HOUSE OF ASSEMBLY

Tuesday, 18 March 2025

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

STATUTES AMENDMENT (HERITAGE) BILL

Second Reading

Adjourned debate on second reading.

(Continued from 6 March 2025.)

The Hon. S.E. CLOSE (Port Adelaide—Deputy Premier, Minister for Climate, Environment and Water, Minister for Industry, Innovation and Science, Minister for Workforce and Population Strategy) (11:01): I am pleased to close debate on this matter. This is in some ways a relatively small bill. It tightens up the way in which we treat state heritage-listed places in order to ensure that should we make a decision, a crucial decision, a difficult decision, to remove an entire piece of state heritage, it will be done in a way that thoughtfully captures all of the information, the values, that are associated with that place, and also that there is appropriate scrutiny, that the community is able to be aware of those details, that nothing would be done in secret, in a hidden way, by any future government.

In that sense, it is a bill that I think has been recognised by those who have spoken at this second reading stage as one that does something useful, if not ever to be used in the future, knowing that it sits there as a protective measure for our heritage. I am acutely aware of the importance of heritage to South Australians. It is a matter that is raised with me all over the state and, of course, I represent an electorate which is replete with both Aboriginal and European post-settler heritage as well. The seat of Port Adelaide is full of both forms of heritage and, of course, an enormous amount of natural heritage with the mangroves and the dolphin sanctuary.

The European-settled heritage is one that is relatively recent, obviously, simply by virtue of how relatively recent the modern nation of Australia is and, in that sense, is all the more precious because there is not very much of it. We fail to look back at our heritage and preserve it and share it at our peril. Heritage could be regarded simply as a relic, a piece of history no longer of any relevance, a hindrance to development, a block to the way in which we might want to shape our built environment, but most people respond to heritage very differently to that. They not only see it as a sense of nostalgic link to the past but, importantly, as a way of understanding past experiences and allowing that to inform our current decision-making.

What was it like for European culture and people arriving here in this land so far from home? How did they adapt to a very different environment and yet seek to retain elements of European culture? What buildings mattered most early on? What does that tell us about what is important when we are building a community?

I know in Port Adelaide some of the early buildings are associated with the judiciary, with the police, with trade and, of course, with enjoying each other's company in the form of many pubs. They are to do with faith, different forms of religious values and expression. That tells us much about what that early community was like. None of those issues have stopped being important to us. None of those virtues, those values that are expressed through the early heritage of Port Adelaide, are irrelevant now to how we live our lives.

So heritage to me is much more than a matter of aesthetic value and much more than a matter of capturing something that existed and no longer is of relevance as a timepiece; it is much more to me about something that can be a source of ongoing conversation and discussion. For that reason, we were a very progressive state in choosing to protect heritage places. I believe in making sure that we have a tighter approach to the way in which we address a question of when a State Heritage Place merits, on balance, being removed; the way in which that can be managed in a more thoughtful, contemplative and respectful way; and also, of course, where at all possible, avoid it altogether.

This bill does useful work. Not least, it ticks an election commitment which, as all politicians know, matters very much to us. But, I think importantly, it reminds us of some important values associated with heritage and the way in which we ought to treat it. I therefore commend it to the house.

Bill read a second time.

Committee Stage

In committee.

Clause 1.

Mr BASHAM: My first question is in relation to the operation in particular around the changes that are going to be put in place to protect the heritage. Would this process that is being put in place here have changed the outcome in relation to any of the buildings that have recently been demolished: the police barracks, the Waite Gatehouse and the like?

The Hon. S.E. CLOSE: In the case of the Thebarton barracks, no, because in the case of the Thebarton barracks we went through the process of asking the Heritage Council to do a report on the values of that site in order to enable them to be captured for—

Mr Telfer: Posterity.

The Hon. S.E. CLOSE: Yes, posterity. Thank you, sir. I should not second-guess myself. They have been built into the way in which the project has operated, so we have passed all of that on to Health so they are able to respond to that in the form of the new development and the way in which those values are maintained.

So the work that would have been done that would have been tabled in parliament was done without the requirement of the legislation. The decision that was made by the government, which was not an easy decision, required us to balance the overriding, as it became, requirement to have a decent-sized Women's and Children's Hospital located close to the new RAH.

In the case of the Waite Gatehouse, it would have changed matters. As the member would be well aware, with the Waite Gatehouse ultimately the decision was, in a sense, reversed. The original decision was to demolish it and there was a lot of upset within the community and a lot of petitions were organised by the National Trust. The decision was reversed to the extent that for the gatehouse the material was protected and it was rebuilt in Urrbrae.

I was there some months ago for part of the unveiling of the new old Waite Gatehouse. That process probably would have happened more smoothly had this legislation been in place. Had the government had it, it would have been required to go to the Heritage Council and receive a report, which did not happen, as I understand it, with the Waite Gatehouse. It might have, in recognising the values and also the community reaction, made an earlier determination about the way in which that would be handled. You cannot run history twice, but my sense is that, even if it had arrived in the same place in the end, it would have been a different process to get there.

Mr BASHAM: In this whole process, I am just trying to understand the report that the Heritage Council is going to prepare that is going to be tabled. Is that with the expectation that they will make a recommendation, or is it left open that they can leave an open finding about what they see going forward?

The Hon. S.E. CLOSE: It is not intended to be a recommendation on the merits of demolition or not demolition. It is intended to be entirely a report on what the values are that exist within that

heritage place. Obviously, the easiest way to preserve those values is simply to leave the heritage place intact, but there are other ways of capturing that information and it is important probably to put on record that ideally when a heritage place is put on the register—and this was not so true early on so we have not captured all of the information early on but now the process is far clearer—it is about identifying on what basis it merits the status of state heritage protection.

Is it there because of its architectural uniqueness because of the role that that building played in the social, the economic or the cultural development of the state? We need to look at exactly what the values are, rather than simply assume that it is the fabric of the building as is and it is never to be touched. That is an important part of deciding what then will happen with that building.

Of course, just to go a little astray from the demolition question, it is important particularly when there is adaptive re-use to understand what it is about that building that needs to be preserved as opposed to what could be altered within an adaptive re-use context. Those values matter and it is those values that are being asked of the Heritage Council.

Clause passed.

Clauses 2 to 9 passed.

Clause 10.

Mr BASHAM: I have questions in relation to understanding demolition of the whole of a State Heritage Place in understanding what 'whole' means and how far that goes. If you just leave the foundation stone, is that not the whole? Again, you touched on the Waite Gatehouse. Is dismantling demolition or not demolition?

The Hon. S.E. CLOSE: It is a reasonable question but one which has a slightly subtle answer. The eye of the beholder is not quite the right term, but it is a matter of judgement about the whole. It would be hard, I think, to sustain that there would be a reasonable view formed that if you left one stone behind you had not entirely demolished the building, but on the other hand if you were to look at that particular case of the Waite Gatehouse, because it was moved stone by stone and rebuilt, that almost certainly is not a demolition of the whole because many of the values that existed have been preserved but in a different location.

The trigger of the whole is to be determined by the state Heritage Council on a case-by-case basis—on whether or not they choose to do a report. The Heritage Council is an independently minded council that would form a view based on the heritage values that are being removed or not removed and therefore is a safe place for the decision to be made.

Mr BASHAM: So if an owner of a state heritage building was looking to not demolish the whole, in their mind, but to actually remove a significant proportion of the building, would they be required to go to the Heritage Council to have that conversation, or can they then just go and put an application in to remove the half that they want to remove?

The Hon. S.E. CLOSE: It is already the case that if a State Heritage Place is going to have some form of development occur to it, whether it is renovation, partial demolition and rebuild or complete demolition, all of that triggers state Heritage Council involvement in development approval. So you could just go to Planning and put in your development approval application and say, 'I am proposing to do this.' Because it is a State Heritage Place that immediately triggers a referral to the state Heritage Council.

It is to the department, sorry. It is to SA heritage; is that the title? Yes. My delegation as minister is given to the department. So technically it comes to the minister and is then of course sent to the department because the delegation sits within the department. That would happen regardless, even without this amendment. What this does is put in an extra layer of requirement should the proposal be for the whole building to be demolished—that there would be an extra level of reporting required and public scrutiny.

Mr BASHAM: I have a question now on the timeframes that are set out. This particular period that I have mentioned in briefings with your staff—and we are coming up to that at the end of this year—if someone is looking to do something after November, it is not until May before they can table it in the parliament. So there is a significant time delay that may be crucial. Is there any other

mechanism that can be put in place, in particular for that period of time but also if there are other periods where it may be challenging to meet the tabling requirements in the parliament?

The Hon. S.E. CLOSE: The member is correct that when we have matters that are required to be tabled in parliament there is always the potential of hitting one of the breaks, and therefore a gap in that being able to happen. So while it is required to be tabled within five sitting days, it might be quite some time before you get five sitting days. Legislatively there might be, through happenstance, a report that is received and then a couple of months' break before the report is tabled in parliament.

There will be guidelines that sit around the actual application of this legislation, and my intention is that one of the elements of the guidelines will be that the minister will publish via the internet and provide publicly the report once received, so that gets over the question of being publicly available. It would, in any case, be available under FOI, and I see that it would only be good governance to not have to wait for FOIs but to anticipate people's interest and make that publicly available.

Tabling in parliament is a discipline that we know it is going to be made public but, given the question of timing that you have raised in briefings and now today in the chamber, I think the most sensible approach would be for government to commit to making it public once it has been received, so that there is no question of any development approval having taken place without the contents of that report being known to the public.

Mr BASHAM: Just as a slight follow-up on that, my understanding is that would allow the process to continue in a timely manner, even though it had not met the tabling requirements.

The Hon. S.E. CLOSE: Yes. There is no link between the tabling requirements and development approval; for example, if the minister or the minister's office failed to table on time that would not endanger the proponent's timeline. It is an obligation on the minister to do that, but it does not interfere with the development approval process. Similarly, should there be a gap in parliament sitting, that would not interfere with the development approval process.

However, the intent of this legislation and the reason it refers to tabling in parliament is simply to be very explicit that not only would a report be prepared but it would be public, and parliament is the most public of the institutions we have for scrutiny. In order to ensure that a gap of several weeks or a couple of months does not interfere with the public's understanding of what the values are in the building, I think a guideline under the Heritage Council would make sense that it would be made public earlier.

Clause passed.

Clauses 11 to 14 passed.

Clause 15.

Mr BASHAM: This is my last question in relation to this bill and it is very much in the circumstances where a piece of state heritage may be gutted by fire, for example. This building burns to the ground and most of the heritage is lost, to the point that the building may be unstable and needs to be immediately demolished. What is the process for a building that effectively no longer has heritage or has heritage that cannot be saved because of structural integrity that requires immediate demolition?

The Hon. S.E. CLOSE: I think the member raises what I would hope would be a rare occasion. This legislation does require that the development application be accompanied by a finalised report. The earlier clauses give the Heritage Council a period of time to do that. My expectation is that they would do that much more quickly in the event of a demolition that was required through urgency. I would not expect that to happen very often at all, that it would be necessary, and therefore would be one that would be treated as an exceptional circumstance by the Heritage Council.

Clause passed.

Title passed.

Bill reported without amendment.

Third Reading

The Hon. S.E. CLOSE (Port Adelaide—Deputy Premier, Minister for Climate, Environment and Water, Minister for Industry, Innovation and Science, Minister for Workforce and Population Strategy) (11:28): I move:

That this bill be now read a third time.

I want to thank members for their contribution and my opposite number today for some thoughtful questions about the way in which this will be applied. It will, I expect, be used extremely rarely. We almost never demolish state heritage in this state, which is a good thing. It ought to be something that we shy away from as much as possible but recognise that occasionally there will be circumstances where competing goods require us to contemplate such an action.

Far more serious, of course, is the version of demolition that occurs essentially through neglect, which we have sought to address previously in a piece of legislation last year to be tougher on owners who buy up a bit of property, sit back and wait for it to fall apart. That form of effective demolition, but demolition through simply waiting for the fabric of the building to rot away and for the heritage values to disappear, is far more widescale and is an issue that we need to pay very careful attention to.

We in this state have been contemplating ways in which we can encourage the adaptive re-use of heritage buildings. I do not think either side of politics in government have quite nailed what the right incentives versus disincentives (or guides) against certain behaviours are to get some of those buildings activated in a way that is useful. There are contemplations about whether there need to be different standards to which heritage buildings are held. For example, I am aware that in Customs House in Port Adelaide, when there was a thought about redoing that in order to have it be used properly, the cost to make it earthquake-proof made any sort of commercial proposition very difficult to bring together.

We have this constant discussion within this place and in the community about the very good safety standards that we have that we adhere to for buildings, which we should not resile from, but at the same time there is recognition of the consequences of those standards on the way that state heritage and other heritage buildings and older buildings can be adaptively re-used. While we have made some progress, both with this piece of legislation and the one last year, this is an ongoing discussion that I think should be part of our contemplation about the way in which we continue to build, develop and grow in this state. Preserving heritage, celebrating it, using it and making sure that there is not an easy path for allowing it to fall apart are important. With those words, I thank the chamber for its contributions and ask that the bill be read a third time.

Bill read a third time and passed.

SOUTH AUSTRALIAN CIVIL AND ADMINISTRATIVE TRIBUNAL (MISCELLANEOUS) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 6 March 2025.)

The Hon. S.E. CLOSE (Port Adelaide—Deputy Premier, Minister for Climate, Environment and Water, Minister for Industry, Innovation and Science, Minister for Workforce and Population Strategy) (11:32): I am pleased to close the debate on this legislation. The legislation covers a number of different elements, and I think the second reading contributions have covered them perhaps slightly repetitively, if I recall the concerns from the member opposite, but at least comprehensively. I therefore commend the bill to the house.

Bill read a second time.

Committee Stage

In committee.

Clauses 1 to 5 passed.

Clause 6.

Mr TEAGUE: It has been the subject of the government's speech, and so raised both in this place and by the Attorney in the other place, that SACAT's jurisdiction has been expanded after the last time around in terms of addressing this diversity jurisdiction point. I think, for the record, that was by act No. 5 of 2018, in the last government fairly early on, in response to the High Court's decision in the first place in Burns v Corbett.

Given that reference to the subsequent expansion of SACAT's jurisdiction since part 3A was inserted into the act, I would just be interested if there is an opportunity for the government to indicate the expansion of the jurisdiction that has occurred. That might be a convenient point of reference for the committee, and in turn for the house.

The Hon. S.E. CLOSE: Most relevantly, it was the EO jurisdiction. That is what drew the High Court's attention, but there are other elements, including health practitioners disciplinary and also some elements of child protection, that are relevant.

Mr TEAGUE: And in the same vein, the government has referred in the course of the second reading debate to several other jurisdictions having amended their equivalent civil and administrative tribunal legislation to use the term 'federal matters' generally and has adverted to consistency with those interstate approaches. Similarly for the purpose of the record, is it convenient for the minister just to indicate to the committee what are those other jurisdictions and is there now comprehensive consistency throughout the country or are there any outliers?

The Hon. S.E. CLOSE: Sorry for the slight delay; we were just looking for a piece of research that we appear not to have with us today. Certainly, New South Wales has, and my adviser believes that it is more generally occurring across the country as well, but we do not have the evidence with us to substantiate that in detail.

Mr TEAGUE: This is my last one on clause 6, now having reference to the explanation of clauses that was inserted into *Hansard* by leave. I indicate therefore for the record and the committee that for clause 6—which is amending section 38A, of course—the explanation provides:

> This clause deletes the definition of federal diversity jurisdiction and inserts a definition of federal jurisdiction, meaning the jurisdiction contemplated by section 75 or 76 of the Commonwealth Constitution. These amendments broaden the scope of Part 3A by expanding the class of matters which are able to be transferred by the Tribunal to the Magistrates Court for determination under the Part.

My question, or my note, in relation to that explanation is really a point of clarity. Where the explanation talks to that now expanded class of matters which are able to be transferred by the tribunal, it is really a question of: received by the tribunal and must be transferred to the Magistrates Court; and, so we are clear, the expanded jurisdiction will facilitate that necessary transfer to the Magistrates Court. That is a correct reading, is it not?

The Hon. S.E. CLOSE: The current act has some elements where SACAT, having received the item and there being some question about its jurisdiction, may transfer. That 'may' remains in place; it is simply a broadening of the matters which might trigger SACAT doing that. So I think that is what you articulated, member, and asked for confirmation if that is correct.

Mr TEAGUE: It is expressed in terms of power but it is a choice of either.

The Hon. S.E. CLOSE: It is a power to choose rather than a power that requires them to.

Clause passed.

Remaining clauses (7 to 9), schedule and title passed.

Bill reported without amendment.

Third Reading

The Hon. S.E. CLOSE (Port Adelaide—Deputy Premier, Minister for Climate, Environment and Water, Minister for Industry, Innovation and Science, Minister for Workforce and Population Strategy) (11:46): I move:

That this bill be now read a third time.

This is one of those bills that will attract little attention outside the people directly affected by it in the functioning of the law and is therefore part of the business that this house undertakes that the general public have largely no idea goes on. Largely, when people come, they want to come and see the theatre of question time, they want to understand about the arguments and debates over crucial matters to everyday South Australians that can occur, and yet there is this whole other element of parliament—parliamentary business—which is the tidy process of making sure that laws operate as intended and are responsive to changing circumstances.

Having largely, although not exclusively, responsibility for the legislation that the Attorney-General initiates in the other place has been a privilege for me to understand that side of lawmaking, which simply keeps our entire judicial system operating appropriately. I am grateful to have been involved in this bill, grateful for the contribution of the members opposite in asking sensible questions, and I commend the bill to the house as a third reading.

Bill read a third time and passed.

CRIMINAL LAW CONSOLIDATION (MENTAL COMPETENCE) AMENDMENT BILL

Second Reading

The Hon. K.A. HILDYARD (Reynell—Minister for Child Protection, Minister for Women and the Prevention of Domestic, Family and Sexual Violence) (11:49): I move:

That this bill be now read a second time.

I am really pleased, and also very moved, to introduce to this house the Criminal Law Consolidation (Mental Competence) Amendment Bill 2025. This bill, rightly, amends the terminology used in relation to a defence of mental incompetence under division 2 of part A of the Criminal Law Consolidation Act 1935. In particular, this bill replaces the phrase not guilty by reason of mental incompetence in the act with a finding of 'conduct proved but not criminally responsible due to mental incompetence'. This reform addresses concerns that have been repeatedly and passionately voiced in South Australia and interstate about the problematic, troubled use of the phrase not guilty, with these concerns particularly, and very much understandably, identified by victims in this context.

In particular, concerns have been raised with our South Australian government in the wake of the utterly tragic stabbing of Ms Julie Seed at a Plympton real estate agency in December 2023; stabbing victim Ms Susan Scardigno, and the courageous partner of the late Ms Julie Seed, Mr Chris Smith, who have strongly, again passionately, advocated for this important change in wording. Their strength and their passionate advocacy is what has led to this bill we bring to this house today. It is for them and for their precious loved one, the victim of this horrific attack, that we have developed it and bring it to this parliament to be debated and hopefully soon become law.

I have had the honour and the pleasure of meeting several times with Chris, with his mum, Karen, on many occasions, and also with Julie's children. They are utterly heartbroken and they are profoundly brave. As are many in our southern community, they are heartbroken. Julie was well known, respected and loved by so many in our broader community family. She was a precious and joyful partner, mum, daughter, daughter-in-law, colleague, fellow sporting club member and friend to so many. What happened to her was so very cruel and utterly devastating. It is hard to fathom exactly how her loved ones are feeling.

Whilst this bill cannot change the terrible trajectory of what Julie went through and the grief her family continue to so deeply feel, it does, hopefully, provide some sense that amidst a tragedy so very hard to make sense of at all we can make things clearer. We can better hold a perpetrator to account and, hopefully, change how our community views such terrible acts. I wholeheartedly, and with such respect, thank Chris and his family for using their voices to drive a change that will mean that, should such a heinous act ever be committed again, a grieving family will not have to feel the same sense of injustice that they endure.

Under part A of the act if the court finds that the objective elements of the offence are established but that the defendant was, at the time of their conduct, not mentally competent to commit the offence, the court must find the defendant not guilty. It is so important to note that this finding of

not guilty does not mean there is no consequence for the offence. Subject to division 3A of part A of the act, the court must declare the defendant liable to supervision and, in doing so, may make a supervision order, either committing the defendant to detention or releasing them on licence with specified conditions.

Where the court makes a supervision order, it must fix a limiting term of equivalent to the period of imprisonment or supervision that would have been appropriate if the defendant had been convicted of the offence. This means, for example, that for an offence of murder dealt with under division 2 of part A of the act the court must set a limiting term of life under supervision, because the penalty for murder is life imprisonment.

Part 8A also provides checks and balances to ensure that decisions made in relation to a defendant who is liable to supervision prioritise the safety of the community. The bill does not make any substantive change to the operation of part 8A, nor to any other law. However, we have very clearly heard from the community that the use of the phrase 'not guilty' in this context can understandably cause confusion for victims, their families and the broader community, leaving them with a sense that justice has not been served. It can be particularly painful for victims to hear the phrase 'not guilty' when it is absolutely undisputed that the person has indeed committed an act that resulted in the tragic death of their loved one.

Advocates have made very clear that better terminology should be adopted to make clear that harm did in fact occur, even if the defendant is not criminally responsible. The state government agrees. In line with recommendations of the New South Wales Law Reform Commission, a similar change has been made in that jurisdiction. Clauses 3, 4, 6, 7 and 8 of the bill amend the relevant sections within the Criminal Law Consolidation Act to replace the phrase 'not guilty' with 'not criminally responsible due to mental incompetence' in relation to a defence of mental incompetence.

Clause 5 of the bill inserts new section 269AB in the Criminal Law Consolidation Act, which is intended to ensure that the bill has no substantive effect on any other law that refers to a finding of not guilty. In particular, new section 269AB provides that a reference in the law to a person found not guilty of an offence will, unless contrary intention appears, be taken to include a relevant finding that the defendant committed the objective elements of the offence but was mentally incompetent to commit the offence.

Schedule 1 of the bill contains consequential amendments to other acts where the terminology of 'not guilty' appears. I am really grateful to the Commissioner for Victims' Rights for recommending this reform to the government, and I am so grateful for the bravery and the advocacy of Ms Susan Scardigno and Mr Chris Smith and his incredibly courageous family. My heart stays with them as this bill progresses. I commend the bill to members and seek leave to have the explanation of clauses inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

These clauses are formal.

Part 2—Amendment of *Criminal Law Consolidation Act 1935*

3—Amendment of section 5H—Procedural provisions

This clause amends section 5H of the Act to substitute the reference to recording a finding of not guilty by reason of mental impairment and to rather specify that, if the conduct constituting an offence is proved but the person is not criminally responsible due to mental incompetence, the court must record a finding of conduct proved but not criminally responsible due to mental incompetence.

4—Amendment of section 267AA—Offence where unlawfully supplied firearm used in subsequent offence

This amendment is consequential to the proposed changes to section 5H.

5—Insertion of section 269AB

This clause inserts a new section as follows:

269AB—Reference to finding of not guilty to include finding of mental incompetence

This clause provides that a reference to a person being found not guilty of an offence in any Act, legislative instrument or other law will, unless the contrary intention appears, be taken to include a reference to a finding of a court under this Part that the objective elements of the offence are established but the person is not criminally responsible due to mental incompetence.

6—Amendment of section 269F—What happens if trial judge decides to proceed first with trial of defendant's mental competence to commit offence

7—Amendment of section 269G—What happens if trial judge decides to proceed first with trial of objective elements of offence

8—Amendment of section 269NB—Division 3A orders

These amendments are consequential to the proposed changes to section 5H.

Schedule 1—Related amendments

Part 1—Amendment of *Children and Young People (Safety) Act 2017*

1—Amendment of section 16—Interpretation

Part 2—Amendment of *Child Safety (Prohibited Persons) Act 2016*

2—Amendment of section 5—Interpretation

Part 3—Amendment of *Disability Inclusion Act 2018*

3—Amendment of section 18A—Interpretation

Part 4—Amendment of *Young Offenders Act 1993*

4—Amendment of section 32—Reports

These related amendments are consequential to the proposed changes to section 5H of the *Criminal Law Consolidation Act 1935*.

Ms THOMPSON (Davenport) (11:58): I rise today in support of the Criminal Law Consolidation (Mental Competence) Amendment Bill 2025, a bill that represents a significant step forward in how our legal system recognises both the realities of mental impairment and the experiences of victims and their families. This bill proposes amended terminology be used in respect of a mental incompetence defence under part 8A of the Criminal Law Consolidation Act 1935. Specifically, it replaces the term not guilty due to mental incompetence with the phrase 'conduct proved but not criminally responsible due to mental incompetence'.

This change is more than just a matter of wording. It is a matter of justice and recognition. For too long there has been significant concern, both in South Australia and beyond, about the language used in cases where an individual is found to have committed an offence but is not held criminally responsible due to mental impairment. The term 'not guilty' has often caused confusion and distress for victims and their families as it fails to acknowledge the harm that has been caused. It can suggest inaccurately that the crime itself did not occur, which is misleading to the public and extremely unsettling for those affected.

This bill seeks to remedy that concern by ensuring that the law more accurately reflects both the legal reality and the community's expectations. It clearly establishes that while the objective elements of the offence have been proved, the accused is not criminally responsible due to their mental impairment. In doing so, it provides victims with the recognition that they deserve while maintaining the fundamental legal principles regarding mental competence and responsibility.

The need for this amendment has been underscored by recent tragic events in South Australia, most prominently in the wake of a horrific attack on 20 December 2023 at a real estate office in Plympton. The alleged murder of Ms Julie Seed and the serious knife assault against Ms Susan Scardigno brought renewed attention to the current terminology's shortcomings. Ms Seed's fiance, Chris Smith, has been a vocal advocate for this change, and I believe that we owe it to him, to Ms Seed and to all the victims of crime to listen and act.

We have seen the impact of the current terminology firsthand in South Australia through multiple high-profile cases. One such case is that of Angas Crowe, a promising young man whose

life was taken in an unprovoked and senseless stabbing at the Seaford train station in 2017. The man responsible for his death was found not guilty due to mental incompetence. Angas's mother, Tanya, has spoken publicly about the frustration and hurt caused by this terminology, which failed to acknowledge the reality of her son's violent death. This bill ensures that victims and their families will no longer have to hear a verdict that fails to reflect their lived experience.

Another example comes from 2020, when a man killed his own mother in Adelaide's northern suburbs, a crime that shocked the local community. Once again, a finding of not guilty due to mental incompetence was delivered, leaving many feeling that justice had not been properly acknowledged and served. While the legal principles of mental incompetence remain essential, we must ensure that the language of the law does not compound the grief of those left behind.

The bill clearly establishes that while the objective elements of the offence have been proved, the accused is not criminally responsible due to their mental impairment. Beyond individual cases, this change reflects a broader, growing consensus that the language of the law should evolve to be more accurate and considerate of victims' experiences. This amendment was first requested by the former Commissioner for Victims' Rights, Ms Bronwyn Killmier, and has the strong support of the current commissioner, Ms Sarah Quick.

Further, it aligns South Australia with similar reforms introduced in New South Wales in 2020, which adopted the phrase 'act proven but not criminally responsible due to mental health impairment'. These reforms were implemented following recommendations from the New South Wales Law Reform Commission in 2013, which found that the term 'not guilty' created dissonance between legal and public understanding, particularly for victims and their families. Victoria has also recognised this issue, with the Victorian Law Reform Commission recommending similar changes in 2014. This review concluded that the phrase 'conduct is proved but not criminally responsible because of mental impairment' would more accurately reflect the reality of such cases, make the law clearer to the public and minimise unnecessary distress for victims.

The bill does not alter the legal operation of the mental incompetence defence in South Australia. It does not change the way that cases are assessed, nor does it alter the protections available for individuals suffering from mental impairment. What it does change, however, is how the law communicates its findings, ensuring that the words we use respect the experiences of victims and reflect the truth of what has occurred. The bill also introduces consequential amendments to ensure that all references to a finding of not guilty under part 8A across our legislative framework are updated for consistency. This ensures clarity and uniformity throughout our statute book.

Stakeholder consultation has strongly supported these reforms. On 26 August last year, the draft bill was circulated to key stakeholders for comment, and the majority of respondents either expressed support or provided a 'no comment' submission. This broad acceptance underscores the fact that this amendment is not controversial, it is simply the right thing to do.

This bill, for me, is about fairness. It is about ensuring that our legal system speaks the truth and does so with sensitivity. The words that we use matter. They shape perceptions and help determine whether victims feel that justice has been served. In passing this bill, we send a clear message: we acknowledge victims, we respect what they have endured, and we remain firmly committed to a justice system that serves them as much as it serves the principles of law. I commend the bill to the house.

Mr TEAGUE (Heysen—Deputy Leader of the Opposition) (12:04): I rise to indicate the opposition's support for the bill. As lead speaker for the opposition, I will make some brief remarks about it. As I have referred to in the course of debate, from time to time there are opportunities to improve the criminal justice system's capacity to engage and to empathise, if I might use that word, with victims of crime.

I refer to the fact that South Australia for decades, going back to the eighties, has led the way in terms of law reform in this area. I pay particular tribute to Michael O'Connell in this regard, who for a long time, from I think 2006 to 2018, as victims' rights commissioner in South Australia very much led the way, and continues to do so, in terms of an overall philosophical approach to the way the criminal justice system has at times through its history tended to alienate victims and has gone

through waves of development and engagement with victims that have taken on different forms through the decades.

I have referred to the sorts of social advocacy and social movements that characterised the sixties and seventies through to the sorts of initiatives that we have seen in more recent times around access to involvement in the process of prosecution and capacity for victims to be heard in the court, including directly addressing perpetrators who are tried for their crimes.

This is a discrete amendment in relation to the language that is used in describing circumstances in which an accused person will be dealt with differently by the court, the consequence of a finding of mental incompetence. It makes clear to victims that the process of determining the facts has resulted in a finding establishing what has occurred and explaining, characterising in a more empathetic way, the reasons why a person who has been found not criminally responsible due to their mental incompetence will be dealt with in a way reflecting that mental incompetence but in an endeavour, as I have said now a few times in the course of this contribution, to create a means better to reflect the devastating consequence of those actions on the victims and those who are affected.

It has been referred to in the course of the debate, and I would note, when the minister read the government's speech into *Hansard*, that this follows on from the advocacy of Michael O'Connell's successor in the role of commissioner in South Australia, Bronwyn Killmier. I pay tribute to her service. Indeed, that is carried on by the current commissioner, Sarah Quick, and again I acknowledge, commend and thank Sarah Quick for the work that she is continuing to do in this area.

I certainly hope and trust that South Australia will continue to lead the way in terms of the capacity of our criminal justice system to more fully engage in, empathise with and properly reflect the devastating circumstances that victims find themselves in. In this case, while this might be in some ways carrying on from the good work of the New South Wales Law Reform Commission, there is plenty that can be done by way of cooperation. There are good forms of communication across jurisdictions. It is not always the case that we will do things in a way that is immediately uniform across the country, and so leadership continues to be important in this space. I commend the bill and look forward to its speedy passage through the house.

S.E. ANDREWS (Gibson) (12:11): I am pleased to support this bill to amend terminology in the Criminal Law Consolidation Act 1935 to bring it in line with contemporary expectations. We no longer generally refer to community members with the terms we used to use to describe people living with a mental illness, as they are seen as outdated and often offensive. It is similar when we describe a person as not guilty due to mental incompetence, as this gives the community and the victim's family the impression that justice has not been served. I cannot imagine losing a family member or friend or seeing their life change at the hands of another person, let alone the feeling of being told that that person is not guilty.

This bill amends the terminology used in relation to a mental incompetence defence under part 8A of the Criminal Law Consolidation Act 1935, replacing a finding of not guilty due to mental incompetence with 'conduct proved but not criminally responsible due to mental incompetence'. The bill addresses concerns that have been repeatedly voiced in South Australia, interstate and elsewhere about the problematic use of the term not guilty in this context. As I said, the community view 'not guilty' as being a reflection that the person did not commit the act.

This change is intended to give greater recognition to the trauma suffered by victims and to more accurately label the outcome in these matters by demonstrating that the objective elements of the offence are proved, acknowledging that the defendant committed the offence and will likely see sanctions, while further acknowledging they are not criminally responsible for that conduct because of their mental impairment. The bill will make related consequential amendments to references made in other legislation to a finding of 'not guilty' under part 8A. The consequential amendments will ensure consistency in the language used across the statute book.

I understand this bill was requested by the former Commissioner for Victims' Rights and is now supported by our current commissioner. This is important as the commissioners hear from victims and survivors every day.

Recently, this issue has been raised by victims, particularly in relation to the alleged murder of Ms Julie Seed and the serious knife assault against Ms Susan Scardigno on 20 December 2023 at a real estate office in Plympton. The former partner of Ms Seed, Mr Chris Smith, has also advocated for this wording change. As in the case of Ms Seed and Ms Scardigno, these cases are often high profile and affect the community far beyond the direct family and friends of the victim. Another case which was high profile is that of the murder of Phil Walsh in 2015 in my electorate, whose son was found not guilty of murder due to mental incompetence. He is now subject to a lifetime psychiatric supervision order.

It is important to note that while this change better reflects the sentiments of victims the change will not have any impact on the current operation of the law. This bill received support from the majority of stakeholders who were consulted and the changes follow similar changes in the New South Wales government where they adopted the phrase 'act proven but not criminally responsible due to mental health impairment'. I fully support this bill and send my thoughts to everyone who has or will be affected by this bill. I commend it to the house.

The Hon. Z.L. BETTISON (Ramsay—Minister for Tourism, Minister for Multicultural Affairs) (12:14): I stand today to speak in support of the Criminal Law Consolidation (Mental Competence) Amendment Bill 2024. I recognise the work of our Attorney-General on the issue raised by many people here, particularly those victims' rights stakeholders we have here, who have been raising this issue with him.

This bill seeks to amend the terminology used in relation to a defence of mental incompetence under division 2 of part 8A of the Criminal Law Consolidation Act 1935. As we have heard in this house, this has particularly come to the forefront when we all experienced the horror and shock of the murder of Julie Seed in 2023. She was just going about her job as a real estate agent and was the victim of a horrific crime.

Most specifically, this bill seeks to amend the wording. The bill replaces the phrase not guilty by reason of mental incompetence in the act with a finding of 'conduct proved but not criminally responsible due to mental incompetence'. It is phrasing that reflects the lived experience of the victim and the victims' families. I really want to focus on the importance of those words because, when someone is dealing with grief, words matter. By this change, to say that conduct was proved is important: it is important for friends and families of that loved one who has been a victim of a crime.

We know that, when they have experienced tragedy and grief, having a clear acknowledgement of guilt—which is made clear through this wording—is important in an attempt to achieve closure. As we have talked about in this house, it is about contemporising the words within the act. The current language of 'not guilty' implies that the accused is just that. It can be particularly painful for victims to hear the phrase 'not guilty' when there is no doubt that the person has committed the act that resulted in the death of a loved one.

As we have heard here, we have had other states that have moved before us in this way. In New South Wales, reforms were developed in response to recommendations from the Law Reform Commission in 2013. The New South Wales Law Reform Commission noted the dissonance between the way a verdict of not guilty by reason of mental impairment is understood by lawyers and the way it is understood by the general community, in particular by victims and their families.

We also heard this in Victoria, under the Victorian Law Reform Commission, where they made similar recommendations in 2014 recommending the use of the language 'conduct is proved but not criminally responsible because of mental impairment'. The Victorian Law Reform Commission expressed the view that the recommended language more accurately labels the outcome in these matters, demonstrating that the conduct the accused was charged with was proved, and also acknowledging that the accused is not criminally responsible for that conduct because of their mental impairment. It was very important, as listed by the Victorian law reform, that the implications of this language was making this finding clearer and more readily understood by victims and the community.

We know that advocates and victims have made it clear that better terminology should be implemented to make it clear that harm did occur. This is really important for us at a time when we must recognise the impact of crime on people and, of course, how they then respond to that—how

do they keep on moving? How do they deal with this? How do they recognise this?—so it is very clear that harm did occur.

The defence of mental incompetence has a very long history and is an essential part of our criminal justice system. But, of course, it has shifted over time to keep pace with community expectations of mental illness. This is one more change that maintains its function as a defence while bringing it in line with community expectations. What is very important about this change is that the language strikes the right balance between acknowledging the experience and the pain of victims, the seriousness of the defendant's conduct and the mental health of those defendants.

I am grateful to the Commissioner for Victims' Rights, Sarah Quick, and our previous commissioner, Bronwyn Killmier, for recommending this reform. I also want to recognise the advocacy of Sue Scardigno and Chris Smith, the partner of Julie Seed, in their advocacy for this change. Victims of crime deserve to be heard—that is very important—and I am pleased to support this bill to achieve some closure, even in such a small way.

In speaking about this bill, I also want to recognise the other work that we have been doing in the three years of this government. Obviously most recently we have come out very strongly about the tough laws to tackle knife crime, and it is incredibly important that we move on this situation. We have looked at reforms to the use of excessive self-defence laws—and this was brought to our attention through the tragic killing of Limestone Coast woman, Synamin Bell—introduced into parliament and debated.

In looking at different reforms that we have done, for me something that was particularly important was to stop harassment in the legal profession. When considering these reforms, these are things that are hard to make decisions on, and they are hard-to-have conversations, but it is important that we do to support people. We have also had a funding boost for payments to victims of institutional child sex abuse as part of the National Redress Scheme.

There are different things that we are doing because it is right to do them, because Labor is focused and we make these things happen. Within that, anti-terrorism laws have come into effect about presumption against bail. Obviously, we await the recommendations of the Royal Commission into Domestic, Family and Sexual Violence, but we have strengthened our laws against strangulation as well. These are things that are incredibly important in a modern society. We must call out these things and we must act, and that is what we have done today.

A particular area of interest, given my long-term connection with those people working in retail, is better protection for South Australian retail workers: that businesses can seek to bar people who exhibit violent or intimidating behaviour in shops and shopping centres. The Malinauskas Labor government is progressing these areas. I am very proud to be part of this government. Today, before us, we speak about another area of reform and we continue to look for what is best for South Australians now and into the future. I support the bill.

Ms STINSON (Badcoe) (12:22): I rise today to support this bill, the Criminal Law Consolidation (Mental Competence) Amendment Bill, and I start by saying that this is a matter that hits incredibly close to home for me on a number of fronts. Firstly, I just want to say to Julez and to her family that in life she made an incredible difference and even in her passing she is making an incredible difference. This law, unfortunately, comes about in part because of the horrific murder of Julie Seed in my electorate in Plympton, in fact, just metres away from where I work in my electorate office.

From my office you can actually see the REAL Estate Agents Group office, and on that day, my staff and I were in our office and I heard about what had happened, both in terms of the shocking loss of Julie and also the horrific, serious assault of her colleague and friend, Susan Scardigno. I have been absolutely overwhelmed by the incredible strength and advocacy of her partner, Chris Smith, who is known to me due to his involvement with the Adelaide Angels Baseball Club, of which I am the proud No.1 ticketholder.

I have been incredibly moved by the way the baseball community, but also our local community, has rallied to support Chris and also Julez's children, who now live their lives without their mum because of this terrible thing happening in our community. I want to pay tribute to how

Chris has gone about his life and his advocacy in the wake of this tragedy. I really honestly think that most of us would struggle to get out of bed, let alone look at this as an opportunity to achieve change, to achieve reform, and to make some small change.

I know that Julez would be incredibly proud of him, incredibly proud of how he is pushing forward and trying to make change on her behalf in the wake of such a tragedy, and also how he is raising their beautiful children. I do not think many of us can even imagine what it would be like to be in that situation, and I am in great admiration of what he is doing. Chris has met with members of our government, particularly the Attorney-General, about what changes can be made. This is an incredibly difficult area of the law and an incredibly difficult area of our health policy as well.

Those in this chamber would know that in my past life I was a journalist, and my work focused on court reporting, so unfortunately I have spent quite some decades in fact reporting on similar cases in our courts and I have been a witness to the horror of such offending and the incredible complexity of it. There are simply no winners. There are generally no winners in the justice system, but there are particularly no winners in these sorts of cases where you have a defendant who has been deemed mentally incompetent perpetrating violence against innocent victims.

There are families on all sides who are affected in these circumstances, families who wished that their loved one had received the appropriate medical care. Sometimes that is incredibly fraught. Those families, obviously, are absolutely ripped apart about what their loved one has done, despite the fact that under our law there is a legal explanation and that until this reform they were found not guilty by way of mental incompetence. There is so much going on in these cases.

The families who I have spoken to obviously want to see greater investment in our mental health services. They want their loved ones who are sick to get the attention they need because this is a parent's and loved one's worst nightmare, that their child who has a mental health issue ends up perpetrating some form of violence against someone else, and of course there is absolutely heart-wrenching heartache for the family of the person who is either hurt or, in this case, has lost their life.

In my time as a court reporter I covered many cases that unfortunately were mental incompetence cases involving violence. Generally though, the violence is family on family or people who are known to each other and that, of course, throws up a whole other series of emotions and confusion and difficulty in dealing with these issues. Of course, the one that comes to mind—and would certainly be the most high profile that I think every South Australian would probably know of—was the death of former Crows coach Phil Walsh at the hands of his son, Cy.

Unfortunately, those cases in which there is violence perpetrated between family members are far more common than the case that we saw at Plympton, in which we essentially had people who were unknown to each other who were perpetrating violence. Nonetheless, no matter what the situation is that one finds themself in, the heartache for those who are victims is immeasurable and the heartache for the family of the perpetrator is often forgotten but is equally heart-wrenching.

Depending on the mental state of the person involved, in time it also wreaks havoc on the perpetrator, who in our system may be found not to have been of sane mind at the time when they committed such offences but in time goes on to understand that, or sometimes does. There are just so many levels of pain in these cases.

Members may also know that towards the end of my career as a court reporter I became very involved in advocating for victims. I served on the board of JusticeNet SA for quite some time, which provides pro bono legal support largely in the civil sphere to people and not-for-profit organisations. I also served on the board of the Victim Support Service for quite some time, and in fact was the chair for a period before I put my hand up to run for the seat of Badcoe.

I put my hand up to serve on those boards because I had had a long period of reporting on and, in a way, participating in our justice system. I do not think you can help in that environment but feel for victims of crime—feel for the experiences that they have that have led them to come before the court system but also the experience that they have through the court system.

In my view, the court process is retraumatising for people. Not only does a person live through a painful experience—an experience of violence or some other wrong being perpetrated against them—but then in our system, as it is, they are forced to relive that, sometimes again and

again. That trauma does not go a long way to help people to recover and move on from what has happened to them. Sometimes, our court system takes many years and victims are forced to repeat their situation many times.

Sometimes victims achieve justice and a sense of catharsis or feeling heard about what has happened to them, but sometimes they do not. That is the way of our justice system and, to an extent, very little can be done about that. It is a sign of a good justice system that the law is being applied and applied rigorously, and that does not necessarily always mean that everyone steps out of it with what they feel is a productive or satisfying conclusion. But, of course, those experiences have impacts on victims and on their families.

One of those experiences that I have seen victims and the families of victims really struggle with is when they are going through this pathway of a mental health defence being open to an offender. It can be quite arduous in that there are a lot of reports and sometimes it takes a long time for psychological reports and evaluations to be prepared, for those to come before the court to be assessed, and for additional information to be sought quite a lot of the time. That in itself, the time-consuming nature of it, can be quite upsetting for victims.

But also of course just the fact that they have endured this loss or this serious injury or injury of a loved one or themselves and then feel quite understandably that no-one is being held to account for that, that there is somehow an excuse or an acceptable reason for the violence to have happened to them or their loved one, I think is completely understandable.

Even if we look at black-letter law, we can understand why our law is structured in that way. I can absolutely see that, when you are in the moment and you are the victim or your loved one is a victim, it does not make a great deal of sense that there is any excuse or explanation that might be sufficient to explain or excuse the violence and trauma that you or your loved one has been through.

To people in that situation, it just makes zero sense that their loved one's experience is not being fully acknowledged. People have different attitudes to blame and retribution and punishment, but for many people they do want to see an offender punished and it does feel like someone is getting off scot-free when this process is applied.

Even if it is applied properly, when a mental health defence is put forward and they hear the words 'not guilty' ring out of the judge's mouth and the family member is sitting there having had the experience they have had of losing a loved one or their loved one being seriously injured, those words 'not guilty' are just so painful. It is another trauma being inflicted on them and it feels to them like their pain is not being acknowledged and that the correct penalty, the correct punishment, is not being doled out to someone who has caused such unimaginable heartache to them that they will endure for their entire lives.

There is of course the flip side, which is that mental health is a serious thing and it is a real thing. It is something that so many families experience and it is under our law—and I do think rightly so—acknowledged as a viable defence. That has been the case in our law for a very long time. I am certainly not an advocate of abolishing that acknowledgement, but I think that this bill is an acknowledgement that the words we use matter and that in circumstances of such incredible pain and sensitivity we as lawmakers and our judicial system can afford to be just a little bit more sensitive.

It is the case that victims for quite some time have called out the unfairness they feel through the mental incompetence defence and have called out the language that is used. I know that Chris and his family would like to see greater reform in this area. I know that they, like many others who have been through a similar experience, do question the validity of a mental incompetence defence and that avenue that is available to people who legitimately have suffered mental incompetence in their act of an offence or subsequent to it and I do understand that. I can completely understand where they are coming from, but, as I said, I do think that that is an important defence in our system and it should remain.

What this bill is talking about though is a matter of language and how we express what a mental incompetence defence is. By replacing a finding of 'not guilty due to mental incompetence' with 'conduct proved but not criminally responsible due to mental incompetence', I do think that better describes the situation that is unfolding and the legal process that is happening here.

What it is saying to people is, 'We do acknowledge that that conduct happened. That conduct happened to your loved one or happened to you, and this justice system is acknowledging that that happened.' Of course then it goes on to acknowledge that the defendant has a lawful defence, a genuine and viable defence by way of mental incompetence, which by the time these words are said has been proven through the use of expert reports and evaluation of the defendant and the situation that unfolded.

I think these words will bring some comfort to victims, but I do not think it provides ultimate comfort. I think we have to be frank about the limitations of this, but I do think it is something where we can be—maybe proud is not the right word but we can be satisfied that this is progress in the right direction and that this is a sign that our legal system and those in this house are recognising the experience of victims. I think that that has happened over the last decade or two increasingly and is a good thing—that we are constantly evaluating our legal system and assessing whether it is fit for purpose, whether it is reflecting our values as a community and whether it is expressing itself to our community in the way that we think it ought.

The replacement of the words 'not guilty' with 'conduct proved but not criminally responsible' is important. It is not everything, and I do not think victims will find any sort of absolute solution in this, but it is progress and I do commend those who have worked on this, particularly the Attorney-General and his office but also others. I would like to also acknowledge the Premier, who met with Chris Smith and his supporters early on in the piece after the terrible tragedy unfolded in Plympton. I think that really shows the measure of the man—in meeting Mr Smith at a time of great grief, extending the comfort that he could to him and committing our government to do what we could to assist, although nothing we can do, of course, will I think completely satisfy the enormous hole that has been left through this tragedy.

I wanted to conclude by, of course, endorsing this bill. I am pleased that it comes before this house, and I look forward to it having support across the chamber but, again, I just want to reiterate to Julez, wherever you are, that you are still making your presence felt. We have not forgotten you. We remember you always, and today we honour you in this bill and in these changes, and we send all of our love and support to all of your family and also to Susan Scardigno's family.

Mr DIGHTON (Black) (12:42): Thanks to the member for Badcoe for sharing more of Julie Seed's story, the tragedy of her loss and her family. This bill remains an important part of her legacy for our community.

This bill amends the terminology used in relation to a mental incompetence defence under part A of the Criminal Law Consolidation Act, replacing a finding of 'not guilty due to mental incompetence' with 'conduct proved but not criminally responsible'. It is important that that acknowledgement, as the member for Badcoe has said, is an issue that was raised by victims, and obviously, as the member for Badcoe has said, it has been in relation to the tragic death—the alleged murder—of Julie Seed and the serious knife assault against Ms Susan Scardigno on 20 December.

The bill addresses concerns that have been repeatedly raised and voiced in South Australia, interstate and elsewhere about the problematic use of the term 'not guilty' in this context. It is intended to give greater recognition to the trauma suffered by victims and more accurately label the outcome in these matters by demonstrating the objective elements of the offence are proved but also acknowledging that the defendant is not criminally responsible for the conduct because of their mental impairment.

I want to acknowledge that the bill was requested by the former Commissioner for Victims' Rights, Bronwyn Killmier, and is supported by the current commissioner, Sarah Quick. I also acknowledge the work of our Commissioner for Victims' Rights in bringing about support for legal changes in our court system and also for supporting our victims all the time.

As a former legal studies teacher one of my jobs was to teach our young people and students about our legal system and our criminal justice system. In particular, we would discuss issues such as the rights of defendants and the rights of the accused. I always found it interesting because students would raise with me the question of where were the rights for victims; that was their first response: 'Mr Dighton, you keep talking about the rights of the accused and the rights of the defendant, what about the rights of the victims?'

Of course I would talk to them about the importance of the presumption of innocence, the importance of ensuring we had a fair trial. We would talk about the elements that needed to be proven in terms of actus reus (guilty act) and mens rea (guilty mind) and, whilst there was a great opportunity to discuss how important those were, the sentiment the students raised about this idea of fairness for a victim and how our system supports that is a really important one, and a reason why this legislation is really important.

This is an important change to better reflect the sentiments of victims. It will not have any impact on the current operation of the law, but I want to acknowledge that it will help ensure that the law is more readily understood by the community—because, again, there is the assumption that not guilty by virtue of mental incompetence almost does not provide that sense of justice to our victims and many in our society.

It will remove the offence caused to victims, family members and others who find the phrase 'not guilty' confusing and unpalatable. That is a really important change. We need to ensure that justice is both seen and heard, and this bill will help achieve that. I support the bill and commend it 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) (12:47): Thank you wholeheartedly to all the members who have spoken with such compassion for the families of those who have been tragically killed or harmed in situations that have given rise to this bill. Thank you very much also to the members for Davenport, Gibson, Ramsay, Badcoe and Black—in particular thank you very much to the member for Badcoe for sharing that heartfelt experience after what she and her staff went through in terms of their proximity to this absolutely terrible, terrible situation.

Thank you very much again, as I said in my remarks, to both the current and former victims rights commissioners, who have rightly raised the need for this bill. Thank you very much to the Attorney-General who, I know, has spent time meeting with families impacted and who, together with his team both within his office and in the department, have taken care in both drafting the bill and also in ensuring that those families facing such heartbreaking situations were engaged and were part of the discussions to get to the point we are at today.

So importantly, I again place on record my heartfelt thanks and absolute admiration for the courage of Susan and her family, and for the incredible strength and bravery, amidst absolute tragedy, of Chris, Karen, Isabella and the entire family of Julie Seed. May she rest in peace. Again, thank you to her family for being so incredibly brave in the face of such tragedy. Their work has absolutely shaped and helped to bring this bill to the house. I commend the bill to the house.

Bill read a second time.

Third Reading

The Hon. K.A. HILDYARD (Reynell—Minister for Child Protection, Minister for Women and the Prevention of Domestic, Family and Sexual Violence) (12:51): I move:

That this bill be now read a third time.

Bill read a third time and passed.

CRIMINAL ASSETS CONFISCATION (REVIEW RECOMMENDATIONS) AMENDMENT BILL

Second Reading

The Hon. S.E. CLOSE (Port Adelaide—Deputy Premier, Minister for Climate, Environment and Water, Minister for Industry, Innovation and Science, Minister for Workforce and Population Strategy) (12:52): I move:

That this bill be now read a second time.

This bill implements the remaining recommendations of the statutory review into the prescribed drug offender provisions of the Criminal Assets Confiscation Act 2005 that were not included in the Criminal Assets Confiscation (Miscellaneous) Amendment Bill 2024 passed earlier this year.

The bill also contains amendments made at the suggestion of South Australia Police to ensure that the CAC Act remains an effective piece of legislation to ensure criminal offenders do not profit from their crimes. The amendments implementing the review recommendations include amendments allowing the Chief Recovery Officer to assist with asset forfeitures using the powers under the Fines Enforcement and Debt Recovery Act 2017. This will promote efficiency in dealing with forfeited assets by allowing the most experienced agency to undertake the process and will free up resources within the Office of the Director of Public Prosecutions.

There is an amendment that will bring the treatment of confiscations of property from prescribed drug offender confiscations into line with those from non-prescribed drug offender by allowing for the costs of administering the CAC Act to be taken from forfeited assets prior to the remainder flowing into the Justice Rehabilitation Fund.

There has been a significant cost burden falling on South Australia Police, as numbers of prescribed drug offender confiscations have grown to become the majority of all confiscations, as opposed to when the provisions were first commenced. This issue has become particularly acute due to the large number of prosecutions associated with Operation Ironside. It makes little sense to treat these prescribed drug offender confiscations differently from ordinary confiscations, as the confiscated assets are more voluminous and are required to be stored and ultimately sold in the same way.

This amendment ensures that it is the assets of criminals that fund the operation of the CAC Act and not taxpayers. The Justice Rehabilitation Fund, which receives the prescribed drug offender confiscation proceeds, funds programs aimed to divert and rehabilitate offenders, including within the prison population.

The fund currently assists the Department for Correctional Services to provide an overall lifting in alcohol and other drug support services, including programs run by the Aboriginal Drug and Alcohol Council and Offenders Aid and Rehabilitation Services of SA Inc. The fund also supports abuse prevention programs, victim programs and the Carly Ryan Foundation. There are also amendments included in the bill that will require offenders to provide SAPOL and the Director of Public Prosecutions with information about third-party interests in property that is subject to confiscation, including proof of such interests, to prevent offenders declaring false third-party interests to try to frustrate the confiscation process.

The bill also contains a technical amendment clarifying that simultaneous convictions will be taken into account for the purposes of the definition of a prescribed drug offender, as well as clarifying amendments in relation to the exclusion of assets from confiscation in exchange for cooperation with law enforcement.

The additional amendments requested by SAPOL included in the bill are: an amendment to increase the time period that is allowed for the return of seized material from 25 days to 60 days, with an ability to apply to a magistrate for a further extension of time; various amendments to increase the penalties for offences in the CAC Act to provide further deterrence for noncompliance; an amendment to the time permitted for financial institutions to respond to requests for information under section 160 (the time period will be amended from 14 business days to at least three and no more than seven business days); and an amendment to ensure that the provisions requiring compliance with freezing orders apply to all persons, not only to financial institutions.

This bill ensures that the CAC Act continues to be fit for purpose and allows our law enforcement agencies to continue to use every available lever to tackle serious crime in our community and to ensure that criminals cannot profit from their offending. I commend the bill to members and seek leave to insert the explanation of clauses into *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

These clauses are formal.

Part 2—Amendment of *Criminal Assets Confiscation Act 2005*

3—Amendment of section 6A—Meaning of prescribed drug offender

This clause amends section 6A to clarify that in determining whether a person who is convicted of a serious drug offence has 2 other convictions for prescribed drug offences, convictions occurring in the same proceedings are to be taken into account.

4—Amendment of section 13—Delegation

This clause provides for the taking of enforcement action under Part 7 of the *Fines Enforcement and Debt Recovery Act 2017* where functions relating to enforcement of pecuniary penalty orders or literary proceeds orders are delegated to the Chief Recovery Officer under the *Fines Enforcement and Debt Recovery Act 2017*.

5—Amendment of section 22—Failure to comply with freezing order

This clause ensures that persons (other than financial institutions) who are given notice of a freezing order are also bound by it.

6—Insertion of section 56AB

This clause inserts a new section as follows:

56AB—Prescribed drug offender to provide information as to interests in property

A prescribed drug offender must, within 14 days after a deemed forfeiture order (or such longer period as may be allowed by the DPP) provide the DPP with a statement specifying certain information in relation to property subject to the order.

7—Amendment of section 59A—Exclusion orders based on cooperation with law enforcement agency

This clause amends the section allowing a court to exclude property of a prescribed drug offender from forfeiture by:

(a) adding a requirement that the court be satisfied that cooperation was not taken into account when the person was sentenced for the offence; and

(b) specifying matters that the court must have regard to; and

(c) allowing for the monetary value of the property to be paid instead where an exclusion order would alert other persons to the applicant's cooperation and as a result put the applicant at risk of violent retribution.

8—Amendment of section 76AA—Excluding property based on cooperation with law enforcement agency

This clause amends the section allowing a court to exclude property specified in a restraining order from automatic forfeiture by:

(a) adding a requirement that the court be satisfied that cooperation was not taken into account when the person was sentenced for the offence; and

(b) specifying matters that the court must have regard to; and

(c) allowing for the monetary value of the property to be paid instead where an exclusion order would alert other persons to the applicant's cooperation and as a result put the applicant at risk of violent retribution.

9—Insertion of Part 6 Division A1

This clause inserts a new section as follows:

Division A1—Duty to provide information

130A—Suspect to provide information as to interests in restrained property

If property of, or subject to the effective control of, a suspect becomes subject to a restraining order the suspect must, within 14 days (or such longer period as may be allowed by the DPP) provide the DPP with a statement specifying certain information in relation to the property.

10—Amendment of section 160—Giving notices to financial institutions

The time within which a financial institution must provide information or documents pursuant to a notice under section 160 is reduced from 14 days to a period between 3 and 7 business days specified in the notice.

11—Amendment of section 186—Return of seized material if applications are not made for restraining orders or forfeiture orders

The time for making an application for a restraining order or a forfeiture order that would cover seized material is increased from 25 days to 60 days (or such longer period as may be ordered by a magistrate under proposed new subsection (1a)).

12—Amendment of section 209A—Credits to Justice Rehabilitation Fund

This amendment allows the proceeds of confiscated assets of a prescribed drug offender to be firstly applied towards the costs of administering the Act with the balance to be paid into the Justice Rehabilitation Fund.

Schedule 1—Further amendment of *Criminal Assets Confiscation Act 2005*

This schedule increases various penalties in the Act.

Schedule 2—Transitional provisions

1—Transitional provisions

This is a transitional provision related to clauses 6 and 9.

Mr TEAGUE (Heysen—Deputy Leader of the Opposition) (12:57): I rise to indicate the opposition's support for the bill and that I am the lead speaker, and I will not be long in doing so. As the Deputy Premier has just indicated in reading the government's speech into *Hansard*, this is the second round of amendments to the 2005 act, following some that were passed earlier in this session. The range of changes are comprehensively set out in not only the speech but the explanation of clauses that has just been introduced by leave, so I will not stay to deal with each of them.

The act itself I recall as a novelty around the time that I commenced in practice at the bar, which has now been standing for 20 years, and it has been the subject of review over that time, including the statutory review that has just been undertaken into particularly the prescribed drug offender provisions in the act. This has been introduced only in recent weeks by the Attorney in the other place and it has made its way here in a timely way. As I indicated at the outset, the bill is supported and I commend the bill to the house.

Debate adjourned on motion of Ms Thompson.

Sitting suspended from 13:00 to 14:00.

STATUTES AMENDMENT (ATTORNEY-GENERAL'S PORTFOLIO AND OTHER JUSTICE MEASURES) BILL

Assent

Her Excellency the Governor assented to the bill.

SUMMARY OFFENCES (KNIVES AND OTHER WEAPONS) AMENDMENT BILL

Assent

Her Excellency the Governor assented to the bill.

Parliamentary Procedure

PAPERS

The following papers were laid on the table:

By the Speaker—

Auditor-General—Regional bus service contracts—Phase 2 Report 2 of 2025
[Ordered to be published]

By the Premier (Hon. P.B. Malinauskas)—

Remuneration Tribunal—
Electoral District Boundaries Commission Determination No. 1 of 2025
Remuneration of Electoral District Boundaries Commission Report No. 1 of 2025

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

Regulations made under the following Acts—
Trustee—Prescribed Qualifications
Rules made under the following Acts—
Return to Work—Guidelines—Impairment Assessment

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

Regulations made under the following Acts—
National Parks and Wildlife—Fees Notice—Hunting—No. 2

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

Regulations made under the following Acts—
National Energy Retail Law (South Australia)—Local Provisions—
Small Compensation Claims Regime

By the Minister for Local Government (Hon. J.K. Szakacs)—

Local Council By-Laws—
District Council of Streaky Bay—
No. 1—Permits and Penalties
No. 2—Moveable Signs
No. 3—Roads
No. 4—Local Government Land
No. 5—Dogs
No. 6—Cats

VISITORS

The SPEAKER: I would like to welcome to parliament today students from Immanuel College, who are guests of the member for Morphett. I hope you enjoy your time here in the parliament. Of course, former Premier Steven Marshall is an old scholar from Immanuel. You have had some fine old scholars who have come through your school, including of course Kyle Chalmers, Olympic champion. I am not sure whether we have any other current MPs who are old scholars, but thank you very much for coming in today. We are about to move to question time and the first question of the day goes to the Leader of the Opposition.

Question Time

HOUSING CONSTRUCTION

The Hon. V.A. TARZIA (Hartley—Leader of the Opposition) (14:04): My question is to the Premier. How many homes have been built on the land releases announced by the government in February 2023? With your leave, sir, and that of the house, I will explain.

Leave granted.

The Hon. V.A. TARZIA: On 12 February 2023, the government announced land releases in Hackham, Dry Creek, Concordia and Sellicks Beach.

The Hon. N.D. CHAMPION (Taylor—Minister for Housing and Urban Development, Minister for Housing Infrastructure, Minister for Planning) (14:05): I am happy to update the opposition about this very important initiative by the government. What you should be aware of is that we have rezoned Hackham, now known as Onkaparinga Heights. That is rezoned. The infrastructure deeds for stormwater, roads and all that important infrastructure are in place, and that is now out for the private developer to engage with local government to go through land division and then release housing allotments onto the market. That's the way the rezoning process works when you are doing it correctly.

The code amendment for Concordia should be finalised by late this year, along with Sellicks Beach. For both of those, we have announced that we will be doing infrastructure schemes rather

than infrastructure deeds. This is because of the multiple owners and the length and time of these projects. Of course, we have initiated a code amendment for the land on Dry Creek.

The SPEAKER: Point of order from the deputy leader.

Mr TEAGUE: The minister has had a whole minute. It was a straightforward question. Standing order 98(a): the question is not about the process that has led to it, but a straightforward question. How many homes have been built? The minister needs to answer the question.

The SPEAKER: He has a further three minutes to answer the question.

The Hon. N.D. CHAMPION: The honourable member makes an intervention but, of course, he has been a former Minister for Planning in the last government, and what I would say to the opposition—

Members interjecting:

The SPEAKER: Members on my right will come to order.

The Hon. N.D. CHAMPION: —is if you wanted houses at Concordia now, perhaps you should have rezoned it when you were in government. They begged you. The Concordia Land Trust begged the previous government to rezone the land in Concordia. They begged you to rezone the land in Concordia, but you sat on your hands for four years.

Mr TEAGUE: Point of order.

Mr Brown: Explain yourselves!

The SPEAKER: The member for Florey, you probably picked a really quiet moment to yell out, so you are on a warning.

Mr TEAGUE: It's standing order 98(a) again, of course, and now the minister has proceeded to further defy your ruling by debating the matter. The question relates to the 2023 announcement and homes built since then.

The SPEAKER: He didn't defy my order, but he probably needs to stick to maybe not yelling out accusations at the opposition.

The Hon. N.D. CHAMPION: Speaker, I always pay close attention to your rulings, but it is impossible to properly analyse land divisions without talking about the history of those land divisions and, of course, on Concordia there is a long history of governments not acting.

This government has acted to bring that land to market, and how? We have gone through the code amendment process. It's a comprehensive process. We are doing all of that. It will be complete by this year and then that land, with all of the infrastructure agreements in place and a provision for water and sewer, most importantly—which, again, there is a difference in approaches by this government to previous governments. We believe in putting in place water and sewer to make land development-ready. You can see this in action in Elizabeth North and on Supple Road at Angle Vale. You can see large sewer mains going in. This makes for development-ready land.

We are rezoning land. We have already exceeded, more than doubled, the previous government's record of just 190 hectares. We will keep that pace going. We have already rezoned around 500. By the end of this year, that will be a much higher figure because Sellicks Beach will be rezoned, Concordia will be rezoned, and we will be well down the pathway of rezoning Dry Creek as well.

So what you see is steady, measured progress to bring land supply to market. There are a lot of houses being built at the moment in South Australia. We know we are on a good thing. It's not me who is telling the opposition: it's the Housing Industry Association, which gives us a nine out of 10 for our housing policy. We are acting and bringing houses to market in the immediate term, in the medium term and in the long term.

Members interjecting:

Parliamentary Procedure

VISITORS

The SPEAKER: Before I call the Leader of the Opposition, I would like to welcome to parliament former Deputy Premier Kevin Foley. It's great to have you back in the house, Kevin. The member for Florey, you are also warned.

Question Time

AFFORDABLE HOUSING

The Hon. V.A. TARZIA (Hartley—Leader of the Opposition) (14:10): My question is to the Premier. What is the Premier's answer to key workers who are shut out of SA's housing market? With your leave, sir, and that of the house, I will explain.

Leave granted.

The Hon. V.A. TARZIA: Adelaide is now Australia's second least affordable capital city to buy a home only after Sydney. A report by the SA Property Council released today, entitled Beyond Reach, found that house prices in Adelaide are 10.1 times the average median household income, making it out of reach for many key workers.

The Hon. P.B. MALINAUSKAS (Croydon—Premier) (14:11): I thank the Leader of the Opposition for his question because it goes to an incredibly important subject, one that this government has been at pains to take action on, as the minister has alluded to, just some of the policy measures that we have undertaken as a government. There is a crisis of housing supply in the state of South Australia. This government has probably done more than any other that has preceded it in terms of taking action to seek to address it in every number of different areas.

There was a bit of discussion around land division. But whether it be the significant tax reform that we have instituted as a government by abolishing stamp duty for all new builds, whether it be the investments we are making in public housing, whether it be all the work that we are doing around land division and releasing land and code amendments, but also, critically, probably one of the most important things that isn't immediately obvious to the Leader of the Opposition because you don't see it every day, as we speak, out in the northern suburbs of Adelaide we are laying some of the biggest pipes and the biggest truck infrastructure we have ever seen in the history of water infrastructure delivery in the history of the state.

Those pipes are literally, as we speak, being put into the ground. That is a function of a $1.6 billion investment in trunk water infrastructure—$1.6 billion. Just to give a bit of a sense of the size of that investment, the investment on the previous regulatory period, which members opposite would be well familiar with given they adjudicated over it, was a $150 million investment—so a tenfold increase in investment in water infrastructure, which is being rolled out as we speak.

Why does that matter? Well, it matters of course because we are playing catch-up—that's right, we are playing catch-up on your underinvestment; that is true—but what we are doing is getting those pipes in the ground as a matter of urgency simply because before a house can be constructed, particularly on newly released land or land division, they have to get what's called a DAFI. A DAFI cannot be issued by SA Water until they can honestly say that water connection is going to be in place. Can you imagine how many homes would be getting built right now if that $1.5 billion investment happened four years ago? It would be a big number.

So we are getting those pipes in the ground, and if any member of the opposition would like a briefing from SA Water about how that infrastructure is being rolled out, we would be very, very happy to facilitate it because it's important. We have arranged a group with industry who sits down with SA Water, I think every month—

An honourable member interjecting:

The Hon. P.B. MALINAUSKAS: —every two weeks—to actually get an update on where it's at so everyone is fully aware of where it is happening, and that is really important. But the other thing that we are doing on top of that, particularly in respect of key worker housing to which the

Leader of the Opposition referred in his question, is that we are making investments ourselves, including specific investments in locations for key workers.

We know that our city desperately needs nurses, it needs police officers, it needs these essential workers in our city as much as in our suburbs, and people want to be able to live close to where they work, which is why we want to see key worker accommodation close to the city too. If you go just down the road from here, down at Southwark, what you will you see is Renewal SA buying that land so we can get it to market quickly. That's happening and there will be houses coming out of the ground there by the end of next year. And what do we know about the Leader of the Opposition's position in respect of what's happening at Southwark? He's opposed to it. So the contrast is stark. We are not just taking the needs seriously, we are taking the action seriously and we are getting on with the job.

HOUSING CONSTRUCTION

The Hon. V.A. TARZIA (Hartley—Leader of the Opposition) (14:15): My question is to the Premier. How will the Premier recruit key workers to help build homes in South Australia when finding a home here is beyond reach of many of them? With your leave, sir, and that of the house, I will explain.

Leave granted.

The Hon. V.A. TARZIA: The Property Council's report Beyond Reach found that buying a house remains beyond reach for a couple comprising of a full-time electrician and a part-time retail shop assistant.

The Hon. P.B. MALINAUSKAS (Croydon—Premier) (14:15): I thank the Leader of the Opposition for identifying and observing the problem. They are very good at that. Our job isn't to observe the problem but rather to do something—

Members interjecting:

The SPEAKER: Members on my left will come to order.

The Hon. P.B. MALINAUSKAS: Our job is not to observe the problem, it is actually to do something about it. I mentioned a suite of actions that we have already referred to, none more important than the water, but what we are also doing is making sure that we have got a constant supply of housing land into the long term.

There are points of difference between the government and the opposition with respect to policy in this regard. The opposition have made it clear that Renewal SA have no role to play. If we removed Renewal SA from the equation, then all the homes that are getting built in Prospect Corner, that wouldn't be happening. All the homes that are being built in Playford Alive, that wouldn't be happening. All the homes that are being built down at Seaton, that wouldn't be happening. So anyone who has aspirations to live in one of those areas or get into one of those houses quickly, we know that those opposite will be pulling up stumps if they get in charge in 12 months' time, which could not be a more stark contrast in policy activity with regard to the challenge that we have in hand.

The minister today has foreshadowed an important piece of legislation which will also put the opposition to the test in whether or not they are serious about aiding the challenge by making sure we pass legislation to unlock yet more land to make sure that industry has this certainty that they have been crying out for for some time, whether it be in Roseworthy, Two Wells or down south in places like Victor Harbor. There is not a policy lever that is at the disposal of this government that we are not pulling in regard to this challenge.

We know that more South Australians are choosing to reside here in our state, not leave the state as they did in the past, because of the economic success story that our state represents. What I would say to those key workers to which the Leader of the Opposition refers is to look at, when you assess where you may choose to be living and working into the future, where else would you choose but from the very jurisdiction that the housing industry of Australia says we are number one in the country, or that the Business Council of Australia says we are number one in the country with respect to planning reform, and that the Commonwealth Bank of Australia says we've got more housing dwelling starts happening here than anywhere else in the country.

So if I am a young worker sitting around and weighing up my options, 'Where do I want to go?' I want to go to where the action is. I want to go where the economy is strong, where there are powerful prospects for growth, and we have a government that is actually unlocking housing supply rather than actively constraining it because they have seen that happen in the past; unlocking housing supply versus actively constraining it. That is what we are getting on with. So to a young worker, I say choose the jurisdiction with a strong economy. I say choose the jurisdiction where the BCA, the HIA, the Commonwealth Bank, amongst other organisations, say has actually got a policy to do something about it, is actually making a difference on the ground—and that is what young people expect to see from the government and that is what they are getting here in South Australia.

HOUSING ROADMAP

The Hon. V.A. TARZIA (Hartley—Leader of the Opposition) (14:19): My question is to the Premier. How many additional construction apprentices and trainees have commenced since the release of the Housing Roadmap?

The Hon. B.I. BOYER (Wright—Minister for Education, Training and Skills) (14:19): I thank the Leader of the Opposition for this question. There is no doubt with the very ambitious targets that this government has in terms of new land release and new homes that we need an enormous uplift in apprentices as well, and that includes in all those traditional trades.

There are couple of challenges there, of course, in a very strong economy like the one South Australia has now, which is a good thing. There are a lot of options out there for young people. That is one of the things I say to high school students. In fact, I was with the member for King yesterday at Salisbury East High School, talking to them about what a good time it is to be looking for work in South Australia because of all the different opportunities that are available to them. But the truth is that more than ever before we need to make sure that we are really focused on making sure that we get growth in the areas where the state needs it most. Predominantly, a lot of the growth that we need is in VET areas, and we hear the Premier speak about that very regularly.

The SPEAKER: Deputy Leader.

Mr TEAGUE: It is a point of order under standing order 98(a). The minister has had a decent stretch now and I bring the minster to the question. It is straightforward: how many additional construction workers have commenced since—

The SPEAKER: I think you have had enough time. I don't appreciate you interrupting when people are trying to tell a story and give an answer, and that's what is happening here. He is not contravening the standing orders, and we will continue to listen to the answer. Every time, at the one-minute mark or before, you get up and start interrupting someone who is giving an answer. They are giving an answer. They have four minutes to give the answer.

The Hon. B.I. BOYER: Thank you very much for your protection, Mr Speaker, I appreciate it. I am very happy to talk on this subject. I think we are hearing those opposite trying to suggest that this is a really uncomfortable topic in some way for this government. Let's have a look at some of the things this government has done. There is a National Skills Agreement with an uplift of almost $700 million over and above what this state would have had available to it had we not signed that agreement. My predecessor could not get one of these signed in the whole four years he was in the role. There are five new technical colleges, a number of those focusing—

Members interjecting:

The Hon. B.I. BOYER: He did not sign a skills agreement. You didn't get it done. Four years you sat on your hands and you did not get it done. Another mess of yours that we have to clean up, that's what it is. Five technical colleges, two in regional parts of the state that include accommodation for young people to come there, which was focused a lot on the kinds of trades that the Leader of the Opposition just asked about—traditional trades like construction, chippies, and sparkies. We are focusing on growth in these areas, and the truth is that we are seeing growth in these areas.

Let's have a look at the legacy of the last government which signed what appeared to be a fantastic agreement with the federal government around wage subsidies for trainees and apprentices. It looked fantastic, despite the fact that they fell 5,000 places short of their 20,000 target.

Where did we see the growth? It looked good in a headline on a media release, but where did we see the growth? Hundreds of percentage growth in areas like personal fitness. That is where we saw the growth under you guys. You didn't get the growth where it was needed at all.

We have come in and in less than 12 months we will have five technical colleges open in the state that are focusing on this. A National Skills Agreement, $700 million extra to subsidise training places, fee-free TAFE—we are having growth in these areas, including the ones you just asked about. It is growing and it is growing in the areas where we actually need it.

Are fitness instructors important? I think they have an important place but they are not going to build homes. You might get fit on the site, that's true, but personal fitness instructors are not what we need to build these new homes. We have taken a methodical approach in terms of where we spend taxpayers' money, and the money that we have signed on to with the federal government to make sure we actually get growth in apprentices in the areas where we need them. That is absolutely the opposite to what we saw in the four years of the previous government.

POWER OUTAGES

Mr ELLIS (Narungga) (14:23): My question is to the Minister for Mines and Energy. Can the minister confirm that constituents in my electorate will be eligible for compensation from ElectraNet and/or SA Power Networks due to a prolonged power outage? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mr ELLIS: Early in the morning on Friday14 March the power went out in the entirety of my electorate and stayed out for at least 19 more hours. It meant that business owners had to ditch stock, lose customers, and other measures that cost them money, and they are looking for compensation.

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Infrastructure and Transport, Minister for Energy and Mining) (14:24): I want to thank the member for his question. It's fair to say that he was on the phone to me quite regularly during the prolonged outage, and he was very frustrated on behalf of his constituents. I share his frustration. He was on the ground talking to the bakery owners, he was on the ground talking to the people who were impacted by this outage and it was very stressful for everyone involved. I want to thank him for letting the government know, in no uncertain terms, what was going on on the ground on Yorke Peninsula which, quite frankly, was unacceptable. He was a pretty fierce advocate for his community on that day.

At approximately 5.30am on Friday 14 March, ElectraNet experienced multiple faults on the transmission network impacting power supply on Yorke Peninsula to about 25,000 customers. Restoration activity commenced around 10.30pm of that evening, with most impacted customers being restored throughout the night. Apparently, the initial faults and subsequent damage to the equipment is likely to have occurred because of dust and salt burn-up on ElectraNet's infrastructure due to the lack of rain in the extended dry weather conditions. ElectraNet had been actively monitoring conditions prior to the faults and had scheduled preventative maintenance of equipment for 16 March. The unfortunate event occurred two days before the outages.

The maintenance period had been scheduled to avoid summer periods and forecast hot conditions but, as monitoring and pollution monitors were showing, this needed to be brought forward. I could go on about ElectraNet having responsibility for these transmission lines, but that's a legacy decision, and ElectraNet will need to account to independent regulators about their performance. I think it's fair to say that even ElectraNet were not pleased with the level of the outage.

In terms of compensation, we recognise the impacts that these events have had on households. ElectraNet is a private company and it owns and operates the transmission network following the privatisation. We have sought to ask some serious questions of ElectraNet about how the situation could have occurred, and I am advised that there is no regulated compensation scheme for this event for those who lost their electricity supply. This is not a distribution event, this is a transmission event.

Some people may be aware of the Guaranteed Service Level payments (GSL), which are payable to customers for distribution-related power outages of more than 20 hours. This was not a fault of SA Power Networks, this is a transmission fault. So in this instance that payment does not apply. Individuals or businesses who suffered loss or damage may be covered through their personal insurance, but not through any regulated scheme. The only regulated scheme here is for distribution faults that extend that outage. It's cold comfort to the member, but this is the legacy scheme that was given to us through privatisation.

But I can assure the member for Narungga that we are seeking answers from ElectraNet, and we are holding them to account for what occurred. I think that ElectraNet know that they perhaps could have done better. The work that the chief executive did on the ground I thought was exceptional, but that is cold comfort to people on Yorke Peninsula who were without power for so long.

NORTHERN ADELAIDE AND GAWLER GREEN OPEN SPACE

The Hon. A. PICCOLO (Light) (14:28): My question is to the Premier. Can the Premier inform the house how the Malinauskas government plans to deliver more green open space for northern Adelaide and Gawler?

The Hon. P.B. MALINAUSKAS (Croydon—Premier) (14:28): I thank the member for Light for his question. The member for Light, for a considerable time, has been a powerful advocate for his community in Gawler and the northern suburbs of Adelaide, and I know the member for Light very much understands the importance—

Members interjecting:

The Hon. P.B. MALINAUSKAS: For Penny Pratt it might be. I know that for a long period of time the member for Light has been rather committed to making sure that Gawler is able to preserve its character, because it is a special part of the state as a town with a unique history and its own sense of place. This state government wants to preserve that, particularly given all the growth that is happening in and around Gawler. On the northern side of Gawler and places like Hewett, and what have you, we have seen extraordinary growth happen over recent years. We now know that there is going to be further growth in the northern part of Adelaide from Munno Para up into the area of Kudla.

It is absolutely critical in the first instance to make sure that we preserve Gawler's character and identity, and the best way to do that is to create a contiguous green belt around Gawler. We are committed to that. But more than that, there is a more fundamental question at play here and that is about equity of access to high-quality Parklands for the amenity of communities. It is the firm view of this government that it should not just be residents in Rose Park or Dulwich or Unley or Parkside or even in places like Bowden that should have access to Parklands; it should be people in the outer suburbs as well.

Glenthorne Farm is a good representation over in the southern suburbs, something I know that the members for Black and Davenport are enthusiastic supporters of, but it is also important in the northern suburbs, particularly given that is where the vast majority of the growth will be happening. Yesterday, the government announced its intention and its policy to establish the Northern Adelaide Parklands. They will be 40 per cent bigger than the Adelaide city Parklands. It will be established by an act of this parliament, subject to the will of the parliament, under the auspices of a trust in a model that is not completely dissimilar to what we see with the West Beach Trust.

The Northern Adelaide Parklands will be an environment that families can get access to, to be able to enjoy biodiversity, to be able to enjoy walking trails, cycling tracks—you name it—ovals and playing fields; it is all there. When you've got the South Para River, when you've got the Gawler River there, it makes perfect sense that we should be investing in this area.

Importantly, what is innovative and new is that the government has also established a funding mechanism for this so that it is not entirely dependent upon the state government. That is to say we will see a contribution from local councils in the way that you would usually expect and traditionally see, but on top of that, we are going to capture a degree of the economic or the value uplift from the rezoning of Kudla—a huge parcel of land.

With the value of that land when it transitions from a rural living zoning to a residential zoning, there is great uplift. The price of that land now will factor a significant contribution into an infrastructure scheme that operates for the purposes of the Northern Adelaide Parklands Trust to invest in the parklands. So it is not just identifying it but creating a revenue stream to fund it and this is big news for the residents of the northern suburbs. They deserve the opportunity for parklands too.

SA WATER INFRASTRUCTURE

Mr TELFER (Flinders) (14:32): My question is to the Premier. How many housing developments in South Australia are currently delayed or have failed to commence construction due to a lack of SA Water infrastructure?

The Hon. P.B. MALINAUSKAS (Croydon—Premier) (14:33): As a government, we are determined to make sure that we are putting in the policy efforts which we can control. That is our focus. The government on occasion will draw, compare and contrast to what the former government has done and what it hasn't done and so forth. There were good things the former government did that we welcome and there are bad things the former government did, which obviously we will point to at times.

We are not only a government that invests all of our effort, all of our energy, in trying to come up with metrics to highlight all of the failures of the former government, particularly when it comes underinvestment in water. We have actually tried to focus more on how we are going to solve the problem than identifying all the projects that you held back when you were running around telling South Australians how great lower water prices were while at the same time you were cutting the investment that was required in water infrastructure. If the shadow minister wants me to take on notice and get him a list of all the projects that you stopped by underinvesting in water, we can certainly undertake to go away and do that work for you.

AFFORDABLE HOUSING

Mr TELFER (Flinders) (14:34): My question is to the Premier. Has the Premier reviewed the current affordable housing criteria and, if not, why not? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mr TELFER: It was reported on 15 March that 62-year-old Jakki's rent has almost doubled since 2023 and she is now spending more than half her $35,000 income on rent. She wants to move to available affordable housing in her area but the existing rules mean she will need to earn more to be eligible.

The Hon. N.D. CHAMPION (Taylor—Minister for Housing and Urban Development, Minister for Housing Infrastructure, Minister for Planning) (14:34): I am very glad to get the question. The first thing I would say is that people like Jakki are at the forefront of what we are trying to do. If you look at Prospect Corner, we are providing 100 affordable rental apartments through a community housing provider, or if you go down to Bowden, there is Uniting on Third; we are going to do 80 affordable rental apartments at Bowden as well on top of a project we've got there. We are at the moment constructing Tucker Street, which will be run by the Housing Trust, expressly for over-55-year-old women who are at risk of homelessness. We are very concerned about people in the position that Jakki is in as they age.

In regard to the rules the honourable member raised, these are the rules that applied for the entirety of the previous government—

Members interjecting:

The Hon. N.D. CHAMPION: —well, just listen to this; just bear with me—the whole of the period in which those rules applied. Those rules apply at a national level. They are part of our national agreements. They apply right across the country.

Members interjecting:

The Hon. N.D. CHAMPION: Are you going to listen or are you just going to bark across the chamber? It is important. The application of the rules that you are talking about is about making sure

that three-bedroom homes are allocated to families. That is essentially what the rules are in place to do: to allocate three-bedroom homes to families and allocate single people to single-bedroom or double-bedroom apartments. It is an attempt to make sure we get the best use of our housing spend.

That is why previous Liberal governments kept those rules in place; that is why previous Labor governments kept those rules in place. They are important rules. I agree that they could be better expressed on the HomeSeeker website. I am going to talk to my department about that, because I think it is reasonable that Jakki looks at it and says, 'Well, what's going on here? I would like an explanation.'

It is not a good enough excuse, however, from an opposition who should be looking at the policy behind this and thinking, 'That's right, we endorsed this exact policy for the entire period of being in government but now what we want to do is to pretend to Jakki that we are going to change things when we're really not.' At the same time, as best as I can tell, you oppose the very supply measures that we are proposing.

You are opposing water infrastructure going into the north. That is what you are going to do, because you are going to rip up stumps on our infrastructure package because you won't have the money to do it. You announced that yesterday. You are going to rip up stumps on Two Wells. You are going to rip up stumps on Roseworthy. That's what you are going to do. You are going to put all of the cost of the provision of water and sewerage onto the home owner out at Roseworthy and Two Wells and constrict supply.

It is very hard to tell what the opposition's policy actually is, because they are disavowing things they did in government. Only yesterday we had the sort of gyrations of the Leader of the Opposition around infill—

Mr TEAGUE: Point of order: it is standing order 98(a) and I might say it is straying into standing order 127(1) as well. There is digression and there is debate writ large. This is a straightforward question: has there been a review of the criteria? The minister needs to answer the question.

The SPEAKER: The member for Flinders asked a question and then for the next 3½ minutes hasn't stopped yelling at the minister. So I remind the deputy leader that interjections are disorderly, and if the minister is responding to some of those interjections they shouldn't be made in the first place.

The Hon. N.D. CHAMPION: What this government is doing is expanding supply, and especially for people like Jakki. We know that in a tight rental market people like Jakki are the most vulnerable people. We want to expand supply of affordable rental apartments, of market rental apartments, of market sale and of land more generally because we know supply is the answer to the housing crisis.

POLICE RECRUITMENT

Mr TELFER (Flinders) (14:39): My question is to the Premier. How will the Premier recruit police officers when they cannot afford to live in Adelaide? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mr TELFER: In the Property Council's report Beyond Reach, it was found that a police officer's single-income household is effectively locked out of buying a median-priced house or unit in all locations surveyed.

The Hon. S.C. MULLIGHAN (Lee—Treasurer, Minister for Defence and Space Industries, Minister for Police) (14:39): I thank the member for Flinders for his question because, as members in the chamber would be aware, the government is investing significant additional resources to help police recruit more sworn officers to protect South Australians across our communities.

Not only have we provided more funding for recruitment efforts, in particular an initiative to increase recruitment and to better publicise the number of positions available in South Australia

Police including re-establishing a program that was run under a previous Labor government to recruit sworn officers from overseas including from the UK and Ireland that is proving successful, but we are catching up on the deficit in sworn officer numbers that was left to us by those opposite.

In addition to that, in the last couple of months the government has reached agreement with police to substantially increase their rates of pay. There has been a substantial increase in pay rates across all sworn officer levels and ranks, which is putting not only more money in the pockets of police officers right now but continuing to do so each and every pay. On top of that, there are, of course, the measures that the Minister for Planning has just been informing the house of—a comprehensive series of initiatives to increase housing supply across the board. It is only by increasing housing supply that we will take some of the sharper edges off the housing pressures that are being felt by the entire Australian community at the moment.

Coming out of COVID, for example, where we had a former Coalition federal government commit more than half a trillion dollars of economic stimulus into the Australian economy in an 18-month period, the sum equivalent to an entire additional commonwealth budget, that has seen rates of inflation surge across the economy and the Reserve Bank increase interest rates. Fortunately, over the last three years inflation is now down towards an area where the Reserve Bank can see fit not only to pause interest rates but indeed to reduce them at their last board meeting.

So this government is taking the actions necessary to release more land, to build more houses, to recruit more police officers and to increase their wages to make sure that not only can we increase the number of sworn officers on the beat but we can also make sure that police officers, like other working South Australians, are placed in a better position to afford their own housing than what they would have otherwise been able to if it had been left to the previous Liberal government and the policies they saw fit either to not carry forward to ease the housing pressures or, of course, to massively increase the tax burden on property owners with their unannounced land tax increases.

I know it's a sensitive issue for the Leader of the Opposition. He was, of course, not able to raise his voice in opposition to those measures undertaken by the former Premier, Steven Marshall, or the former Treasurer, Rob Lucas, but now we are reaping the harvest of those policy decisions taken by the previous Liberal government.

DROUGHT ASSISTANCE

Mr McBRIDE (MacKillop) (14:43): My question is to the Premier. Will the state government commit to paying the costs on 210 loads of hay to more than 200 farmers in desperate need of feed? With your leave, Mr Speaker, and the leave of the house, I will explain.

Leave granted.

Mr McBRIDE: Victorian charity Aussie Hay Runners has 7,560 bales of hay waiting to go, but it's waiting for a response from this government following its request to assist with the cost of diesel.

The Hon. S.C. MULLIGHAN (Lee—Treasurer, Minister for Defence and Space Industries, Minister for Police) (14:44): I thank the member for MacKillop for his question about drought support. As I have previously advised the house in response to similar questions, the government is well aware of the extraordinary pressures that our primary producers are under, with the remarkably dry conditions that have been experienced in South Australia over the last 12 months. Part of that drought funding package was to provide freight subsidies for those charitable donations of hay and other feed being made available from farmers, including from interstate, who have decided to make that available.

Of course, I have seen the same reports in the media from Aussie Hay Runners about their claim that they have 221, I think it was, truckloads of hay to go and all it would take was a contribution towards diesel costs of $3 million to release that, which has, of course, given the government cause to be in contact with them directly, to talk through just what subsidy they feel they need in order to offset those diesel costs, as well as the costs for the drivers and an allocation for wear and tear.

I will say, though, that it has certainly been the case for government to question the much higher level of subsidy that seems implicit in Aussie Hay Runners' request, because that would seem

to be something in the order of nearly $14,000 per truckload of hay. Even for a delivery from Victoria into the Mid North or beyond of South Australia, it would seem to be an extraordinarily high amount of diesel that would need to be consumed to do that.

We continue to process claims. There is still money which is being disbursed, as I understand it, to other agencies which have come forward offering to bring hay to South Australia. We are still working with Aussie Hay Runners to get to the basis of the costs that they have sought, in recognition that they seem to be significantly higher than the other organisations that we are in contact with, but that doesn't quell our enthusiasm and our capacity to make use of those very, very generous donations of hay and other supplies for primary producers which are being made available by farmers, particularly interstate, and in other parts of the state. I look forward to keeping the house advised of the progress we make in that respect.

GREATER ADELAIDE REGIONAL PLAN

Mrs PEARCE (King) (14:47): My question is to the Minister for Planning. Can the minister provide an update on the release of the Greater Adelaide Regional Plan?

The Hon. N.D. CHAMPION (Taylor—Minister for Housing and Urban Development, Minister for Housing Infrastructure, Minister for Planning) (14:47): I thank the member for King for her question. I know her support for housing in her own electorate at Golden Grove is very important, engaging with the community and talking with them about it. Obviously, we have a growing economy and one that is resilient, as resilient as at any time in my lifetime. What that means is that we are going to—

Mr Telfer: Wow; that's a long lifetime.

The Hon. N.D. CHAMPION: I've just had a birthday, actually, so it is a long lifetime, to the member opposite. What that means is that we are going to start seeing the state grow in population terms in a way that we have not seen in the previous 30 years. It's really, really important to be optimistic about this and to plan for it, and that's one of the reasons why yesterday, at the CEDA event, the Premier launched the Greater Adelaide Regional Plan and announced two important pieces of legislation in that.

This is probably one of the most comprehensive plans we have had since our settlement, since Colonel Light designed our very, very unique city. It means that we can begin to plan for the next 30 years, for the 670,000 people who will arrive and buy houses and work in Adelaide in that time, and it means that we will begin to plan for the 315,000 houses that we will also have to build over the next 30 years.

Most importantly, it outlines the way in which we are going to preserve vital parcels of land for infrastructure. It's a really comprehensive plan working in place with the Minister for Transport's transport strategy and ISA's infrastructure strategy. This is really important work.

The bill that I will introduce tomorrow will vary the environment and food production areas to release, essentially, another 61,000 allotments into our system. They are very important allotments to have over the next 30 years. It's important that we give developers, councils and government the clarity needed to plan for those communities, to properly build communities and to properly allocate infrastructure. Without these changes, what we will get is a rolling housing crisis. We have seen what happens when governments of any complexion and at any level take their foot off the accelerator. What happens is the pressure builds and, before you know it, a housing crisis is upon you.

What our act will do is release 7,324 hectares of land that is currently within the EFPA out into the housing system. It means Roseworthy, Two Wells, Murray Bridge, Victor Harbor and Goolwa can all play their role in providing greenfield housing supply. That is absolutely critical. It will be a test of this parliament and of the opposition about whether or not they get on board with the state's future and whether or not they back the government's changes in and back in housing supply.

It is so vital that we plan for the future. We know the Greater Adelaide Regional Plan clearly outlines the infrastructure needed. It clearly outlines the structure planning needed. It clearly outlines the code amendments that will be needed. It provides a long-term plan to give long-term confidence to provide long-term housing supply, while those opposite never want to begin the work. They want

report cards and they want research reports and they want more navel-gazing, the same as they did for their four years in government.

POWER PRICES

Mr PATTERSON (Morphett) (14:51): My question is to the Premier. Does the Premier have a plan to reduce power bills for South Australians and, if so, what is that plan? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mr PATTERSON: The Australian Energy Regulator's latest draft default market offer shows that since Labor came to office, the power bills of a South Australian household that has the default market offer have increased by up to $804.

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Infrastructure and Transport, Minister for Energy and Mining) (14:52): I am glad that the opposition is so concerned for the 6.8 per cent of South Australians on the default market offer. The opposition has been very vocal in claiming that South Australia has the highest energy prices in the country. According to the default market offer that has been released, the draft one, that's simply not accurate. However, because of Project EnergyConnect—the brainchild of the shadow energy minister—soon we can connect and levelise our prices with the highest cost jurisdiction in the country. Isn't that a work of genius by the member opposite? Pure genius.

Members interjecting:

The Hon. A. KOUTSANTONIS: I remember when we were in opposition they were claiming falsely that we opposed Project EnergyConnect and now they are yelling out, 'It was your idea!' Which one is it?

If you read the draft DMO, the DMO in South Australia has seen a relatively small increase in comparison to other jurisdictions. For example, in New South Wales—as opposed to our increase of 5.1 per cent, which is a 2.7 per cent increase on the real—the Ausgrid increase is 8.8 per cent; Endeavour in New South Wales is 7.8 per cent; Essential in New South Wales is 8 per cent; and Energex in Queensland is 5.8 per cent. You are seeing wholesale prices in South Australia drop, but what you have seen is a dramatic increase—

Mr Patterson: Not over a calendar year, no—up by 27 per cent.

The SPEAKER: The member for Morphett, you have asked your question; please listen to the answer.

The Hon. A. KOUTSANTONIS: What members opposite would do is they would ask ESCOSA to do price determinations to calculate—rather than do a calendar year or financial year, they would say, 'Do it up to November,' to try to cherrypick these numbers to try to show larger decreases. It was the only time that I knew of that an energy minister sent a request through to ESCOSA to change the way that they do their price determinations. It was remarkable. He is smiling; he knows all about it—a big smile on his face.

Members opposite who claim that the National Electricity Market is controlled by state jurisdictions simply do not understand how the market works. I go back to the original proposition that the state government has had from the very beginning: we believe the way to get prices down in this state is to see the penetration of more and more renewables and storage. It has the added benefit of decarbonising our electricity grid and at the same time allowing for more storage because storing renewable energy is the best way possible of lowering power prices.

The unfortunate aspect of this is that you need gas deferment, and of course gas is what is setting the price, and gas is very, very expensive. Fossil fuels are actually pushing up prices. And what has caused gas prices to increase? Things like banning gas extraction in unconventional means in the South-East. The members opposite still to this day defend their gas bans. I note that the shadow minister goes out—

Mr Telfer: The stroke of a pen is all it will take from you—just the stroke of a pen.

The Hon. A. KOUTSANTONIS: It's not the stroke of a pen, it's legislation.

Mr Telfer: Go for it. Put the legislation in.

The Hon. A. KOUTSANTONIS: It's good to hear the shadow treasurer say he would support lifting of the unconventional fracking gas ban in the South-East. That is an interesting new policy announcement by the member for Flinders.

POWER PRICES

Mr PATTERSON (Morphett) (14:56): My question is to the Premier. What action, if any, is the Premier taking to assist South Australian households with their power bills? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mr PATTERSON: The AER's draft default market offer shows that South Australian households are facing an additional increase of up to $121 per year from 1 July.

The Hon. S.C. MULLIGHAN (Lee—Treasurer, Minister for Defence and Space Industries, Minister for Police) (14:56): I thank the member for his question because, of course, we have ensured that in our budgets, since coming to government, we have delivered substantial cost-of-living relief to South Australians and that has been calibrated in two ways. It's been done to target those in our community who need the support the most, those people on fixed and low incomes, and it's also been done in ways which are flexible enough for them to use that financial support in a way which meets the sharpest pressures on their budgets.

It was a great pleasure for the Premier and I to visit a household that was in receipt of a substantial increase in the annual Cost of Living Concession. Not only have we increased the Cost of Living Concession but for those people who are renting, which is obviously important in the context of the questions that we have had in question time today, we have doubled it.

In addition to that, we have provided access to free public transport, we have doubled or substantially increased a whole range of other concessions and benefits to cohorts of South Australians who previously were languishing largely without relief because the way in which these supports have been left by the previous government meant that they were no longer fit for purpose, but in particular we also have provided substantial support for South Australians' energy bills.

We have seen a partnership between the commonwealth and the state to support approximately 400,000 South Australian households and businesses with their energy bills. That was followed up by the commonwealth providing a further round of substantial support from energy bills for South Australians. Then, in addition to that, we have used the Economic Recovery Fund, which we established in our first budget, to deploy nearly $30 million worth of grants to South Australian small businesses, not to provide a temporary one-off reduction in their energy bills but to invest alongside them in new solar panels, new batteries, new machinery, new refrigeration equipment, new insulation into any of those sorts of services or improvements to their businesses, which will—

Mr Telfer interjecting:

The Hon. S.C. MULLIGHAN: The shadow treasurer says no businesses are investing in their premises. We increased the size of this scheme by 50 per cent because that was the demand from small businesses. It went from $20 million to $30 million because the demand for it was so great. The Minister for Small and Family Business here today has stood with businesses that stand to save tens of thousands of dollars a year off their energy bills as a result of this investment. So while the shadow treasurer says this reflects the lack of desire for businesses to invest in this scheme, nothing could be further from the truth. Perhaps if he wanted to ask a question and he wanted to have a discussion about the facts, we could continue this discussion rather than him relying on his interjections across the chamber.

Members interjecting:

The SPEAKER: The member for Flinders will leave the chamber for the rest of question time. He has been interjecting all day.

The honourable member for Flinders having withdrawn from the chamber:

POWER PRICES

Mr PATTERSON (Morphett) (15:01): My question is to the Premier. What is the Premier's plan to reduce power bills for South Australian small businesses? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mr PATTERSON: The AER's draft default market offer shows that since Labor came to office, the power bills of a South Australian business—that is, the default market offer—have increased by up to $1,627 or 40 per cent.

The Hon. S.C. MULLIGHAN (Lee—Treasurer, Minister for Defence and Space Industries, Minister for Police) (15:01): It is—I was going to say it is like they don't listen, but I will just say they don't listen. It's not a simile, it's a fact. They just don't listen to the information that they seek during question time.

Mr Patterson interjecting:

The SPEAKER: The member for Morphett, you can listen to the answer in your office. It's disorderly to be yelling out at such volumes when you have just asked the question and someone is providing the answer.

The honourable member for Morphett having withdrawn from the chamber:

The Hon. S.C. MULLIGHAN: As I said in my previous answer, the government took a very deliberate decision in the context of the last state budget to identify small businesses, in particular, as being worthy beneficiaries of additional support from this government to help them bring down their power bills, not on a one-off or on a temporary basis for a quarter or a financial year but on an ongoing basis for their benefit, and by co-investing with those small businesses in the thousands of grants which the Minister for Family and Small Business and her agency have overseen to support South Australian businesses across our state.

These are realising cost reductions for these small businesses, in some cases in the tens of thousands of dollars a year—tens of thousands of dollars in electricity bill reductions per year. The member opposite makes a claim that power bills are going up hundreds of dollars or even over $1,000. We are investing with South Australian businesses to bring their bills down by tens of thousands of dollars, or by many thousands of dollars depending on what the investment is.

For those businesses that rely on refrigeration—for example catering businesses or food or beverage-related hospitality-type businesses, whether it's manufacturers, whether it's mechanic shops that rely on energy-intensive equipment—partnering with them to make new investments in their businesses to make them more energy efficient is realising these cost savings. So we are helping households and we are helping small businesses and I think that is an appropriate way of providing real cost-of-living relief when it comes to electricity costs here in South Australia.

We welcome the support that's come from the commonwealth, of course, to help households with bill reductions in particular financial years—and they have done that for consecutive financial years and that has come at great benefit to hundreds of thousands of South Australian households—but by partnering with South Australian businesses we are getting them on a more sustainable and cost-effective basis going forward. That is perhaps yet another contributor as to why we see record low levels in the unemployment rate and record numbers of jobs still available here in South Australia.

Despite the claims of the shadow treasurer, in the last two years we have gone through periods of leading the nation in the levels of business investment, although, of course, in the most recent quarters that has come back towards national trends. But we are the best or second-best performing economy in the nation, and we are partnering with small businesses to make sure that they can continue cutting electricity costs for themselves.

Grievance Debate

HOUSING AFFORDABILITY

The Hon. V.A. TARZIA (Hartley—Leader of the Opposition) (15:05): What we need from this government is less lip-service and more slabs. That is what we need and that is not what we are getting at the moment. Today the pre-eminent peak body for property in the state, the Property Council, released a report which paints a grim picture of the housing crisis in this state. In the words of the Property Council, affordable housing in South Australia is simply beyond reach. Adelaide now is the least affordable capital city in all of Australia in which to rent a home. When you look at home ownership it is the second-least affordable capital city to buy a home, only now behind Sydney.

The Property Council's report shows that the median house price in Adelaide is 10.1 times the median household income—10.1. Key workers, the very workers that we need to build homes, to keep our streets safe, to provide health care, and to care for our children, cannot afford to live in Adelaide at the moment. Was it not astonishing that when we asked the Premier today how he would recruit key workers to help build these homes in South Australia we got inadequate answers.

When we asked the minister the most basic of questions, that is: how many additional construction apprentices and trainees have commenced since the release of the Housing Roadmap, guess what, sir? He chewed up four minutes and he could not even provide an answer. What an embarrassment—an absolute joke. We got no answer as to what he is going to do in terms of helping to fix the crisis and how these workers are actually going to get homes in South Australia.

How is the Premier going to build thousands of houses within our state when the workers that we need to build these homes cannot afford to live here? It is as simple as that. The Property Council found that a household comprising a full-time sparky and a part-time retail assistant could not afford to buy a property across many of the suburbs that were surveyed. It also found that a police officer on a single income is effectively locked out of buying a median-priced house or unit or even renting a home. How do we address the police recruitment and retention crisis in this state when effectively some of our police cannot even afford to live here?

For 19 of the past 23 years, Labor have been the architects of our planning system, and their failures have been laid out for all to see today. We know that South Australians are paying the price now for the incompetence of former and current Labor governments. They are literally charging South Australians for the lack of SA Water infrastructure. Who knows exactly what additional fees they are going to charge us for what is next. How much of the cost will be passed on to the private sector? How will this, in turn, turn up house prices for South Australians?

South Australian living standards are going backwards under this government. It is clearly out of touch. This became apparent this morning when we heard the housing minister on the ABC revealing that his latest encounter with someone in need of affordable housing was his former cleaner's son. It does suggest that the member should actually go out into his electorate and spend a bit more time there asking about what real people in the northern suburbs are actually experiencing.

The opposition wants to see more houses built in south Australia but we need to know what the government is going to do now, not what are they going to do in 20 years' time. What are they going to do now? What we see are a lot of shiny announcements. This Premier loves the big stage and he loves a big announcement. There is one thing he does not like doing and that is keeping his promises on ramping, on hydrogen, and now on housing as well. If they cannot deliver any homes in two years on the blocks that we spoke about, how will they deliver the grand plans—

Members interjecting:

The Hon. V.A. TARZIA: —almost three years—announced over the weekend, and what faith can we have in their ability to deliver anything given their track record? We know that this is a government that is all talk. We have seen it with ramping, we have seen it with energy and now we are seeing it with housing as well.

We called on the government to expand the concessions around stamp duty for first-home buyers. We remain one of the only states that do not offer these concessions on existing homes. The Property Council has also identified that reducing housing and development taxes is one of the key

factors in improving housing affordability in our state, so what is the government doing about it? South Australians cannot afford to wait 20 years. We cannot afford to lose more critical workers from our state.

We know workforce shortages are one of the critical challenges in our housing crisis, yet I cannot see if this government even has workforce targets. So it is time for this government to deliver on the essentials and get back to basics, which includes affordable housing and affordable power. We are three years into their four-year term and they have not done either.

MARINO CONSERVATION PARK

Mr DIGHTON (Black) (15:10): I rise to speak on the Marino Conservation Park and particularly the work of the Friends of the Marino Conservation Park. The Marino Conservation Park encompasses over 30 hectares of diverse ecosystem, including coastal heath and open grassy woodlands. The park is situated on elevated terrain in Marino and offers spectacular views of the metropolitan coastline all the way down to Semaphore in the north and then to the Fleurieu—to your electorate, sir—in the south. The Marino Rocks Lighthouse is a particularly distinctive landmark for the local area.

The park's vegetation is characterised by two distinctive types: coastal heath and open grassy woodlands featuring species such as drooping sheoak, mallee box and elegant wattle. These habitats support a rich diversity of native plants, including over 130 indigenous species, with more than 40 considered of conservation significance. This biodiversity not only enhances the ecological value of the park but also provides essential resources for native wildlife contributing to the overall health of our environment.

One particular section of the park which adjoins the rail corridor is the coastal heath. This area is eight hectares and is the best example of coastal heath vegetation remaining in the metropolitan area. It was the main reason why it was proclaimed a conservation park. Coastal heath was the predominant vegetation along the metropolitan coastline, but little has survived urbanisation, highlighting the importance of the Marino Conservation Park. At the heart of the park's preservation efforts, of course, is the Friends of Marino Conservation Park—a dedicated group of local residents and volunteers who have been volunteering for over 30 years. Their mission is to protect the park's remnant coastal heath vegetation and facilitate natural vegetation of the areas by controlling invasive species and replanting native flora.

Recently, the Friends of the Marino Conservation Park were successful in obtaining a grant of approximately $14,000 from the Friends of Parks and Nature Grant to support the creation of a buffer zone and broadleaf control around native grasslands within the Marino Conservation Park. I visited them a couple of weeks ago to meet with the committee and discuss how and where the grant will be used. It was a great opportunity to meet with the current president, Adam Spencer, and past presidents Geoff Yeates and Alan Wilson, along with other members of the friends committee and local rangers from the National Parks and Wildlife Service. The dedication and service of the friends group—who hold regular bushcare activities, including weed control, direct seeding, seed propagation and the planting and watering of native seedlings—has been critical in preserving and protecting the Marino Conservation Park.

I want to speak briefly on the recent achievements of the Friends of Marino Conservation Park. In 2015, the group established the Botanical Trail development—a trail that loops through the park offering visitors an accessible and informative walking experience.

This trail not only showcases the park's native vegetation but also has educational opportunities about the local ecosystem. Last year, the friends created a community engagement event, Spring, Sausages and Seedlings day, which was booked out due to its popularity. Attendees enjoyed guided walks, learnt about native butterflies, participated in a sausage sizzle and received seedlings to encourage local biodiversity. The friends group also installed new benches along the Botanical Trail, providing comfortable spots for rest and appreciation of the spectacular views that are within the park.

The Marino Conservation Park stands as a key reserve of natural beauty and ecological significance in my community, and I thank and commend the efforts of the Friends of Marino

Conservation Park who have been instrumental in preserving and enhancing the sanctuary for current and future generations. Their work exemplifies the significant impact that dedicated community members can have on environmental conservation.

HYDROGEN PRODUCTION

Mr PATTERSON (Morphett) (15:15): The Premier's flagship hydrogen power generation plan has been deferred, but for how long? South Australians are still in the dark. It might be a number of years before the next naive politician proposes green hydrogen as the solution to cheap electricity, but it is essential that we understand some of the scientific laws and hurdles that this project faced and that no amount of political spin could overcome. This will serve as a cautionary tale for South Australia with its relatively low tax base so that it does not ever again waste hundreds of millions of taxpayer dollars with nothing to show for it.

I graduated from the University of Adelaide with a degree in physics and also a degree in electrical and electronic engineering, so I understand the laws of thermodynamics and conservation of energy, and they act as a detonator that ignites this green hydrogen electricity scheme into a hydrogen bomb.

Mr Brown interjecting:

The SPEAKER: Member for Florey, can you leave the chamber please? See you in 20 minutes.

The honourable member for Florey having withdrawn from the chamber:

Mr PATTERSON: In its most basic form, the Premier's so-called Hydrogen Jobs Plan involved converting electricity to hydrogen and then back to electricity. The hydrogen was to be produced by electrolysing water using a 250 megawatt bank of alkaline electrolysers. This technology currently has an efficiency of around 66 per cent, so that means two-thirds of the electrical energy that is then put into the hydrogen is retained, and another third of that energy is lost. Approximately five tonnes of hydrogen are generated hourly by the 250 megawatt electrolysers and were to be stored in a custom-built 100-tonne hydrogen storage facility so that hydrogen could later be used to power the turbines and generate electricity.

The state government raced off and ordered 200 megawatts of GE LM6000VELOX turbines, which are effectively jet engines. These turbines are energy-hungry, requiring 15 tonnes of hydrogen per hour to produce the 200 megawatts of electricity, but they only transfer 40 per cent of the energy stored in the hydrogen back to electricity, with the remaining energy lost to mostly noise and heat. Therefore, the overall efficiency of converting electricity to hydrogen and then back to electricity is about 26 per cent, because 66 per cent of the initial energy going into the hydrogen and, of that, only 40 per cent of the hydrogen energy then is used to convert back to electricity. In other words, it takes four units of electricity to create one unit of green hydrogen electricity.

The time to generate the vast quantities of hydrogen is another barrier because these 250 megawatt electrolysers require three hours, totalling 750 megawatts, to produce the 15 tonnes of hydrogen needed for the LM6000 turbines to generate that 200 megawatts of electricity in an hour, again reinforcing that energy efficiency of 26 per cent. There are other parts of the process that also require electricity such as purification and desalination of water. They also reduce the efficiency further and, staggeringly, the original plan by the Premier was for storage of the hydrogen to be liquid, which means it is stored at negative 240°C in Whyalla. That would have made an inefficient system drastically worse.

Another major issue with the government's plan was the insufficient amount of hydrogen storage of 100 tonnes. The LM6000 gobbles up 15 tonnes of hydrogen per hour when generating at 200 megawatts, so in a wind and solar drought there would only be enough hydrogen to fuel the turbines for 6½ hours before they ran out. This process is very inefficient to produce electricity at an industrial scale. The more inefficient an electricity system is, the costlier it is to supply energy for households and businesses.

These scientific and technical barriers are why major private companies are walking away from using green hydrogen to generate commercial electricity. Over the last three years, we have

seen power bills skyrocket in South Australia while Premier Malinauskas has been concentrating on his hydrogen fantasy. In fact, household bills have jumped by 45 per cent under Premier Malinauskas and are now the highest on record—and now the government has shelved the only energy-related policy they took to the election.

So, in future, when a career politician such as Premier Malinauskas comes re-promising a rebranded green hydrogen hoax, South Australians would be well advised to ask him: does his plan comply with the laws of thermodynamics?

LIMESTONE COAST BUSHFIRES

Mr McBRIDE (MacKillop) (15:20): I rise today to thank and acknowledge the over 800 volunteers who have been assisting with fires that have started across my electorate over the last week. Last week, storms sparked more than 180 fires across the Limestone Coast, overwhelmingly from dry lightning strikes. In addition, there have been brigades fighting the Ngarkat fire in the north of the electorate that was first reported on 10 March. That fire has burnt a combined area of 9½ thousand hectares of scrub, and is still burning but is now controlled. Previously, prescribed burns undertaken by the National Parks and Wildlife Service played a crucial role in containing this fire that will continue to be controlled for a number of days.

Nearly all of the 68 brigades and trucks of the South-East or Limestone Coast region have been actively responding to all the call-outs since these fires started. The Woolmit Road/Reedy Creek fire started on 11 March. This is a small area just south of Kingston, and the fire started when native vegetation was struck by lightning. The Nora Creina started on 15 March, and was a grass fire that was apparently quickly contained.

The Fox fire in the hundred of Fox started on 16 March, an extremely high fire danger day. Six hundred hectares have been burnt but the fire has now been contained. This fire was burning south of Lucindale, which this Friday and Saturday is hosting the hugely important South East Field Days. One uninhabited property has been impacted. Again, the Fox fire started in some native vegetation that was hit by lightning on that hot day on Saturday. It impacted and got going in those dry, hot conditions and caught people in the region unawares that it had been struck—not that they were not looking, but no-one knew that it had been there and away it went. A large patch of private scrub and plantation timber has been burnt.

A base camp has now been set up at Naracoorte Showgrounds in response to the Fox fire at Lucindale. This 'tent city' can accommodate more than 100 people, with tents and stretcher beds set up for people working day and night. St John Ambulance are on standby to assist as required, and the Salvation Army is providing meals for the crews that have come from across the state and across the border. These crews have been assisted by DEW (Department for Environment and Water), farm fire units, forestry industry brigades, MFS, CFA and contractors from Victoria with heavy equipment. The CFS says that two large air tankers from Victoria and ACT have been called in to assist, along with 20 trucks and 80 firefighters and a strike team from the CFA in Victoria.

I would like to acknowledge Minister Bourke, the Minister for Emergency Services, for her proactive approach to the management of these fires and the conditions. On Thursday afternoon, after working with the government and going around the local government of Kingston and looking at Cape Jaffa and its issues and opportunities, I had this phone call telling me, 'Nick, we've got a really big effort being put in tomorrow,' which was the Friday. I was told that 300 firefighters and 95 trucks were expected in my region, looking very seriously to manage the Woolmit fire on Friday as well as the Ngarkat. This was pre-emptive to try to get major control of those fires so they would not get out of control on the Saturday, which was forecast to be another very hot day with strong winds.

Come the Saturday, both the Ngarkat and the Woolmit fires were well and truly controlled—I will not say they were totally out but they were controlled—but then this flare-up happened in Fox, which no-one even knew really existed until the Saturday, and all resources were put into that fire to make sure it did not go any further than it needed to.

I was umpiring at Nangwarry at the trial game between Nangwarry and Edenhope-Apsley in 35° heat and when driving out of Nangwarry, heading back home in a northerly direction, I got a

phone call again from the minister to tell me what was going on in my region with the smoke, the hundred of Fox, the bombers and the CFA from Victoria and that they were stopping the fire spreading from outside the native veg and the forestry sector, which was blue gums, and I can say they did a fantastic job.

I would also just say that we do not thank these volunteers and firefighters enough. They give up their time to assist and protect assets and livelihoods as they can. It is typical of these rural communities to all pull together like they did on the weekend. I would also like to thank Region 5 Commander, Jason Drewitt, from Naracoorte and the headquarters and the team at Naracoorte for dealing with those thousands of lightning strikes and hundreds of fires in our region. The last week has been probably very busy and hectic for all paid CFS staff, volunteers, community firefighters and all the other volunteers who have participated. A very big thank you from the member from MacKillop and those around.

SOUTH AUSTRALIAN GRAIN INDUSTRY AWARDS

Mr PEDERICK (Hammond) (15:25): I rise to speak about the 2025 South Australian Grain Industry Awards, which were held a few weeks ago and really showed the resilience of farmers for the toughest year on record and I would argue the toughest year in South Australia's history.

In regard to the Innovation Award, sponsored by Croplife Australia, the winner was Sam Trengove from Yorke Peninsula. He was recognised for his outstanding contributions to economic research and development, including groundbreaking trials that are set to revolutionise farming practices, particularly in low-rainfall years.

The Sustainability Award, sponsored by the South Australian Drought Hub, was won by Tim Paschke from the Riverland, an acknowledgment for his commitment to soil health and sustainable farming techniques achieving remarkable production results despite minimal growing season rainfall.

I talked about the sense of humour that farmers have, even though they have had the toughest year they have ever had. Tim got up to give his acceptance speech and said, 'Well, what do you do with 62 millimetres of rain?' and everyone just roared with laughter because what do you do with 62 millimetres of rain? It shows how farming techniques, technology and farmers' own innovations have worked around low rainfall to actually get some results in what has been a terrible year.

The Women in Grain Award, sponsored by Viterra, was won by Lou Flohr from the Mallee, around Lameroo, and I know Lou was—

Mr McBride: Hear, hear!

Mr PEDERICK: Hear, hear—celebrated for her leadership and influence in the grains industry, including her active roles in governance, advocacy and industry membership. Lou does great work working with farmers across the Mallee for them to get better outcomes as well.

The Industry Impact Award, which was sponsored by Cargill, was won by Professor Christopher Preston, recognised for his significant contributions to agricultural research and advocacy for responsible chemical use in broadacre farming.

The Young Grain Producer of the Year, sponsored by PIRSA, was won by Jock McNeil from the Mallee, another one who has done great work in a very dry year. He was acknowledged for his innovative approach to farming in the Mallee and his leadership in adopting new technologies to manage soil and weeds.

Grain Producer of the Year, which was sponsored by Elders, was won by Andrew Polkinghorne from Eyre Peninsula, recognised for his forward-thinking approach to farming, global research on grain industry trends through a Churchill Fellowship and lessons applied in succession planning processes within his family business.

On the night there were some Hall of Fame inductees and one of the historical inductees in the inaugural South Australian Grain Industry Hall of Fame was John Ridley, the inventor of the Ridley Stripper, the world's first successful mechanical grain harvester, which revolutionised global

grain production. Richard and Clarence Smith were pioneers of the stump-jump plough, an innovation that allowed for broadacre cropping on previously unusable land.

The modern inductees that were introduced included John Lush, a man I have known for many, many years. I worked with him when he was involved in the South Australian Farmers Federation and then Grain Producers South Australia. He is a very highly respected grains industry advocate. He was the inaugural chair of Grain Producers South Australia and a key figure in industry leadership at both state and national levels. This is a truly well-deserved award for John.

Dr Allan Mayfield is a renowned researcher, agronomist and industry leader with a legacy in grains research and development. This is well deserved for Allan Mayfield. He worked in the agriculture industry for many decades. There was a posthumous award for Ken Schaefer. I knew Ken in his days with the South Australian Farmers Federation and early on with Grain Producers South Australia. Ken was a passionate industry advocate, instrumental in establishing the South Australian Grain Industry Trust, supporting millions of dollars in research funding.

I would just like to say that it was a great event put on by Grain Producers South Australia. Brad Perry and the team did a great job in putting on this event, and it just gave you so much heart to see the many hundreds of farmers and their partners and families at this event. After having the toughest year in South Australia's farming history, they still managed to share their stories and have a little bit of levity in what has been a hellish year for South Australian farmers.

CLARE LIFELINE CONNECT CENTRE

The Hon. A. PICCOLO (Light) (15:31): Today I rise to acknowledge the immense work Lifeline Regional SA and Far West NSW and the Clare Lifeline Connect Centre do to support the local community. I was able to join the Hon. Chris Picton MP, the Minister for Health and Wellbeing, and the Premier's Advocate for Suicide Prevention and Chair of the Suicide Prevention Council, Nadia Clancy MP, during a recent visit to the centre as part of a $250,000 funding package announcement for Lifeline Connect centres in Clare and Port Pirie.

This highlights the Malinauskas government's unwavering commitment to the mental health and wellbeing of regional South Australians, as these centres provide essential services to those in crisis and help prevent the devastation of suicide in our community. The Lifeline Connect Centre in Clare is more than just a facility; it is a safe haven for people in our community who are struggling with mental health issues or dealing with the loss of a loved one to suicide.

This funding will ensure the centre can continue its important work over the next 18 months, helping to connect even more people with free counselling and mental health support. What makes the Clare Lifeline Connect Centre exceptional is not just the professional service it provides but also the human connections it fosters. Volunteers like the remarkable 91-year-old Pauline embody the heart of this initiative. Week after week, Pauline treks from her local aged-care home to offer her time and compassion to those who need it the most.

During my recent visit to the Mintaro Institute with Minister Cook, I also had a chance to hear from project officer Lorna Woodward at the Clare Lifeline Connect Centre. It was inspiring to hear Lorna share stories about how volunteering with Lifeline not only helps others but also brings a profound sense of purpose and inclusion to volunteers themselves. This is the spirit of community that makes Clare and its people so extraordinary, and the statistics speak volumes.

In 2024 alone, the Clare and Port Pirie centres provided 1,393 people with crucial support through clinical and non-clinical counselling sessions. Between July and December last year, the Clare Lifeline Connect Centre had direct contact with nearly 700 individuals, whether through counselling or drop-in support services. This demonstrates the breadth of the centre's reach and its vital role in the region.

I also had the privilege of speaking with staff and volunteers at the Clare Lifeline Connect Centre about what this funding means to them. They spoke with gratitude and optimism about the increased capacity to serve more people, provide more sessions, and raise awareness about mental health concerns in the community. These conversations reaffirmed my belief in the importance of this funding.

The services offered by the Lifeline Connect Centre are comprehensive and inclusive. They provide free face-to-face video and phone counselling, available without the need for referrals or a mental health diagnosis. This accessibility ensures that no-one feels alone or unsupported when reaching out for help. Beyond counselling, the centre's trained volunteers assist community members in accessing a range of support options, including practical assistance such as filling out forms and accessing online services. These seemingly small acts of support can make a monumental difference in the lives of those who are struggling.

Regional centres often face unique challenges when it comes to accessing mental health services. Geographical isolation, drought and other hardships exacerbate the mental health crisis in rural communities. This funding is critical, as it directly addresses the gap in mental health support for regional South Australians. As the drought continues to take its toll on families and individuals, having a service such as Lifeline Connect in Clare is nothing short of essential. I cannot stress enough the importance of maintaining and expanding this initiative. This funding will allow the Clare centre to increase its service delivery and support even more people in need.

I would also like to acknowledge the tireless work of Lifeline Regional SA and Far West NSW under the leadership of CEO Dr Robert Martin. Their commitment to an Australia free from suicide is evident in every facet of their work. They continue to innovate and expand their reach to ensure that no-one is left behind.

In closing, I want to reiterate the deep gratitude I feel for the extraordinary efforts of the staff and volunteers at the Clare Lifeline Connect Centre. Their dedication saves lives, strengthens families and fosters a resilient community. The Malinauskas government's investment in mental health services demonstrates its commitment to the wellbeing of all South Australians, regardless of where they live. Let us continue to work together to support initiatives such as this, break down the stigma surrounding mental health and create a future where every individual feels valued, included and supported.

Private Members' Statements

PRIVATE MEMBERS' STATEMENTS

Mr COWDREY (Colton) (15:36): On our local stretch of beaches, we have had a saying: 'All sand is good sand, welcome sand.' However, last weekend the question had to be asked—and was, by local residents—was the condition of West Beach good enough despite the works? On a 41° day in early March, a busy day at the beach, huge piles of sand were left without being compacted, leading to the stretch of beach south of the surf club going without surf lifesaving patrols. This caught the attention of morning radio, with the president of the West Beach Surf Life Saving Club describing the situation:

> The tide came in and there were sand piles literally from the Adelaide Sailing Club to West Beach surf club. It was excessively bad on the weekend.
>
> While they're doing this sand replenishment program we can't get onto the actual southern beaches at high tide.

This comes on top of closed beach access stairs at Henley Beach. This from local council's Adrian Ralph:

> The set of stairs at Henley Beach has been closed because they have been deemed a potential risk to public safety.

The message to the government from my community is simple: release the outcome of the dredging trial and tell us what your long-term plan is.

Mr ELLIS (Narungga) (15:37): I rise in celebration today. It is an exciting development for my community: the petition that we agitated for and signed en masse is finally coming to fruition. The Economic and Finance Committee will be in our electorate next week to hear from us firsthand about the shortcomings and the good parts of our regional health system. I wish to advise constituents of mine that the committee will be at Yorketown Town Hall from 12pm until 3.30pm on Thursday 27 March and at Wallaroo Town Hall from 9.30am until 12pm on Friday 28 March.

This is the culmination of our efforts. Almost 11,000 people signed our petition highlighting their concerns with our regional health system, and they did so because they wanted the opportunity to have their say and to put their opinion on the record in the public realm. We need you now to finish this race at the final hurdle. I would encourage everyone who has a firsthand story with our regional health system to register their interest in presenting to the committee and make themselves available on those two days.

We need to put together incontrovertible proof that we need improvements in our health system. We need to make sure that the committee has no option but to make recommendations for improvements, both to the facilities and the services, and the only way to do that is by putting our case forward as persuasively as we can. I would encourage everyone who took the time to sign the petition and who took the time to make a written submission to now take the time at this final hurdle to make an oral submission and finish this process so that we can, hopefully, get a brand-new hospital and improved health services in our community.

The Hon. J.A.W. GARDNER (Morialta) (15:39): Radio Italiana 531 (Radio Italiana Cinquecento e trent'uno) turns 50 years old this year. As the member for Morialta, along with Liberal candidate for Morialta, Scott Kennedy, I was very pleased to be at the radio station last week celebrating and congratulating them on that 50 years. There are a very significant number of people of Italian heritage in the Morialta electorate and they are served well by the radio station, as they have been since 3 March 1975 when we had that first broadcast.

I would like to congratulate all of the volunteers, all of the staff as well, all of the committees and particularly the presidents of the radio station over the years, beginning with Alessandro Gardini, Luigi Penna, Roberto Mani, Don Totino, Tony Cocchiaro and now Mario Romaldi. It was great to celebrate with Radio Italiana at Adelaide Oval at their gala with hundreds of South Australians who enjoyed the night.

As highlighted, I think, by Liberal Leader Vincent Tarzia, the Liberal Party has a very strong connection with this community and we are able to show our support with the radio. Both were on full display with our Leader of the Opposition, the grandson of Italian migrants, joined by Liberal candidates for Unley, Adelaide and Dunstan: Rosalie Rotolo, who also helped with the video, Julian Amato and of course Anna Finizio.

I would like to thank John Di Fede, Mario Leuci and all of Radio Italiana hosts and producers who have had me on the show this year and over my time in the parliament. Congratulazioni e complimenti Radio Italiana Cinquecento e trent'uno.

The Hon. A. PICCOLO (Light) (15:41): I recently had the pleasure of visiting two outstanding institutions in the Mid North region, the Saddleworth and District Historical Society Museum and the Riverton History and Information Centre. At the Saddleworth Museum, I was warmly welcomed by Mr Mark Kerrigan, who it just so happens is the brother of Steve Kerrigan, a former Town of Gawler CEO.

The Hon. J.A.W. Gardner: In *The Castle*?

The Hon. A. PICCOLO: No, not *The Castle*. The museum housed in the 1859 Siekmann and Moule wheat store—the oldest building in Saddleworth and once the largest store north of Gawler—offers a captivating glimpse into the resilience and ingenuity of past generations. Highlights include a 1920s dishwasher from Drumcalpin Station, a rare Symphonia jukebox from the Marrabel Hotel, and a blacksmith and farming equipment display.

In Riverton, I had the pleasure of meeting coordinator Anne Fry, research officer John Glistak and their dedicated team of volunteers, with between four and six volunteers often on hand each of the three days they operate to the public. Operating from a beautifully restored 1879 building, the centre is an invaluable hub for local and family histories. From school registers and old newspapers to heritage trails and cemetery records spanning 27 district cemeteries, the centre preserves the resources that connect us to the past.

The tireless dedication of volunteers at both institutions is inspiring, reminding us of the importance of preserving our history. What we need to do, though, is involve younger generations so we can ensure that these stories live on to strengthen our sense of community that defines us.

Bills

CRIMINAL ASSETS CONFISCATION (REVIEW RECOMMENDATIONS) AMENDMENT BILL

Second Reading

Adjourned debate on second reading (resumed on motion).

Ms THOMPSON (Davenport) (15:43): The Criminal Assets Confiscation Act has long played a critical role in our legal framework by allowing the state to confiscate the property of prescribed drug offenders. The bill will strengthen our ability to seize the proceeds of drug crimes, enhance law enforcement capabilities and ensure that the Justice Rehabilitation Fund supports crime prevention, rehabilitation and victim support initiatives.

Several amendments stemming from a review of the act were passed last year. These included expanding the definition of government custody to encompass home detention, clarifying property control under a restraining order, and ensuring forfeited property can be lawfully destroyed when appropriate. However, as this government has done from the outset, we have continued our work to ensure that this important legal mechanism is as effective and efficient as it possibly can be.

The amendments contained in the bill reflect those priorities, with some of them having been suggested by South Australia Police, who, of course, work closely with the Office of the Director of Public Prosecutions in enforcing the act.

One of the significant challenges that law enforcement faces is the instantaneous nature of modern banking transactions. Since the act's introduction in the mid-2000s, Australia's financial landscape has transformed considerably. Today money can be transferred instantly, both domestically and internationally, allowing criminals to conceal their assets at the press of a button.

Just last year South Australia Police cracked down on a sophisticated money-laundering operation linked to the Comanchero bikie gang. A high-ranking enforcer was extradited from New South Wales after police uncovered an alleged $1 million laundering scheme, which aimed to funnel criminal proceeds through legitimate businesses and offshore accounts.

Under the strengthened provisions of this bill, freezing orders on bank accounts could be applied more swiftly, preventing the rapid movement of illicit funds across borders before they disappear beyond the law enforcement's reach. Additionally, the bill reduces the timeframes in which banks must respond to police notices regarding assets held for prescribed drug offenders. This measure ensures that law enforcement can swiftly secure proceeds of crime before they are hidden.

In one of South Australia's largest methamphetamine seizures, police raided a home in the western suburbs and found over seven kilograms of methamphetamine, firearms and large amounts of cash. This is exactly the type of case where expanded confiscation powers are critical. The amendments in this bill ensure that criminals profiting from the distribution of these dangerous substances cannot retain their ill-gotten gains with assets seized and reinvested into the Justice Rehabilitation Fund to combat the very harms that these crimes have caused.

The bill also tightens loopholes around third-party ownership claims. Criminals frequently attempt to hide their assets by registering them under different names. New provisions grant law enforcement stronger powers to demand explanations regarding property holdings, ensuring offenders cannot shield their wealth from justice.

Whether it's a luxury car or an investment property or hidden bank accounts, these reforms will guarantee that assets truly controlled by criminals are not excluded from confiscation. Millions of dollars seized from drug traffickers and organised crime networks are already funding crime prevention initiatives right across South Australia. For example, proceeds from confiscated assets have been directed into youth intervention programs designed to steer at-risk young people away from criminal pathways. This bill strengthens that approach, ensuring that proceeds of crime continue to be repurposed for rehabilitation, victim support and crime reduction.

To improve the efficiency of the confiscation scheme, this bill allows for the delegation of certain powers from the Office of the Director of Public Prosecutions to the Chief Recovery Officer of the Fines Enforcement and Recovery Unit. This will ensure that confiscation matters are handled

more efficiently and that law enforcement agencies have the resources that they need to target organised crime.

Additionally, costs associated with administering the act will be deducted from forfeited assets before remaining funds are placed into the Justice Rehabilitation Fund. This approach aligns with the Victims of Crime Fund where seized assets from non drug-related offenders first cover administrative costs before being allocated to victim support services.

Furthermore, the timeframe for police to return property is not subject to a forfeiture order and will be extended from 25 days to 60 days. This ensures that law enforcement agencies have sufficient time to complete investigations before returning assets initially seized; a sensible adjustment that supports our hardworking South Australia Police team. Each of these changes ensures that the Criminal Assets Confiscation Act remains an effective tool in combating commercial drug crime.

By confiscating criminal proceeds and redirecting them into the Justice Rehabilitation Fund, we strike at the heart of organised drug crime—and that is their profits. The Justice Rehabilitation Fund plays a vital role in addressing the harm caused by these crimes, funding programs that benefit offenders, victims and community safety initiatives. This bill modernises our asset confiscation framework to match today's financial realities, strengthen law enforcement powers to prevent criminals' profits from being laundered and protects innocent third parties while ensuring offenders face real consequences. Importantly, it reinforces the original intent of the scheme, to hit commercial drug offenders where it hurts them most—their hip pocket—while using their ill-gotten gains to support crime prevention and rehabilitation initiatives. For these reasons I commend the bill to the house.

The Hon. Z.L. BETTISON (Ramsay—Minister for Tourism, Minister for Multicultural Affairs) (15:49): I rise to speak on the Criminal Assets Confiscation (Review Recommendations) Amendment Bill and offer my support. This bill implements the remaining recommendations of the statutory review into the prescribed drug offender provisions of the Criminal Assets Confiscation Act 2005 that were not included in the Criminal Assets Confiscation (Miscellaneous) Amendment Act 2024 passed last year. These amendments will help to facilitate a more effective and efficient act, and ensure that the drug traffickers lose their profits, and that funds seized will be used to offset some of the damage drug traffickers have on our community.

Each and every one of us have experiences as members of parliament and have seen, I guess, the stories about drug-related crime. We know that it fuels violence and addiction, and it impacts homelessness and mental health issues. Drugs are an absolute scourge in our society, placing enormous pressure on the healthcare system and the criminal justice system, not to mention the personal impact on individuals. Drug trafficking no doubt impacts those people who become addicted to illicit substances and their families, who are often left desperately trying to get their loved ones help.

Further revenue collected as a result of this amendment will go towards initiatives to ensure that people impacted by addiction will receive the help that they need. The fund is currently used to contribute towards a number of programs to support preventive crime measures and rehabilitation services. It will also be used to bolster efforts to protect victims of crime. Some specific examples of the types of programs the funds support include drug and alcohol support services offered to the Aboriginal Drug and Alcohol Council, and OARS Community Transitions. It supports a review of the Courts Administration Authority Abuse Prevention Program which aims to address domestic and family violence.

It will be supporting the Department for Correctional Services Victim Services Unit which seeks to add additional checks and balances in the criminal justice system to protect victims of crime. It will work with Junction SA to deliver domestic and family violence prevention activities on Kangaroo Island. It will also support a two-year trial at the Youth Aboriginal Community Court in Adelaide which enables Aboriginal children and young people to participate in a culturally responsive program.

But the project that I wish to speak about—wherein the amendments in this bill will help to fund a program—is specifically close to my heart as someone connected to the community and as my role as Minister for Multicultural Affairs, and forms part of this government's plan to address youth

crime particularly within our African community. The African community's response is a 12-month pilot program for a new therapeutic pathway aimed at supporting individuals aged 10 to 18 from the African community with a pattern of high-risk offending.

The program is currently providing at-risk participants with a dynamic, responsive and culturally appropriate therapeutic intervention. It also collaborates with the community to identify at-risk individuals, assess their intervention needs and co-design a tailored response. I am pleased to report to the house that there have been some successes in this pilot to date, including that all eight individuals invited to participate in the program have voluntarily agreed to join.

The participants have consistently attended sessions, openly sharing personal experiences including offending-related behaviours. More importantly, families have expressed hope and have actively encouraged their children's engagement. Strong partnerships have been established with SAPOL, Community Youth Justice and the education sector. I particularly want to call out Christies Beach school that has been actively involved.

Cultural training and support has also been delivered to multiple organisations through this project. The African community's Response Steering Committee includes representatives from SAPOL, the legal system, the Department for Correctional Services, the Department of the Premier and Cabinet, the African Communities Council of South Australia, and key community service providers. This initiative demonstrates a collaborative, culturally informed approach to addressing high-risk offending and strengthening community connections.

Going further from this program, of course, is how we prevent our young African youth being pulled into offending, and I am very pleased to talk today about the empowering African youth program. This is something that was announced in our budget of $2.5 million over four years to strengthen those connections. At the end of the day, we want to build a sense of belonging to our young people across our great state. Most importantly, we must identify those groups of people who are showing us vulnerabilities; they are asking us for help. I recognise the work of the African Communities Council of South Australia who, supported by funding by the government of South Australia, have written a report about this and that funding announced in the budget has flowed on.

We are looking at strengthening connections between young African South Australians and their education, to improve cultural education support and a community sport program. Most importantly, we want to strengthen that support for African young people and their families, and strengthen those connections between families and education providers. Sometimes there is a feeling that parents of our African community do not feel they can ask and be as involved in our education as perhaps we see in the wider community. How will we do this? How will we roll out this African empowerment program?

We will do this through cultural education support. In year one, we have allocated funding to facilitate the delivery of several priority early intervention measures. We have transferred funding to the Department for Education to cover salary costs for an additional community liaison officer in target schools. This is to keep African students engaged in their studies and inspired to achieve academic goals.

Something particularly new is engagement and mentoring/coaching and counselling by a non-government service provider based in northern Adelaide to deliver the SACE-accredited Village Program. This started in targeted schools in term 1 of this year. The Village Program provides structured early learning intervention cultural support programs for African students and their community. The early intervention measures include one-on-one mentoring and cultural group activities aimed at supporting students to navigate issues relating to cultural identity, fostering emotional resilience and strengthening social skills.

As part of the program, the Eastside Rams Basketball Club will be engaged to deliver an after-school basketball program specifically designed for young people who are at risk of disengaging from school. Can I recognise the work of the Eastside Rams Basketball Club. This has been an initiative by some of our young African leaders. They are currently working in a school in the north-eastern suburbs, where they designed, almost like a homework club, an after-school-hours program, making sure people are involved and connected. They came and met with me sometime ago to talk about what would encourage them to start this program. They have seen results from

having those individual mentorings, that connection—understanding what might be happening at home—and then being able to support them to stay at school.

We further engaged Football SA to deliver the African youth football program in targeted schools in partnership with the Department for Education. I was very much influenced by the success of the Aboriginal Power Cup that the Port Adelaide Football Club established probably almost a decade ago now, and the involvement of students in that only if they attend school. It is very much part of a long-term program. At its heart, of course, is coming together and learning a skill and playing a sport that they will love. But the reality is that it is about commitment and, at the centre of it, education being the greatest success that someone can achieve—making sure that we tie that in with the enjoyment of coming together to play in a competition.

I look forward to launching this program in the coming months and recognise Football South Australia's role in that. It is entirely focused around engagement and retention of students in education. Part of the focus of that cup will be embedded in the school curriculum and student connection with the education system. More importantly, it is about integration into lifelong learning and to acknowledge that when those kids are more vulnerable at particular ages, we see them getting distracted and we see an increase in absenteeism. This will be one of those programs that will continue to refocus their support.

The other thing we are doing with the empowering Africans program is delivering one-off grants for community organisations to better support families. We already have quite a few associations in the western and northern suburbs that are doing this work. We know that there is generational conflict, we know that people are asking questions about how you parent in Australia and how that is different from their own experiences. Particularly what we see in these issues is generational trauma, where people were dislocated from their traditional way of life, often spending time in camps for decades.

Even while they might have been able to have some connection to education, living and being raised in fear of violence and being concerned about your own survival has caused dislocation and displacement that we continue to see here in Australia. We recognise that and we recognise the great work that some of these associations are doing. I recognise the Amazing Northern Multicultural Services, part of the Burundian community in Davoren Park. They are very famous for their maze garden which is a big community garden. They were once the stars of *Gardening Australia*, when Sophie Thompson came and did a story about them.

That community garden became a source of connectivity and along that journey they started programs such as parenting programs and homework clubs, and we are going to support them to continue to work with those. The African Muslim association, also out in the northern region in Smithfield, are doing homework clubs and they will be getting some support as well. Additionally, we recognise the continued work of the African Communities Council of South Australia, to provide some certainty in order to have their leadership and their collaboration. There are 53 African countries. It is a continent, not a country. We have about 46 different nationalities from the African continent who have made South Australia their home.

We have given them four years of certainty of funding to continue the work that they have done and to recognise their leadership in calling out and collaborating with government to say, 'We need help. We are seeing increasing incarceration rates of our children.' Some of them are not finishing school even though they are getting the opportunity for education that often their parents did not have. I want to recognise the leadership there, I recognise the hard work that they have done and recognise that we as a government have responded, announced it in the budget last year, and this is how that program runs out.

When we look at the amendment bill before us, we want to point out when people are doing wrong in our society. We see that they make excessive profits, and the member for Davenport spoke about how those assets are seized and how they will be used. For me this is a really important step forward to tie those two things together, to confiscate those assets, and then to use them in programs that will make a difference. When people in our society recognise their vulnerabilities and when they show that they are having increasing rates of incarceration we need to act, and we have. There is

still a lot of work to be done but I speak today to support this amendment bill, and I thank the Attorney-General for his work in bringing it to the house.

Mr DIGHTON (Black) (16:03): I rise to support the Criminal Assets Confiscation (Review Recommendations) Amendment Bill 2025. The Criminal Assets Confiscation Act allows the state to confiscate the property of prescribed drug offenders and reinvest it into the Justice Rehabilitation Fund. A prescribed drug offender is a person who has been convicted of a serious drug offence, such as trafficking or manufacturing a commercial quantity of a controlled drug, where they have at least two other previous convictions for prescribed drug offences in the previous 10 years.

A number of the recommendations falling out of the review of the operation of the act were passed in a bill before this place last year, including amendments to:

- provide that home detention is within the definition of 'government custody';
- clarify that property can be under the effective control of a PDO even if it is subject to a restraining order; and
- clarify that forfeited property can be destroyed.

The bill contains a number of procedural amendments, including the scope of freezing orders placed on banking accounts that belong to offenders, as well as a reduction of timeframes in which the banks have to respond to notices from police with information as to the assets it holds in relation to PDOs. This comes in response to the instant nature of banking that has occurred since the beginning of the act in the mid 2000s, where money can be transferred instantaneously within and outside of Australia, and PDOs will do so to try to conceal their true assets.

Similarly, a new power to demand answers from offenders as to legitimate third-party interests in any confiscated assets forms part of this bill, to ensure that the property of innocent parties is protected whilst not sending law enforcement on a wild goose chase following up warrantless claims.

The bill also clarifies that simultaneous convictions will be taken into account for the purposes of the definition of a prescribed drug offender, which echoes the reasoning of the Supreme Court of South Australia in the matter of the Director of Public Prosecutions v Donnelly.

Several noncompliance penalties under the act are increased in the bill in recognition that often it is high-value assets being dealt with and penalties must reflect a punitive outcome. Following feedback from SAPOL, it extends the time for police to return property that is initially seized but does not become the subject of a forfeiture order and can be returned to the owner from 25 to 60 days.

Amendments will increase the effectiveness and efficiency of the scheme, including the delegation of certain powers from the Office of the Director of Public Prosecutions to the Chief Recovery Officer of the Fines Enforcement and Recovery Unit and an amendment that will allow the costs of administering the act to be taken from forfeited assets prior to the remainder being placed into the Justice Rehabilitation Fund. The amendments ensure that it is the assets of criminals that fund the operation of the CAC Act, and not taxpayers.

The Justice Rehabilitation Fund receives the prescribed drug offender confiscation proceeds. The fund is a dedicated fund for the provision of programs and facilities for the benefit of offenders, victims and other persons that will further crime prevention and rehabilitation strategies. It includes prevention programs and victim programs, such as one run by the Carly Ryan Foundation. In a former life as a teacher and wellbeing leader in a school community, I engaged the Carly Ryan Foundation and many other providers to support students to understand risk-taking behaviour, including drug use.

I think it is important that I remind the house of why it is important we tackle drug use within our community. According to the Australian Institute of Health and Welfare, recent studies reveal the impact of drugs on society in the following ways. In regard to health impacts, illicit drug use contributed to 2.9 per cent of the total burden of disease, including drug use disorders, poisoning, hepatitis C, acute hepatitis B and HIV/AIDS. Drug overdose is a major cause of preventable death and is the leading cause of death among young people worldwide who inject drugs. Between 2019

and 2023 there was an increase in the proportion of people who had used an illicit drug in the past 12 months and then went on to experience high or very high levels of psychological distress.

The illicit drugs market is also associated with a range of criminal activities, including property crime, fraud and violence. Engagement in criminal activity is accompanied by a number of physical dangers, and therefore people who engage in or use drugs are more likely to face those physical dangers.

A recent Australian study found that domestic and family violence incidents were significantly more likely than other violent incidents to involve drugs. Some of the economic costs include opioid use, including the use of illegal opioids and the use of pharmaceutical opioids not as prescribed, which was estimated to cost $15.76 billion in 2015-16. Premature mortality, criminal justice and other health care were the leading sources of the costs. Other economic costs related to the loss of quality of life for co-residents of drug users, for example parents and children, due to the substance use of others, which was $11.98 billion, and reduced quality of life for the drug consumer, which was $14.93 billion.

The social cost of cannabis use was estimated to be $4.5 billion in 2015-16. More than half, or $2.4 billion, of this cost was related to the criminal justice system, including imprisonment, administering community supervision orders, and the impact on victims of crime. The estimated social costs attributed to methamphetamine use in 2013-14 was about $5 billion. This included costs associated with prevention, harm reduction and treatment; health care; premature mortality; crime; child maltreatment and protection; and workplace accidents and productivity. These are all various factors where methamphetamine use impacted.

In 2021, the cost of addiction in Australia was estimated to be $80.3 billion. This includes costs associated with alcohol, tobacco and other drugs, as well as gambling addiction. Tobacco-related harm was the largest contributor to costs ($35.8 billion), followed by alcohol-related harm ($22.6 billion) and harm related to other drugs ($12.9 billion). The major contributor of costs was attributed to workplace and household productivity losses (48 per cent), followed by costs associated with excessive harmful consumption of alcohol, tobacco and other drugs and engaging in gambling.

Another concern is the social impact of the link between drugs and criminal gangs, including organised criminal gangs in Australia that exploit individuals addicted to illicit drugs and, it has been shown in recent cases, force them into taking part in criminal activities, leveraging the drug user's dependency and vulnerability. There have been several cases recently where users and addicts were forced into criminal behaviour such as selling or supplying drugs due to their drug dependence and addiction.

Beyond the figures and percentages, we know the significant impact drugs have on families within our community. We need to use comprehensive strategies, including this legislative change, to break the cycle of exploitation and addiction. This bill will help to fight drug use by keeping the act effective and efficient. It supports the aim of the scheme to both hit commercial drug offenders where it hurts most and to use these seized funds to address the health, economic and social impacts of drug use and offending in our community. I commend the bill to the house.

Ms STINSON (Badcoe) (16:13): The act that this bill is seeking to amend, the Criminal Assets Confiscation Act, is an act about drug dealers. It is an act about offenders who gain their assets through criminal activity and then our courts have found, to the required level of proof, that they have committed these offences.

What this act further seeks to do is to provide some balance, I suppose, in making sure that the assets of those people who have profited from criminal activity, profited from putting the health of people at risk, and in some cases even been the catalyst for some people dying cannot continue to be used for the pleasure and enjoyment of these convicted offenders but are put back into programs that seek to try to make some repairs to the damage that these people have wrought on our society, as difficult and almost impossible as that can be.

I actually think this act is a fantastic piece of legislation. It is almost a model piece of legislation in terms of trying to right a wrong, trying to make sure that a person who has gained from

their outrageous criminal behaviour cannot continue to profit or seek enjoyment from the proceeds of their crimes, and then redirecting that into a public good. There have, however, from the early days been difficulties with using this act to its full potential and to the fullest extent that this house and our community might expect.

I certainly have been witness as a court reporter—it would be more than a decade ago now—to the DPP seeking to use this act to confiscate assets and then to either sell them or retain them and try to turn them into something that can be put into the Justice Rehabilitation Fund and used much more productively. Because, guess what? Drug dealers actually do not want to give up their assets. They do not want to give up their money.

They fight tooth and nail with whatever resources they have—lawyers or otherwise—to try to hide their assets, to try to obfuscate, to try to make sure that the state and the public, that is, do not get hold of their assets, cannot try to reverse the damage that those drug dealers and other criminals have wrought. They are pretty clever at doing it and, of course, by virtue of the fact that they have made money—sometimes absolutely obscene amounts of money—from their drug dealing and other wrongdoing, they are in a position to be able to hire lawyers and to hire other professional assistance, including accountants, to hide their assets, whether they are cash or things like boats and fancy cars, and try to make sure that the state cannot get hold of those.

There are certainly methods that they employ, including putting assets into other people's names, putting them into the names of supposed dependants and arguing that those third parties would be deprived in some way if such assets were taken from them. I have seen these arguments play out in court. If it is not bad enough and shameful enough that these people are essentially pushing poison to young people, and also older people, in our community and wreaking havoc on the lives of South Australians, and indeed Australians more broadly, it is absolutely galling to think that even after a conviction for these offences they then dig their heels in and try to make sure that the state cannot recoup even just a small part of the profit they have made, to try to reverse the horrific damage that these people have perpetrated upon their victims.

And their victims are many. Their victims are not just the people that they push drugs to. They are not just the people who have become entwined in this absolutely appalling, violent industry, but their victims are also the family members, the children of people who find themselves addicted to drugs. This is intergenerational harm that is caused through what are commercial operations of people who have absolutely no moral fibre whatsoever and decide that this is the life they want, a life of crime and a life of pushing poison on our streets to our most vulnerable people.

I think it is an admirable thing that the state does in trying to recoup the wealth, the assets, the cash and the means that these criminals accrue, sometimes over lengthy periods of time, and to try to better utilise that. However, the cost that is wrought upon our community does not come close to the amount of funds that are able to be recouped, even in a best-case scenario, from these criminals. Nevertheless, even though it may not be perfect and always able to be realised, it is absolutely worth pursuing these people for every possible dollar. It is important, firstly, that it is taken from them so they cannot continue to profit and, secondly, that that funding, that money and those assets can be turned into some semblance of good in our community.

As you can probably tell, I say go hard against these people. I find absolutely appalling the amount of wealth in terms of homes, properties, boats, cars, holidays and designer items that some of these criminals are in a position to afford and flaunt their money on, all the while knowing that that money and that lifestyle that is being afforded to them is on the back of vulnerable people and the illicit drug trade.

The other aspect of this bill is, of course, the Justice Rehabilitation Fund. I know my colleagues have spoken about some of the work of that fund, but it is dedicated for the provision of different programs and facilities for the benefit of, strangely enough, offenders and those who find themselves in prison—so prison programs—but also victims of crime. As I said before, the victims are many and varied. There is a ripple effect that goes through the community and victimisation that happens right across our society because of illicit drug use, and also for other people who may find themselves affected by this crime. These programs and facilities are aimed at crime prevention and also rehabilitation strategies.

I do not know that the fund, if it were a person, could have a bigger heart than taking this funding and actually redirecting it into services for offenders and prisoners, ensuring that they come out of the system as better people with better skills and better resources to be able to contribute as members of society, turn their lives around and actually provide something good in this world. Obviously, those programs and facilities are also aimed at victims, the innocent people who maybe have ended up entwined in this and have ended up as the unsuspecting victims of the illicit drug trade.

This bill obviously looks to tighten up a number of aspects of this act. As I mentioned earlier, early on there were some difficulties, which I was aware of as I was reporting on them, in achieving the outcomes that the community might have expected from the Criminal Assets Confiscation Act. There have, from time to time, been improvements put in place to try to basically empower the DPP in particular to be able to, firstly, get an evidence base against these people—though you would think that a conviction might be enough but, sadly, in some cases more is needed—to be able to make sure that convicted criminals qualify for this action being taken against them under the Criminal Assets Confiscation Act, and, further, that all their assets can actually be accounted for and make up part of the claim that the DPP takes to the court. That is, we are including everything to the extent humanly possible to make sure that the state is getting hold of the maximum amount of assets from these criminals and that that money is then put to greater purpose in the fund.

It can be incredibly difficult—and some of the amendments go to this—to establish what a criminal's assets are and then to establish whether they, for example, might be jointly owned and whether a third party might be adversely affected by the confiscation of that asset.

One of the most typical examples is obviously where there is a home and there may be a partner or children living in that home. Obviously, no-one wants to see children, or anyone else who is innocent in these matters, displaced or suffer hardship because of the criminal activity of someone in their lives. That is not what the act is intending to do whatsoever, but it can be incredibly difficult to discern what exactly has gone on with some very complex and clever arrangements made by criminals to try to conceal their assets or to wrap up third parties into their assets as some sort of form of protection against the DPP and the state being able to include their assets in a criminal assets confiscation bid.

Some of these amendments that are before us, which of course I fully support, are aimed at giving new powers, for example, to demand answers from offenders as to legitimate third-party interests in any confiscated assets, to ensure that the DPP is in fact targeting the assets that rightly should be confiscated and with the state, but avoiding those where there is a need for them to remain benefiting, if you like, those third parties.

I note in the bill that there are some penalties for failing to answer such questions and the possibility of jail or big fines for avoiding that, but also not just avoiding or refusing to answer but for providing knowingly false information and sending our law enforcement agencies on a wild-goose chase to try to locate the owners of assets, or even assets themselves, that may not exist or may just be sending our law enforcement agencies in a completely different direction and wasting their time and money and effort.

These people are not good people—they are some of the worst people—so we should not be surprised that they are trying to avoid the state's right under this act to take their assets, and we should not be surprised that they go to great lengths to hide those assets and to flat-out lie or deceive or manipulate our law enforcement officials to whatever end those criminals have.

So those amendments that are contained here to make sure that, as it is elegantly put, prescribed drug offenders—I can think of a few other less elegant terminologies, but in the act, PDOs or prescribed drug offenders—are compelled to cooperate with authorities and for authorities to be able to demand answers from them to me seems an infinitely sensible aspect to put in this amendment bill to ensure we can continue to tighten up and improve the effectiveness of this act, which, as I said, I think has very admirable ambitions.

The amendments also seek to increase the effectiveness and the efficiency of the scheme to include the delegation of certain powers from the DPP to the Chief Recovery Officer of the Fines Enforcement and Recovery Unit, and an amendment that will allow the costs of administering the act

to be taken from forfeited assets prior to the remainder being placed into the Justice Rehabilitation Fund.

I also think that is an excellent measure because why should taxpayers be footing the bill for this mechanism to exist when we could be taking the money from criminals and using that money that is collected from criminals to administer the scheme? Certainly, they are the ones who are creating all of this work, they are the ones who are committing criminal offences—chiefly, as we are talking about here, drug offences, drug dealing—they are the ones who are seeking to profit from it, so it seems only reasonable that, at the point where they are convicted drug offenders, where the state does seek to utilise its rights under the Criminal Assets Confiscation Act, that money should be taken from that money or assets that are collected to administer the fund, rather than the burden resting with taxpayers who are already copping the brunt of the bill that these criminals create for our society.

There are also several noncompliance penalties under the act that are increased in the bill, which I mentioned briefly earlier, and that is in recognition that often these are high-value assets that are being dealt with and that the penalties must reflect a punitive outcome. Although the penalties have been greatly increased, generally from around $20,000 to around $100,000, looking at some of the wealth that some of these disgusting criminals manage to accrue, I think it is still pretty generous of the state. I think we could probably go even higher, but I will leave it to more informed minds who have put together these amendments and have found that that is the sweet spot that we want to hit.

Some of these assets that are being sought to be confiscated by the DPP are indeed very high. These are very high-wealth individuals with very expensive assets—as I mentioned before, property, homes, expensive cars and other assets—and we want to make sure that it is just not in their interests at all to be playing games with our officials who seek to use these powers. We want to make sure that they are thinking twice before thinking it is a good idea to just run the risk of trying it on with law enforcement authorities; instead, providing them some additional compulsion to cooperate, to tell the truth, and basically to facilitate these assets being taken off them, as they should.

We do not want them looking at the penalty thinking, 'That's pretty modest. I think it's probably worth running the gauntlet and seeing if I can outsmart these investigators,' because the asset that they hold is worth so much more than the penalty they possibly face. The amendment contained within this bill to increase that monetary penalty for noncompliance is excellent, as it provides an additional level of deterrence and an additional level of encouragement to offenders to cooperate so far as this act is being utilised.

In the creation of this bill there was some feedback from SAPOL that they would like to see the period of time that they can retain property increased from 25 days to 60 days. That one probably goes without much need for comment in that police are pretty busy people. We want them prioritising the things that they need to be prioritising, and if they need a bit more time to hang on to assets which they have deemed are highly likely to be the subject of criminal asset confiscation action then I think we should give them the right to do that.

Obviously, if there are pieces of property that may be in dispute, there are mechanisms for that to be assessed. Certainly after 60 days there is a mechanism for an additional, I think, 28 days to be sought, but the requirement is to go to the court to get that extension. That provides an important check so that it is not a case of cops being lazy about getting to these matters. If assets are truly not or not likely to be the subject of or captured by this act, then the parties have an opportunity to make that representation and to get those assets back rather than them being held longer than is necessary. But, generally, I think that that move from 25 days to 60 days will make the life of police officers who are dealing with these matters much easier. I fully support this act, I fully support this bill and these amendments, and I thank you for the opportunity to speak with the house about it.

Mr FULBROOK (Playford) (16:33): Just like the member for Badcoe and her brilliant speech, I am more than happy to rise and speak in support of this bill. I also note that the opposition has made a contribution, albeit brief, in support of this bill and I think it is fantastic when both sides

of the chamber stand together, particularly in pursuit of something as concerning and as alarming as the matter of criminal assets.

As I understand it, the Criminal Assets Confiscation (Review Recommendations) Amendment Bill seeks to enhance a lot of provisions established within the Criminal Assets Confiscation Act 2005 that were not included within the Criminal Assets Confiscation (Miscellaneous) Amendment Bill—a bit of a tongue twister but it all makes sense. This is a bill that I believe has many moving parts, with the underlying goal of building on the Malinauskas government's previous efforts to ensure that criminals do not profit from their offending.

This is a commendable position, and I am grateful to the likes of SAPOL and other agencies that have been instrumental in helping to bring this piece of legislation before us. By way of background, the Criminal Assets Confiscation Act 2005 allows the state to confiscate the property of prescribed drug offenders, often abbreviated as PDOs, into a very useful pool of funds known as the Justice Rehabilitation Fund.

A quick search online via the Legal Services Commission's website gives a crystal-clear and very useful definition on the purpose of the fund, and I quote:

> This Fund sits separately from the Victims of Crime Fund and enables the Attorney-General to fund programs and facilities for the benefit of offenders, victims and other persons, that will further crime prevention and rehabilitation strategies.

Reading through the second reading speech of the Attorney-General in the other place, he also outlines how the fund does a lot of outstanding work, such as supporting programs run by the Carly Ryan Foundation, the funding of youth prevention and victim programs or assisting the Department for Correctional Services to bolster alcohol and other drug support services. This includes programs run by the Aboriginal Drug and Alcohol Council and Offenders Aid and Rehabilitation Services.

I do not know how I will go but I do want to recount a personal story where the fund actually crept into my life. It was a bit of an emotional time, but I will do my best. It is tinged with a bit of humour as well but I am probably not feeling that funny today so maybe you will not laugh. I think roughly about this time in 2018, it was a very, very hot night—much like the nights we have been experiencing recently—and for reasons that I will not explain I ended up in a separate bed to my wife.

I lived in a two-storey house in Blackwood. I can recall a cat that I had, an extremely timid creature, sitting on my bed purring away, and off we went to sleep. It was a hard night to get to sleep; it was a really, really hot night. I was not doing too well in getting the zees or the zeds as you call them, but during the middle of the night the cat just started staring at the window. I was thinking 'What's going on here?' This was a cat that normally spent 25 hours a day under the bed but it was just going berserk. I looked out the window and I could see a little light out the front. I thought, 'Wow, it's 3 o'clock in the morning. That solar light I bought at Aldi is still performing. What a bargain.'

I went back to bed and put my head down again, and the cat was still staring at the window. I thought, 'This is strange. This is really bizarre.' Then, as I looked down, I saw the light move and I thought, 'It's coming out of the shed. This is bizarre.' I was not thinking straight; you have to remember that I had not slept. I went back into my normal bedroom and said to my wife, 'Where's that Maglite I like to stick under the bed?' She said, 'I moved it.' I said, 'Well, you had better get it to me. There's something really bizarre going on downstairs.'

I walked down, and was not expecting what was going to happen next. I walked through a little gap between my house and the car, bleary-eyed and not really seeing or focused on what I could see. I shone my torch into the middle of my lawn and saw my bike coming out of my shed, wheel and all. I quickly realised at that particular point in time that I had blocked the escape route of the bloke who was stealing my bike.

I do not know who, but it was not John Fulbrook who was there that day. Someone from above took me over and I was being piloted by remote control. There was a particular scene I once saw in a war film where if you scream really loudly at someone when you know the odds are against you, they will back off, and so that is what I did. It was haka-like or Pantera-like, whichever way you look at it, but I gave my vocal cords one hell of a stretch that night. This bloke and I were circling

around each other in my back garden. My wife was nowhere to be seen. I was screaming out, 'Call the police!'

An honourable member interjecting:

Mr FULBROOK: Do you like a good story? I am trying to tell you one. We were circling around each other. He said, 'Now, now. Knock it off, mate, knock it off. One of us is going to get hurt.' Again, this is not the John that we know: I turned around and said, 'I have the Maglite and I think my chances are pretty good here, mate.' Just as that happened, I noticed a backpack was on his shoulders and I said, 'I would like that backpack, please.' He said, 'You are not going to get it.' I ripped off the backpack, and then I chased him all the way down the garden into the neighbour's. I saw him go into a garage next door, and I thought, 'Okay, it's dark in there,' and he said to somebody, 'That fat dude followed me down the road.' I thought, 'Alright, I am not going in there.'

Eventually the police did show up as my wife eventually called the police, and I calmed down a bit and did all the necessary bits of evidence, and everything else like that, and my wife turned around to me and said, 'You think you are pretty cool, don't you, for doing what you are doing?' I said, 'No, no, I do not feel cool about the whole thing.' She said, 'Can you please tell me, John, why is your face painted white?' I recall that that spare room was where we kept all our baby products, and I went to bed that night with a very, very large pimple on my face thinking that I could cover it in zinc and castor oil or Sudocrem and it would not be there the next day. Of course, this bloke saw me as if I was—what was that film?—*Braveheart*, where I just came out with warpaint and I had given one massive scream.

To cut a long story short, the police came and probably had a bit of a chuckle. The backpack was handed over to them, and I had several days where I was shaking. My heart was pounding. It was about three days before I finally came around to how it was going to be. We lived in a house with lots of floorboards. The house creaked; it was awful. Every time I heard a floorboard creak I thought, 'Oh no, there is somebody in the house,' so I had to contend with that. While everyone was laughing, on the inside I was pretty frightened about everything.

I then got a call a few weeks later from the police saying, 'You pulling that backpack off has actually done us favours.' I said, 'What has happened?' He said, 'There was a bottle of Gatorade in the bag and we have managed to match some DNA to a particular bloke. We would like you to do an identikit.' So I was rushed down to the Darlington Police Station and I was confident I was going to get this bloke. Sad to say, this is where the story collapses—I could not identify him.

He did appear in court—I cannot remember the exact details of everything—but ultimately there was a deal struck between him and somewhere along the law-enforcement line where he went through a rehabilitation period and had to report to the police on a daily basis and stay clean. The police had told me that he did have a criminal record, he had not offended for many years, and in this particular case he went down and chose the wrong driveway to walk down and encountered me with my warpaint on.

So hopefully for this particular person that fund was a recipe to get him back on track. I am not too sure if it was a situation where it put him right, but we know that we have those resources there and they obviously serve their role. On that particular front, I just wanted to personalise the experience of how somebody living in the suburbs could actually appreciate this particular fund, because I did not lose my bike—I lost nothing—but I wanted to make sure that nobody else had to go through that again. Having that fund there to lock in to try to address problematic people like that I really hope served its purpose. Sorry everybody else but it is back to the script now.

I know that victims of crime should be front and centre of our concerns, but there are instances thanks to illicit substances and much like I was talking about earlier. I forgot to mention how much the bloke stank as we were circling around each other. He was perspiring and it really was not pleasant. I do feel that there are situations where perpetrators should receive appropriate support to ensure that recidivism is kept to a minimum so that as a community we can get them back on track to ensure that they live meaningful lives and contribute back to our society.

In reading the latest data from the Report on Government Services, it seems that we have a lot to be grateful for with the men and women working hard across the system to keep reoffending to

a minimum. I imagine that enablers like the Justice Rehabilitation Fund also play a significant role in helping to achieve this, and I do hope that I gave a story that explains that.

That said, any crime is one crime too many and we should do whatever we can to ensure we have the people and infrastructure to help support this approach. This is where a bill like the one before us comes in and plays a significant role. Key to this is the proposed change to allow the Chief Recovery Officer to assist with asset forfeitures which is enshrined within the Fines Enforcement and Debt Recovery Act 2017.

At a time when internationally we hear of government efficiency being the political buzzword, this is a great example of the parliament being a catalyst by allowing the most experienced agency in government to undertake the processes, freeing up resources of the Office of the Director of Public Prosecutions. Now we know that Russia actively monitors our speeches so hopefully there are also some other countries that are also listening and maybe they can take a bit of a hint. After all, copying our lead should be seen as the most sincere form of flattery.

Jokes aside, and in noting the serious business of what this bill proposes, what I think is the most important takeaway from efforts here is to highlight a key amendment on how we allocate resources around the confiscation of property. From afar it is easy to make an assumption that just because material property is being seized and has some monetary value, that the process is somehow free and easy to do. It could not be further from the truth and requires significant time, resources and, of course, effort.

Key to this bill will be a change ensuring that confiscations of property for prescribed drug offenders will be treated like everyone else by allowing the costs of administration under the Criminal Assets Confiscation Act to be taken from forfeited assets prior to any residual funds flowing into the Justice Rehabilitation Fund. This is a massive step forward, freeing up police resources and ensuring that drug offenders wear the cost of property confiscations rather than the taxpayer. Over time, I understand from the Attorney-General, unfortunately drug-related confiscations make up the majority of confiscations largely due to an increase in prosecutions triggered by Operation Ironside.

While it is reasonable to be concerned that this may absorb some of the funding that would be channelled into the Justice Rehabilitation Fund, let's not lose sight of the fact that in the ideal world, there would be no funding going into it at all. We should not also overlook the additional resources that can now be freed up by SAPOL to further focus on their core business. Other changes this bill aims to achieve include clarity around simultaneous convictions being considered to define what is a prescribed drug offender, a number of noncompliance penalties under the act to be increased and, on recommendation of SAPOL, an extension of time from 20 to 60 days for police to return property that is initially seized but does not become the subject of a forfeiture order.

I mentioned that this bill has been put together on strong advice from SAPOL and I thank them for their assistance. As members of parliament, we do not often see firsthand the reasons for or the time taken to bring these bills before us. In recognition of all the work done before things arrive here, from the advocates to the hardworking public servants, to the team at parliamentary counsel, and even those in the ministerial office—actually especially those in the ministerial office—I want to express my gratitude for a job well done.

We never want to get too far ahead of ourselves because we know there is always more to do, especially when it comes to law enforcement, but for a split second in time, I would like you all to take a moment to give yourselves a pat on the back for a job well done knowing full well that the next challenge awaits, and you are probably onto it already anyway.

Having said that, we have before us a bill that modernises the Criminal Assets Confiscation Act by delivering significant experiences and also ensures that drug offenders rather than taxpayers cover the costs linked to their actions. This is a good piece of legislation that will deliver a number of positive outcomes. With that, I commend it to the house.

The ACTING SPEAKER (Ms Stinson): Thank you, member for Playford. That was one of the most gripping stories I have heard in this place. You had me on the edge of my seat and I appreciate you sharing that. I am glad no harm was done to you, and I think I might have to check out whatever facial regime you are employing. Member for Elder.

Ms CLANCY (Elder) (16:50): I rise today in support of the Criminal Assets Confiscation (Review Recommendations) Amendment Bill 2025. The bill implements the remaining recommendations of the statutory review into the prescribed drug offender provisions of the Criminal Assets Confiscation Act 2005—those that were not included in the Criminal Assets Confiscation (Miscellaneous) Amendment Act 2024 that we passed last year.

We all want our communities to be safe communities and I am proud of the steps our government has made towards that goal. Our Malinauskas Labor government has maintained our strong focus on community safety, including in just these first few weeks of the parliamentary year, with more police on the frontline; a new youth crime task force; outlawing posting and boasting to deter people from promoting or glorifying criminal conduct on social media; cracking down on stalking and harassment; reforms to validate victims in mental incompetence verdicts; making it easier for prosecutors to convict drug traffickers, importers and couriers; and the toughest knife laws in the nation.

Understandably, community members are growing increasingly concerned by what they see on the news both here and overseas. When we watched or listened in horror at what occurred in Bondi, it was nearly impossible for us to not feel fear ourselves. Closer to home, we had last year's scare at Westfield Marion and the horrific stabbings in Plympton.

Following these events and suggested reforms raised with some victims of these incidents, the government prepared a discussion paper for public consultation to ensure our knife laws are as tough and effective as possible. SA was already leading the nation with strong knife laws. The 2012 Labor government introduced a suite of reforms, such as prohibiting the sale of knives to minors under 16 and banning the marketing of knives in a way that suggests the knife is suitable for combat. Further changes were also made in 2017 regarding police ability to conduct metal detector searches when reasonably suspecting a person of carrying a weapon.

As a result of that consultation feedback—including with the public, targeted stakeholders and SAPOL—the bill we spoke about last sitting week made the following changes: expanding police metal detector search powers on declared public transport vehicles and at public transport hubs, shopping centres and all licensed premises; expanding police metal detector search powers at any public place where there is a likelihood of violence or disorder; and expanding police metal detector search powers on any person with a relevant history of weapon-related violence or who is a member of a declared criminal organisation.

Fortunately, we do live in a historically ever-safer society and generally do not have to worry about gun violence or terror threats, especially here in South Australia. I can only imagine how scary it must be for people in the United States who drop their children to school knowing that there is a real possibility that their child might not come home.

In my electorate, we are very lucky to have very little variation year to year on reported crime statistics, with the majority of reported offences being theft and property damage. While this is of course a concern, we should feel safe in our suburbs knowing that aggravated robbery, assaults, extortion and homicide are very rare occurrences in Elder and across all electorates in South Australia.

Since becoming elected, I have noticed community members have become more vigilant in observing the behaviour of those around their businesses and homes, which I think is enabled by the increasing popularity of Ring cameras and other devices. I have had reports to my office of neighbours noticing people walking by their properties in the early hours of the morning and people looking into their cars and testing whether those car doors are locked and looking over fences and into windows, and while this is not illegal behaviour I understand why people find it disconcerting to know that individuals are walking around neighbourhoods at night.

In order to address these community concerns, I organised a community safety forum at the Clarence Gardens Bowling Club last year to give people an opportunity to hear from Southern District Police Superintendent Les Buckley and learn how to better protect their homes and personal property. Les talked about SAPOL's recommendations for securing both the inside and outside of a property and reiterated that it is important homeowners take all steps necessary to keep themselves safe.

Residents are encouraged to keep all their items of value somewhere safe and less visible, store keys and garage door remotes out of sight within both the house and vehicle—advice I should really take on board—install a security door with a peephole, ensure house numbers can be easily seen by emergency services in the event of a call-out and ensure—and I know this may seem obvious—that all windows and doors are locked. Think about what can be seen from the street. Do you have overgrown bushes and trees that would hide a person? Do you have tools lying around or ladders that can be used to potentially break into your house?

Les also suggested to make sure to break down the packaging of items you have purchased and put in the recycle bin because these boxes can become a potential information source for what is inside your house. These may seem like simple steps that we have heard before, but it is surprising to know how many people do not lock their cars at night, leave their sunglasses or laptops, in my case, visible or the windows open when they leave the house.

At a street-corner meeting last year in Mitchell Park that I hosted, Superintendent Les Buckley came back and he addressed a specific incident that was of community concern in our electorate, specifically an assault that was heavily reported on in the media as an example of a growing crime wave, which, unsurprisingly, stirred up a lot of worry and anxiety amongst members of the public, particularly my community. Superintendent Buckley was able to confirm for us that the assault was not indicative of an increasing violent crime trend, rather a one-off incident that could occur anywhere, and encouraged residents to be proactive, to report incidences as they occur on 131 444 and, of course, to call 000 if there is an emergency.

I am pleased to say that as a result of my community safety forum and street-corner meetings and a very active community member, we have a new Neighbourhood Watch group forming in my electorate. I would like to thank my constituent Jack, the very active community member of Mitchell Park, for taking on the task of organising his community. It does not take much to complain about crime on Facebook, but it does take a lot of time and effort to actually meet up with your neighbours and work out how positive change can be made.

Whilst statistically we rarely experience assaults in Elder, I do understand that these events do occasionally happen and when they do they are not only terrifying for our community but devastating for the victim and their loved ones. It is therefore necessary to ensure we do everything we can to keep weapons out of the wrong hands, so I am very proud of our knife laws that we introduced last sitting week.

To return to the bill before us, proceeds of crime legislation is part of our work to improve community safety and address crime. This bill helps to provide the legislative tools needed to combat against organised and serious crimes. It aims to deprive people of the financial benefits of engaging in criminal behaviour, with the deprivation of profits seen as an important part of criminal punishment, as well as a deterrent.

In order to deter criminal activity, it is necessary for the state to remove the advantages of crime by confiscating the proceeds, thereby making the option of continuing to commit offences in the future less attractive. By confiscating the economic proceeds of crime, criminal activity is further incapacitated by removing the monetary base from which further crime may be committed or expanded upon.

Just this morning as I was driving into the car park, I was listening to an old episode of the *Naked City* podcast by John Silvester, a very well known crime journalist who does a column for *The Age*. The episode was called Inside the Hells Angels, if anyone is interested and would like to look it up. I know the Deputy Premier is quite interested in crime podcasts and does not mind one and I am sure the member for Elizabeth, given his previous occupation, is also quite interested.

This story was about a drug case from the 1980s. Over a 15-month period, four men sold around $1.8 million worth of speed. More than 40 years later, the amount of money that can be involved in these crimes can be even more than $1.8 million, in fact a lot more. Last year, the AFP seized drugs with an estimated street value of $760 million, money that in the hands of organised crime would have likely been used to expand criminal operations.

Whether the criminal operations are of a huge magnitude or substantially smaller, no criminal should be able to benefit financially from their crimes. It is critical that law enforcement have the tools necessary to allow them to adequately investigate and follow where the money trail leads. In addition to punishment, deterrence, incapacitation and enforcement, there are wider social benefits crucial to maintaining the public's perception of, and confidence in, law enforcement strategies.

The police must be seen to be able to remove the benefits of crime from those who choose to participate in illegal activity, and they must be able to do so in a reasonable timeframe. Our community needs to be compensated for the pain and suffering inflicted by drug-related crime on individuals, families and entire communities.

It is also important that the community not be left with the bill for administering, implementing and enforcing confiscations, particularly related to prescribed drug offenders. This amendment will bring the treatment and confiscation of property from prescribed drug offender confiscations into line with those from non-prescribed drug offenders by allowing the costs of administering the Criminal Assets Confiscation Act to be taken from forfeited assets prior to the remainder going to the Justice Rehabilitation Fund. This amendment ensures it is not the taxpayer who will fund the operation of the act. Rather, it is the assets of the criminals that will fund it.

For background, the Justice Rehabilitation Fund has paid into it proceeds of any confiscated assets forfeited to the Crown upon the conviction of a prescribed drug offender. This fund sits separately from the Victims of Crime Fund and supports programs and facilities that aim to prevent crime and rehabilitate offenders, with programs including educational services, employment skills, training, housing assistance, and programs for Aboriginal prisoners and offenders.

As the number of prescribed drug offenders grows, the cost burden has continued to fall on South Australia Police and the Office of the Director of Public Prosecutions to manage. These amendments will allow for the delegation of certain powers from the Director of Public Prosecutions to the Chief Recovery Officer of the Fines Enforcement and Recovery Unit. This will offer efficiencies in dealing with forfeited assets by allowing the most experienced agency to undertake processes in relation to confiscation and free up resources within the Office of the Director of Public Prosecutions.

Drug offender confiscations have now grown to become the majority of all confiscations, with the issue becoming particularly acute with the large numbers of prosecutions associated with Operation Ironside. Three years ago, the AFP led the largest organised crime investigation in the Southern Hemisphere, with more than 4,000 Australian law enforcement officers executing hundreds of search warrants across Australia.

More than 6.6 tonnes of illicit drugs, $55.6 million in illicit cash and 149 weapons and firearms were seized across Australia. There have been 392 alleged offenders charged with 2,355 offences, including the trafficking of illicit drugs, money laundering and dealing in the proceeds of crime. Sixty-three of these offenders have already pleaded guilty or been convicted, resulting in a collective 307 years of imprisonment. Nineteen offenders in South Australia have been sentenced to a collective 100 years of imprisonment. This is on average around five years of time in prison each.

It is so important that we get the proposed procedural amendments in place, because we need to give our law enforcement officers the necessary tools to freeze bank accounts and get the required information quickly from financial institutions in order to prevent prescribed drug offenders from moving their assets out of reach.

Section 160—Giving notices to financial institutions will reduce the timeframe within which a financial institution must provide information or documents pursuant to a notice under section 160, and that will be changed from 14 days to a period of between three and seven business days. This change comes in response to the online nature of banking available today, which allows for the instant transfer of money overseas and out of reach, and the reality that, if given the opportunity, prescribed drug offenders will try to conceal their true assets from police. That was also covered in the podcast I referred to earlier.

By reducing the time banks have to respond to police requests for information, we aim to increase the ability of officers to quickly obtain information regarding criminal assets because our

government understands the expectation of the community, which is that convicted criminals should not emerge from prison and have access to the economic proceeds of their crimes.

The AFP-led Criminal Assets Confiscation Taskforce, related to Operation Ironside, has so far restrained the assets of some of those charged to the tune of $64.6 million. This includes homes, jewellery, vehicles and cash. One alleged offender told the AFP, 'I can take going to jail, but don't take my house.' This really indicates the importance of the economic proceeds of criminal activity even over the prospect of prison time.

Criminal assets confiscation legislation will always be subject to ongoing reform due to the changing nature of criminal activity and its resulting economic advantages. It is an important addition to conviction-based legislative devices and provides another lever to tackle serious crime in our community, something that the Malinauskas Labor government takes very seriously. I commend this bill to the house.

Mr ODENWALDER (Elizabeth) (17:06): I rise today to make a brief contribution to the Criminal Assets Confiscation (Review Recommendations) Amendment Bill. Of course, as other speakers have pointed out, this builds on the work of previous Labor governments, Labor governments of which I have been proud to be a part. The original act that we are amending today was a product of the Rann government and I believe—I could be wrong—of Attorney-General Atkinson at the time, the former member for Croydon. At that time, there was a whole suite of law and order measures that were aimed not just at asset confiscation in terms of drug offenders but also outlaw motorcycle gangs. Those of us who were around remember the long debates and the ensuing court battles that grew out of that legislation.

This act, in particular, was of great interest to me. I was a member of the inaugural Crime and Public Integrity Policy Committee and the police would come in from time to time and talk to us about how this act was actually working in practice. This is just another step in perfecting this type of legislation. As others have pointed out, it is never going to be perfect. It is very difficult; criminals move in the digital world now, and money and assets get moved around very quickly, but the original act does give police the power to freeze and confiscate assets from criminals—to be used by the state, obviously.

These assets originally went to the Victims of Crime Fund; now, of course, they go to the Justice Rehabilitation Fund. That is the beneficiary of these assets and that exists under section 209A of the Criminal Assets Confiscation Act. As others have pointed out, it gives the government funding for all sorts of programs for the benefit of not just victims, as the Victims of Crime Fund does, but also for the benefit of offenders in terms of rehabilitation and reducing recidivism, which I know is not always popular in the general populace but I do know that it is very important in terms of an overall law and order policy. I know that it is of particular interest to the Premier and the former minister for corrections.

Revenue was first collected into this fund in 2019-20 and the balance of the fund at 31 January 2025 was $6.1 million. The fund is currently used, among other things, to increase the capacity of current alcohol and other drug support services offered through the Department for Correctional Services, specifically through expanding the service delivery of the Aboriginal Drug and Alcohol Council (ADAC) and OARS Community Transitions. It also is used for the delivery of Aboriginal cultural programs in prison, such as Ananguku arts workshops—I am sorry about my terrible pronunciation—and Ngangkari clinics supporting the maintenance and practice of Aboriginal traditional medical knowledge.

It also supports a review of the Courts Administration Authority's abuse prevention program, which aims to address domestic and family violence by providing an evidence-based intervention for male perpetrators and safety advice and case management services to intimate female partners or former partners of men participating in the APP.

The Attorney-General's Department will perform the review, and Relationships Australia and Women's Safety Services South Australia have been funded as well to participate, and that is again through this fund collected through this act. The Department of Human Services have developed a 12-month pilot program for a new therapeutic pathway working with young people in the African community at risk of offending behaviour.

The Department for Correctional Services again will, for the Victim Services Unit, keep high-risk victims of domestic violence informed of changes to the circumstances of their perpetrator who is in the custody or under supervision of DCS. This of course dovetails nicely with the Domestic Violence Disclosure Scheme, which was, to give credit where credit is due, eventually enacted by the previous government, the previous Attorney-General—something which I have supported for a very long time.

As others have mentioned, the fund is also used to fund Project Connect, where the Carly Ryan Foundation delivers the online safety education sessions as part of the Project Connect program, educating children and their parents and communities about the risks of sex-related crimes against children perpetrated or initiated online, and teaching people how to avoid those risks.

Other funding includes to Metropolitan Youth Health within the Women's and Children's Health Network for the supporting parents and children's emotions program. The SPACE program, as it is called—as distinct from another space program—provides intensive support to young parents who are in domestic violence or family violence situations. The program is focused on behaviour change and aims to reduce the risk of children being exposed to violence and subsequently lessen the risk of them developing problematic behaviours in relationships later in life. That is obviously a very important program.

The fund also contributes to Junction SA in delivering domestic and family violence prevention activities on Kangaroo Island. This funding enables Junction SA to deliver the Raiise violence prevention program to increase the capacity of the local youth worker and encourage a community ambassador to advocate for healthy and respectful relationships.

Finally, the fund, among other things, is helping to fund a two-year trial of the Youth Aboriginal Community Court. The Youth Aboriginal Community Court enables Aboriginal children and young people to participate in a culturally responsive program that aims to disrupt escalation points in a young person's offending, address trauma and criminogenic needs, implement protective factors, and divert young people from further offending. As I said, as distinct from the Victims of Crime Fund, the Justice Rehabilitation Fund really attacks the law and order problem from all angles, so it helps offenders as well as victims of crime.

Of course, the genesis really of all these amendments is the South Australia Police, who are obviously at the coalface of a lot of this work. They work tirelessly alongside the Office of the Director of Public Prosecutions to enforce this act, and of course their insights, born from their boots-on-the-ground experience, have shaped this legislation from the beginning and shaped the amendments that we are discussing today.

Among the procedural enhancements is an expansion of the scope of freezing orders on offenders' bank accounts. These orders are critical to stop the rapid dissipation of assets. To complement this, the bill reduces the timeframes within which banks must respond to police notices about the assets of prescribed drug offenders. In an era where transactions are instantaneous and digital, delays are the ally of the criminal and the enemy of justice. This change ensures that law enforcement connects swiftly and decisively. Equally significant is the new power to demand answers from offenders about legitimate third-party interests in confiscated assets.

We must protect the innocent. We must protect those whose property might be caught up in the schemes of others. We cannot allow offenders to send police on wild-goose chases, chasing baseless claims designed to frustrate the system. This provision strikes that balance. It safeguards the rights of the innocent, while keeping pressure on the guilty.

Efficiency is a recurring theme in this bill and in voting for this bill, as I hope this house will, we are delegating certain powers from the Office of the Director of Public Prosecutions to the Chief Recovery Officer of the Fines Enforcement and Recovery Unit. This is all in the name of streamlining administration without compromising oversight.

Furthermore, the bill allows the costs of administering the act to be drawn from forfeited assets before the remainder is transferred to the Justice Rehabilitation Fund that I have just discussed. This mirrors the approach we take with assets seized from non-drug offenders which fund the Victims of Crime Fund after administration costs are met. It is a practical measure and ensures

that the system sustains itself while maximising the resources available for rehabilitation and crime prevention.

As I said, it is important that we do not lose sight of what the Justice Rehabilitation Fund represents. It is not merely a pool of money; it is a commitment to breaking the cycle of crime. As I said, it is not like the Victims of Crime Fund, where the money is spent, as it should be, on recompensing the victims of crimes and other misdemeanours, but it importantly attacks the law and order problem from many sides.

It funds programs and facilities that support offenders seeking redemption, victims seeking recovery and communities overall seeking safety, so there is a messaging aspect to this as well that sends a very clear message to the community that ill-gotten gains will be confiscated and will be used for good, rather than just put back in the pockets of offenders, because we are talking about very high-value individuals, in some cases, and very high-value assets that the police and the DPP are seeking to recover, so every dollar seized from a drug trafficker and redirected into this fund is a dollar invested in a better future really for our whole society.

The bill also clarifies that simultaneous convictions will count towards the definition of a prescribed drug offender and this, of course, aligns with the reasoning of the Supreme Court of South Australia—as the honourable member opposite will be very aware—in DPP v Donnelly, ensuring consistency between judicial interpretation and legislative intent. It closes a potential loophole and it reinforces the act's purpose.

On the matter of penalties, we are here today increasing several noncompliance penalties under the act. When we are dealing with what I pointed out were high-value assets—it could be luxury homes, fleets of cars or, indeed, stacks of cash hidden in offshore accounts—the penalties must really match the crime. They must reflect the scale of the offending and serve as a genuine deterrent. It may seem trite to say, but a slap on the wrist will not do. These increases, as I said, informed by an ongoing feedback from SAPOL every step of the way, ensure that the consequences match the crime.

There is one further change I wish to highlight, and it speaks to the pragmatism of this bill. Currently, police have just 25 days to return seized property that does not ultimately become subject to a forfeiture order. Clearly this is inadequate and SAPOL have told us that this timeframe is much too tight, particularly in complex cases where ownership must be verified and legal processes navigated. The bill extends this period then from 25 days to 60 days. It is a simple adjustment, it is a simple amendment to the act, but it does ensure that police can do their job thoroughly without undue pressure, while still respecting the rights of property owners.

This bill is about keeping the Criminal Assets Confiscation Act fit for purpose. It reflects, as I have pointed out, the realities of modern crime: it is fast moving, often operating in the digital world, it is sophisticated and it is often nowadays, more than ever, international in scope. It strengthens the partnership between law enforcement and the justice system, it balances the need to punish with the imperative to protect and rehabilitate and, above all perhaps, it sends a clear message to those who profit from the misery of drug addiction that your wealth will not shield you and your gains will ultimately be turned against you and used to help others. I commend this bill to the house and I hope that the rest of members here will do the same.

The SPEAKER: The member for Elizabeth mentioned Junction Australia's work on Kangaroo Island. I was there last Thursday having another meeting with Maree Baldwin, who does a terrific job on the island with people not just in Kingscote but right across Kangaroo Island and also Maria Palumbo, who heads up Junction Australia in South Australia.

The Hon. A. PICCOLO (Light) (17:19): I stand here to support this bill. The Criminal Assets Confiscation Act 2005 allows the state to confiscate the property of prescribed drug offenders and place those proceeds into the Justice Rehabilitation Fund. Before I cover what this bill seeks to do, I think it is important to just recap what the fund does. What the fund does is actually use proceeds garnered from people involved in criminal activities, particularly those involved in some sort of drug criminal activity, to help rehabilitate people in our community.

As the member for Elizabeth quite clearly outlined, by reinvesting these funds into rehabilitation programs we actually make our community safer. The reality is that despite how many police officers you have on the beat, the best way to reduce crime and to have a safer community is to have programs which actually change people's views about criminal behaviour, and they do not commit the crime in the first place.

Under section 209A of the Criminal Assets Confiscation Act 2005, the funds in the Justice Rehabilitation Fund can be used, and have been used, for example, to increase the capacity of current alcohol and other drug-related support services which are offered through the Department for Correctional Services. These programs help people to rehabilitate and hopefully, when they leave the justice system, they do not commit crimes again, and so it is a good investment.

It has also supported the review of the Courts Administration Authority's Abuse Prevention Program which aims to address domestic and family violence by providing an evidence-based intervention for male perpetrators, and safety advice and case management services to intimate female partners, or former partners of men participating in the APP program. Again, this is a program that seeks to minimise the amount of reoffending.

The funds have also been used by the Department of Human Services to develop a 12-month pilot program for a new therapeutic pathway working with young people in the African community at risk of offending behaviour. This is an important program and is no different to a lot of other emerging communities in our state and in our country where often the transition from one's original country to this one can be difficult and problematic and, therefore, we need to support those young people to make sure that they do not reoffend. Often there are new cultures, there are cultural difficulties in their own families, and there is a whole range of issues which create conflict, and often their behaviour is not appropriate. This sort of program actually helps to minimise that.

The Department for Correctional Services also uses some of the funds for the Victims Services Unit, keeping high-risk victims of domestic violence informed of changes to the circumstances of their perpetrator. Again, that is one of the major things we hear about: that victims of domestic violence are concerned about their own personal safety when the perpetrator is allowed out of the prison system.

The funds have also been used for Project Connect—the Carly Ryan Foundation—to deliver online safety education sessions as part of the Project Connect program, educating children and their parents and communities about the risk of sex-related crimes against children perpetrated or initiated online, and how to avoid those risks. Again, it is an increasing problem in our community with access to online facilities. Often it is young people who perhaps lack the maturity to fully understand the implications of their behaviour. They often get involved in online activities which actually lead to crime and also impact on their personal safety.

Funds have also been used by the Metropolitan Youth Health within the Women's and Children's Health Network for Supporting Parents and Children's Emotions, otherwise referred to as the SPACE program. The SPACE program provides intensive support to young parents who are in a domestic and family violence situation. The program is focused on behaviour change and aims to reduce the risk of children being exposed to violence and subsequently lessen the risk of them developing problematic behaviours in relationships later in life.

The week before last I attended an International Women's Day event in my town of Gawler where the guest speaker was Dr Naomi Rutten. Dr Naomi Rutten is a GP who specialises in mental health and, in particular, mental health issues which arise from traumatic events in people's lives. Her therapy is based on what they call trauma-advised behaviours.

A lot of mental health issues faced by teenagers and young adults often have their origins in their childhood days when they experienced one or a number of traumas, and Dr Rutten does great work in this area. In fact, at the moment she is trying to establish a clinic in Gawler to work with other professionals to make sure she can provide a holistic service to people, whether younger or older, who are experiencing difficulties in their lives as a result of trauma. She is working really hard to set this clinic up, and she actually has that in her sight now, but she does lack some funding so she has put a bit of an SOS out to see if we can get some funding.

Getting therapy services and other support services anywhere in this state is difficult, but as you go further from the centre of town it becomes much more difficult; it is just not available. Dr Rutten's waitlist is months and months and months, which is not good for people who are experiencing trauma in their lives.

Mr Speaker, you also mentioned the Junction SA program on Kangaroo Island—a rural region that often needs more attention because of a whole range of factors, and Junction SA is providing services from this fund on Kangaroo Island. Some of these are services provided from the Justice Rehabilitation Fund. As you can see, they are quite broad. Importantly, their one major focus is ensuring that we try to prevent people from getting into the justice system. If they are in the justice system, the idea is to transition them out of the justice system and make sure they do not re-enter it, and ultimately we are all safer because of that. If penalties alone deterred people, there would be no crime in America and yet America has one of the highest crime rates in the world. So we need to look much more at what you might call sociocultural issues and a whole range of other factors to make sure that people do not offend.

Getting back to the provisions of this bill, the bill contains a number of amendments based on the advice of South Australia Police. Since they are the coalface of crime prevention, we need to hear what they say. There are a number of procedural amendments, including the scope of freezing orders placed on bank accounts that belong to offenders, as well as a reduction of timeframes in which banks have to respond to notices from police with information as to the assets they hold in relation to the prescribed drug offenders. One thing that deters people from committing crimes is knowing they cannot live on the proceeds. I think that is one area—sorry?—

The Hon. S.E. Close interjecting:

The Hon. A. PICCOLO: Yes, one thing that I think is a deterrent is if what people are seeking to gain is taken away from them. There are actually two things: one is the law on that; and, secondly, there has to be a high probability that that does occur. So this bill actually improves the efficiency of police and the Director of Public Prosecution's ability to confiscate those properties. So there is a higher probability that if they make money from drug-related behaviour or activities they will lose that, which is really important, and we can invest those funds into more rehabilitation. Those banking changes are designed to also reflect the changes in online banking to enable police and the DPP to act quicker so people cannot shift money elsewhere.

Similarly, there is a new power to demand answers from offenders as to legitimate third-party interests to make sure that property on innocent parties is protected while not sending law enforcement on a wild-goose chase following up warrantless claims made by PDOs.

Also, one of the amendments increases the effectiveness and efficiency of the scheme, including the delegation of certain powers from the Office of the Director of Public Prosecutions to the Chief Recovery Officer of the Fines Enforcement and Recovery Unit. Their job is to enforce and recover moneys and fines, and they are quite good at it. So they can exercise this power to recover and confiscate assets, the balance of which is put into the Justice Rehabilitation Fund. This is identical to how assets are seized from other non-drug offenders and used to pay administration costs prior to being placed in the Victims of Crime Fund. I seek leave to continue my remarks.

Leave granted; debate adjourned.

At 17:30 the house adjourned until Wednesday 19 March 2025 at 10:30am.