the Emily Burrows Award went to aleksiah—that was one of four awards she won on the evening. I highly recommend going on Spotify and streaming her stuff. I have been playing her song *Fern* on repeat for weeks; and
- the Neville Clark Award went to Matt Stanisowsky and Joshua Rocca.

Other awards were:

- Best Song, *Ceiling Fan* by Swapmeet who are absolutely adorable and I love them;
- Best New Artist, aleksiah;
- Best Regional Artist, DEM MOB, who are absolutely brilliant;
- Best Group, Teenage Joans;
- Best Solo Artist, aleksiah again;
- Best Aboriginal or Torres Strait Islander Artist, our incredible Electric Fields; and
- Best Release, *Oxalis* by Swapmeet.

The Industry Awards were:

- Best Studio, Forest Range Studio—congratulations;
- Best Large Music Festival went to Adelaide Beer & BBQ Festival, with the Best Regional Music Festival also being won by the Mount Gambier Beer & BBQ Festival—go the South-East;
- Best Small Music Festival went to Space Jams;
- Best Studio Engineer/Producer, Lucinda Machin;
- Best Live Technician, Luke Hancock;
- Best Manager, Rachel Whitford;
- Best Live Music Venue, as I mentioned, Crown and Anchor;
- Best Cover Art, Aysh Field for Coldwave, *No Conflict*;
- Best Music Video, Bryce Kraehenbuehl for LOLA, *Game Over*;

- Best Music Photograph, Deb Kloeden from The Empty Threats—we used to live in the same town of Naracoorte, so congratulations, Deb; and
- Best Music Educator, Annie Siegmann.

For the most popular awards, I will try to run through them as quickly as I can:

- Blues and Roots, the Honey Badgers;
- Country Artist, Brad Chicken & The Bootstraps;
- Electronic Artist, Jane Doe;
- Experimental or Art Music Artist, Sons of Zoku;
- Folk Artist, Maisie B;
- Heavy Artist, The Munch;
- Hip Hop Artist, J-MILLA;
- Jazz Artist, Adam Page;
- Pop Artist, aleksiah—there she is again;
- Punk Artist, Teenage Jones;
- Rock Artist, West Thebarton; and
- Soul, Funk or R'n'B Artist, Ukulele Death Squad—great name.

Congratulations to all the award winners. It was such a special opportunity to recognise, promote and celebrate excellence in South Australia's contemporary music industry, and reinforce Adelaide's status as the nation's first and only UNESCO City of Music.

The Malinauskas government is committed to the ongoing development of the state's music industry through its dedicated Music Development Office, and I wish to acknowledge the efforts of Music SA's CEO Christine Schloithe, Chair John Glenn—congratulations—and to my friend, Gareth Lewis, and Elly Wright for running the event, it was a fantastic evening, and to everyone who came out and supported the nominees.

Once again, congratulations to the award winners and finalists. Last but not least, thank you to those South Australians who stream the music of SA artists, buy their records, wear their merchandise and, importantly, attend their gigs.

Private Members' Statements

PRIVATE MEMBERS' STATEMENTS

Mr COWDREY (Colton) (15:37): I rise today to share with the chamber the good news that the Western Hospital will continue to operate after having been sold on 1 November. The continued operation of the hospital and the continued services being provided within our local community is the good news that so many have been wanting to hear. The hospital was sold on 1 November to Amplar Health, a subsidiary of Medibank Private.

My office has certainly been inundated with communications from local residents over the past week or so expressing their happiness and also a level of relief that this news has finally come through. It is in no small part thanks to the 23,000-plus people who signed the community petition to help ensure the future of the Western Hospital.

We know, and every local knows the importance of the services that are delivered there to both the local community and more broadly across the whole of South Australia. To Angelo Piovessen, Colleen Billows and the many other community advocates who spearheaded this movement and the 23,000-plus signature petition, well done for everything you have done. The Western Hospital has been a vital and much-loved part of our community for many, many years, and long may that continue.

S.E. ANDREWS (Gibson) (15:39): I rise to acknowledge an outstanding member of the Somerton Surf Life Saving Club. Robert 'Bob' Hood was recognised at the State Emergency Services Medal and commendation ceremony earlier this year. Bob's contribution to surf lifesaving has been profound, dedicating nearly 60 years to Somerton and state. During this time he has completed over 2,000 volunteer service hours, eight seasons with the Jet Rescue Boat Service and five seasons in the radio service that all clubbies would know as Surfcom.

Bob has also held leadership roles such as vice president, club captain and currently as 'the maintenance guy' and unofficial historian. Bob's dedication and pride in his role in surf lifesaving, and more importantly at Somerton, are a testament to his character. Bob is a deserving recipient of this award and he is a supporter of a club at Somerton that is such a welcoming community club, a place where people care about each other, and a wonderful place for both young people and older people to engage in leadership positions and do everything they can to support our community and, most importantly, keep our community safe out on the water and on our beaches.

Mr WHETSTONE (Chaffey) (15:40): Did you know Christmas is only 43 days away and the Riverland Christmas Appeal is up and running. For many Riverland and Mallee farmers Christmas is a challenging time, but every year the Riverland Christmas Appeal generously gives food and toy hampers to 1,000 Riverlanders who are doing it tough.

The first Christmas appeal back in 1986 provided hampers for 50 families. Sadly, last year the appeal provided 565 hampers and toys for 429 children. The high cost of living and recent challenges with floods, drought and frost, all in the region, mean that there will be many who will be a need of a little bit of extra help this year.

It would not happen without the amazing volunteers; it would not happen without the amazing local service groups that are there to support a very important cause. The way that the Riverland community unites and comes together never ceases to amaze me. I do want to pay special tribute to the Riverland Christmas Appeal coordinator Carolyn Triponoff and her band of volunteers. They do an amazing job—and Carolyn, I will be there again this year packing boxes, filling up hampers and making sure that those people who are in need are given a little bit of a hand up and making sure that the Christmas appeal is successful in 2024.

Mr ELLIS (Narungga) (15:42): We had a rather scary situation at the Yorketown Hospital some 10 days ago. In the early hours of Saturday 2 November, a patient was able to access knives from an unsecured area in the hospital and run around the hospital unimpeded while two nurses locked themselves into a safe area in the hospital in order to barricade themselves from this person that had managed to secure the knives.

It was a tremendously scary situation, something that the staff had been worrying about occurring for a little while. As a chair of the wi-fi hack, they approached us some months ago and requested an upgrade to the security system. We were of the view—and I believe quite rightly—that it is very much a job for the employer to provide a safe workplace, and we urged them and wrote to the local health network to provide the extra security so that the nurses would feel safe. That has not yet happened, unfortunately, but I believe it is in train now and there were people there last week to investigate how that could be implemented. This recent incident has just brought to light how important it is.

I have reached out to the DON and offered any support I can give. I am especially glad that both nurses are okay. I know that they are traumatised, but I am especially glad that they are both physically okay. I hope that the new security measures can be implemented sooner rather than later. It just really brings to light the complexities facing regional hospitals and demonstrates the importance of having them properly funded and capable so that they can treat patients and look after their own staff. I am glad everyone is okay and I look forward to seeing those new security features installed ASAP, and here is to a better regional health system.

The ACTING SPEAKER (Mr Brown): The member's time has expired.

Bills

CRIMINAL LAW CONSOLIDATION (COERCIVE CONTROL) AMENDMENT BILL

Second Reading

Adjourned debate on second reading (resumed on motion).

Mr FULBROOK (Playford) (15:44): As I was leaving off, I was talking about the wonderful people associated with the NACC. To date, these incredible women consisting of Margaret Farr, Pam Fletcher, Anne Berry, Sandra Richards, Sharon McKell, Sharon Lockwood and Ellie Harati have submitted two submissions to the royal commission.

As I said earlier, they do not seek recognition but they are getting it because, frankly, they deserve it. I know there are some other fantastic grassroot groups like this across Adelaide. While I have not had the privilege to meet with them, I am pretty sure they, along with members of the NACC, have rightfully been pressuring government to ensure this bill makes it to the chamber and hopefully passes. They also deserve my thanks.

Some political advisers like to remain incognito, but I feel that when they have worked so hard their cover should be blown. I would like to place on record the efforts of Hilary Duff who has a lot on her plate but has somehow managed to make so many worthwhile things come together. As a backbencher, there is a lot that you do not see in bills being put together and I would also like to offer my thanks and appreciation to everyone who has worked as advocates and behind the scenes to make this bill a reality.

While I do not see everything, I have been witness to the strength and conviction of Minister Hildyard in bringing this bill before us. I am hesitant to use the word 'congratulations' because it is hard to be happy when the subject matter is so serious, but in hopefully choosing the right and respectful words, I want to say thank you for a job well done. As I said earlier, this bill takes steps to stamp out something that is horribly wrong and may hopefully save a few lives in the process. With this and with many deep emotions in mind, I commend the bill to the house.

The Hon. D.G. PISONI (Unley) (15:46): I stand to support the bill and to congratulate the minister for continuing the work of the process of consultation on the coercive control bill started by the Hon. Vickie Chapman and Carolyn Power in the previous government.

I support very strongly the bill in the way that it protects an intimate partner, but we do know that in families coercive control goes beyond people who are in an intimate relationship. Earlier this year, on 29 July *The Advertiser* reported:

> Family members sentenced for 'honour' stabbing of Adelaide woman who dated Christian man.
>
> Family members of a young woman who was held down and stabbed for dating a man of a different faith have been sentenced for their roles in the incident outside Sefton Plaza Shopping Centre.
>
> The 21-year-old woman suffered internal injuries when her father repeatedly stabbed her in the abdomen with a large kitchen knife in November 2021.
>
> The woman's parents and older brother will serve time in custody while another brother, her sister and brother-in-law were each given suspended sentences.

I think there is no doubt that that woman grew up in a whole family where coercive control was the culture and the standard. This bill does not address that. This bill only restricts coercive control for intimate partners.

The question I have for the minister is: will she be moving to amend this bill some time in the future or even considering amendments between the houses for the bill to go further to stop parents of adult children using coercive control on their adult children? In other words, for example, not allowing them to leave home, not allowing them to go out in the evening and come home at a time they wish, not allowing them to socialise with whom they want to socialise or choosing the careers they want to choose.

I dare say that that unfortunate stabbing that happened at the Sefton Park Shopping Centre was the crescendo of a life of coercive control for that poor woman. I am pleased that justice was done and seen to be done in that situation, but it is unfortunate that there was not a mechanism that

she felt she had where she could go to deal with that situation before it got to the violent situation that it got to. This bill does not do that because that woman was not in an intimate relationship with any of those people.

In this place probably close to 14, 15 or even 16 years ago now, we debated—the name of the bill escapes me at the moment, but it was a bill that recognised that two people could be living together in a partnership. One of the recognised relationships was two siblings living together. I think there is certainly a couple like this in every neighbourhood, where two sisters or two brothers who never married live together their entire life. There is nothing in this bill to prevent one of those siblings being the powerful sibling who manages or controls the life of the other sibling through coercive control.

Yes, I agree this bill captures a big bulk of the causes of domestic violence in family situations, but families are now much more complicated than they have ever been and they are broader than they have ever been. We know that more and more children are staying at home longer because of the housing crisis. It would be nice if they had a protection mechanism if they were forced to stay living with their parents so that their parents did not feel that entitled them to tell them how to live their lives, to use the measures that are described in this bill:

> (2) For the purposes of this division, a person's behaviour will be taken to have a controlling impact on another person if the behaviour restricts 1 or more of the following:
>
> (a) the other person's freedom of movement;
>
> (b) the other person's freedom of action;
>
> (c) the other person's ability to engage in social, political, religious, cultural, educational or economic activities;
>
> (d) the other person's ability to make choices with respect to their body (including, but not limited to, choices in relation to their reproductive options, medical treatment or sexual activity).

A classic example could very well be a young woman living at home with her parents, or even outside of home, who is pregnant and wants to have an abortion and the parents do not agree with that and exert coercive control over that woman to try to prevent that abortion from happening. This bill does not cover that because that woman is not an intimate partner of the parents or the parent who is exercising that coercive control over her.

This bill is a big step. I congratulate the minister on moving forward from the process that was initiated under the previous government by the Hon. Vickie Chapman, which of course was a consultation process. The process started in September 2021. Obviously there was a change of government just six months or so later, and here we are nearly three years after that change in government and we have this bill in this place that I believe is incomplete and needs more work.

I certainly would welcome the minister either bringing amendments to this place while this bill is being debated or, alternatively, bringing an amendment bill to the act once it is proclaimed. We certainly do not want any delay in it being proclaimed, but that does not mean that we cannot look to improve it and expand it and protect more people from having their lives controlled by people who have no right to do so.

Ms THOMPSON (Davenport) (15:53): Today I rise to speak in strong support of the Criminal Law Consolidation (Coercive Control) Amendment Bill. This bill is about more than just legal definitions and technical terms; it is about safeguarding some of the most vulnerable people in our communities, particularly women who have suffered in silence, often feeling trapped and powerless to escape.

Coercive control is not always visible. It does not leave bruises or scars on the outside but it is deeply damaging. It is a form of abuse that strips away a person's freedom, their independence and their sense of self-worth. Through relentless manipulation, threats, isolation and financial control perpetrators create an environment of fear and dependency.

This bill is the culmination of five years of hard work—work that started in opposition and has continued in government. With thanks to the Minister for Women and the Prevention of Domestic, Family and Sexual Violence, her team and the advocates who have contributed so heavily to this

process, what we have today is legislation that will make a real and lasting impact on the lives of South Australian women. That I can say with confidence.

We know that in Australia, on average, a woman is killed each week at the hands of a violent partner or former partner and we know that, in 99 per cent of those domestic violence-related homicides, coercive control was a prior factor. We cannot allow that to continue. So while this may be a national crisis, there is no reason that we cannot drive the necessary change at a state level. In fact, as a government it is our obligation to act, which is exactly what we are doing.

In my electorate of Davenport, there is a story that has stuck with me—a story of someone who I will call Alison. Alison is a mother of two young children, a kind and hardworking woman who is well loved in our local community. She volunteers at her kids' school, she shops at our local supermarket and always has time for a friendly chat. To the outside world, she seemed happy but behind closed doors it was a different story. Her partner controlled every aspect of her life.

He insisted on knowing where she was at all times, scrutinising her every move. He forbade her from seeing friends, cut her off from her family and even took control of her finances. She had no access to her bank accounts, and any money she spent was closely monitored. She had to account for every cent, every single purchase. Gradually, her world became smaller and smaller, and her voice quieter and quieter.

While there were shocking threats, Alison's partner never physically assaulted her. There were no bruises to show, no obvious signs to make others question her wellbeing, and yet she was living in a prison of intimidation and control. She was afraid to speak out, unsure if what she was experiencing could even be considered abuse. She thought like many do in her situation, that unless he laid a hand on her there was nothing that she could do. On the few occasions that she did go to the police, they reaffirmed that without an immediate threat of physical abuse they could not do a lot to help her. But coercive control is abuse. It is deliberate, calculated and destructive, and it is happening all around us to people like Alison, often hidden in plain sight.

This bill provides a pathway to people like Alison to escape from this kind of control. By criminalising coercive control, we are acknowledging that abuse comes in many forms—not just physical. This legislation will empower our police and judicial systems to step in before things escalate, before lives are lost and before people lose their sense of worth. For far too long, legislation associated with domestic and family violence has considered single acts of physical violence, but to properly address the scourge of domestic violence we require laws that allow us to respond to concerning patterns in behaviour before those acts of violence occur.

To date, legislation and a focus on physical abuse has limited the ability of South Australia Police to intervene in domestic violence settings. That is certainly one aspect that we will be addressing, and we do that by criminalising conduct that has controlling impact on a current or former intimate partner. Of equal importance is our community's understanding of the relationships affected by domestic and family violence.

The minister was right to suggest that it is a time we stop asking: 'Why doesn't she leave?' and instead ask: 'Why doesn't he stop?' This presents such a gentle shift in our thinking, but to the people whose lives have been impacted so severely by domestic and family violence it is the only fair way to frame any questions that arise. To the men who have written to me with concerns that they are being demonised by legislation this government is implementing to protect women, I say this: while men present an overwhelming majority of perpetrators in relationships affected by domestic violence, we know men can also be the victims and this legislation will offer protection for them also.

This bill criminalises conduct that intentionally controls a current or former intimate partner if the conduct would likely cause the victim to suffer physical or psychological harm. Behaviours the bill considers controlling are:

- restrictions applied to a person's freedom of movement or action;
- ability to engage in social, political, religious or cultural education and economic activities; and

- ability to make choices with respect to their body or ability to access necessities, property, support services or the justice system.

What I hope is apparent today is that, sadly, coercive control can fly under the radar, and right now we have a set of laws that need to better address this. Decisive action is required, and is required now. I seek leave to continue my remarks.

Leave granted; debate adjourned.

Auditor-General's Report

AUDITOR-GENERAL'S REPORT

In committee.

(Continued from 31 October 2024.)

The ACTING CHAIR (Mr Brown): I declare the examination of the Report of the Auditor-General 2023-24 open. I remind members that the committee is in normal session. Any questions have to be asked by members on their feet and all questions must be directly referenced to the Auditor-General's 2023-24 Report and Agency Statements for the year ending 2023-24, as published on the Auditor-General's website, and the Update to the Annual Report, as tabled in this house on 15 October. I welcome the Minister for Human Services and other members present, and I call for questions.

Ms PRATT: These questions are addressed to the minister in her role in terms of seniors and ageing. I am looking at page 216. I will start reading, as the minister finds this reference. In relation to staff working in aged care roles without a current aged care check, the Auditor-General notes that the Southern Adelaide Local Health Network 'developed a weekly reporting dashboard to monitor aged care compliance using workforce reporting data that includes—'

The Hon. N.F. COOK: Sorry to interrupt, but this absolutely still sits with the portfolio of Health. This is a question for the Minister for Health, not me.

Ms PRATT: That is fine. If I have your permission, Chair, I will submit the question.

The ACTING CHAIR (Mr Brown): Sure, go ahead.

Ms PRATT: Understanding that this is in Health, and understanding the minister's counter, I will submit the question all the same. I was completing the sentence, 'workforce reporting data that includes data on aged care employment checks.' The Auditor-General reported:

> At June 2024, we identified 117 from a population of 333 staff (35%) who did not have the valid aged care employment checks required for their roles.

Given the minister's background and understanding the minister's guidance, my question is simply: can the minister account for the fact that at June this year 35 per cent of staff in SALHN did not have the valid aged care employment checks? What would the percentage be for all the networks?

The Hon. N.F. COOK: As I stated, that would be a question for the Minister for Health, and I am sure they will pay attention to the *Hansard*.

Mr COWDREY: Minister, I take you to page 257 of the report and also 252. The first question I have is in regard to two references the Auditor-General has made in regard to the state's contribution to NDIS funding. On page 257 it states that the state's contribution to the NDIS decreased in the financial year and on page 256 there is a reference to the state's contribution to the NDIS increasing by $100 million. There is a reference to an adjustment on page 257 in regard to the financial year ending 2023. Is the minister able to provide clarity to the committee in terms of the state's contribution to the NDIS this year and where that sits in comparison to previous financial years?

The Hon. N.F. COOK: This absolutely directly relates to the transition to the full delivery of services, with the last 12 months having three months of in kind and nine months of full NDIS service.

Mr COWDREY: Can you give us an indication of the full financial year's contribution, just so it is a clean representation and statement coming from yourself?

The Hon. N.F. COOK: The full payment was $860 million, and there is some dialogue in there regarding the population adjustment, which is why there was a change.

Mr COWDREY: If I take you to page 254 in regard to audit findings, in particular the Auditor-General has outlined a number of areas that he thinks are sensible in terms of improvements in regard to the current process in place, particularly around the NDIS-associated services that the government is still delivering. The first question in regard to this section of dot points on page 254 is in regard to the unsuccessful claims that have been lodged with the NDIA by the state government. Whereabouts is that $1 million in unsuccessful claims sitting at the moment? Has there been success in terms of claiming any of those moneys back, or is the outstanding amount still sitting at $1 million?

The Hon. N.F. COOK: I do not want to be obtuse, but because over time there are other claims and challenges, the amount, the $1 million, sits around a similar amount because we have been able to get some of that money back and then there have been other unsuccessful claims. So it does bobble around a little bit, but I can just tell you quickly that the work of the Auditor-General happened in April and there has been work since then to polish some of the processes.

There are the three areas: the unsuccessful claims, the invoice processing around self-managed plans and also, if I remember rightly, the client service agreements that needed to be put in place appropriately and actioned. For all of those processes, going from this sort of zero to very big NDIS provider service, all of that work is in place and all of those processes are absolutely on the improve now. I am confident the department has now put in place processes to remedy that.

Mr COWDREY: You referenced in your answer—and let me ad-lib slightly—that essentially we got to $1 million in claims that were unsuccessful based on the operation of the scheme coming into effect, and then for the period of time getting us through to the work that the Auditor-General has done in April, it was referenced that that amounted to $1 million. Since then, that amount has not been reduced; it just stayed the same.

In terms of the longest-tenured unsuccessful claim, are there still claims that have been unsuccessful that are on the books within the human services department or the government more generally that relate back essentially to the service coming on? Are there still unsuccessful claims from the very start of services being provided through the NDIS that have not been successfully dealt with?

The Hon. N.F. COOK: It is a very small amount compared to the big picture. Some of it might be part of a claim that still sits there and we have remedied the bulk of the claim, some of it might have been recognised that it was not a claim that was within the parameters of what we can claim, so there is quite a mishmash of whether or not there are parts of the claim. We would expect it would be a very low percentage that is legacy from that particular point of time. But, as I said to you, it does move up and down as different claims are processed.

Mr COWDREY: To quantify a small amount, are we talking less than 10 per cent or are we talking more than 20 per cent? To give us some contextual understanding of when you say this is a small amount in the quantum of things, I have two questions: what is the quantum of money that is at this point being claimed through government services per month and, again, what percentage of claims do you still believe to be legacy as in close to the beginning of onset of services via the NDIS?

The Hon. N.F. COOK: My advice is it is less than 1 per cent of moneys, because this year we anticipate the budget to be about $140 million, last year it was about $100 million—and remember this year is a full 12-month claim rather than a nine-month claim.

Mr COWDREY: In regard to the raising of invoices, this is obviously a reasonably troubling issue that was identified by the Auditor-General in the fact that there had been what appears to be the majority stated in the report. Perhaps you can give us more context. When the majority, does that mean more than 50 per cent of clients who had used services via DHS had not been invoiced via DHS, and what was the total quantum of those invoices?

The Hon. N.F. COOK: My advice is that these invoices are related to community participation and they are a very small amount. A lot of invoices get raised for that but they are small-value invoices that have been raised for those activities under participants.

Mr COWDREY: Sorry, that still does not answer the question, though. How many invoices were not invoiced that should have been invoiced over that period of time?

The Hon. N.F. COOK: No, I do not have the number, and that was at a point of time in April but by the end of the year they were raised.

Mr COWDREY: So you are confident that there are no untimely invoices that exist or that have not been invoiced, there are no services that have been delivered via DHS for NDIS participants that have not been invoiced in a timely manner?

The Hon. N.F. COOK: You can never say 100 per cent but we are raising invoices now on a fortnightly basis. As far as I can tell, the processes have been refined and they are doing their optimum best now to ensure that that is the practice that is happening.

Mr COWDREY: Have all of the invoices that have subsequently been raised been paid by the NDIS or NDIA? Essentially, with that backlog of invoices, has that payment subsequently been made to the state government?

The Hon. N.F. COOK: We will take that one on notice.

Mr COWDREY: In regard to the client service agreements that have been referenced resulting in more than $10 million of services that could not be, essentially, claimed because of the non-existence of those client service agreements, has that issue been remedied? Are we still at a point where essentially clients are being provided services and those clients have been retrospectively invoiced via the NDIS for those services, or did that revenue need to be written off?

The Hon. N.F. COOK: My advice is that it is now a much-reduced rolling number of somewhere within the range of 10 to 20, but the moneys were accrued. As far as we are aware at this point, we are very satisfied that that money has come in once the agreements have been signed.

Mr COWDREY: Of the 10 to 20, what is your understanding of the current outstanding revenue? It was referenced as $10 million for the 100 CSOs that were not in place—

The Hon. N.F. COOK: Sorry, I will just clarify. It now has gone from a number that it was identified at a point of time when there was some deficit in the client service agreements being completed, and that number was 100. Now there are times when the client service agreements are not completed in that timely manner, and that is that rolling amount of 10 to 20 that are different client service agreements, but they are being followed up as quickly as possible to get completed, and the money is then coming in.

Mr COWDREY: To be clear, there are now new clients entering the system that are having their CSO negotiated or settled? There are no legacy CSOs in regard to the 100 that were outstanding as at June—those 100 have all been sorted?

The Hon. N.F. COOK: Our expectation is that the vast majority of those, if not all of them, have been. We do not have that actual information in front of us, but we are satisfied that that process is now in place. The client service agreements, even for ongoing clients, change, so they have to be revised and reviewed. There would be very few new clients who come into the system, but the client service agreements can require updating.

Mr COWDREY: Given your answer, are you able to and happy to take on notice, then, to give an update in regard to the number of CSOs that are outstanding and the total quantum of those potential unclaimed funds?

The Hon. N.F. COOK: We are really happy to provide that. It will be like a point in time today, as far as we can ascertain.

Mr COWDREY: Yes. If, in taking on notice that question, you can provide us an indication of whether any of those that clearly have not been sorted out are a legacy back to the point in time at June?

The Hon. N.F. COOK: To be really clear what we are taking on notice, we will check the 100, and then we will let you know of the current number.

Mr COWDREY: To close off this particular issue from a financial statement perspective, it was noted in the Auditor-General's Report that effectively the financial statements had accounted for all of that outstanding revenue from the CSOs not being in place coming in within that financial year. How, from a financial management perspective, are you treating those moneys if there are still, as has been taken on notice, potentially a number and a dollar value associated with those CSOs that to this point still have not been referenced?

The Hon. N.F. COOK: It is fully accounted for in last year's accounts. It is fully accounted for—all the moneys.

Mr COWDREY: Yes—as revenue. You are not going to make an adjustment, given it was not accrued until this financial year. Essentially, you are going to maintain a position that all of that revenue should have been accrued during the last financial year. It will stay there. There will be no changes.

The Hon. N.F. COOK: Yes.

Mr COWDREY: Let's just shift to the energy bill relief program on page 259, if that is alright, at part C. How many businesses were provided with energy bill relief?

The Hon. N.F. COOK: In the year 2023-24 I have a combined total of $136 million, which was $105 million to households, and $31 million to small business. We can work that out by using the calculator or you can do that afterwards if you wish. I have the value of the dollar, I do not have the value of the individual numbers. This year $80 million has been paid out to households and $6 million has been paid out to small businesses.

Mr COWDREY: I am happy to do the maths myself, but I would much prefer to get a solid answer from the government in regard to the total number of small businesses.

The Hon. N.F. COOK: Yes. We will take it on notice.

Mr COWDREY: Is that something you can get to us quicker than that? If you have the total quantum, as you say, and are happy to give us some indication, that would be appreciated.

The Hon. N.F. COOK: We have the brains trust on it right now.

Mr COWDREY: I thought that was you, minister.

The Hon. N.F. COOK: It is.

Mr COWDREY: Regarding page 260, part C, Julia Farr services and the associated sale of land there. Just in regard to that, essentially the transaction resulted in a $17 million gain that has been outlined obviously in the report. Can you provide an understanding to the committee in terms of how you see the proceeds of that sale being reinvested; what structure will be put in place; what will the framework be in terms of decision-making; and where do you see those funds being invested?

The Hon. N.F. COOK: I think what I will need to do is refer the member to my previous answers which have been more fulsome in regard to this. However, we have been working with a committee of lived experience representatives, with the assistance of Julia Farr Purple Orange, and they have provided a report, and we are now ensuring that the vision for the expenditure meets all the moral and legal obligations of the fund—and that is coming soon. As soon as we have information—I am not holding on to it, so as soon as we have that advice we will be able to provide that.

Mr COWDREY: Again, I am well aware of the answer that the minister gave in the house previously in question time in regard to the sale and then obviously some high-level commentary around where those funds would be distributed but, given we are now probably three to four months progressed since that point, is there any more detail that the minister can provide in terms of over what length of time she believes the distribution of these funds will be provided over and whether there will be a board perhaps that sits and administers the fund over a period of time? Are you able to give us any more insight in terms of the operational parameters of what is a significant amount of money that has obviously been quarantined for a specific purpose, for a very good reason, given the sale of the infrastructure, and where is this money looking to be spent in the future?

Is there any more information that the minister can furnish the house in regard to how this money is going to be spent, the structures that are going to sit around it and the safeguards that will be in place in terms of the expenditure of that money?

The Hon. N.F. COOK: It was not really clear when receiving the advice of the lived experience group. In saying that, the group is clear and we agree that the money should not be spent on services that are the responsibility of the NDIS, or indeed the government, so it is to be used in a way obviously which genuinely enables connecting people to their communities and improving participation and economic social and cultural life in community.

It would be difficult to guess, in terms of the length of time. However, there are similar trusts, such as the Macleod Trust, etc., that have been well managed under the auspices of places like Julia Farr, Purple Orange and the trust to ensure that the funds last and can continue to give for a very long time—and they are doing so. Only last week I went to an opening of a house that has been developed with inhousing, one of the arms of the cohort. The only thing I can really say is that it is very difficult to measure. It will be based on the guidance of the group as to how the money is spent, which will then dictate how long it lasts for, which we hope will be for a very long time.

Mr COWDREY: I do not want to press the matter, but essentially is there going to be a limitation of spend each year that is based on, say, the interest earned within the funds that are there? Are you foreseeing this as a fund that will be drawn down over a number of years, or is this something that you see will be essentially a perpetual fund where simply the revenue on top of or income earned on the invested funds will be spent year-on-year? I am really just asking very broad, high-ranging questions to get some level of indication of what the minister's plan is in regard to these funds and how this is actually going to be practically rolled out.

The Hon. N.F. COOK: The minister does not and should not have a plan in regard to this, except to say that we will do all we can to support the committee or board that is put in place, following the direction of the current lived experience group who have spelt out recommendations. We will listen to them and, of course, a perpetual fund is one option and the investment options with drawing down money is another. We will wait and hear what they say. The minister's plan is superfluous, except to say the minister wants to make sure we provide as much guidance and support to get the best out of that money.

Mr COWDREY: The minister has just indicated that there would be a board or committee overseeing the funds, which is more than I think has been given to this point. There is somewhat of a plan and I am glad to know that at least you have that in mind. I might very briefly, given we have got only a couple of minutes left, turn to page 258, which is the capital works expenditure of $8 million in relation to youth justice and custodial services. Can you explain what improvements this project will bring to youth justice in South Australia and how it aligns with the broader goals for producing youth incarceration?

The Hon. N.F. COOK: Broadly it is providing a better built environment to provide support and care for young people who find themselves questioned, in terms of their behaviour from a criminal point of view. It provides better care and support for young people who have a disability, young people with neurodivergence, young people who are needing a calming and soothing environment in order to rehabilitate and seek support that they need to divert away from custody.

The best experience is one that is given in an environment that offers that requisite support for young people to learn and to be able to trust the people they are with to help teach them behaviours and strategies that will ensure they are not returning to the custodial environment. For those who remain in the custodial environment for any given length of time, they should be subjected to the best possible environment to help support their behaviours and any disabilities or sensory issues that they might have. We have shown these environments publicly and they are very satisfying for us to be able to deliver.

Mr COWDREY: Again, in regard to the last answer, are you able to provide a current status of the capital works?

The Hon. N.F. COOK: Ostensibly, it is a completed facility with some building remediation that needs to be done by the people who have constructed it, so there are just a few changes that need to happen to ensure full safety and then it will be opened for use.

Mr COWDREY: My understanding is the original timeline was for that to be operational in early 2024. We have obviously significantly slipped past that. When are you expecting the facility to be operational and how far behind in timing are you happy to admit it is?

The Hon. N.F. COOK: I will take that on notice and provide you with a better estimate as soon as I can. Just to say there are safety and other matters that need to be taken into account to ensure that we can provide young people with the best accommodation that is not going to put any risk in place. I will definitely get you a response.

The CHAIR: The examination of this section of the Report of the Auditor-General has now expired. I now invite and welcome the Minister for Multicultural Affairs and the member for Morialta. I advise members of the committee that it is in normal session. Any questions have to be asked by members on their feet and all questions must be directly referenced to the Auditor-General's 2023-24 Report and Agency Statements for the year ending 2023-24, as published on the Auditor-General's website, and the Update to the Annual Report, as tabled in this house on 15 October. We have 30 minutes. Member for Morialta.

The Hon. J.A.W. GARDNER: I turn to pages 19 and 20 of the report to begin with, which is in relation to the Adelaide Venue Management Corporation and following on from some questions last year in relation to the Coopers Stadium upgrade. How often has the minister been meeting with the AVMC and/or receiving briefings to ensure that this upgrade is monitored closely?

The Hon. Z.L. BETTISON: Thank you very much for the question. I meet regularly with the AVMC, particularly the chair and the chief executive. You are obviously not following my media very closely because I was out there just recently to launch, of course, that we are nearly at the end of our great big build. There was particularly the new pitch that we announced and the signage upgrades, which were there for the FIFA Women's World Cup. We had to hold that work for a little while. We have now spent $43.2 million of that $45 million funding.

The Hon. J.A.W. GARDNER: I thank the minister for her answer. I got from her answer that there is a sense of mission accomplished and if that is the case then it is good that we are there. The Auditor-General in this document says that the Venue Management Corporation expects to complete the project in 2025 with, at that stage, $1.8 million unexpended. Is there further work to do, as the Auditor-General suggests, or is the Auditor-General out of date with this statement?

The Hon. Z.L. BETTISON: Just as I was advised, which led to my being down there for my media, the final works were completed in October 2024, which of course is not part of the financial year that we are discussing today. It was in preparation for the opening home game of the 2024-25 A-league season and, if I am right, it was voted the best place to play by the players. Martin is going to nod at me—excellent. It is a great credit to us to have that as well. Yes, that was in May 2023. It was voted by Professional Footballers Australia as the best stadium in terms of pitch quality and atmosphere for the men's A-league 2022-23 season.

The Hon. J.A.W. GARDNER: Can I just clarify, then: the minister said that $43.2 million had been expended. The Auditor-General in this document says that $43.2 million had been expended as at 30 June and that there was $1.8 million still to be expended. Is that money still to be expended this financial year, bringing the total project cost to $45 million, or is it a cost saving to taxpayers of $1.8 million, or is it a different figure still to be spent in this financial year?

The Hon. Z.L. BETTISON: That money has been spent. Alas, there were no savings. The current final invoice is being collated and there is no budgetary overrun expected.

The Hon. J.A.W. GARDNER: Last year, the minister reported that at this time last year there was $3 million remaining for outstanding works on stadium signage to be completed in November, and that pitch replacement that I think the minister referred to in her earlier answer was due to be completed by last month. Is that the timetable that has gone through, and were there any other expenditures? I suppose my main question is: did it cap out at that $45 million or were there any further cost outlays over and above that?

The Hon. Z.L. BETTISON: The answer is yes, completed.

The Hon. J.A.W. GARDNER: Yes, it was $45 million and no more?

The Hon. Z.L. BETTISON: Yes.

The Hon. J.A.W. GARDNER: I will go to the SATC. We are looking at page 368, and probably page 367, of the annual report. I will just quote from the middle of the page:

> 2023-24 saw the continuation of major sponsored events such as LIV Golf and the AFL Gather Round.

I think last year the minister identified also Harvest Rock and Tour Down Under were supported from the Major Events Fund. Can the minister provide a list of all the events the SATC received funding from the Major Events Fund to run during the financial year in question?

The Hon. Z.L. BETTISON: Certainly. You have already labelled some of those events, but it was quite a substantial year in 2023-24. We know we have this great positive momentum going forward. I particularly feel it when I am interstate. People say, 'What are you doing over there? It's all very exciting.' Things in particular like Illuminate Adelaide had some additional support, as did the PGA Webex golf 2023-25, Harvest Rock music festival, UCI Track Nations Cup, Adelaide Festival, WOMAdelaide, AFL Gather Round, Adelaide Equestrian Festival, LIV Golf, Wheelchair Rugby National Championships, CommBank Matildas versus China in May 2024, Suncorp Super Netball final, Socceroos match 2024, beach volleyball domestic events, Beach Volleyball World Championships 2024-26, and the British & Irish Lions game in 2025.

The Hon. J.A.W. GARDNER: I thank the minister. Can I just confirm that all those events were supported by the Major Events Fund or was that a list of the major events that the SATC is supporting separate from the Major Events Fund?

The Hon. Z.L. BETTISON: It is not. As you know, we are very busy at the SATC. There were a further 18 events that received sponsorship payments from the SATC's general appropriation, including the 2023 State of Origin; the 2023 Frida Kahlo exhibition that was held at the Art Gallery; the 2023 FIFA Women's World Cup held in Adelaide—and of course those five events meant we were beamed around the world, and that is why we spent that money on upgrading Coopers Stadium—Illuminate Adelaide; The Bend; the 2023 Australian Masters Games; the National Drag Racing Championship; the Adelaide International (that is the tennis); the Riverbend National Drag Racing Championship; the 2024 national Athletics Championships; the Lamborghini Super Trofeo Asia; The Bend Classic; the bike festival; swimming short-course champs; the TDU GRVL event, the TDU Paracycling World Cup; TDU Women's Crit; and the Laser World Championships, which I must say a former Minister for Tourism from the other side signed off on—an incredibly great economic impact, because people were here for about six weeks in the western suburbs.

The Hon. J.A.W. GARDNER: At the risk of provoking further response, you are welcome for a few of those events that the minister has just listed. On page 367, there is a highlight of grants transferred. I think there is an increase of $23 million from the previous year. Can the minister identify that increase is all as a result of the Major Events Fund or is there a different source of increased funding?

The Hon. Z.L. BETTISON: There was an increase of $23.9 million, and that is from the Major Events Fund associated with sporting events to grow and develop our existing owned and managed events and secure major national/international events. Of course, we had this funding going back and forth and decrease to transfers on the TTF contingency for the River Revival program, which was Rise Up for our River, so we see money going back and forth between different agencies and the SATC.

What I would say, though, is there is quite a lot of fluctuation in income and expenditure, depending on when we are paying forward. Often, we are paying out money quite in advance of an event—two, three years, even up to five years at a time. Money that comes across when we are supporting those events is that transfer of funds that comes to the SATC from the Major Events Fund. We know that they are approved on a year-by-year basis, and that is why we have this fluctuation, but they might be approved many years in advance.

The Hon. J.A.W. GARDNER: Can the minister then clarify: did the SATC expend any funds for major events over and above what it received from the Major Events Fund?

The Hon. Z.L. BETTISON: I think I listed 18 events before that had sponsorship directly from the SATC.

The Hon. J.A.W. GARDNER: Going back to the minister's two previous answers to related questions, in the second answer she has just referred to the 18 events that were funded outside of the Major Events Fund and, if I am correct then, the list that she started with included, as with previous years, LIV Golf, Gather Round and Harvest Rock but was joined by the Matildas, Illuminate, PGA, UCI, beach volley and wheelchair rugby. They were all funded from the Major Events Fund; is that correct?

The Hon. Z.L. BETTISON: That is correct.

The Hon. J.A.W. GARDNER: That is much appreciated. Can the minister identify the role played by the SA Tourism Commission in relation to the Adelaide Festival grant that she has just identified?

The Hon. Z.L. BETTISON: From my recollection there were some specific parts of the Adelaide Festival. If I recall accurately it was Little Amal that was here, but there were some other parts to that. I will endeavour to get you an answer before our time is finished.

The Hon. J.A.W. GARDNER: Can the minister confirm if the SA Tourism Commission sponsored the request for funding for Little Amal?

The Hon. Z.L. BETTISON: I will have to come back to you on that. Obviously, decisions we have talked about before are made through MEAC, the Major Events Fund. We do briefs up to the Major Events Fund. My understanding is that was the decision made, but I will come back to you about the detail. We can confirm Little Amal was supported through that process.

The Hon. J.A.W. GARDNER: I thank the minister. Can you clarify, for my benefit, whether the Little Amal grant was a suggestion of the SATC or was it one that came from elsewhere—perhaps the Adelaide Festival, for example—and on which the SATC was asked to offer support or otherwise as a consultative body?

The Hon. Z.L. BETTISON: I will take that on notice, because obviously when people have a project that needs additional funding we often have conversations with them over a long period of time, as does Major Events. It is possible that over a long period of time Adelaide Festival has been talking to us, they talk to Arts about what their intentions are, so I will have to take that on notice.

The Hon. J.A.W. GARDNER: Thank you, minister. I ask the minister whether she would care to share with the people of South Australia what the grant was. What was the quantum of the grant? How much did it provide?

The Hon. Z.L. BETTISON: That grant was commercial in confidence, so it would be inappropriate for me to share that figure.

The Hon. J.A.W. GARDNER: On the same audit line, can the minister outline the new funding I think she identified for Illuminate Adelaide? My recollection is that there was previously a specific budget stream for Illuminate Adelaide from money to the budget provided to the SATC for that purpose, but the minister, I think, just included it in a list for the Major Events Fund. Was this over and above that previously provided or is it instead of the funding that was previously through the SATC budget?

The Hon. Z.L. BETTISON: For Illuminate Adelaide we were pleased to continue that funding, and it continues into the future for several years. It is a celebration of innovation, art, light, music and technology. Most importantly, it has been an opportunity to introduce a winter event, building on the work of the Cabaret Festival, for example, at a time when it is much quieter in the city, bringing people in. That has continued.

The last one in 2023 was held between 28 and 30 July, which was in that last financial year, and it was the third iteration of that event. A key part of that is the City Lights program, and for me that is incredibly important because it draws people in. It is quite popular in my own electorate of

Ramsay; people come in on the train, and you see lots of families there that do not usually come to the city enjoying that free event. That is part of the sponsorship we have with Illuminate Adelaide.

Of course, Resonate in the Botanic Gardens was very popular as well, and Mirror Mirror in Victoria Square. In fact, I was saying to someone the other day that had Illuminate Adelaide not been using the Botanic Gardens as it has—and we had the Fire Festival this year, and Chihuly, which has been taken up with great support—we might not have seen it in that light before, the use of the Botanic Gardens, particularly at night. So Illuminate has continued to do that. We saw 1.3 million attendances, $54.3 million in economic activity for the state.

There was something special, though, in that previous year in 2023. As you know, we were looking at Rise Up for our River and ways to support that, and we encouraged Illuminate to go up to Mannum, with the support of the Mid Murray Council. They had a regional event to support the river recovery. River Lights went from 4 to 13 August, including the displays on the main street and the riverfront, and saw 20,000 attendees going up to Mannum at a time when it really needed our support.

It was across 10 nights, and I remember talking to the mayor of Mid Murray and she said, 'Do you know what this was? It was a trigger, a trigger for everyone to open up again,' because there was some nervousness, there was some concern after such a devastating time. To have River Lights up there really prompted that opening. So Illuminate works really well for us. We continue to support it and will do into the future.

The Hon. J.A.W. GARDNER: Can I ask the minister about the Harvest Rock festival, which she identified in that list before. My understanding is that the Harvest Rock festival that was due to take place in 2024 has been postponed or cancelled. Perhaps the minister can just clarify that for me, and are there any risks or liabilities for taxpayers as a result of that?

The Hon. Z.L. BETTISON: I will start with your second question first: no, there are no risks or liabilities. We were incredibly disappointed that Harvest Rock was not able to go ahead. It has been postponed. What is really important for me is that the delivery of the first and second Harvest Rocks was incredibly successful. It was incredibly successful because of the key headliners and the support acts that we had but also the opportunity for South Australian food and wine at its very best to be there. We got incredibly great responses.

If I remember accurately, the nights people were staying were 4.5 nights. So people came to Harvest Rock, that was the drawcard, and then they stayed on, often going out to the regions for most of them. At this point it developed a great response, combining this live music with the wine and food but of course in the heart of Adelaide, drawing people in, with really high levels of interstate attendance. But we had to make sure, particularly at a challenging time of increasing interest rates and inflation, that we had a really good drawcard, and at this point that was unable to happen.

We have seen quite a few of those festivals, before and after Secret Sounds' announcement, that have not gone ahead owing to the cost and the inability to get a person or a band at the right level. We will continue to have that conversation. We think it worked well. It was once again something that had been worked on for some time and got interrupted, did not happen because of COVID. It came back in, was really well received and a real positive. We continue to make sure there are conversations about that opportunity.

The Hon. J.A.W. GARDNER: Stepping back 12 months to the 2023 Harvest Rock festival, can the minister identify whether the SATC or the government sponsored any promotions for influencers to attend that Harvest Rock festival?

The Hon. Z.L. BETTISON: That is a Secret Sounds event, so they are the event runners. We, of course, are a sponsor for it. I think you might be talking about brand advocates. As you may know, there has been some review and recalibration about how we use the appropriate people at the right time. It is my understanding that that was not a situation for Harvest Rock.

The Hon. J.A.W. GARDNER: I thank the minister, and I will be sure to include the term 'brand advocates' next to 'famils' and 'influencers' in any future FOI requests. The minister's answer, as I understand, is there were no SATC arrangements for brand advocates to be supported to attend Harvest Rock. Can the minister advise what arrangements were in place for the SATC or the government, as a sponsor of Harvest Rock, to receive free tickets, and how were they distributed?

The Hon. Z.L. BETTISON: As a sponsor, like for all events, we are provided with tickets to go along to those events that we sponsor. It would be an understanding and a commercial contract for each of those groups that we are doing, unless it is an event, of course, that is our own, such as the National Pharmacies Christmas Pageant or the Santos Tour Down Under—of course, these are our own events—or Tasting Australia, which has been supported by RAA. As always, these tickets, particularly with Harvest Rock, are for stakeholders and business partnerships, and that is for most of the events that are held.

The Hon. J.A.W. GARDNER: I thank the minister. This time last year in these questions I asked about tickets provided for a Twitter user, or I should say an X.com user, who approached the Premier for some free tickets, which the Premier indicated at the time he would be able to help with: 'Private message me your email address and I will get you some tickets,' which the Premier is still on X.com saying. Can the minister advise—I could not ask these questions last year because I was out of the wrong financial year—now to resolve this long awaited question: under what state government policy were those tickets provided?

The Hon. Z.L. BETTISON: I think I answered that: stakeholders and business partners.

The Hon. J.A.W. GARDNER: So how broad is the range of stakeholders and business partners that allows a casual user of X.com to get the Premier's ear, and is the minister able to identify the number of tickets provided under such circumstances?

The Hon. Z.L. BETTISON: I think that my previous answer covered your concerns. As I said, tickets are offered, particularly with Harvest Rock, for stakeholders and business partners. That was a decision that was made. Obviously with every group that we work with, that is the decision.

The Hon. J.A.W. GARDNER: Is the minister able to find the number of tickets that state government was provided by Secret Sounds for the Harvest Rock festival 2023?

The Hon. Z.L. BETTISON: I will take that on notice.

The Hon. J.A.W. GARDNER: I thank the minister. I will go to a different topic on the same page which is in relation to the marketing and advertising. There is a $10.6 million decrease identified in advertising and promotion driven by marketing funding from prior year interstate and overseas consumer advertising campaigns ceasing. We understand the previous year there were some events that were not continuing. Can the minister provide details on which advertising campaigns ceased or had reduced effort, and is the SATC replacing these advertising campaigns with another strategy or have they just come to their natural conclusion and are no longer needed?

The Hon. Z.L. BETTISON: Of course marketing is always needed for our beautiful state. It is a very competitive industry. When we look at the different marketing activities that you are talking about, they include destination marketing, PR, digital, trade, global markets, and events marketing team. We are talking about things like production, media, market research, familiarisations, international representation, public relations, digital and web development, and trade marketing.

There was a decrease because when we came to government, people may well remember, we had an increase of $15 million for marketing—$40 million all over but $15 million for that first year back—because we needed to build back after COVID. So there was a significant increase in 2022-23 to make sure that we were competing with other states, other countries.

As you may well recall, it was just when that international traffic was starting to come back. That is where we saw quite a bit of change between those two years. Of course, we also had some extra expenditure for the 2023 FIFA Women's World Cup. There was the Choose Tourism grant funding which was funding received by the commonwealth government, really targeted at people who might be interested in taking up tourism as a career.

One of the key things it also talks about is how we got people back internationally. I was really proud in that year of the industry assistance that we supported, particularly about trade opportunities. We subsidised groups of people going to the US and Europe. You may recall our tourism operators who had internationally facing businesses were absolutely devastated by the experience of COVID. Overnight, suddenly there was nothing coming. Some of them did not survive, which was very sad, and we lost incredibly great operators who had built their business over time.

But we do have a very strong cohort who we supported in that year to go for the US and the European markets. In fact, I held an afternoon tea here for those trade groups that went, and what we really saw is some fantastic collaboration come out of those trade events. People who were not sure whether they should go, whether they should invest money, with that subsidy of the South Australian government knew that we were behind them and knew that we were going to support them to build back our international tourism experience.

Just the other week I announced that Emirates were coming back, and I was there when the plane landed. China Southern is coming in December. These are all incredibly important parts of the puzzle for us, building back to where we were. We have already reached higher economic expenditure than we did, but we are not quite back at the same numbers. We are nearly there, but these are the things that marketing does.

Of course, we also launched our 'Travel. Our Way' campaign on 30 September 2023, followed by an extension of 'Winter. Our Way' as well. A key part, though, in the 2023-24 year was the river recovery support and voucher program. I have to say that everyone in this house supported what we did before when we experienced fires and the #BookThemOut campaign both in Kangaroo Island and in the Adelaide Hills, saying to South Australians, 'Hey, this has happened. It was devastating, but we need to support them.' We rolled that out with the River Revival program, which included quite a significant marketing component. These are the different things we have done.

Obviously, we have a summer ahead, and we have dry conditions at the moment. We are hoping that we will not need to do one of those marketing programs, but if you saw the budget, you would have seen that there is a substantial extra focus on marketing for our place-based marketing campaigns, so onwards and upwards.

The Hon. J.A.W. GARDNER: Can the minister identify whether any influencers or brand advocates were sponsored through this budget line in the last year? If so, how much and how many?

The Hon. Z.L. BETTISON: As we have spoken about before, we have had a substantial reduction in the use of brand advocates and a review in how people are used. Media famils, as we have spoken about before, is a way that has been used for as long as I can remember from a tourism point of view and, of course, in a very competitive landscape we use that quite a bit. Examples of those media famil activities include those traditional media outlets and publications. People were engaged, such as Tiffany Cromwell and Valtteri Bottas, who generated many impressions on their social media posts.

As I said before—and I think you and I have had a conversation on this many times—when we use someone in this capacity, it has to be relevant. It has to build on who we are and the connection that we are making. We want people selected on their relevance, audience reach, engagement and diversity, and we want them to align with what we are doing. The whole point around 'Travel. Our Way' was asking people to travel our way and engage in that way.

We have taken time to reflect and review, and I am satisfied that what we have now fits what we want to say, our travel narrative, and where we want to go. When we talk about that, sometimes it is paid, sometimes it is in-kind agreements. There was something just recently about using a very successful person, an Olympian, who was going out talking about the Limestone Coast. These are things that a review has examined and we will continue to use in the best way possible.

The CHAIR: The time to examine this part of the Auditor-General's report has expired. I declare this portion of the examination of the Report of the Auditor-General open. I remind members that the committee is in normal session and any questions have to be asked by members on their feet. All questions must be directly referenced to the Auditor-General's 2023-24 Report and Agency Statements for the year ending 2023-24, as published on the Auditor-General's website, and the Update to the Annual Report, as tabled in this house on 15 October. I welcome the Special Minister of State—I think that is your official title, or one of them—and the member for Bragg. You have 30 minutes, and the time starts now. Member for Bragg.

Mr BATTY: I might begin with the Department for Correctional Services and the audited financial statements for the year ended 30 June 2024. I turn to page 1, income and expenses, and

particularly the employee-related expenses, where we see a decrease in the audited year in employee-related expenses. Does the minister consider that an achievement?

The Hon. D.R. CREGAN: I thank the shadow minister for the question. I am advised that, in fact, there has been a number of certain adjustments that have been made including, for example, to take into account long service leave and, accordingly, there has not been a substantial reduction in staff but, nevertheless, accounting treatments have been applied which take into account, amongst other things, long service leave.

Mr BATTY: During the audited financial year then, would the minister agree that staff have been kept on relatively low incomes in the face of inflation and, if so, would the minister consider that an achievement?

The Hon. D.R. CREGAN: I think that it is important to observe at the outset that salaries and conditions for DCS employees are informed by an enterprise bargaining process, and it is not the case that decisions in relation to salary adjustments or the adjustments of conditions can be paid outside of that process necessarily; it is largely informed by the enterprise bargaining process.

The department's advice to me is that employees are paid as against their job and person specifications, and that may as well inform escalations in salary as people's qualifications are taken into account as may be appropriate, and a similar process is followed in other state agencies.

Mr BATTY: There has been some recent reporting about the Department for Correctional Services engaging in some sort of leadership forum recently, where they engaged in various planning and brainstorming and one of those tasks required senior staff to write down an achievement, a challenge and a future opportunity. One of the achievements that was put up on a Post-it note was, 'Keeping staff on relatively low incomes in the face of inflation.' Does the minister agree with that assessment from a senior manager at his department?

The Hon. D.R. CREGAN: I understand that there was a forum held for operational and leadership staff last Friday. There was, I am informed, a process whereby Post-it notes were applied to a board. I am informed, as I said to the committee just a moment earlier, the setting of salaries is not informed by that process. It is instead always a process that goes through the enterprise bargaining arrangements at a state level and I am not certain that it is possible to determine whether the note was made by any particular level of employee. As I say, there were operational staff and management staff present.

I am informed as well that there were opportunities and challenges identified and it is not possible to determine where the Post-it note was placed, in particular. I would make this observation as well. If there were Post-it notes put up around parliament about you or I, no doubt there would be views shared as well, but it does not necessarily reflect the views of the party of which the shadow minister is a member and I might resist the suggestion necessarily that those Post-it notes were about anybody in this place either. You can see, as I say, that it is simply a Post-it note, it would appear, on a board. There is no author attributed to the note and I am not sure that I could agree with the shadow minister's suggestion that it has come from any particular executive leader in the organisation.

Mr BATTY: Finally, and perhaps just to clarify, are you suggesting that the Post-it note might have been misplaced under the heading 'Achievements'?

The Hon. D.R. CREGAN: I am not sure that I am able to illuminate the shadow minister any further necessarily, other than to make the observations that I have made. Most importantly, the salaries of employees in the department are largely informed by the enterprise bargaining process and so it would be wrong to suggest that some separate executive leadership team process was going to necessarily adjust salaries outside of the enterprise bargaining arrangements. As I have suggested, there were both operational and executive staff present.

As I understand it, the Post-it note that you have identified has not been authored; it does not have an author attached to it and it is not possible to know necessarily how it came to be attributed to that particular column against any other. But, as I say, the department is committed to paying a fair day's wage for a fair day's work according to the enterprise bargaining process that has been in place for a very long time.

Mr BATTY: I might move to some questions about the SAPOL reports now if you want to switch advisers.

The CHAIR: I see the deputy commissioner here, so you can start.

Mr BATTY: I turn to page 314 of the Auditor-General's Report and the heading 'Significant events and transactions' which refers to significant increased funding to support SAPOL's relocation from the Thebarton barracks. Can the minister advise what the final total amount of that significant increased funding was and whether all business units have now relocated?

The Hon. D.R. CREGAN: I thank the shadow minister for the question. It is an important one. As the shadow minister is aware, the management of the new hospital and, of course, the relocation of the barracks is a process informed both by central government decision-making and subsequent agency decisions in order to ensure, in a South Australia Police context, that there is relocation and, indeed, improvement of certain facilities.

I am advised that the South Australia Police contribution to date is $150.056 million. I think the house has, on an earlier occasion in a separate context, been informed about a cost of approximately $160 million, so for the purposes of assisting the shadow minister I indicate that I am advised on this occasion that the contribution is $150.056 million, at least at the time of the reporting that is available to me now. I suppose you can look at different forecasts, whether received from Treasury or whether it comes from the health department and so on, about other aspects of the project.

Mr BATTY: Are you able to advise how much of that amount was for the mounted brigade staging area in the city and whether that project is now complete?

The Hon. D.R. CREGAN: As I have indicated, the specific project allocation for South Australia Police to date, on the information I am presently advised, is $150.056 million. Without intending to frustrate the shadow minister, the question probably roams terrain outside the Auditor-General's Report and so I refer the shadow minister to my previous answer.

Mr BATTY: Perhaps just confining myself to the period of the report then which, of course, refers to the significant investment in the relocation from the Thebarton barracks, was the project for the mounted brigade staging area in the city completed during this audit year? Was there an expected timeline for it? I am just trying to ascertain whether that is all done now.

The Hon. D.R. CREGAN: At the relevant conclusion of the reporting period, financial year end, the specific aspect of the project to which the shadow minister refers was yet to be completed.

Mr BATTY: Was there a completed expectation date at that time? Was it anticipated that the staging area would be completed after the Gepps Cross barracks project and the relocation of the mounted brigade and, if so, where were the horses being staged in the city in the meantime?

The Hon. D.R. CREGAN: As I earlier indicated, these questions go to significant matters that obviously are relevant to the portfolio but are well outside the scope of the Auditor-General's inquiry. They could easily be put in question time any day; I would welcome them in that context. I think I will refer to my earlier answer in relation to the Auditor-General's Report.

Mr BATTY: Very well. I will move to some drier questions, then. I turn to the financial statement, page 21, supplies and services. There are two in particular I want to briefly look at, first employee programs and housing subsidies. There has been a reduction in expenditure on employee programs and housing subsidies in the audit year. Why, and does that have an impact on police recruitment and retention activities?

The Hon. D.R. CREGAN: The shadow minister has, it would appear, homed in on or examined an apparent change in financial outcome of perhaps less than 1 per cent. I am informed that there is no change in policy that informs a change of less than 1 per cent; it is simply informed by the decisions that might have been made in that period in order to provide support, as may have been necessary in that category. As I say, there has been no change in policy so there is no departure from other arrangements to support staff in that way.

Mr BATTY: But don't you think there should be a change in policy? What are some examples of these employee programs and housing subsidies that, on the face of it, have decreased and certainly have not increased at a time when we see one in three South Australian police officers considering leaving the force in the next three years? Why are we not actively investing in employee programs and subsidies?

The Hon. D.R. CREGAN: I thank the shadow minister for the question. I understand the government-assisted housing program is managed by DIT. We anticipate, of course, with additional recruitment that we will need to rely further on that program and we look forward to South Australia Police having those conversations with DIT in the months and years to come.

Mr BATTY: So are you as minister advocating for an increase in that budget line?

The Hon. D.R. CREGAN: I thank the shadow minister for the question. As I say, the housing program is managed by DIT on an as-needs basis. We are engaged in a very substantial recruitment program which has both a domestic element and an international element. As the demand for housing increases, I have full confidence that those conversations will occur as between South Australia Police and DIT. In terms of the government's policy agenda, as I say that roams terrain that falls well outside of the Auditor-General's Report.

Mr BATTY: What portion of this line item was spent in regional areas?

The Hon. D.R. CREGAN: I am advised that the majority of the program funds are used in regional areas but, once again, I think it bears repeating that the program is delivered by DIT rather than South Australia Police. South Australia Police is an agency accessing the program, and I have indicated that of course there are substantial recruitment efforts underway. We certainly want to ensure that we are supporting those recruitment efforts and, as I have indicated, I am quite sure that conversations will occur between South Australia Police and DIT at an officer level to ensure that there is additional housing provided when those conversations are necessary.

Mr BATTY: I go to the next line item down where there is a much bigger difference. Temporary agency staff and contractors has had a very substantial increase in the audit year. Why is this, and are you able to provide a breakdown of those temporary staff and contractors engaged?

The Hon. D.R. CREGAN: It is a very good question. There is, I am informed, a significant variance year on year in terms of the programs that might need additional contractor or other support. It will not surprise the shadow minister to know that quite often the additional procurement of services and specialists services is informed by the need to access additional IT expertise. Some of the programs that might require that support include implementing changes to the firearms register or, indeed, seen through the implementation of the National Firearms Register as is informed by commonwealth arrangements. I am saying these are examples, not necessarily precise examples, relating to this particular year.

As well, of course, there may be the need to take the expert assistance of outside professionals to support change to programming in the Expiation Notice Branch and, of course, the shadow minister will be familiar with the government's policy position in relation to mobile phone detection cameras and the need to ensure there is potentially outside expertise, including IT expertise, to provide the programs and technology that is back of house of those particular programs.

I think it probably illustrates how it is that there can be, as I said at the outset, a considerable fluctuation year on year. As well, that fluctuation can be informed by contract commencement or conclusion.

Mr BATTY: Thank you, minister. I have a number of other questions on this portfolio area but I might give the floor to the member for Chaffey, if I can, who has some questions on emergency services.

The Hon. D.R. CREGAN: Certainly. I just might confirm through the Chair that there are no further questions to SA Police, because I will release our executives. Very well; what we might do is momentarily substitute our officers.

Mr WHETSTONE: My questions are for SAFECOM, on page 327. Under audit findings and protective clothing, it states that SA CFS compliance levels for cleaning personal protective

equipment are still low compared to last year. Were any steps taken to address the compliance in the last 12 months?

The Hon. D.R. CREGAN: The shadow minister may be aware that the CFS is the first of the volunteer agencies that is seeking to ensure that protective clothing can be laundered to the same standard as the Metropolitan Fire Service. As the shadow minister will appreciate, the complexity of that task is significant. There are over 400 sites that are relevant to the contract, and there are 250 collection sites.

I am advised that, despite the large number of collection sites, we are having some success in ensuring that equipment, particularly personal protective equipment, is laundered to the MFS standard. It is also necessary, of course, for there to be a change in the way in which CFS volunteers engage with that process. I think it has probably been, it is right to say, sometimes a badge of honour to have a uniform that bears the marks of service. Accordingly, we are encouraging a change in approach to the laundering of these types of items.

The shadow minister will be aware that there can be certain carcinogens that are deposited onto personal protective equipment, and it is absolutely essential that this contract be in place to support the government's intention to allow for collection across those sites. To use, for example, certain remote sites to illustrate the point, there is a challenge in returning some of that equipment to sites.

Mr WHETSTONE: The audit mentions that these cleaning services are critical to firefighters' safety as they involve decontaminating carcinogens and other contaminations. Between the department volunteers and the contractor, who is responsible for any illness firefighters may suffer from these compliance issues?

The Hon. D.R. CREGAN: I thank the shadow minister for the question. I am informed, as the Country Fire Service has moved to the mandatory laundering of rural fire service protective equipment, as compared to fire service protective equipment that is used for structure fires, not every agency has taken that particular step, but it is an important one.

It involved, as I earlier alluded to, a change of management piece in terms of the way in which volunteers engage with the agency and with those contracted to provide the service. It is an important change. It is one that, obviously, SAFECOM and the CFS support, but as I have earlier indicated as well, this is the first of our volunteer agencies that is taking a step towards a mandatory laundering process to the same standard as the Metropolitan Fire Service.

The CHAIR: The time available to examine this part of the Auditor's report—

Mr Whetstone: Sir, you were going to give us five minutes.

The CHAIR: I did give you five minutes. We stopped the clock, so you did not lose any time. We did stop the clock, and we started again. That is why I said that it was unlikely we would come back to the member for Bragg given that you only had five minutes left.

Mr Whetstone: It is sad.

The CHAIR: It is sad, yes. The committee has further considered the Auditor-General's Report 2023-24 and has completed its examination of ministers on matters contained therein.

Bills

CRIMINAL LAW CONSOLIDATION (COERCIVE CONTROL) AMENDMENT BILL

Second Reading

Adjourned debate on second reading (resumed on motion).

Ms THOMPSON (Davenport) (17:39): I rise to continue my remarks on the Criminal Law Consolidation (Coercive Control) Amendment Bill. Domestic and family violence in any form is unacceptable. It is not tolerated by the community and from here on South Australian legislation will accurately reflect that.

This is a bill for families that deserve safe and happy households to return home to each night. It is for those who want to live a life of autonomy, who want to choose what they want to wear when they leave the house and choose how they will spend their money and where they will go. As the minister so delicately put it in her second reading speech, it is for the people who tragically this legislation arrived too late to help, as well as for the survivors, the people whose lived experience and dedication to improving outcomes for families right across South Australia helped to shape this bill.

While this bill will not solve every issue overnight, it sends a clear message: South Australia will not tolerate coercive control. We are saying to victims: you deserve to feel safe, you deserve to have autonomy over your life and you deserve to be heard. For too long the Alisons in our community have felt they had no choice but to endure, believing there was no avenue for them to break free. This bill gives them a voice, it gives them an option and it gives them hope.

In passing this legislation we are taking a vital step towards ensuring that every South Australian has a right to live without fear and without intimidation. We are building a society where every woman, every person can walk with their head held high, free from the toxic grip of coercive control. I commend this bill to the house.

Ms SAVVAS (Newland) (17:41): I will not speak for long on this one today, but I do want to acknowledge that it is a really important moment not just for victims in our state but I do think it is something that is really important for what it means for generations of particularly women but not only women who have unfortunately lived in cycles of family and domestic violence, and that is really significant.

I think that it is important to call out what it means when you do make a decision like this one from the top down to talk about the impact on future generations, particularly of little girls who are being told decisively at a government level what it means to be in a healthy relationship. The simple fact of the matter is that many individuals, usually women, have not been taught that. The narrative has not been set for them and unfortunately behaviours that are gendered, toxic and abusive have in many instances been validated, ignored and justified since time immemorial.

I think this bill is really important because it creates the new offence of harmful controlling behaviour towards a current or former intimate partner. I think, for me, this is a particularly proud moment as a member of a government that does recognise the impact that those sorts of controlling behaviours have on relationships. It does mark, of course, the culmination of extensive consultation with the legal profession but also with victim survivors. I think being a government that listens and prioritises hearing from victim survivors says a lot and it also says a lot that stamping out family and domestic violence has been a key priority of our government. I really am proud to be part of a group that is prioritising that.

I think it is relevant but also relevant as we are finally entering an age where we openly talk about consent, where we openly talk about healthy relationships and are working decisively to change the attitudes of men and women towards each other from childhood, from school age. We are having different conversations with children about how they form those relationships, and it is really in the formative years where they learn or do not learn the skills to have healthy relationships in the future.

Even doing things like banning phones in schools, banning social media for kids, investing in junior sport participation, investing in women's and girls' sport more generally are all measures that go a long way to equalise the roles of boys and girls and to normalise relationships that are fair and measured from day one for boys and girls and to stamp out toxic, ingrained misogyny and violence towards women.

We do know, unfortunately, that that misogyny often is starting earlier with the influence of social media, particularly through the rise of toxic social media influence, and I am not ashamed to call out in this place the behaviour and the actions of individuals like Andrew Tate on social media and the impact that individuals—right wing, controlling, misogynistic individuals—are having on young boys particularly and what that means for their relationships with women going forward.

We should be calling out those behaviours but also doing what we can as a government to set the narrative from the top down that we do not think those relationships, behaviours or attitudes towards women or young girls are okay, and that it is absolutely essential that we start those conversations earlier and we are stamping out those negative behaviours from a very young age. Moments like this and legislation like this are really monumental, because when governments make a statement like this, others follow suit. We are the ones setting the agenda here, and I think it is something we should be really proud of that we are doing so.

We know that emotional and mental control that an individual can have on their supposed loved one can be monumental and often a precursor to physical violence in a relationship. For too long the criminal justice system has only been able to address individual incidents of physical violence or threats of physical violence. I have spoken many times in this place about growing up in the cycle of family and domestic violence myself. Unsurprisingly, like so many others, that was part of a cycle. My mum, too, grew up in a cycle of family and domestic violence.

I think it is really important to speak about that here in this context, the way that family violence permeates through generations and the cyclical instances of family and domestic violence, which are so common, are often the result of emotional and mental abuse. It is the persistent emotional behaviours, the emotional manipulation, the controlling behaviours, that stay in an individual's psyche. When you are a child, for example, growing up in a house where those are the relationships that you are taught, those are the examples of relationships that you are taught, we know that that can have a really significant impact on you into the future and give you an idea of what is seemingly okay in a romantic relationship.

It is really important that we call out that coercive control can have that sort of impact not just on the individual who is in the relationship but on the children who are in that household, for example, if there are children, and on generations to come. When we look back at the cycles of domestic violence, you can see those elements of coercive control, those elements of emotional and mental abuse, that have continued through generations and what that has done to the psyche of an individual and the psyche of the children, if there are children, in teaching them what is okay.

That, for me, is really what this is about. It is actually making a decision from the top down about what we consider to be a healthy relationship, what standard we are willing to set for future generations of individuals as they enter relationships. For me, that it really important, and it is something to be proud of.

I really think this bill does some essential work. It is something that we should be considering not just in relation to the legislative framework but in relation to the way that we have conversations with people more generally, the things that we teach our children, the conversations that we have with young people in our lives. We need to talk about and be open about those conversations and what is considered healthy, what is unhealthy and what can continue to permeate through an individual's life and often lead to further instances of violence.

Again, teaching those relationships and teaching those negative behaviours from a young age affirms that controlling relationships are seen to be okay. In the past, that is what generations of individuals, whether it be at a government level or others, have not been able to do. They have not been able to call out those behaviours and change those relationships from a young age, and I think that making a decision like this one at a top level really does play a big role in that.

This is a really important thing that we doing. Of course, although I have spoken mostly about female-male relationships with female victim survivors and the children in that situation, it does relate to other relationships where there may be instances of coercive control as well. The other really important part is that it also relates to former intimate couple relationships, because we know that, particularly for those with children—and, when there are children, that encourages or makes sure that that relationship continues to some degree—those controlling and coercive behaviours can continue long after the breakdown of the relationship.

Personally, I am really proud to be part of a government that acknowledges the impact that coercive control has on people's lives, not just at the time but into the future. I do want to spend just a second today thanking all of those victim survivors who have spoken to this piece, because speaking up is incredibly difficult, but it is necessary to protect the relationships of the future,

particularly for young girls, but also to break the cycle in those instances, as I have mentioned, of cyclical family and domestic violence which, unfortunately, so many people continue to fall into, having been taught this idea that a toxic relationship is okay.

I really do commend the bill and all the work that has gone into this one and want to thank everyone who has been a part of that process. I think that goes a really long way, not just, of course, in terms of the legal framework, but in terms of the narrative that we as a government and we as a group, and I think just individuals in our own lives, want to send: the message that we want to send to young people particularly as they start their lives, as they build relationships, whether it be as friends or romantically, about what is okay, what is accepted and, of course, the attitudes that we want to see changed in our lifetime. I well and truly hope that they will, so I am really happy to speak to this and commend the bill today.

Ms PRATT (Frome) (17:50): I take this opportunity to make my own contribution to the Criminal Law Consolidation (Coercive Control) Amendment Bill 2024. I begin my remarks by reflecting on previous contributions from past members, the former member for Bragg, Vickie Chapman, the former member for Elder, Carolyn Power, and, in the upper house in the other place, the Hon. Michelle Lensink MLC, who, in their own significant way, made contributions through the introduction of the Criminal Law Consolidation (Abusive Behaviour) Amendment Bill 2021.

In recognising their contributions, it is also upon us all, on both sides of the chamber, to do a very simple thing and make eye contact, to nod, to listen and to recognise that there is goodwill and there is genuine intent to support the passage of this bill.

I note, from an event that I attended last night, the support and participation, not just by the member for Reynell and the member for Hurtle Vale in their ministerial capacities, but of course my friend and colleague the member for Heysen. We were privileged to attend an event being hosted by the Zahra Foundation, as a change maker event, and I think we all note and recognise the extraordinary advocacy that we have seen in South Australia led by Arman Abrahimzadeh and his sisters. They have made themselves completely vulnerable as young adults over many years, bringing South Australians along on their very public family journey.

I commend them as siblings not only for the contribution they have made and the advocacy they have demonstrated but for the lives they have impacted and most likely saved through the foundation being established. At last night's event we were also very fortunate to have an impromptu address, if you like, from Her Excellency the Governor, Frances Adamson. She was there very simply to put her own significant role aside and to deliver a speech, and a commendation really, bestowed on a woman I was meeting for the first time, Lisa Annese, the CEO of Chief Executive Women.

That really set the tone for hundreds of attendees last night to understand the impact of gendered violence in the workplace and the duty that we have to call it out, to seek it out, to identify it, and to work towards making sure that it is removed from not just our workplace but our home environment. It was shocking to be told that after prisons and, I think, the Defence Force, the family home is the third violent environment that a person can find themselves in. We have to shift the dial on that pretty quickly.

I note earlier today the member for Unley also made a contribution to this bill. When it was introduced by the minister from the Office for Women, the member for Unley and I sat and listened to a very detailed second reading speech, and it is worth noting that the gallery was full of members of the public who had come in to listen to the introduction of this significant bill, because there is that level of public interest and public buy-in. The member for Unley and I felt the bill was incomplete in some ways—and I hasten to add that I support the bill. I support this bill and any bill that moves towards striking out any coercive behaviours that might exist in our community.

The member for Unley's contribution as to the bill being incomplete was very worthy and I want to add to that with a rare personal reflection of my own where, through unfortunate circumstances, I have had an experience where I sought the support from our fabulous South Australian police force to manage what was described by them as a non-domestic violence situation, something that took place that was not, or would not be captured by this bill, which is very much focused on intimate partners and intimate relationships. I think the member for Reynell knows that

through estimates I have put these questions for such a stipulation or a definition on domestic violence to be captured or considered by the royal commission currently taking place in our state.

The bill is incomplete because—it does not apologise for having a strong focus on intimate relationships—I think that we all recognise that coercive control and controlling behaviours are not just a domain between intimate partners; we see it between strangers, we see it between neighbours, we see it between family members.

I would add another level of advocacy for those older South Australians in our community who tragically experience elder abuse. It is not for today to expand on what that can look like, but I take pride in standing here representing the Council on the Ageing—we recognise them as COTA—who have in their public submissions given feedback that they would have liked to have seen this bill capture more fulsomely some advocacy and protections for those older South Australians who cannot defend themselves or are not cognisant that abuse or controlling behaviours are being perpetuated against them, sadly, often by a family member.

In reflecting on coercive control this chamber will continue to hear many contributions, but I want to stand here as a voice for women in the electorate of Frome who have been impatiently waiting for this bill to come on, for these contributions to be made and for their voices to be heard, because coercive control and controlling behaviours, like a cancer, do not discriminate and they can be found in every household, metro and regional.

When we view coercive control through the lens of living in the regions and we start to reflect on what resources and supports there might be for those people, it quickly becomes clear that you are often on your own. Of great concern on rural and remote properties, when the power is down and the bowser does not work and the car will not run, when that protective family member or friend is away, all of a sudden people can find themselves very vulnerable to circumstances that can become life-threatening.

I want to make it very clear that for women, in particular, who are living in country SA, whether that is in a town, on a farm or in the outback, the opposition is determined to ensure that there are protections, that there are supports, that there are services and that their voice is being recorded through the passage of this bill as a factor that puts them at risk when we understand that controlling behaviours can sadly be normalised and some of those signs, some of those signals are so innocuous.

Sitting suspended from 18:00 to 19:30.

Ms PRATT: I was on my feet earlier this evening reflecting on the Criminal Law Consolidation (Coercive Control) Amendment Bill before us. I want to offer some brief reflections of my own about how we consider coercive control or controlling behaviours and perhaps where some of them start as what might be described as fairly innocuous behaviours that are normalised or not recognised for their sinister intent. That might be a subtle holding of the arm or words that are said to shut down a conversation, but it is the little things that add up.

Sadly, it is often women who nod along and can contribute their own personal experience of what small, normalised, innocuous controlling behaviours might look like. We know that as those behaviours are normalised, condoned and enabled they then lead to the more obvious unwelcome, uncomfortable and sinister elements that look very much like and are easily detected as financial control, controlling bank accounts, controlling access to cards, reviews of banking statements, questions asked, control around what food and shopping items are bought, what is in the fridge and who is eating what. Sadly, I understand that some refrigerators can be locked.

Phone records may be checked, there is the use of the phone, the checking of the phone, questions about the phone, locations assessed: where have you been? Who have you been with? Then, of course, there is the pathway of physical restraint, physical abuse and loss of life.

As I move towards concluding my contributions, I am left thinking about how teachers and educators—I was of that profession once upon a time—approach conversations with students about bullying in school. A lot of work went into defining what bullying looks like, sounds like and feels like but there are three common threads: the behaviour is repeated, it is harmful and, thirdly, there is an

intention behind it. It is repetitive behaviour that is recognised to be harmful and that there is an intent or a deliberate nature to that behaviour. I think that is easily extrapolated into the adult world.

I commend everyone in the chamber as we make our contributions to this important bill. We welcome a bill that starts to address the very unwelcome controlling behaviours that we are now free to talk about in our communities. I repeat my sentiment, my recognition and reflection of women who live in my community who have gone out of their way to raise this with me very quietly in corners of meeting rooms in a manner that does not necessarily demonstrate they have confidence either in what they are reporting or any change that will come.

Happily, noting the presence in the chamber of the member for Reynell and the minister, I made comments earlier about the opposition's support for the bill and also my own personal view that there is some incompleteness to it where it does not extend to non-domestic violence situations and, more broadly, to older South Australians where it might capture elder abuse.

There is a long way to go, but we are well on the way to addressing, in a bipartisan way, zero tolerance for controlling behaviours. With those sentiments I conclude my remarks, and I support the bill.

The Hon. Z.L. BETTISON (Ramsay—Minister for Tourism, Minister for Multicultural Affairs) (19:35): I rise to speak on the Criminal Law Consolidation (Coercive Control) Amendment Bill. This is an important bill that creates a new offence of harmful, controlling behaviour towards a current or former intimate partner.

Let me start by acknowledging my hardworking colleague, the Minister for Women and the Prevention of Domestic, Family and Sexual Violence. She introduced this bill and she is the lead speaker, but the reality is that she has been working in this area for many, many years. We raised this when we were in opposition and it is incredibly important that we are here at this point to debate it, to pass it, and to implement the coercive control legislation.

There has been extensive consultation with the legal profession and peak domestic violence prevention advocacy groups, victim survivors and community members. We are not just making this bill, this legislation, in isolation. We have been doing community awareness campaigns to ensure everyone is equipped with information about how to identify this form of violence and how to seek support. It is incredibly important that we have conversations about what coercive control is.

In conversations I have had before people are very clear about physical violence and sexual abuse, but having these other elements—financial abuse, emotional abuse, controlling behaviours—these are deeper conversations we have to have. We actually have to change our culture so that someone knows when it is not okay and, if they feel like it is not okay then they know where to go to seek help. These are important things we need to do.

Under the current laws police have been severely limited in what they can do to help women subject to coercive control if this conduct does not involve any physical violence. This means that victims of coercive control can currently be left with no protections or support until an act of physical violence occurs. Of course, this is utterly unacceptable.

We know that coercive control is deliberate, an abusive effort to control someone. In fact, many times coercive control is levelled with the potential of physical abuse—not always, but that is the fear that it is lurking, that 'I'm watching you, I know what you're doing. What made you think you could do that on your own.' When these are the questions being asked in partner relationships, we want people to be aware that that is not acceptable.

The scope of the offence of coercive control under this bill applies to anyone in an intimate couple relationship, regardless of sex or gender identity. What we are talking about, in coercive control, is fundamentally about one person having power or control over another person.

I want to talk in my role as Minister for Multicultural Affairs. Over many years, nearly a decade now in the roles I have had, I have engaged with people on their migration path. People come to our country in many different ways: they come as humanitarian migrants, they come as skilled migrants, as international students, they might fall in love with an Australian and come here. Anyone who comes here, no matter their pathway, often experiences that time of settlement.

You might be here without any other family members: you made a decision to come to Australia to work or to study and so you often do not have the support networks behind you. Also, sometimes you come here after a long period of trauma, and these are really challenging times. You are safe, possibly the first time in decades, and you are here trying to find your way forward.

What I have heard and what I have seen is sometimes parents within these families arrive in Australia with limited English skills and comprehension. Many women have been unable to go to school because it was not safe. For our families from Afghanistan, women have been prevented by the government of the day from having any education. Often, without any choice of their own, women have been restricted.

As the children in these families settle into their school, they make new friends and they are able to learn English very quickly, sometimes at a higher level than their parents. What this actually means is if you are the eldest child of migrants you often take on an additional role. There is lots of responsibility: you are the one who interacts with any service providers, you are the one who translates for them, you are the one the school deals with. I often talk to people about how much pressure that is on that eldest child who takes on those additional responsibilities.

The majority of children who do this do an excellent job and I commend them for their incredible support. It is really hard to understand what kind of responsibility that is until you are in it. However, we have witnessed a very small minority who then choose to take advantage of this power and responsibility.

It may start out with something as harmless as not telling the full truth about a report card or how often you are attending school when you are translating for your parents. In extreme circumstances it can lead to controlling or manipulative actions, exercising a power imbalance created by language barriers. This can also happen in situations where you join a partner and English is not your first language.

We know that that need to seek help, that experience of coercive control—when people experienced this in a home as a child we often see them repeat that behaviour because that is what they have modelled their relationship on. That is what love is for them, and sometimes that love is about control. It is not about love for you as an individual; it is love for you as someone who is controlled by that person. While this is a small minority of people, it is important that this bill identifies those patterns of behaviour and that coercive control, calls it out, recognises it, and then supports these families to deal with this going forward.

Just recently the Minister for Women and the Prevention of Domestic, Family and Sexual Violence and I announced the success of the Community Circles program aimed at teaching young culturally diverse women about coercive control, led by Multicultural Youth SA (MYSA). The Community Circles program received funding from the National Partnership Agreement on Family, Domestic and Sexual Violence Responses 2021-2027 between the Malinauskas Labor government and the federal government.

MYSA delivered 30 group sessions to 766 young women, the majority of whom were from culturally and linguistically diverse backgrounds. Led by facilitator and clinical psychologist, Dr Stacey McCallum, Community Circles provided an opportunity for the participants to play an active role in designing awareness-raising strategies to bring coercive control to the attention of young women in their communities. All workshops were delivered on weekends to provide a safe forum for young people to come together, learn about coercive control and identify the wider social, cultural and political conditions that give rise to and support the problem.

Pre and post assessments were undertaken to determine the effectiveness of the intervention. During pre-assessments, results indicated that many of the participants were not aware of what coercive control is, and more concerningly they reported that they feel that it is acceptable for their boyfriend or husband to monitor and control their behaviours, particularly in relation to technology.

We have heard this more widely, not just in our migrant community but across the board. A good portion of the group felt it was okay to let their boyfriend or spouse track their whereabouts on their mobile phone. On the surface, we might all think that is about safety, but when it turns and it

becomes to demand where you go and who you are speaking to, that is something different. Post assessment indicated that workshop content was effective at increasing the young women's understanding of coercive control and influenced their attitude to coercive control in relationships. The program was then able to progress to a phase aimed at collaborating with young women to develop awareness of raising strategies that they believe will be most effective within their communities.

The group decided to focus on digital campaigns as well as advocacy and policy work. These are important conversations for us to have. We certainly have heard of different instances where there has been coercive control around birth control, particularly with very vulnerable young women who are encouraged to remove their birth control in an act of coercive control by their partner, taking away what has been a big decision of that person to not go down that path and to be told that is not what is expected: 'If you love me, you will remove it.' I have heard that many, many times.

We know that coercive control grips all communities, but we are ensuring that we reach out to different groups within our community to make sure that we have this conversation. We want to make sure people have greater awareness and, of course, know where to go for support. We need to equip women with the skills needed to advocate for themselves and their communities. I really want to thank the work of MYSA and recommend the work they have done in raising this level of awareness.

Of course, this conversation needs to be had at all ages because people need to understand. It needs to happen with men, it needs to happen with women, it needs to happen with younger people and with older people at different times in their life when they are starting to feel uncomfortable within their relationship about what is going on.

This bill is incredibly important. Not only do we have a royal commission into domestic violence going on at the moment, we know that for more than a decade this has been an issue we have been talking about. It is about awareness but it is about legislation that allows us to call out and say: 'It's not okay'. We have also had movements where we have allowed people to find out more information, because we know that people repeat these behaviours, relationship after relationship. We have also made sure that people are aware when they are most at risk and things start to elevate, but most importantly it is to make sure people know.

I grew up at a time when people said, 'What goes on behind closed doors is up to that family. You don't talk about it.' We need to open those doors, we need to create awareness that what is okay, what you have grown up with potentially is not what others have grown up with—and you can question that. You can say, 'That is not what love is, that is not what safety actually means.' We want people to have those conversations and we want to back them up, and that is what this bill does. We believe you, we believe it is wrong and we want to make sure that you are safe, and that is why we want to call out coercive control. I support the bill.

Mr TEAGUE (Heysen) (19:47): I rise to indicate the opposition's support and that I am the lead speaker for the opposition. I have been glad to hear the contributions of members on both sides in the course of the debate today. As is well known, the challenge of legislating in this area has been one that has been confronted by at least both this parliament and the Fifty-Fourth Parliament, and I want to pay tribute to the work of the former Attorney-General, the Hon. Vickie Chapman, in this regard and acknowledge, also, the work of the government continuing to bring legislation to the house.

Much of the contribution focused on the need for cultural change and for improvement, and all of that is true. Part of what has been a challenge in terms of legislating against coercive control, as it has become known, is the legal challenge that you move from what is an objective for cultural and individual behaviour and improvement into a space in which you are imposing new criminal offences that need to be able to be prosecuted and proved beyond a reasonable doubt. They need to have effect in that they are able to be enforced and a court is able to then impose a conviction and a sentence on a perpetrator.

All of that requires a sufficient level of evidential certainty and a capacity not to have outcomes that work in the opposite direction. As we have seen in so many areas where evidence is required in order to prove up offending, particularly against women, the court process too often lets

victim survivors down. So I will just flag that in my contribution, particularly at committee stage in working through the way in which these new offences are structured for the purposes of this bill, I will flag the real concerns that have been expressed by the Law Society in respect of the 2023 draft and that remain.

Of course, the bill is approaching things in a way that includes an objective test of what constitutes coercive control, therefore there is a real issue about what a reasonable person might consider to be coercive control, regardless of the view or perception of the particular perpetrator and victim survivor. There is also a fairly wideranging provision in the bill in relation to the conduct that is prescribed, and there is built in the capacity for regulation both to add to and subtract from conduct that is determined to be coercive control and a course of conduct consistent with coercive control.

Rather than repeat the sentiments of much of what has been heard in the course of the debate, I just highlight that this is an area that has been the subject of long ongoing advocacy and consideration by those responsible in government over at least the last several years and has been the subject of advocacy by those outside. As is often the case, I am moved to pay particular tribute to the advocacy in this regard of Zonta. Zonta, through its membership and organisation of events, has shone a light on the importance of all things ranging from calling out behaviour that constitutes coercive control all the way through to dealing with the challenge of legislating.

I just flag as well that in the course of the committee I will highlight, as I have in considering the subject, the approach to legislating that has taken place in Tasmania. Tasmania has legislated against family violence and has its own form of offence provisions in relation to coercive control. It is very much directed to particular conduct and might in some ways be compared and contrasted with the approach that is taken the subject of this bill. As I flagged, I might focus some particular attention on the observations of the Law Society. I recognise, as is universally the case, valuable input from the Law Society, which is also long on the record as being supportive of measures in this area.

I highlight in particular at this second reading stage the necessary focus on achieving the practical outcome by this legislation. That is a challenge that is going to need to prove itself in practice once these offences are on the statute books and prosecutors are in a position to bring these matters before the courts. With those indications in particular about the focus at the committee stage, I will commend the bill and look forward to that interrogation at the next stage.

Mrs PEARCE (King) (19:55): I rise to speak in favour of this incredibly important bill. It is a bill that will create a new offence for the harmful and insidious behaviour which for far too long has not been given the attention it deserves, which is the controlling behaviour towards a current or former intimate partner.

I am really proud of this bill because it means that we are facing the red flags that we all know very much exist within our society and within our communities. I am really proud because my kids will not only know that the flags exist but more importantly they will know that there are absolutely supports in place to support them or anybody they know should they be experiencing any of these insidious behaviours.

It is certainly something I wish was available when I was much younger in my late teens and early 20s. It was unfortunately something that was experienced within my friendship circles and the like, so I know how devastating an impact this can have, and I know how small the behaviours can begin but how quickly that can evolve into something that is completely out of control. They can be things such as a partner commenting on the clothes that they are wearing, that can quickly transform into a partner's strong opinions about who they may or may not be spending time with, that then can very much change to, 'You can only go out if that person is with you and your partner is with you,' and it very quickly pushes you away from the relationships you have and you find yourself completely isolated and alone. Add on top of that dependence in terms of money, children and the like, it can very quickly spiral and be quite a difficult situation.

I know in our circumstances, coming from a really small town, it was really quite a scary concept, particularly when we were younger and trying to support our friend going through a difficult time. It is really difficult when your partner knows very easily where you work, because there are only a few options; where you go to school, where you play sport, again there are only certain places so you are quite easy to find and it is really hard to have that clear breakaway, particularly if there are

no supports of the law put in place to be able to ensure that those parameters are followed and adhered to.

So it is something I am very happy to see because I do know that each and every time an action like this is taken and a red flag is shown, a little more of that person is taken away until they become a shadow of themselves and they are completely isolated and alone and tragically unsafe in that circumstance.

This new offence will be created in the Criminal Law Consolidation Act 1935 and it will outlaw coercive control of a person who the defendant is or has been in a relationship with and it will carry a maximum penalty of seven years of imprisonment. By doing this we are saying no more to using coercion to be able to impose a will upon others, hurting, humiliating, intimidating, exploiting, isolating, dominating and terrifying their victims over time and often the people around them, which often in traps them and the victim in a nefarious cycle.

We know this behaviour often precedes serious assault and heartbreakingly all too often homicide. We know that police have often been limited in what they can do to help a woman who is subject to such conduct which does not involve physical violence due to the focus our criminal laws currently have when it comes to physical abuse. We know that prevention is key. If we can get it at these early stages and we can set the standards, we certainly know that we can see improvement in the safety and wellbeing of women all across our state.

Given this, the bill before us will see that elements for an offence of coercive control will be that for which a person engages in a course of conduct that intentionally has a controlling impact on a current or former intimate partner, if the conduct would be likely to cause the victim to suffer physical or psychological harm. It will give greater focus to what is essentially an assault on one's free will. Such behaviour will be considered controlling if a reasonable person would see it as restricting someone's freedom of movement or action.

This is restricting another's ability to participate in social, political, religious, cultural, educational or economic activities. It also covers whether their right to make decisions about their own body is compromised or if their ability to access necessities is limited, including property, support services or the justice system. These freedoms should never be compromised because another person deems that they have the right to impose their will onto another.

Outside of this place, you will likely have taken notice of the See the Signs campaign, which is currently being undertaken by the government to ensure that across the community there is a level of awareness about this insidious form of violence. It is no longer a matter to be swept under the rug or held behind closed doors. We are here helping South Australians to become aware of the signs of coercive control and what it looks like but, more importantly, how one can seek support for a loved one that they might know is currently experiencing it.

In practice, such restrictions may look like stopping someone from undertaking employment, controlling what they eat, stopping someone from being able to enjoy time with loved ones and friends or financially controlling someone and holding them accountable for every purchase that they may choose to make. In a friend's circumstance, I know she had an allowance, which was very hard to keep on top of and had to seek permission, which was quite demoralising at that time, provided she was also providing an income to their household.

The scope of this bill will focus, regardless of sex or gender identity, on any person in an intimate couple relationship, be it those in marriage, engaged, domestic partners or any other intimate couple relationship, be it former or current.

These amendments have found their way before us today out of extensive consultation that the government has undertaken alongside survivors of domestic violence, domestic violence prevention advocates, the legal profession as well as the broader community. I absolutely thank all who have made valuable contributions to what we have before us today. It takes a lot of bravery to come forward and to share your story and make suggestions on how we can do better in this space, and by doing so, you have certainly helped to make a huge difference in the lives of so many moving forwards.

We have been hard at work ensuring that we are delivering policies which will have a positive impact on reducing family and domestic violence throughout the community. Prior to coming into government, I was really proud that the Malinauskas Labor team took to the 2022 election a commitment for $2 million for the Catherine House to reinstate funding that was cut by the former government. Other work since then has included making domestic violence a ground for discrimination in the Equal Opportunity Act and enshrining 15 days' paid domestic leave for workers under the state industrial system, providing $800,000 into restoring funding to the Women's Domestic Violence Court Assistance Service and also passing legislation to ensure that the defendants granted bail on charges of violently breaching DV-related intervention orders are subject to a mandatory strict condition of home detention and electronic monitoring.

Acknowledging the role that domestic violence has on housing and security, it has been a pleasure to see reforms pushed forward by this government, including the establishment of the Housing Security for Older Women Taskforce, ring fencing a proportion of public housing for women escaping violence, engaging with the finance and real estate industries to ensure that women do not bear the brunt of mortgages, loans and rent that go unpaid in a domestic violence situation.

These important legislative changes which pass through this place are going to better protect people across our community, and it is an absolute pleasure to be a part of a government that is so passionate about pushing forward these initiatives and, even more so, acknowledging that there is still much more work to do in this space and getting to work to pass important bills such as this one that we have before us today.

With Natasha Stott Despoja appointed as Commissioner for the Royal Commission into Domestic, Family and Sexual Violence, which commenced this year in July, I am sure that the royal commission will inquire into five areas including prevention, early intervention, response, recovery and healing, and coordination to provide the government with the recommendations that will see a system much better suited to meet the needs of individuals who interact with it, and I look forward to supporting such reforms when they make their way before us in this place.

As I have noted in this place before, I commend bills such as this. I know it will go a long way towards helping raise awareness across the community about what this insidious form of domestic violence looks like, and will go a long way to helping those who may find themselves in such situations. Anybody can fall in these situations, everybody in the community has a role to play to help support somebody who they see might be needing assistance and also, most importantly, at those very early stages calling out the behaviour that is unacceptable and that we know can quickly spiral into dangerous situations. With that, I commend the bill to the house.

Ms WORTLEY (Torrens) (20:05): I rise in support of the Criminal Law Consolidation (Coercive Control) Amendment Bill 2024. In doing so I acknowledge the commitment and dedication of the Minister for Women, the member for Reynell. In her first speech on this bill, the minister highlighted that in 99 per cent of domestic violence-related homicides, coercive control was a factor prior to that horrific, final physical act.

The bill before us has as its focus intimate partner relationships, and today I want to acknowledge all who have been impacted by coercive control, including those who are no longer with us, both men and women. In particular, tonight I would like to shine a light on the women, the sisters, the daughters, the mothers and the grandmothers who have lived through the torment of coercive control behaviour and lost their lives at the hands of the abusing partner or former partner, or, because they could no longer live with the isolation, the psychological harm, the restrictions on making their own decisions about their health, their finances, contact with family and friends, or even the clothes they wore, ended their own lives.

A person's behaviour, including an omission or a threat to engage in a particular behaviour, will be taken to have an impact on another person's life if the behaviour restricts the other person from the following:

- freedom of movement: for example, by locking them in a room or excessively tracking their activities, movements or communications;

- freedom of action: physically harming a person because they did not undertake a household duty, or making threats against the person or a child in order to influence a course of action;
- freedom to engage in social, political, religious, cultural, educational or economic activities by deleting or interfering with communications received from a third party or threatening to harm a third party if the other person has contact with that party;
- ability to make choices with respect to body, including reproductive options, medical treatment or sexual activity by destroying the method of contraception or threatening sexual assault;
- ability to access the justice system, basic necessities including water, sleep, food or hygiene;
- access to support services by hiding keys or threatening harm if they leave to attend a particular location; and
- access to property or place of residence by withholding information or changing a password or access code, or deceive as to rights with respect to their own property.

Restrictions include physical restrictions, verbal and psychological restrictions, removing the means by which a person is able to do something, deception or other behaviour that directly or indirectly impacts on a person.

Through consultation, concern was raised that a coercive control offence could unintentionally contribute to perpetrator misidentification. This occurs when authorities mistakenly treat the victim of abuse as the aggressor, possibly resulting in intervention orders being issued and prosecution for criminal charges.

This can occur when authorities focus on incidents of a victim's defensive or retaliatory behaviour without consideration of the broader context and balance of power in a relationship The bill before us will direct the attention of the authorities to the broader power dynamics in a relationship and the relative freedoms enjoyed by the parties. Significantly, to safeguard against over-criminalisation, the bill contains a defence behaviour that accounts for exceptional circumstances and justifies seriously restricting a partner's behaviour.

I have had so many people from my community knock on my door, either as victims of coercive behaviour or friends or neighbours of people who are experiencing coercive behaviour, and I know very often it feels as though there is not an answer for them. It is really important that the legislation that we have before us today is implemented so that anyone who is found or convicted of this behaviour will face the consequences of up to seven years' jail.

A couple of years ago I received correspondence from a distraught resident, a father who had just lost his adult daughter. He wanted to meet with me about coercive control legislation. Along with the minister, the member for Reynell, I met with him and his grieving remaining daughter in the members' lounge in this place during a sitting week. Together the father and daughter told their story and it is fair to say that by the end there were tears all round. With permission, I will conclude with this loving father's words to me:

> We want Kirsty's voice to be heard, even if she is no longer here. Nothing will bring her back, however if we can contribute in any way towards preventing this behaviour happening to others, then this will be her memorial.

I commend the bill to the house.

The Hon. K.A. HILDYARD (Reynell—Minister for Child Protection, Minister for Women and the Prevention of Domestic, Family and Sexual Violence, Minister for Recreation, Sport and Racing) (20:11): Firstly, I want to offer really deep appreciation to everybody who has spoken in this debate. Thank you very much to the member for Playford, the member for Unley, the member for Davenport, the member for Newland, the member for Frome, the member for Ramsay the member for Heysen, the member for King and the member for Torrens.

I really appreciated all of their words and I just wanted to reflect on how important it was to our debate that so many of those speakers brought to life, including the member for Torrens who has

just spoken, the words, the experiences, the devastations that some community members have gone through as a result of coercive control, experienced either by themselves or by a person that they love deeply.

I am very proud that the development of this bill has very much been shaped by those many conversations that I and a number of members of this house have had with survivors and with family members, and I am really proud that there is support for this bill to make sure that those voices, those experiences are heard and, as the member for Torrens just spoke about, that those many people who have come forward and have so often said that they want to ensure that their experiences, or the experiences of one of their loved ones, through sharing them, actually helps to make a difference and I hope that that is exactly what this bill does. I really am very grateful to members for bringing those stories to life, and so incredibly grateful to those remarkable survivors who have shared those stories.

As I did in my second reading remarks, I again thank the Attorney-General and his office, particularly Elliette Kirkbride and the Attorney-General's Department, particularly Laira, for their work towards this really important legislative reform. I also wholeheartedly thank the Office for Women and Director Sanjugta Vas Dev and particularly Hilary Wigg in my office for their ongoing work to grow community awareness about these insidious behaviours and to help to develop and bring this legislation to this parliament.

I want to mention Hilary again because Hilary was in my electorate office and she is now a senior adviser. Back in 2019 we began to develop a bill which I introduced into the parliament from opposition in 2020. That bill we brought to the parliament because of those stories that we heard from so many people in our local community and beyond. I am very pleased that after a journey—almost five years later—tonight we continue to finally progress this legislation.

Again, thank you to all who have worked towards this. Also, thank you so much to those who have advocated for this legislation for such a very long time, all of those remarkable workers who work day in and day out in the domestic, family and sexual violence sector, those who every day walk alongside women as they experience these terrible behaviours and empower them to walk new and safer journeys. I say thank you to everybody who works in that sector. I also thank Embolden, their peak body, who have again been such strong advocates and have provided such wise advice about what should be included or not included in this legislation as we take it forward.

I also thank those other advocates, those who do not necessarily work in the sector but are absolutely friends to the sector and long-term enduring advocates for women and the prevention of domestic, family and sexual violence. I think of those incredible community-minded women in Zonta, in Soroptimist, in BPW, and in the 16 Days of Activism groups, who for such a long time have advocated for this and, indeed, for other legislative change also.

Finally, I again pay tribute to those many brave survivors, many of whom were here in terms of those who have helped to shape this journey that we have been on, this bill that we debate tonight, who were here when we introduced the bill but also all of those survivors, particularly those who are in situations that meant they could not be in Parliament House that day. I also really honour again those women we have lost to domestic, family and sexual violence. As I said in my second reading explanation, this bill is absolutely for them.

Bill read a second time.

Committee Stage

In committee.

Clause 1.

Mr TEAGUE: The first question is at clause 1 and I refer in particular to submissions that happen to be the subject of letters dated the same day, 10 October 2023, from the Bar Association and from the Law Society, and I ask the question, in circumstances where it has been raised particularly by the Bar Association, to what extent have those responsible for the institution of criminal proceedings, such as SA Police and the Director of Public Prosecutions, been consulted on the bill?

To what extent have each of their consideration and recommendations found voice in the form of the bill that we have now seen introduced to the parliament?

The Hon. K.A. HILDYARD: I thank the member for the question. Just broadly, to cover off on the way we have consulted and developed this bill, in late 2022 and early 2023 we undertook a process where we brought together various groups of women with a particular interest in this subject matter. In a very deep way we engaged with Aboriginal women, with a group of women living with disability, with a group of LGBTIQA+ people, with young women, and with women from diverse multicultural groups to actually seek their input and their help to shape the bill before we went about the drafting process.

Through that process there was an extraordinary amount of insight gained, and that insight was instrumental to developing the bill in the right way. In late August 2023 we also undertook a comprehensive consultation process where, as well as a YourSAy process, we held a range of public forums where people could contribute. We also engaged in targeted correspondence with a range of particular stakeholders.

So that consultation process has been very robust, and it has absolutely included consultation with the DPP and SAPOL that has been extensive. Indeed, those conversations with SAPOL and others across government continue, because we know that when this bill, hopefully, passes both houses of parliament the work continues to make sure that every person in every department right across the sector, right across the community, has a role to play in helping ensure that the implementation of this legislation is effective, and that it has the desired impact for which we have developed and introduced this legislation.

Clause passed.

Clauses 2 to 4 passed.

Clause 5.

Mr TEAGUE: The bill adopts, as I noted in the course of the second reading debate, an approach including an objective test. This is one of those circumstances where the operative provisions are all contained within one clause, so I will endeavour to address all of this as efficiently as I can within the questions allowed for the single clause. It adopts a reasonable person test in what will be the new 20C. It also adopts some novel definitions of the impact of behaviour, including the definition of controlling impact.

I will perhaps ask the first question. To what extent did the government consider legislation in other jurisdictions, in particular legislation in Tasmania, which not only I but also others have observed deliberately adopts a rather singular notion of abuse? Then, part 2 of its Family Violence Act sets out what are really quite circumscribed actions that will be prosecutable as constituting the offence, including economic abuse, that is described in the five particular examples of conduct that are defined as constituting economic abuse for the purposes of that section in that act. In a way, if the nub of the first question is, 'To what extent did the government consider alternative regimes, and in particular the Tasmanian regime' can the minister inform the committee about the rationale for adopting a somewhat different course?

The Hon. K.A. HILDYARD: First of all, yes, we did look across a range of jurisdictions: New South Wales, Scotland and also Tasmania. As the member has rightly pointed out, they talk about separate 'types' of abuse—to summarise, emotional and economic abuse. There are a range of reasons why we did not follow that course, the first one being that what we know about coercive control is that economic and emotional abuse can often be deeply intertwined. The emotional abuse can feed into and worsen the impact of economic abuse and vice versa. We chose to speak about them as one offence but to focus on the controlling impact of that abuse.

The reason for that focus on the controlling impact of behaviours included a desire to educate community, and indeed stakeholders, around the sorts of behaviours and the sorts of impact that those behaviours can have on a person when they experience coercive control. Certainly, the feedback from stakeholders has indicated that despite progress being made through our See The Signs campaign and through other strategies that we have engaged in, coercive control is still not as well understood as we would like it to be more generally in the community.

Secondly, we really wanted to make a cultural shift in terms of how the whole of the criminal justice system thinks about domestic abuse. We absolutely want to shift thinking away from incidents of behaviour as creating harm, which of course they do, but also make that cultural shift to an understanding that it is the patterns of coercive controlling behaviour, which can include a range of different forms of abuse, that actually have that harmful impact on the person who is subject to coercive control.

We also wanted to make sure—and there are other parts of the bill that go to this—that we were very aware of the need to help avoid perpetrator misidentification. We deliberately then moved away from those prescriptive words of 'humiliation', etc., to make sure that we were focusing on the impact of that controlling behaviour. We felt that as soon as you distilled that into particular individual words, that that may be more likely to lead to circumstances where those particular words could equally be used to describe victim retaliation when they were used in isolation as words rather than contemplating that overall course of behaviour that had that harmful impact.

Mr TEAGUE: I would just then address the objective test that is the subject of the new operative provision 20C, as is clear. I highlight that this is an issue that has been raised most recently by the Law Society, the subject of its letter dated 15 October 2024, that the offence is characterised in terms of an objective test at a number of (and I think at least two) operative stages of the constituting of the offence. First at 20C(1)(a), which provides:

> (a) the person engages in a course of conduct that consists of behaviour that has, or that a reasonable person would consider is likely to have, a controlling impact on another person;

And at (d):

> (d) a reasonable person would consider the course of conduct to be likely to cause the other person—
>
> (i) physical injury; or
>
> (ii) psychological harm,

So (a) includes the behaviour that actually has the effect but includes both the actual and the objective test, and (b) is entirely an objective test and so the question is how is that objective test arrived at in preference to a test that is based on the victim's perception or experience of the actuality of it? What work does that objective test have to do? As the Law Society observes, the proposal particularly in (a) has the result that a person need not engage in conduct that actually has a controlling impact on another person to be found guilty of the offence.

I appreciate the minister's address, that there is a whole lot of endeavour here to send a signal to the broader community. I am focusing, as I said in the course of my second reading contribution, on the fact that courts are having to deal with admissible evidence and then deal with the elements of an offence and in circumstances where the relevant victim is not presenting evidence of having actually been caused physical injury or psychological harm, and the reasonable person objective test is relied upon. How is that going to work in practice and how has the government arrived at that approach to the constituting of the offence?

The Hon. K.A. HILDYARD: I do appreciate that question and the opportunity to talk through this particular aspect of this bill in terms of the objective test being applied to the controlling impact of the behaviour, as you have said, relying on proof that the conduct was likely to restrict the survivor as an alternative to proof that the survivor was, in fact, restricted.

What I can tell the member is that this approach was very much deliberately selected to ensure that the bill does not unintentionally exclude those very resilient survivors who, despite the intention and the behaviour focused on manipulating, demeaning, taking away that particular survivor's sense of self-worth—we selected this because, despite those endeavours of a perpetrator, we know that there are amazingly some very resilient survivors who find ways to resist a perpetrator's attempts to control them.

They are survivors who, despite great personal risk and great fear, engage in activities that the perpetrator has actually, in the course of their controlling behaviour, forbidden them to undertake. We wanted to make sure, in selecting this approach, that just because a survivor gets through or is resilient in the face of terrible coercive controlling behaviour and is able to get through it, that does

not mean they have not been subject to a crime that is coercive control that was very much intended by the perpetrator to harm them.

Mr TEAGUE: My final question, perhaps given the constraints, remains at the operative provision, section 20C. There are two forms of exception, one a carve-out and one an objective test. I say 'carve-out' in that there is provision for regulations to set out what does not constitute an offence. Unlike the examples that are set out at section 20B, the definition section—examples of behaviour that have a controlling impact; we see them—we do not see examples of behaviour that does not constitute an offence, because it is said to be the subject of regulations.

So there is a question about whether there are regulations in the offing that would therefore be anticipated at any time or if that is something that is, as it were, just there for the purpose of the structure and we might see it populated at some point. Then, of course, there is the resort to the reasonableness test at subsection (3). Just because the examples have been set out by the Law Society at paragraph 9 of that recent letter, I will cite that specifically. At the moment, there is at least that degree of uncertainty about the inadvertent criminalisation of conduct that might be regarded as objectively not in the public interest to criminalise.

The example given at paragraph 9 is denial of access to money, account details or bank statements to a person who is suffering a gambling, drinking or drug problem. In those circumstances, the person denying access to that would have engaged in conduct that on the face of it has a controlling impact but for good reason. Is that the sort of thing we might see specified in the regulations or is it anticipated that that is the sort of thing that might need to be dealt with by way of subsection (3) as to reasonableness?

The Hon. K.A. HILDYARD: It is right to say that the intention is to rely on 20C(3) and the reasonableness test as you have spoken about. That does not mean that there is not an opportunity at a later time to consider the development of regulations, particularly if there is a pattern of particular circumstances that begin to arise as the legislation is implemented that may lead us to believe that we do need to commit those particular circumstances, that particular pattern of circumstances, to regulation. But it is intended that 20C(3) is there to be used to test the reasonableness of particular actions.

Mr McBRIDE: Thank you, Mr Chairman, for the opportunity to ask for some points of clarification on a really important piece of legislation. I fully understand after listening to the second readings why you are doing this, minister, and obviously the opportunities to address such sad issues that arise in relationships in society that are not acceptable anymore.

A question to you, minister, and this is a perspective that I am really worried about where innocent people might get caught up in this, not the guilty. By just the mere point that I can see this is criminal law means it is not family law and I am looking for clarity around that. I do not believe it is. We already know in family law and the Family Court that the truth is very hard to come by in relationships, and it worries me with these types of rules and laws that potentially innocent people could be caught up in this. There are some severe penalties here that can incarcerate people for seven years, I see, as a maximum penalty. For the right reason, I understand why the penalty is high.

But can the minister just give me some assurance that if a guilty finding on a party, a person, is found to be bogus and misleading to the court that there are consequences for misleading the court over supposedly this coercive control which can deal with a number of things, as I am seeing here, and that there are deterrents for people—I have to say it could be male or female, it does not matter, and different nationalities—for misleading the court and putting innocent people in incarceration when they did not do anything?

The Hon. K.A. HILDYARD: Thank you very much to the member for his question and for his interest in this legislation. In the second reading speech you would have heard my explanation of the test that we go through to ascertain whether or not there has been an offence. I think that that test is very robust and, as I have spoken about tonight and in the second reading speech, we have looked at other jurisdictions both nationally and internationally to come up with the best possible set of words, legislation, for our context, so I am confident about how that offence is constructed.

In answer to your question, I am advised that there are other penalties in relation to perjury and providing false statements to SAPOL that would of course be applied to this context, as they would be to other contexts in other proceedings on a range of matters.

Mr McBRIDE: I have another point of clarification, if I may, minister, in the sense that we know that relationships today and choices of sexuality and sexual preferences are more open today than they have ever been. Can I just ask for your confidence, and perhaps explanation, that this new legislation is very open and considered, without any sort of prejudice to one sexual person to another?

In other words, for example, it is seen in society today that the male is still sometimes most physically dominant in relationships, but that is not necessarily always the case. We know that in the mixed relationships of today's society, whether they be female-female, male-male, heterosexual relationships or a combination of things that I do not even need to worry about, that this legislation does give due consideration to any person, no matter their nationality, sexual preference, how they describe themselves. Can we be confident that this legislation has no bias but will find any guilty party guilty based on fact rather than perhaps any prejudice we might have felt 20, 30 or 50 years ago?

The Hon. K.A. HILDYARD: I am pleased to be able to absolutely clarify and clear this up for the member. I would point the member to new section 20B(1), where the bill sets out what constitutes 'in a relationship' for the purposes of the offence or the conduct being considered. What the bill states is that, to be in a relationship:

> …2 people will be taken to be in a relationship if—
>
> (a) they are married to each other; or
>
> (b) they are engaged to be married to each other, including a betrothal under cultural or religious tradition; or
>
> (c) they are domestic partners; or
>
> (d) they are in some other form of intimate personal relationship in which their lives are interrelated and the actions of 1 affects the other;

I can assure the member, as you would have heard through me taking you through the definition and as I am sure you have read yourself, member for MacKillop, this bill is neutral as to who particular provisions apply to. It is absolutely equal. The requirement is that the relationship is either marriage, domestic partnership, an engagement or that there is some form of intimate personal relationship. It does not state whether it is one gender or another in terms of who is more or less likely to commit the particular offence. It simply talks about two people being in relationship, and then we go through what constitutes a relationship, so it is neutral in terms of how it is applied.

Mr McBRIDE: I then draw the minister's attention to 20B(1)(a),(b) and (c). I am not sure how I differentiate them, but it says—

> psychological harm means—
>
> (a) mental illness; or
>
> (b) nervous shock; or
>
> (c) serious distress, anxiety or fear.

I fully appreciate what those descriptions mean. In society, perhaps those who are not educated may not see those sorts of elements that could be rolling out in a relationship—one, the perpetrator rolling out those three descriptions and, two, the victim suffering them.

I was just wondering if the minister could give me some confidence or information regarding the fact that if the coercive control is serious—and we see the serious end of the spectrum of seven years' incarceration, I appreciate—then if there are softer elements that they might say are not as serious, is there anything else besides incarceration being considered here, like psychological therapy or relationship therapy or some sort of mental wellness through that process, where it is not just an incarceration jail term that picks up the pieces waiting for it to become really serious and the

only answer ends up being incarceration or jail? So my question to the minister is: what are the other alternatives in addressing these situations rather than just incarceration?

The Hon. K.A. HILDYARD: I will speak broadly and then I will come back to some specific alternatives that the law more generally allows for. First of all, I think I have acknowledged in my second reading speech but also in a question earlier from the member for Heysen what is and will be really important alongside the passing of this bill and its implementation, which is a program of community education and awareness, the development of practices for SAPOL and for courts to recognise this offence, but also to continue the campaign that we have been running for some time to build awareness in the community about what coercive control is, what constitutes it. That education has included—our feedback has been really successful advertising about what the signs of coercive control are.

That advertising has occurred across social media platforms and in many, many other formats to more generally shift community understanding of what coercive control is. In a very general sense, that work will continue because it must. We want to make sure that this behaviour is understood, first of all with a desire to prevent it from occurring in the first place but also to make sure that people understand their rights and responsibilities and the consequences should they engage in this particular sort of behaviour. That program will continue.

What I would say in a very broad sense, and it is certainly the case in relation to this legislation, is that the Sentencing Act does offer a range of alternatives in terms of penalties across a range of offences. What are common in relation to domestic and family violence-related offences are also—sometimes instead of but also—mandatory referrals to perpetrate a behavioural change program, to just sum that up in a more general sense. It is certainly open to the courts to also order those kinds of remedies as well, and that is something that the government wants to see more of.

We are certainly investing in perpetrator behaviour change programs, and that is something that we will continue to do. It is a strong part of the national plan. It is a particular aspect of our prevention efforts that we have asked the royal commission to look into also. I think in terms of community awareness and education, we will continue with that throughout the passage of this legislation and its implementation.

We will continue to work across government to make sure every person in every agency is aware of what this behaviour is and what constitutes this offence. Also, though, right across the work that we are doing in the domestic family and sexual violence prevention space we will continue to invest in perpetrator behaviour change programs, but also the courts will continue to have open to them those other remedies which do include mandatory participation in behavioural change programs for perpetrators.

Mr McBRIDE: A question of clarification to you, Mr Chairman. We have just talked to clause 5, and I have asked three questions. Does that mean it takes us right up now to what is schedule 1? Is that where it goes to now with those three questions having been asked?

The CHAIR: That's correct.

Clause passed.

Schedule 1.

Mr McBRIDE: I know this is going to be a little bit of a stretch, but schedule 1 refers to 'Related amendments', and 'Part 1—Amendment of Evidence Act 1929', under which we see 'definition of serious offence against the person'. This comes back to a basic question of concern. This is all very, very positive and I like what is happening here and I back the minister and her endeavours, and I appreciate her last answer in regard to the other solutions, rather than just incarceration. But when you roll out this sort of legislation and you have maximum penalties of seven years this means that potentially there are going to be more people incarcerated, and we know that Correctional Services is already under stress.

I am not trying to be political here—this is apolitical—but some five, or maybe 10, years ago there was the terminology of 'stack 'em and rack 'em'. I am just wondering, minister, in regard to bringing in new penalties and obviously finding new solutions to problems that exist in our society,

does the government believe that it has invested well enough to capture what this new legislation may entail with perpetrators going through the court system? Obviously these perpetrators could be guilty and may be incarcerated. We already know that facilities are stretched, or under stress for numbers in incarceration.

So my question to the minister is: does she have any awareness of the investments that might be needed to roll out these new laws, which for all intents and purposes might mean a really small number of potential perpetrators, but it could be a large number and then where are they going to be housed and how is that going to affect corrections, jails and incarceration?

The Hon. K.A. HILDYARD: Thank you again for the question and thank you again to the member for his interest in this area. What I want to place on record from the outset, and I have said this in the second reading speech as well, is that we are absolutely determined to punish those who engage in coercive controlling behaviour with the intent to harm a person that they are in, or have been in, a relationship with. I say that because of the many, many stories I have heard, but also the sheer volume of people—particularly women, overwhelmingly women—who are experiencing harm as a result of coercive control.

The most compelling fact about that harm is that in 99 per cent of domestic violence homicides we know that an experience of coercive control was a precursor to that horrific, final physical act. So we certainly make no excuse about being very firm about how deeply unacceptable coercive controlling behaviour is and hence this regime and the penalties. I just want to make that very clear.

Also, it is our desire, evidenced by the vast array of work that we are undertaking across prevention, intervention, response, recovery and healing, that we continue to work to prevent this behaviour before it starts, to have it much better understood, to have programs in place that intervene with perpetrators and that we have those programs in place that support women who experience all forms of violence, including coercive control. Whilst this legislation absolutely is very strong about the penalties for coercive control and the harm that it causes, we also have a very strong program of work to help to prevent this violence before it starts.

Part of that work in relation to this bill will be ensuring that when—should—this passes both houses of parliament that we actually have a period of implementation where we are again educating the community more broadly, hoping to shift understanding but also to shift perpetrator behaviour and also we will be undertaking a very strong program in collaboration with SAPOL and the courts to make sure that everybody is aware of what constitutes coercive control and to make sure that in that implementation phase everybody is working to prevent the occurrence of coercive control. We do not want any harm caused through coercive control, so through that implementation phase and beyond we will be working on strategies to help prevent it from occurring.

The final thing I would say in relation to your question is that right now there are circumstances where individuals are being charged with particular domestic violence offences that already exist, so they are already being held to account for those particular offences, but when we look at the behaviours of that person who is being charged with the offence, we also see that alongside the particular offences that they can currently be charged for, there is also coercive controlling behaviour for which currently there is no capacity to charge a person in relation to.

I imagine that what we will see is, as well as coercive control in an isolated way being charged and people being held to account for that behaviour, that those who are already committing and being charged, or potentially being charged with those offences, at the same time in the future will be charged with those coercive control offences also.

Mr McBRIDE: I come back to 'serious offence against the person', the interpretation amendment. I want to get some clarity. I do know that investment by any government—it does not matter the colour of politics—in Correctional Services facilities has to cope with what the minister is trying to address. I really want to understand that the minister has a good understanding that there is investment for the incarceration of a number of people who may find themselves caught up in these changes for the right reason that is interpreted here.

I am not going to turn a blind eye and I do not want the minister to give a sideways glance when they used to talk about 'stack 'em and rack 'em'. It would be really sad if that is all we are going to do. If we are going to solve a problem with a good solution, like this change in legislation, then there has to be some sort of resources investment to be able to deal with the people it is going to capture.

The CHAIR: Member for MacKillop, I really could not discern the difference between this question and your earlier question. You may not have liked the minister's answer, but I cannot see the question being different.

The Hon. K.A. HILDYARD: I could probably add something.

The CHAIR: If you can add something, yes, okay.

The Hon. K.A. HILDYARD: What I would like to reassure the member about is that in developing this legislation I spoke a lot about the consultation with the community, with stakeholders, with survivors. We also consulted very, very broadly right across government, and that absolutely included Corrections and making sure that there was an awareness of any potential impact on that department as well. There has certainly been deep conversation with every department, including Corrections.

The other thing I will say is that in the scope of the royal commission, in terms of that request in the terms of reference to look at prevention and early intervention, there is discussion in those terms of reference in what we have asked the royal commissioner to do, to look at the issue of rehabilitation and how we can rehabilitate perpetrators as a way of preventing further violence but also intervening as early as possible so that the violence does not occur in the first place. I am hopeful there will be particular discussion in the royal commission about the matters the member is raising.

Schedule passed.

Title passed.

Bill reported without amendment.

Third Reading

The Hon. K.A. HILDYARD (Reynell—Minister for Child Protection, Minister for Women and the Prevention of Domestic, Family and Sexual Violence, Minister for Recreation, Sport and Racing) (21:06): I move:

That this bill be now read a third time.

Bill read a third time and passed.

ANIMAL WELFARE BILL

Second Reading

Adjourned debate on second reading.

(Continued from 29 October 2024.)

The Hon. K.A. HILDYARD: Deputy Speaker, I draw your attention to the state of the house.

A quorum having been formed:

Ms CLANCY (Elder) (21:13): I rise today in support of the Animal Welfare Bill 2024, which provides an update of the Animal Welfare Act 1985 and seeks to amend the Criminal Law Consolidation Act 1935, the Dog and Cat Management Act 1995, the Sentencing Act 2017, and the Veterinary Services Act 2023 to better protect and prevent the harm of animals in South Australia.

At the 2022 state election, the Malinauskas Labor team promised to update and modernise our animal welfare laws to be consistent with the expectations of South Australians, because the vast majority of us really love our furry, woolly, hairy, feathery, scaly friends and we want them to be protected, whether they are in our backyards, our streets, the outback, our rivers or our oceans. We made this promise in recognition of the importance that animals have always played in our lives, in particular the companionship so many provided during the pandemic.

It became clear to us that existing animal welfare laws and the enforcement of those laws were not keeping up with our community's expectations. The bill before us today fulfils that promise, updating the Animal Welfare Act and introducing a number of related amendments to ensure these laws are consistent with contemporary practices, science and community expectations.

Our first step towards delivering this promise was to review the existing Animal Welfare Act with the support of the broader South Australian community. In early 2023, community consultation was sought via the YourSAy platform, which identified several reform opportunities. In April this year we again sought the views of South Australians on these proposed reforms to help guide the final bill we see before us today. Throughout both of these consultations more than 1,000 participants showed compassion and the very best in our community to provide a voice for animals.

I would like to take this opportunity to sincerely thank everyone who participated in this review, particularly residents in my electorate who participated in the consultation and took the time to share directly with me their views on how we can best protect and support animal welfare in our state.

To help better explain why the Animal Welfare Act exists and support its interpretation, this bill seeks to update the purpose and include objects in the act. Community consultation heard strong support for these inclusions, particularly the inclusion of principles that acknowledge an animal's ability to feel, perceive and have experiences and a person's duty of care.

Almost two-thirds of participants to the initial community consultation on the Animal Welfare Act agreed that the definition of 'animal' should be changed. In response, this bill seeks to broaden the definition of 'animal' to include fish, and the inclusion of cephalopods such as squid, octopus and cuttlefish when used, supplied or kept for scientific purposes. As the Deputy Premier outlined in her contribution, this bill will not affect fishing and aquaculture so long as those activities are carried out in compliance with the relevant legislation.

Community consultation broadly showed that a blanket exemption of fish from the definition was not appropriate and that South Australians expect fishing activities to be conducted in a humane way by everyone. This will ensure sharks and rays, which we have seen horrific things done to such as stingers or fins being cut off, are protected through this act.

The current Animal Welfare Act contains an implicit duty of care that this bill makes explicit: anyone who is responsible for an animal must make sure it has appropriate food, water and living conditions. This duty of care provision was supported by more than 80 per cent of respondents to the consultation on the draft bill. This provision also allows authorities to address neglect before an animal is harmed, empowering the RSPCA SA to talk to owners proactively.

Further reforms included in this updated bill include improving regulation, oversight and transparency of the research and teaching sector; increased abilities to administer and enforce the act; and contemporising the governance and administrative provision for the Animal Welfare Advisory Committee. These reforms address community concerns by providing greater accountability and transparency, holding those who do not meet animal welfare requirements to account, and diversifying where advice pertaining to animal welfare comes from. This bill also seeks to create an animal welfare fund, capturing licence fees, fines and penalties to be put back into supporting and promoting animal welfare outcomes.

This bill also updates assistance to the RSPCA with a range of tools that will make enforcing the act much more effective, swift and animal focused. I am really proud to be part of a state government that provides significant support to the RSPCA South Australia, such as our $1 million funding commitment over the parliamentary term and an additional $16.4 million of funding provided over four years to deliver animal welfare compliance activities.

In accordance with community expectations, it is important that we not only update the Animal Welfare Act but ensure that penalties for breaching the act are appropriate and act as a deterrent. This bill includes fines of up to $250,000 or 10 years' jail for people who mistreat animals, a significant increase on the current maximum fine of $50,000 or four years' jail for the aggravated ill treatment of an animal.

In closing, I would like to thank the Deputy Premier, her team and everyone in the Department for Environment and Water for their work in bringing this bill before us today. Today, we deliver on yet another election commitment: this time, our promise to update the Animal Welfare Act. This reform establishes a significant boost to animal welfare outcomes in our state, modernising our laws to align with what our community expects. I commend the bill to the house.

Mr PEDERICK (Hammond) (21:15): I rise to speak to the Animal Welfare Bill 2024. Coming off the land, I have been well aware of what we need to do in commercial situations not just looking after stock but obviously looking after working animals, like sheepdogs for instance. I have had a reasonable amount of experience with looking after beef cattle—we had Poll Herefords years ago—and then various breeds of sheep. You do have to do the right thing because, quite literally, there is no money in dead stock. People use various tools to assist them with the care of their stock, especially in combating lice in sheep, drenching against worms in both cattle and sheep and other activities to make sure that you keep them right.

From the outset, in discussing this bill—and I will ask some questions in committee around authorised officers, noting that police can be authorised officers under this legislation, and the RSPCA has been mentioned in the debate—I think it is interesting when you have a lobby group that is also the enforcer, and I have always had a problem with it. As I said, I have no problem with the whole concept of animal welfare but I do have a problem with having a group that is a lobbyist against various animal activities and then they are the enforcer of the legislation. Over time, we have seen mistakes made by that group when they have tried to put a case against people and the case has fallen over.

I will not go into particulars here but one thing that is interesting—and it is more than interesting for farmers in Western Australia—is that Anthony Albanese and his group in the federal Labor Party have an upcoming ban on live sheep. Live sheep is a trade that has been going on in this country for over 40 years and it has certainly improved no end in the management of those sheep. The issue is that even though the trade has got down to fewer than 600,000 sheep a year—and they are only going out of Perth; we used to trade out of Adelaide—it has a huge effect if this ban comes in, and it is having an effect already with things slowing down in that trade. Stock are having to be sent 3,000, 4,000 or 5,000 kilometres away, whether they are getting traded as livestock to be kept or whether they are getting sent to a meat processor.

If the sheep can be put on a ship that is more regulated than it ever has been—and that is a good thing—to go in a couple of weeks to the Middle East under full control of vets, I just find it odd and at odds with the fact that the sheep will have to be on a truck for maybe 36 hours to come east, but that is what the proposed ban on live sheep is already doing. It is causing a major problem, as I said, not just for sheep farmers in Western Australia but for sheep farmers in the Eastern States because it creates an upset in the market.

As I said, I think that people who are pushing for this do not have any idea of the ramifications when there just is not the processing capability in Western Australia. It concerns me no end. Do not get me wrong: I know the transport companies that transport these sheep to the Eastern States and to South Australia do a great job. They spell the sheep if they need to. I know there are spelling yards at Nundroo on the Nullarbor as you come over from Western Australia. It still stuns me that this blatant banning of the live sheep trade comes in.

We saw it probably about 15 years ago when the Labor Party federally tried to ban live cattle to Indonesia. Certainly, that trade has improved no end in the management of animals going to Indonesia and also the management of them being processed in Indonesia. Again, there were a few simple facts that the federal Labor government at the time did not understand. Most people where these stock are going do not have any form of refrigeration, even though some came on the radio, and I refuted them because I was the state shadow minister for agriculture at the time. They said, 'No, there's no problem with people having refrigeration.' It was just basically wrong.

The other simple fact is that there have been attempts with various processing facilities in the Northern Territory to have meat processing facilities. We have the new one at Thomas Foods in Murray Bridge, which is an excellent facility, but there are situations around climate, around transport and around availability of workforce. The reality of what really happens in the real world some people

need to take a good look at. As with a range of issues, it is pretty easy, no matter what the issue is, to judge from your comfortable chair in your lounge room, but you have to analyse the impact to industry, the impact to livestock and the simple fact that it can be very counterproductive if you have to transport those stock not just hundreds of kilometres because of the legislation but thousands.

Just while I am talking about Thomas Foods, I want to congratulate them once again on their work after the January 2018 fire in what they have built in their facilities so far with the cattle processing facility, where they can process 600 cattle a day. The whole set-up of soft cattle handling techniques was used with the influence of Temple Grandin from the USA, who is a very revolutionary lady. I would urge people to either look at the movie or read her book to see what she went through at the time as a young lady suffering from autism who developed some of the best, if not the best, stock handling designed facilities in the world.

It was because of what she had to deal with as a young lady that she worked out what it took not to upset animals or humans, and it is really good. For example, instead of having just rails on yards, especially in corners or at the end of a run where you have to get sheep to the end of a run to turn them maybe hard right or left into a shed, you just have closed barriers or closed yards so that they cannot see any light and do not get spooked by something outside the yards. The yards are not in squares; they are either in circular configurations or they can be offset on an almost triangular basis to the main runway to load them. I can tell you she copped a lot of opposition from the older people involved in the industry in regard to this way of handling stock, but it is revolutionary and now utilised right across the world.

In relation to the bill that was introduced into this house on 11 September 2024, it is the primary piece of legislation that deals with the treatment of animals in this state. This bill, if enacted, will repeal the act and seek to modernise animal welfare laws so that they are consistent with contemporary practices, science and community expectations.

The bill focuses on seven areas, with an eighth area of focus on shelter licensing to be dealt with in 2025. I think that is an area that will need to be looked at in a realistic manner to know exactly what impacts that will have on livestock producers in this state. The seven areas of focus in this bill are:

- updating the purpose and including objects in the act to better explain why the law exists;
- better recognising animal sentience to acknowledge that animals experience both positive and negative feelings;
- broadening the definition of 'animal' so that more types of animals are covered by the law, so the exclusion of fish has been removed and cephalopods such as squid, octopus and cuttlefish are included in the context of scientific purposes for scientific research;
- introducing a duty of care provision to provide a minimum level of protection, obliging owners to provide food, water and appropriate living conditions;
- improving regulation, oversight and transparency of the research and teaching sector;
- increasing the abilities for enforcement on people who do not meet animal welfare requirements; and
- modernising the governance and administrative provisions for the animal welfare advisory committee.

Certainly, I will be keen to see that producers get adequate representation on that committee.

The bill also recognises interstate animal welfare orders in order to prevent any harm from those coming in to South Australia from interstate. So if there is an animal welfare order, say, in Victoria, that will be recognised under this legislation in this state.

Our side of the house has received a briefing from the government and we have consulted with industry bodies, including Primary Producers SA, Livestock SA and the RSPCA. We do note, though, that there seems to be an apparent rushed nature to the preparation of the bill. We certainly want to investigate some concerns as we go through the bill.

I note that lots of submissions were made to the government in relation to this bill. Certainly, Livestock SA, obviously with the common interest of looking after livestock, are generally quite happy with the bill, notwithstanding there are a few things they want specifically ironed out. That will be worked out through the committee process as to where that lands.

One part of this bill deals with the greyhound racing industry, which has had some unfortunate incidents in the not too distant past. But I do notice the resolve of Greyhound Racing SA to make sure that they get it right, and they are working very hard. They have the right people to help them.

We notice we have just passed legislation to have an inspector of that industry, and they will work extremely hard to make sure that all of the recommendations that came under the review of the industry are put into place, because they certainly want to keep that industry in place. There is the main track at Angle Park, a track at Gawler, a track at Mount Gambier and obviously a facility at Murray Bridge, which, when it was built, was about an $8 million investment. It also has a straight track now for greyhounds to obviously race in a straight line.

Another part of the bill, I believe, is to assist in the cutting out of puppy farms. I think we have seen some deplorable activities. You see people who have been brought before the courts, who are basically flogging dogs to death—generally dogs—just for their own benefit. It is certainly not for the benefit of the animal, so I applaud that part of the legislation, that appropriate registration and licensing is in place.

I note that a lot of the penalties for noncompliance have been increased. Certainly, there are some strong parts of the legislation in regard to vehicle entry, property entry, and breaking and entry, which are similar to the provisions in the fisheries act, I believe.

All in all, we generally support the bill, notwithstanding what I believe are some flaws in how it will be policed, but we will go through some of that in the committee stage. The name of the game is, if you want healthy animals, you have to look after them. The simple fact is, especially in the farming scene, if you do not have healthy animals, you do not make any money.

Mr WHETSTONE (Chaffey) (21:33): I rise to speak on and contribute to this bill with a great deal of passion and concern, because my family, over many generations, have been great custodians of animal husbandry. They have been great custodians for the care of animals on farm and on show. What we have seen, I guess, is a level of concern from industry. What we are seeing is concern for the unknown and what this will mean to those people who have dedicated their lives to husbandry and the care of animals. This piece of legislation has a lot of unknowns, and I think there needs to be a level of careful scrutiny and questioning.

Looking after animals and being custodians of them is always fraught with complexity. As for myself, as the son of a primary producer and the son of a stock agent, I have seen probably more than most when it comes to the care and concern for animals. What I would like to better understand is that we have seen over a thousand submissions to the bill and it is clear that industries, recreational groups and the public have taken such an interest.

However, what it shows me is that there is a great level of concern for society. Society has always had the care and custodianship of their animals. Whether it is in-house, whether it is on-farm or whether it is in a commercial setting, I think we need to be much more careful in the way that we throw this piece of legislation around—whether it is for political advantage or whether it is for the betterment of the industry or whether it is, at the end of the day, for the betterment of the care and concern for animals.

We come to this place with a level of exercise and it greatly concerns me that what we are seeing tonight is that there is a collective of groups that have come together and want to put legislation in place that will impact on people's lives. It will impact on animals' lives, and I want to make sure that, when this piece of legislation goes through, it is thought through and is carefully considered so that it does leave a legacy for our future generations.

Some of the areas of concern over recent times have been—yes, as the shadow minister for rec and racing we have seen the greyhound industry brought into the fray through behaviour that has not been becoming to industry, and is also not up to what public expectation is all about. The bill

draws from recommendation 33 in the greyhound racing industry independent inquiry. Recommendation 33 suggested that the government is to consider mandating the controlling authority for greyhound racing to report suspected breaches of the Animal Welfare Act. The bill includes special requirements for employees of Greyhound Racing South Australia to report any suspicious animal welfare offence to the minister.

I have been around this place for a considerable amount of time, and I have had the role of rec, racing and sport over a long period of time, but what I must say is that the passion, the dedication and the concern by the majority of the industry have been second to none. They love their animals, they care for their animals like no other, and they are putting a level of concern into this conversation so that we understand that the majority of the industry is doing the right thing by the animal, the husbandry, and the ongoing concern and care for the animals.

I met with Sal Perna last sitting week. He is a great ambassador for the industry. He is also a great administrator for the greyhound industry and he has been designated as the inspector to the industry. He is a careful, considered advocate for the industry, but he is also on both sides of the fence. He cares deeply for the management and making sure that the industry is there for the betterment of all concerned. He is getting on with the job. He continues to advise Greyhound Racing South Australia.

What I do want to get on the record is that he has asked me for a number of small journeys through the course of this inquiry and that is just to better understand, to get behind the gates to understand what the trainers are about and what the industry is about. That is what I am embarking on as a responsible shadow minister.

What I must say is that I have met with GRSA. They are genuinely concerned that the industry must change. The industry must be more responsible and the industry is responding to exactly that and they are working with the greyhound racing inspector.

I will move on to aquaculture and rec fishing. I need to better understand the definition of 'animal', which is expanding to remove the exclusion of fish from the previous Animal Welfare Act. The member for Hammond struggled to understand what 'cephalopod' actually means. It is a tricky word, but as a former minister I understand that they are squid, octopus and cuttlefish, and it is understanding the scientific circumstances and the challenge with those particular animals.

We all know that they live annually, so their life expectancy is around 12 months; sometimes it is a little longer. We need to understand how we can best support that species and how we make sure that as a human race we stand by them to make sure that they are there for a longer presence.

My understanding of the exemption for recreational, traditional or commercial fishing is that these activities will not be an offence if done in accordance with the Aquaculture Act or the Fisheries Management Act. The bill leaves ill-treatment in aquaculture and fishing activities undefined and left to be defined entirely by regulation. So what will that mean to the existence of the activity? What will that mean to the existence of management within that space? South Australia is home to 357,000 recreational fishermen, 1,290 commercial fishers and aquaculture licence holders. There is a huge economic and social contribution to our state.

I do not want to overcomplicate the issues with the numbers of rec fishers, the numbers of the commercial sector, as opposed to the number of fish in our oceans or waterways. But what we need to understand is we need to have a balance and we need to actually work with that balance to make sure that we get an outcome that is good for society. It is not about the good for individuals. It is not for the good of those people who actually want to be a part of a sector.

As responsible custodians, over a long period of time, we have to make sure that we actually deal with this issue. It is about welfare. It is about the ongoing viability of the species, and what we are seeing tonight really does ask a lot of questions.

During the second reading speech the minister said, 'I can assure the house that fishing and aquaculture will not be affected.' What does that mean? What does that mean—'will not be affected'? Today? Tomorrow? Will it impact on my family? Will it impact on the conversation I have at the pub? What does that actually mean? That is why I need some reassurance that the legislation goes so far but that the legislation also has a level of care and connectivity to today, our future generation,

making sure that it is a pastime, it is a business, if you like, but it is an industry that needs to be carefully considered when it comes to dealing with that pastime.

The aquaculture and recreational fishing sectors deserve answers. They deserve a reassurance. What I would say is that at the moment we have this gratuitous speak going on that does not give us any real certainty, does not give us any answers as to what this legislation will mean. Both the aquaculture and the rec sectors are looking for answers. They are looking for certainty. It is a huge economic contributor.

When dad or Bob or whoever it might be looks at investing significant money into a boat that might go out there, they will also look at whether they as a custodian want their son, nephew or other family member to go out there and be a part of that sector, to catch fish in the rec sector, and whether they hand over the baton to their son or their future generation to be part of a great industry, to be part of a sector that is really, really passionate about being good custodians. It is about taking home what you want to eat. It is also about releasing what you do not want to catch or what you do not want to keep. I think we need to understand that.

What does it mean to the rock lobster live trade? We have seen federal governments and state governments stand up and say the rock lobster industry is about to have a resurgence. What does that mean? What does that mean to the industry? What does that mean to South Australia? What does that mean to the rock lobster fishing industry?

Politicians are great at standing up and championing the cause, but what is this bill going to mean to the industry? What is it going to mean in terms of whether there is any detriment to the next generation being great custodians of a sector that is caring and sharing in the context of the live trade?

At the end of the day it is about live trade. Whether it is about putting a southern rock lobster or a northern rock lobster into a container and sending it overseas or whether it is about myself or my son going out there and catching a King George whiting or garfish, caring for it and giving it a standing ovation as you put it into an ice slurry and take it home to feed your family, I think we need to better understand exactly what these implications will mean.

Regarding aquaculture, we talk about ranching. We talk about the holding facilities. What is this going to mean for those industries? What certainty is this government going to put into those industries?

Are there barriers to catching a fish, tagging a fish, and putting it back into its natural environment? We do not know exactly what that means. That is an area of concern that I am most passionate about because, along with 370,000 other South Australians, I am a passionate rec fisher and I am constantly looking at ways that I can fish better, making sure that I can be as responsible as the authorities are asking me to be.

One of the other issues I want to touch upon is jumps racing. That has come and gone. Sadly, the jumps racing industry has been hit from pillar to post. It is a brutal sport but it does have an element of care and concern. A lot of those jumps racing horses have been ex-racing horses. They have been horses that have been cared for, loved and nurtured along the way. It is post racing into jumps racing. To phase out jumps racing after 2021 was a big hit to the industry.

The bill expands the definition of electrical devices to confine an animal. I have a lot of notes here but I am not going to expand on them. As a former Minister for Agriculture, my view is that containing animals with virtual fencing and putting tags on animals is the most humane way to manage animals without fencing. It is a humane way of putting animals into care and control and a management practice.

What does that mean for the ongoing opportunity to manage animals on pastoral lands or in confined areas? I think we need to be very careful of the way we jump at introducing legislation in this place. We need to understand the people and the farmers who are the custodians of those animals and what the care and control of those animals means.

The member for Hammond, I am sure, has owned many sheep and cattle, and so have I. We are caring and nurturing human beings. It should be noted in this place that there is a voice from

afar that is discrediting the work that we do. We love the environment that we work in, but it really does concern me that we are getting a squeaky minority coming in from the left, or wherever they come from, who are having a controlling voice over what we are dealing with.

As the member for Hammond has said, live sheep shipping has been a part of my family's stable over many decades. My father, as a stock agent, contracted to export many hundreds of thousands of sheep over decades. There was no-one more compassionate than my father about the custodianship, care and control of animals.

Once upon a time we put sheep into a car carrier. We have moved on. We put them into purpose-built vehicles and today I think we should recognise the great custodianship, care and control of animals to society. I think it is very important that we do that.

Debate adjourned on motion of Ms Hood.

At 21:54 the house adjourned until Wednesday 13 November 2024 at 10:30.