HOUSE OF ASSEMBLY

Wednesday, 12 November 2025

Parliamentary Procedure

SPEAKER, ABSENCE

The CLERK: Members, I inform the house of the absence of the Speaker. Pursuant to standing order 17, the Deputy Speaker takes the chair.

The Deputy Speaker took the chair at 10:30 and read prayers.

The DEPUTY 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.

Bills

STATUTES AMENDMENT (ENERGY AND MINING REFORMS) BILL

Committee Stage

The DEPUTY SPEAKER (10:31): I call the attention of the house to an error in the number of ayes recorded in division No. 1 last night on the question that the amendments moved by the member for Narungga in the Statutes Amendment (Energy and Mining Reform) Bill be agreed to. The member for Unley was incorrectly recorded voting with the ayes. I order that the Votes and Proceedings be corrected to record that the total number of ayes was 13, and that is because he was paired.

Motions

PARLIAMENT OF SOUTH AUSTRALIA FORMER MEMBERS' ASSOCIATION

Mr ODENWALDER (Elizabeth) (10:34): I move:

That this house—

(a) acknowledges the contribution made by the Parliament of South Australia Former Members' Association and its members in supporting former members of parliament and improving their post parliamentary welfare;

(b) welcomes the role of the Parliament South Australia Former Members' Association in encouraging former members to maintain the contacts, associations and friendships established during their tenure as members of the South Australian parliament;

(c) endorses the role of the Parliament of South Australia Former Members' Association in establishing relationships with kindred organisations within Australia and internationally;

(d) explore and encourage ways former members can play a role in civics and community education;

(e) recognises the Parliament of South Australian Former Members' Association as a principal stakeholder, and advisor, in the development of welfare and post-parliamentary career programs for members of the South Australian parliament and endorses the relationship that has been established between the Parliament of South Australia and the Parliament of South Australia Former Members' Association on all matters affecting former members of parliament.

Motion carried.

STIRLING HOSPITAL

Mr TEAGUE (Heysen—Deputy Leader of the Opposition) (10:34): I move:

That this house—

(a) recognises the vital role Stirling Hospital plays in delivering high-quality medical care to residents of the Adelaide Hills and surrounding regions;

(b) acknowledges the significant contribution of the hospital's staff, volunteers, and board members in maintaining locally accessible, patient-centred health care for over 100 years;

(c) commends the ongoing advocacy and tireless efforts of the Save Stirling Hospital community group in working to keep the hospital's doors open and its services accessible;

(d) condemns the Malinauskas Labor government for its failure to meaningfully support Stirling Hospital, despite repeated warnings about the impact its closure would have on regional health care access; and

(e) calls on the state government to urgently engage with Stirling Hospital's board and executive to secure its long-term viability and ensure that Adelaide Hills communities are not left without critical local health services.

I rise today with some considerable pride to move the motion standing in my name. This is, as I say at the outset, a source of considerable pride for me to move this motion insofar as it recognises the really truly herculean efforts made by the local community in response to what was the most cataclysmic of shocks received by the community back in April 2023.

I put it as high as that because what the community was presented with in April 2023 looked, for a considerable amount of time then and thereafter, to be something that was going to cause the closure of the Stirling Hospital and a move away to what might have been rented premises in Mount Barker or somewhere else. That proposal was presented to the community in fairly short form, I think it would have to be said.

Letters were received by me and by others who were central to the community. For example, the Stirling community op shop, which had over many years provided very significant financial support to the hospital, received this letter in April 2023 saying that it was over for the hospital: it is closing and it is moving. The response that occurred to that shock was really something truly magnificent.

I was proud to convene the first of what were to be multiple full-hall meetings at the Stirling RSL in the following months, particularly in May and June 2023. Members might just imagine the scene: heading towards midwinter in the Adelaide Hills and despite the most rugged of winter conditions outside, the whole community rallied indoors to the Stirling RSL to make very clear that, while the community might be rarely moved in such a way to express that kind of solidarity, this was an issue that galvanised everyone in our community.

First of all in May, we had the harnessing of the necessary parts to build the advocacy around this announcement. We identified the unanswered questions that needed to be put to the hospital board and management at that time and to then provide an opportunity for dialogue for answers to be provided by the board and management.

That early process was productive in that it made very clear to the hospital that the community was not for accepting this announcement. The community was also making very clear to the board and management that, for its nearly 100-year history at that time, part of its strength that had led to its sustained success was that the community was very much at the heart of decision-making at the hospital. Indeed, the community had a say in who was on the board and, not only that, the local council did too. While things had been going well and sustained so over decades the community was quiet in relation to the hospital, when presented with this proposition the rising was truly significant.

From the very outset we had a roll-call of community members—board members at the hospital over the many decades—including my predecessor as member for Heysen who, significantly, was a member of the board for many, many years, and chairs of the hospital board, including John Venus, Ross Sands and others, who in many ways, simply by their presence at community gatherings following that announcement, really brought the heft of their service in making the point very clearly that the community needed to be listened to and that the board and the hospital were going to meet to deal with this very serious concern.

The other significant thing that was achieved at that time, at the peak of the crisis, in the middle of 2023, was the establishment of what continues: an incorporated association, Save the Stirling Hospital Association. It provided a core for those who are capable and knowledgeable in relation to hospital regulation, governance, the finance side: all of the various constituent parts, including clinical practice, to come together and make sure that the case for staying put, the case for

providing a viable means forward, could be engaged with and the board and the management of the hospital could be provided with those resources with which to grapple with alternatives to closing.

Key among those was what the hospital perceived to be a major capital challenge that was on its way in order to comply with heath regulations. In the latter part of 2023, and in no small part due to the efforts of those leading the way in terms of the community advocacy in the Save the Stirling Hospital Association, the hospital was helped towards an understanding that there need not be quite such a catastrophic capital challenge, that there was a way forward and that not only was it something that the community was regarding as central to our community to have the Stirling Hospital there but the means by which to provide for renewal and a reinvigoration of the hospital were laid out. That was the result of a combination of efforts, intensively through the middle part of 2023 and right up to the end of that year.

As the result of that we achieved what I think many in the community regarded as likely impossible earlier in the year, and that was a complete reversal of that stated intent. The hospital advised the community that it would stay and would go about the task of a reinvigoration and a renewal towards being back on a sustainable footing at Stirling. That has continued, and I want to recognise the efforts of the hospital's board and management in that regard for what has now been nearly two years.

The latest hospital update is that the hospital's finances are back in the black, new clinicians are establishing lists at the hospital, there has been a combined effort to raise awareness of what the hospital has to offer, and the efforts of hospital management to make sure that all facilities are geared towards maximum productivity have really yielded fruit. This is an ongoing challenge, and we know that as a community we are going to need to remain committed to it. It is one of those really tremendous outcomes and a reminder for us all that the 100-year legacy of the hospital as a community service is there for good reason now and into the future, just as much as it has been so proudly in the past.

There has been a series of initiatives that have been taken to engage the community, fundraising being among them. There was a successful dinner that was held last year. This year, coming up just in a few days' time, on Sunday, the Stirling Hospital will be conducting the Stirling Hospital Community Walk fundraiser. It is something that I will be participating in, and I look forward to seeing the wide range of people in the community who have now, over years, become familiar with each other in the common cause of doing their bit to save the hospital and to keep it on a strong footing in Stirling. So we lean in in every way that we can, including this Sunday at the Stirling Hospital Community Walk, and I look forward to seeing everybody there.

To address paragraphs (d) and (e) of the motion: it is very important to note that, whenever we talk about this tremendous community work that has been done to save the Stirling Hospital, it needs to be clearly understood that, at the first turn and from then on, the Malinauskas Labor government, via the Minister for Health, has turned away from any involvement in supporting the Stirling Hospital to achieve that end of staying open and staying viable.

I asked the Minister for Health, right at the core of the crisis in the middle of 2023. I said, 'Will you do something to help the hospital?' and it is there on the record that the Minister for Health said, 'No, we won't. It's not us and they will need to fend for themselves.' I have to say that that is against the background of late 2022 when, as it happens, the Minister for Health was very happy to come along and cut a ribbon at the opening of a new room, a new suite, at the Stirling Hospital. Malinauskas Labor has been there when it is all smiles and ribbon-cutting but it has walked away from Stirling Hospital, which has left the community and all of us having to do that work on our own. That work continues, and I look forward to seeing everyone on Sunday.

Ms THOMPSON (Davenport) (10:49): I rise to move the following amendments: keep paragraphs (a), (b) and (c) and delete paragraph (d) and (e) so that the motion will read as follows:

That this house—

(a) recognises the vital role Stirling Hospital plays in delivering high-quality medical care to residents of the Adelaide Hills and surrounding regions;

(b) acknowledges the significant contribution of the hospital's staff, volunteers and board members in maintaining locally accessible, patient-centred health care for over 100 years; and

(c) commends the ongoing advocacy and tireless efforts of the Save Stirling Hospital community group in working to keep the hospital's doors open and its services accessible.

I wish to acknowledge the motion brought by the member for Heysen regarding the Stirling Hospital and to recognise the long contribution that the hospital has made to its community for more than a century. Stirling Hospital has been a cornerstone of care for the Adelaide Hills region since the twenties, and its dedicated staff, volunteers and board have worked tirelessly to maintain safe, high-quality services close to home.

It is important to note that Stirling Hospital is a privately owned and operated not-for-profit hospital, governed by an independent board. Its financial and operational management are not matters of state government responsibility. Nonetheless, the government recognises the critical role of private and community-owned hospitals in our health system, particularly in complementing public capacity and supporting timely patient access.

Since mid-2024, Stirling Hospital has been an active member of the state's patient services panel, which was established in 2019 to enable local health networks to purchase elective surgery and other services from approved private providers. Through this arrangement, the Southern Adelaide Local Health Network has contracted activity valued at more than $320,000 in 2024-25 and a further $125,000 to date this financial year. This partnership illustrates the government's practical support for Stirling Hospital and its patients, helping to reduce wait times and improve care access in the Hills.

Across South Australia, the private hospital sector plays a key role in the delivery of public health care through the panel, which has facilitated more than $240 million in public patient activity since 2019. Regular discussions are held with private providers to strengthen partnerships, build capacity and develop sustainable models of care.

The government absolutely rejects any assertion that it has failed to support Stirling Hospital. On the contrary, our engagement through the Patient Services Panel demonstrates active collaboration to ensure that patients in the Adelaide Hills can receive care closer to home while upholding our responsibility for systemwide equity and fiscal prudence. As a privately run hospital, Stirling's future viability rests with its board and management, but the government will continue to work constructively to maintain a strong and sustainable network of private and community providers supporting public patients.

We have committed $9 billion to our health system: more beds, more health workers, more ambulance stations. Our government investment in the Adelaide Hills includes:

- a brand-new $9.1 million ambulance station, opened earlier this year in Mount Barker, which houses a full team of 32 ambos, including 18 recently recruited by the government, to meet the growing demand for emergency care in Adelaide Hills communities;
- opening brand-new ambulance stations in Strathalbyn and Birdwood to ensure that these communities get the emergency support that they need;
- establishing a permanent BreastScreen SA clinic;
- partnering with the federal government to establish free mental health care with a new Head to Health service, operating through Summit Health, providing a safe and welcoming space for adults to access mental health information and support;
- the opening of a new, bigger and better ED at the Mount Barker District Soldiers' Memorial Hospital, more than tripling the number of treatment bays and providing increased capacity to deliver enhanced emergency care for Adelaide Hills residents;
- implementing 24/7 security at the Mount Barker hospital;
- a brand-new Mount Barker hospital, which will triple inpatient capacity for the growing Hills community, as the Malinauskas Labor government continues to build a bigger health system. Work is well underway on this $365.8 million project that will triple current inpatient capacity from 34 to 102 beds.

Work is also underway on the hospital's new multideck car park, which will bring the site's total car parking capacity to 654 spaces, up from the current capacity of 431. The increased capacity and

capability of the new Mount Barker hospital will support the needs of the region's growing population and allow the local health network to deliver higher complexity care. This will reduce the need for Hills and Mount Barker residents to travel to the city, helping ease demand at major metropolitan hospitals.

We have also introduced nurse-led clinics at Gumeracha and Strathalbyn, providing local communities with timely access to urgent non-emergency care, including access to virtual medical support when needed and significantly reducing the need to travel long distances, spend hours waiting in hospital EDs or securing a GP appointment.

The Malinauskas government opened these clinics in 2023, resulting in the return of after-hours health services to Gumeracha and Strathalbyn after the former Liberal government permanently closed the town's emergency departments.These clinics have been embraced by Hills' residents who are increasingly taking up the opportunity to visit them instead of GP clinics or hospital EDs.

Gumeracha's after-hours clinic saw 203 patient presentations in September 2025, a 157 per cent increase on September 2024 and the second most after May 2025 when there were 206 patient presentations. Strathalbyn's after-hours clinic saw 190 patient presentations in September 2025, a 116 per cent increase on September 2024 and the second most after July 2025 when there were 204 presentations.

In closing, I again acknowledge the staff, volunteers and the leadership of Stirling Hospital, as well as the commitment to the Save Stirling Hospital group and the broader community. Through partnerships, such as the patient services panel and our investments in health care in the Adelaide Hills, we will continue to ensure South Australians have access to safe, high-quality care in their local communities and when they need it most.

Mr TEAGUE (Heysen—Deputy Leader of the Opposition) (10:56): I thank and I want to acknowledge the member for Davenport for the contribution just now. I might confess, I had almost forgotten that the government really had anything to say about Stirling Hospital and I think the contribution of the member for Davenport just now is, with respect, the most eloquent and thoroughgoing contribution that I have heard today. It certainly leaves the Minister for Health in the shade.

I appreciate that we have, therefore, on the record, the government's support for those paragraphs (a), (b) and (c). I will let the community be the judge in relation to (d) and (e). The community will form its own view against the background of what we have seen over those couple of years.

I acknowledge the member for Davenport's contribution and, in particular, the member for Davenport's reflection on the panel, and the capacity for local community hospitals to participate in opportunities to take public work on appropriate terms is a significant means by which there is a relevant connection between the SA Health public hospital system and community hospitals.

I am glad that has been raised. It is an area that needs to be leant into as part of the future success story for regional community hospitals including Stirling Hospital. The government's support for paragraphs (a), (b) and (c) of the motion really do take us somewhere—a step, I hope, that will sound in the government coming around to some form of meaningful support for Stirling Hospital.

As I say, the community will need to be the judge, particularly in relation to the subject of paragraphs (d) and (e) in terms of the government's response at the time when the community was crying out in need, at a time of existential crisis, when the hospital was very much looking down the barrel of closing its doors. So we have come a long way over these past two years and more. I commend the motion in its original form and, again, finishing as I did in my remarks earlier, I look forward very much to the Stirling Hospital's Community Walk this Sunday, and look forward to seeing everybody there. I commend the motion.

Amendment carried; motion as amended carried.

REMEMBRANCE DAY

Ms HUTCHESSON (Waite) (11:00): I move:

That this house—

(a) recognises that on 11 November we commemorate Remembrance Day;

(b) acknowledges the special significance of Remembrance Day marking the end of fighting on the Western Front;

(c) expresses its profound gratitude to all South Australian men and women who have served in the Australian Defence Force and died for our nation, as well as recognising the sacrifices made by their families; and

(c) acknowledges the important role of the RSL and other organisations who support veterans and the families of those who did not return.

Remembrance Day is a solemn occasion in our national calendar. It marks 11 November 1918 when the guns fell silent on the Western Front bringing an end to the First World War, a conflict that engulfed the world and claimed the lives of millions. On this day (for us this year yesterday) we pause to reflect not only on the historical events but also on the courage, commitment and sacrifices of Australians who have served our nation in every conflict since.

The Western Front, stretching across northern France and Belgium, was the primary theatre of the First World War, and remains one of the most infamous battlefields in military history. Soldiers endured relentless artillery bombardments, mud-filled trenches, and the constant threat of disease including trench foot and influenza. The scale of human suffering was immense. Millions of soldiers were killed on the Western Front with millions more wounded. For Australia, the battles fought there at places like Fromelles, the Somme and Pozieres, were defining moments. They tested courage, resilience and mateship, and forged a national consciousness around sacrifice, service and solidarity.

We recognise the individual stories that lie behind those statistics. One such story is that of Eli Rossini from Upper Sturt. Eli was born into a hardworking Italian-Australian family whose efforts transformed the stony hills of Upper Sturt into fertile gardens. At 23, he enlisted to serve his country, leaving family and home behind. Eli served on the Somme enduring trench foot and severe injuries, including a gunshot wound to his right arm which ultimately led to his discharge as medically unfit.

Despite these hardships, Eli remained a valued member of his community and, in 1935, he was chosen to open the Upper Sturt Soldiers' Memorial Hall, a hall built to commemorate those who served and those who were left behind on the battlefields, to serve as a focal point for the local community. On opening day Eli stood proudly in front of the hall which at the time featured the rising sun captured in the stained glass window above the entrance door, and the distinctive fluted portico.

Since then the hall has continued to play a vital role in bringing the Upper Sturt community together over generations, hosting events, meetings and commemorations, including a service yesterday. I want to acknowledge the tireless committee members who maintain this hall in excellent condition and ensure that it remains a hub for community engagement.

This year, two Upper Sturt Primary School students, Vivian and Eloise, laid a wreath on my behalf at the Upper Sturt Soldiers' Memorial Hall service. The primary school choir was also there and provided a special rendition of *Advance Australia Fair*. Their involvement, like Eli's story, serves as a reminder that remembrance is not only about the past, it is about engaging the next generation in the ongoing act of honouring service and sacrifice.

This year I attended the Mitcham RSL Remembrance Day service where Father David Covington Groth from St Michael's Church led us in prayer. It was heartening to see the community gather to reflect, to remember and to honour those who served and to recognise the sacrifices of their families.

I had the opportunity to meet with year 11 students from Mitcham Girls High School who, despite the pressure of upcoming exams, took the time to participate in the service. Their presence reflects a continuity of remembrance, ensuring that the values of respect, reflection and community responsibility are passed on to the next generation. The Mitcham RSL continues to serve as a place of honour but also community connection for all of those who served. It is an incredible place. They do such a fabulous job of supporting local veterans and also the local community.

Our RSLs play a really crucial role in the ongoing support of veterans and the families of those who did not return. Our Blackwood RSL has been through a challenging year this year, but I

am hopeful for them and I know that they are doing all they can to provide a special place for community to gather. I would like to take a moment to recognise the staff and all of the volunteers who are giving it their all.

I wish to acknowledge those who represented me at other services across the electorate. At the Blackwood RSL and the Blackwood War Memorial, Daniel Clutterbuck attended on my behalf, where he was joined by local community members and students from Blackwood High School, Blackwood Primary School and Belair Primary School. Other services across our area included at the Repat, where Peter Cahalan laid a wreath on my behalf, and the member for Elder laid a wreath at Centennial Park.

Can I take a moment to thank our local florists and florists all over the state, who continue to provide beautiful wreaths for us to be able to honour the people who have fallen. In particular, I went into Bloom Town on Friday and said, 'Do me something that we have never done before.' They were only too quick to assist, so thank you to Bloom Town.

While we honour the past, Remembrance Day also prompts us to reflect on contemporary service. Our Defence Force continues to serve around the world in operations in the Middle East, the Pacific and humanitarian missions globally. Many will be separated from their family and friends this Christmas, making sacrifices that are deeply personal. We recognise the courage and commitment of these service members and the families who support them, often enduring long separations, worry and uncertainty so that our nation remains safe.

Another remarkable initiative is The Headstone Project in South Australia. The volunteer organisation, initiated in 2011, ensures that World War I veterans who served overseas have their final resting places suitably marked. Volunteers research unmarked graves, document military histories, locate descendants and coordinate with cemetery authorities and government agencies to install headstones acknowledging the service of these men and women. Across South Australia, over 2,500 World War I veterans are buried in unmarked graves across more than 900 cemeteries.

Within my electorate, there are currently four unmarked graves at Coromandel Valley cemetery and over 60 at Mitcham cemetery. I am pleased to have supported the upcoming commemoration at Coromandel Valley and also thank the Mayor of Onkaparinga council, Moira Were, for her assistance in this. To date, The Headstone Project South Australia has completed 143 headstones and 13 plaques in the Office of Australian War Graves Garden of Remembrance. Its work is entirely volunteer driven and relies on donations, and it ensures that even those who may have been forgotten are now properly remembered.

Remembrance Day is more than a historical commemoration, though. It reminds us that the freedoms we enjoy today were purchased at great cost. It reminds us that each veteran, each family and each community member who contributes to remembering their service has a role in shaping our collective memory. From the soldiers on the Western Front, to the contemporary service members deployed overseas, to the volunteers marking unrecognised graves in our cemeteries, Remembrance Day connects us all through a shared responsibility to honour courage and sacrifice.

On this Remembrance Day, we honoured all who have given their lives in war. We give thanks to our contemporary service members and their families, including and especially those who will be separated over the festive season, and the volunteers and community members who ensure that the memory of service is preserved and honoured. For these reasons, I commend this motion to the house and urge all members to join me in recognising the significance of Remembrance Day, the service and sacrifice of South Australian Defence Force personnel past and present, and the vital role of local organisations and community committees in keeping their memories alive.

Mr PEDERICK (Hammond) (11:08): I rise to support this motion by the member for Waite:

That this house—

(a) recognises that on 11 November we commemorate Remembrance Day;

(b) acknowledges the special significance of Remembrance Day marking the end of fighting on the Western Front;

(c) expresses its profound gratitude to all South Australian men and women who have served in the Australian Defence Force and died for our nation, as well as recognising the sacrifices made by their families; and

(d) acknowledges the important role of the RSL and other organisations who support veterans and the families of those who did not return.

Remembrance Day, as we know, is observed annually on 11 November to mark the anniversary of the Armistice that ended the fighting with Germany on the Western Front in World War I in 1918. At 11am of that day, hostilities ceased after more than four years of conflict. The day was originally called Armistice Day due to the Germans calling for an armistice in order to secure a peace settlement. Following the end of World War II, the United Kingdom proposed to change the name to Remembrance Day, so that men and women killed in both wars could be honoured.

Australian Defence Force personnel have been involved in numerous other wars, conflicts and peacekeeping operations since the two Great Wars, and this day provides us all with the chance to commemorate those who have served and especially those who have made the ultimate sacrifice in defence of our nation. At 5am on 11 November, the Armistice was agreed on, and word was sent to the allied commanders that hostilities would be stopped on the entire front beginning at 11 o'clock on 11 November.

The signing of the Armistice resulted in the complete demilitarisation of the German army, the evacuation of German soldiers out of France and Belgium and the immediate release of allied prisoners of war and, in turn, civilians. Across the world, people rejoiced and celebrated the news. Despite it being late in the evening, school, fire station and church bells rang all around Australia, waking many to share the news that the war was finally over. Numerous armistices were signed in 1918. However, it was the Armistice of the 11th of the 11th that left a lasting global legacy, as it symbolised the war on the Western Front ending after four long years.

Alongside the excitement of the war being over, there was also a profound sense of loss and grief: 61,665 Australian soldiers made the ultimate sacrifice during World War I, with more than 156,000 wounded, gassed or taken prisoner. Of those who died, the remains of some 23,000 were never located. Whilst fighting stopped on 11 November, the peace treaty that formally ended World War I, the Treaty of Versailles, was signed only on 28 June 1919. This meant that exhausted troops had to wait another six months before they could return home to the country they fought to protect and to their loved ones.

For many soldiers, the horror they experienced on the battlefields never truly left them, even upon returning home, with both physical and mental scars having a lasting impact. On this 11 November, yesterday, we took the opportunity to reflect on the wars that have shaped the world and to commemorate those who tragically lost their lives protecting our nation. Hundreds of Remembrance Day services took place at RSL sub-branches right across our country, with the entire nation pausing at 11am to reflect.

We must acknowledge our RSLs for the vital work they do in holding these annual commemoration services and the work they do year round in supporting veterans and their families. Along with our returned and services leagues, there are many other ex-service organisations that deserve recognition for the work they do in assisting our veterans with the various aspects of post-service life.

I do want to acknowledge the many, many hundreds of thousands of men and women who served our great country over the years and the more than 103,000 who have made the ultimate sacrifice, but also those who have come home and spent a lifetime suffering with the ills of war and active service. You will not see it a lot of the time, unless you perhaps have a conversation with, I guess, a modern veteran to find out the horrors that they deal with over their lifetime since doing great service for our country, and, certainly, not just the mental anguish that our troops came home with, but those with lifelong physical injuries, and those who were gassed.

I have the utmost respect for people who are prepared to sign up for our Defence Force, as they do today, and who are all prepared to lay down their life for this great country. No greater gift can anyone give, in my mind. Certainly, Australians can be proud of the legacy that we have from serving right across the world, from the Boer War, World War I, World War II, Korea, Vietnam, the situation in Malaya, to then later on other conflicts like Afghanistan, and Iraq, and the peacekeeping efforts in Rwanda about 30 years ago that were upgraded to active service, and certainly the troops

deployed to East Timor and the many other theatres that I have not mentioned here today, where our service men and women do such great work.

It is not just the work that they do overseas but the vital work that they do here on our home soil as well in support of the defence of our country. I would just like to reflect on members of my family who have served in World War I, World War II, in Korea, in Malaya, in Rwanda and Iraq—and just a special shout-out to my cousin Erin Pederick, who is currently serving in the Australian Defence Force.

It is interesting, in my role as shadow minister for veterans, occasionally you come across people who have done many rotations, especially in Afghanistan. I think I have told this story before about a returned soldier who had been rotated nine times. That is a huge rotation, especially for those who are trained at the highest level. At the end of our conversation, he was just happy that I took the time to discuss it with him and what happened. He told me in a broad sense what had happened to him overseas. He was very proud to have served, but that is a lot of rotations of a sequence, especially of our special forces soldiers who bore a lot of the brunt of the recent active service and that high turnover of rotations.

So I say to the Australian public: please respect our veterans, especially our modern-day ones, because it is easy for people to sit in their lounge rooms, in the comfort of their homes, or perhaps in a newsroom, and lay judgement before they know the facts of what actually happens, as I do not. I do not know what happens when you knock down a door and it might be the last thing you do on the battlefield. I do not know that. So please show some respect to those service men and women who serve our country, whether here or overseas, and the fact that they are willing to lay down their lives for you.

I commend the motion and fully support all those who have served, all those who are currently serving and wish them all the best in their futures. I know a lot of them thrive as they move into the future, and I know the support from the RSLs, the more than 300 organisations in this state, the more than 3,000 organisations federally, that support our people who have returned is aimed at doing their best to make sure that those people can have fruitful lives into the future. I commend the motion.

Mr TELFER (Flinders) (11:19): It is a privilege to rise to speak on this motion to acknowledge Remembrance Day. It is indeed a very solemn and important day on our calendar when we remember 107 years ago at 11am on the 11th day of the 11th month when the guns fell silent on the Western Front, after more than four years of continuous bloodshed. Some of the contributions in this place already reflect on just how immense that burden was on us as a young country and upon the world. When World War I came to an end after the signing of an armistice, from that day forward this special day has been known as Remembrance Day or Armistice Day. Following the horrors of World War II, 11 November became the day to remember all those who made the supreme sacrifice serving their country and has, from that day on, been known as Remembrance Day.

We should never forget the immense sacrifice and contribution to war that Australians have made. It has been considerable. More than one and a half million Australian men and women have served in eight major wars and conflicts since the start of the First World War in 1914. Some of that service has been here at home but, as we know, the vast majority of it has been overseas. Over 100,000 have died during battle since that time and many others have died as a result of injuries sustained from battle. Each Remembrance Day we take the opportunity to reflect on wars that have shaped the world and commemorate those who tragically lost their lives protecting our nation.

Serving in Australia's armed forces is a serious commitment and we thank those South Australians who are current members and those who have served in the past. We must also acknowledge the important work that the many ex-service organisations continue to do to provide support to our veterans and to their families. The hardworking volunteers also provide the means for us, as communities, to maintain a connection with that important heritage, that connection to those who have gone before and the connection that those people represent such a significant part of our past.

I want to acknowledge the RSLs in my electorate. There are seven sub-branches in my electorate: Ceduna, Streaky Bay, Cummins Yeelanna, Port Lincoln, Tumby Bay, Kimba and Cowell.

I know that they are all supported by incredible volunteers in our communities and it is replicated right across our state and across our nation. These RSLs in my electorate have hosted services to commemorate this significant day and, sadly, with responsibilities in parliament I was not able to attend a service in my electorate in one of those seven sub-branches, but it was a privilege to attend this year's service on North Terrace, to take the time to stop and remember and to honour the men and women who left communities, left regional communities a long way away from the realities of war but where the thought of war was never too far away.

These men and women left regional communities, they left South Australia and they left Australia to defend our nation and many did not return. For decades, it really decimated our smaller communities and regional areas, that had a dearth of fit, strong and usually young men, and frequently families with multiple siblings, who were all lost to war, or some returning, having left their siblings behind on foreign soil.

This year's service on North Terrace was a moving one, a moving ceremony of remembrance. I would like to thank the RSL for their efforts throughout the entire state, their efforts in enabling remembrance for the whole community. I would like to congratulate the state RSL president, Mr Brad Flaherty, and the entire Returned and Services League. Thank you. Thank you for the work that you do supporting families, supporting those who have returned and also continuing to shine a light of remembrance for the rest of the community to be able to come together on days such as Remembrance Day to stop, recognise and acknowledge that sacrifice of serving.

I want to recognise the work of the Port Lincoln RSL. I recently joined with the RSL and the community during a very special ceremony that saw the planting of a Tobruk fig tree. During the Second World War, Australian soldiers were at the siege of Tobruk in North Africa, a long way away from Australia. It was a key strategic location as well as becoming a character-defining battle for Australia. Located inside the Tobruk defences, the fig tree was the only feature in an otherwise very barren desert. If you read some of the stories that were shared of the challenge that was faced in and around that battle, it is truly confronting.

This tree inside the Tobruk defences became known as the Fig Tree Hospital and marked the entrance to an underground network of caves used by the Australians to treat their wounded. Fig trees propagated from that original tree have spread to war memorials around Australia in particular as a living reminder of the thousands who have served and sacrificed in war, peacekeeping and peacemaking. It was a very special step for Port Lincoln to be able to plant and host one of these fig trees. Well done to all involved in organising this special day, which was enjoyed by all.

The character-defining nature of that battle at Tobruk really does provide a foundation for who we are as Australians. To have that connection for Port Lincoln and for communities around South Australia and Australia with that living reminder is something that is really special. Congratulations to the Port Lincoln president of the RSL, Gary Clough and the team, as well as the City of Port Lincoln council and all who have been involved in that really special project. I know that that fig tree will be well looked after.

I also want to recognise the work of the Cowell RSL. Sadly, like I said, I was not able to be at Cowell on the 11th, which I hear was a very special day. I would like to congratulate the president, Andrew Schutz, and the secretary, Sue Grund, on what I have heard was a very special opportunity to acknowledge and open the newly developed Remembrance Park at Cowell. It is a project that embodies a sense of community and respect for heritage, and it was founded from an idea after the community showed great interest in the stories that were shared by school students of local soldiers who sacrificed their lives for world peace.

I got a bit of insight into Remembrance Park at Cowell before the official opening. It is an incredible place and a beautiful place located between the newly formed wetlands on Cowell's foreshore and the award-winning water park. If you are ever in Cowell, please drop in and absorb a bit of that history, because we know that small communities like this sent their young people to war to defend the values that we had and the values that we continue to hold dear.

Over the past five years, the Cowell RSL and the District Council of Franklin Harbour have worked together to develop this area. It includes steel art cut-outs, posts and plaques that tell a story of each service person named on the cenotaph that is there in Cowell, which is a really special one too. These local stories, these connections and these biographies, which are also connected to the Virtual War Memorial, give insight into that local history that is so special to our communities.

I know that the work that has been put in by the Cowell RSL and the district of council of Cowell is really important. This Remembrance Park, which was opened on Remembrance Day, has been the work of volunteers and this small local council, who were determined to recognise our past, acknowledge the sacrifices made but also improve the town for the future. It was a really special opportunity, and congratulations once again to the Cowell community, the council and especially the RSL president, Andrew, and secretary, Sue, who I know put a lot of work in.

On the subject of Cowell, I would like to congratulate someone special, Mr Robert McFarlane, who has been recognised with life membership of the RSL of South Australia. This is a man whose service to veterans and families is immense, and that acknowledgement with life membership is a well-deserved honour. So congratulations and well deserved, Robert.

Ms PRATT (Frome) (11:29): I, too, rise to speak in support of this important motion moved by the member for Waite and I thank her for her commitment and genuine compassion for our currently serving men and women.

In rising to speak to support this motion recognising Remembrance Day, we note that it is a day of solemn reflection and we offer and extend deep gratitude and national unity when we come together to remember those who made the supreme sacrifice. Each year, on 11 November at the 11th hour, we pause as a nation to honour the moments that the guns fell silent on the Western Front in 1918. That date marks not only the end of the First World War but also the beginning of a solemn national tradition which, as a collective act of remembrance, binds our generations together. We stop our day to remember the courageous sacrifice and the service of those who fought and fell for the freedoms we so often take for granted.

More than 420,000 Australians enlisted in the First World War and over 60,000 never came home. In South Australia, every regional town has a memorial that is proudly looked after with the names of defence personnel etched into stone telling a story of heartbreak, bravery and community resilience.

In my own electorate of Frome, Remembrance Day holds a deep local meaning and, while I have attended many services across the breadth of the Mid North, I want to recognise the universal experience I witness everywhere: the gatherings in small country halls in the coming together in the absence of an RSL, the RSL services that do take place, and the school assemblies. Something that I am sure I am not witnessing on my own is a resurgence of attendance by our young people, not just our high school students or our primary school students but indeed yesterday the Two Wells community childcare centre was out in full force at a service, which is not only touching but uplifting to see that these traditions will not be lost and are being shared through the education system back to our young people. Each year our communities come together to reflect, to teach our children and to say with sincerity, with them: we will remember them.

The town of Tarlee is almost smack bang in the middle of the electorate of Frome and I have enjoyed a number of occasions attending services at the war memorial that is proudly looked after by the township. The RSL has curated a proud catalogue of documents, stories, photographs and books that have been written by locals. I want to pay tribute to the story of the relationship between Tarlee and France. The town of Tarlee in South Australia has a historical relationship with Blangy-Tronville, a town in northern France, because of a World War I soldier, Private Arthur Clifford Stribling. He was born in Tarlee and died in battle in 1918. His death occurred near the Somme and he was buried in Blangy-Tronville leading the two towns to form an unlikely link, including a French primary school being renamed in his honour now.

The RSL and community volunteers who continue this tradition deserve special recognition. They work tirelessly to ensure that remembrance remains at the heart of our civic life, not only on 11 November but every day of the year. Their efforts to support veterans and their families to preserve historical memory and to educate our future generations ensure that the sacrifices of those who have served are never forgotten.

I particularly want to acknowledge the RSL branches across my Mid North electorate and the work of these sub-branch volunteers whose dedication ensures that our local veterans and the families of those who did not return continue to receive the support, respect and community connection they so rightly deserve. Every country town puts on a service: from Jamestown to Burra

to Kapunda to Manoora to Robertstown, to Balaklava, Mallala, Two Wells—which still puts on a service in the absence of an RSL branch—Freeling and many others. These services are meaningful and they are well attended, but they only happen when service men and women, veterans, are prepared to donate their time.

With this motion we rightly honour those who gave their lives, and it also compels us to recognise the ongoing service and sacrifice of our current and former defence personnel. We know the legacy of war is not confined to battlefields. The physical and psychological scars carried home are enduring, and the impact on families is profound. That is why we must continue to invest in veteran health services, mental health care, and meaningful transition support, particularly in our regional areas where access to services can often be more limited.

Attending yesterday the MESHA (Military and Emergency Services Health Australia) 18th anniversary remembrance service, I had the honour of speaking with both Squadron Leader Bernard Higgins and Major Darren Black, a retired Army officer and a UN peacekeeper who is not only the CEO of SuperFriend but also a director on the Suicide Prevention Australia board. Naturally, our conversation was focused on what governments, at state and federal level, can do to provide more support to build capacity in our service men and women.

We owe our veterans more than remembrance. We owe them ongoing care, gratitude and a nation that honours its promises. The red poppy, that little simple flower that bloomed across the fields of Flanders, remains our most powerful symbol of remembrance. It reminds us that even in the darkest of times there is hope, renewal and resilience. As the member for Frome, I am deeply proud of the way our communities come together each year to commemorate Remembrance Day, standing shoulder to shoulder, young and old, in silent respect.

Today we pause again in parliament to reflect on the service of all those who have worn our nation's uniform, those who continue to serve and those who made the ultimate sacrifice. To their families we say: your loss is our nation's loss; your strength is our nation's pride. Lest we forget.

Mrs HURN (Schubert) (11:36): I, too, rise in support of the motion put forward by the member for Waite and thank her for allowing the parliament to put on the record their pride in all our soldiers: those who have returned, those who are still on the battlefield and those who have paid the ultimate sacrifice.

In hearing all the reflections of members on both sides of the chamber, it is clear that we are united in the pride that we feel in standing together on Remembrance Day. We recognise that on 11 November we commemorate Remembrance Day and that it is an opportunity for solemn reflection to remember those who paid the ultimate sacrifice for the freedoms which we enjoy in Australia—freedoms which are often taken for granted and freedoms which we must continue to enjoy for generations to come.

We acknowledge the special significance of Remembrance Day in marking the end of the fighting on the Western Front when the guns fell silent on the 11th hour of the 11th day of the 11th month. We express our profound gratitude to all South Australian men and women who have served in the Australian Defence Force and who have died for our nation, and we recognise the sacrifices made by their families. We acknowledge the important role of the RSLs and other organisations that support veterans and the families of those who did not return.

I would like to take the opportunity to acknowledge all the RSLs across my electorate of Schubert and thank them for the work that they did in putting on commemorative services. Unlike ANZAC Day—where there are so many services held in the morning, at dawn, at 6am, where thousands of people flock to services right across the state and indeed the world—Remembrance Day, the 11th hour, is a working day. To see so many locals paying their respect to not only those in their community but to those across the state who paid the ultimate sacrifice—it is an incredible mark of respect that has continued for decades and decades. I really am buoyed by the fact that this form of respect will continue for generations to come. That was on display when I was at Houghton Common yesterday, paying my respects at a service that was put on by Bob Day and many others of the Houghton community group.

The Paracombe Primary School and preschoolers were there doing the flag march and lowering the flag. It was really fantastic to see their level of involvement and to see, by the look on their faces, that they understood what it was that we were reflecting on and commemorating. It is

really important that we continue to ensure that, for the people who paid the ultimate sacrifice and their families, this form of reflection continues for generations to come. So thank you to Bob Day and his team who put on yesterday's commemoration. That was just one of many services that were held across my community and, as the member for Hammond has said, one of hundreds that were held right across the state.

The way in which our RSLs volunteer their time to speak to the stories of those fallen soldiers in our own local communities is really remarkable. It is fantastic that we have the opportunity, again as the member for Frome said, to come together today as a parliament once again and pause to reflect on their ultimate sacrifice. It is something that should never be taken for granted. It is important that we come together in this silent reflection to remember, to respect and to ensure that the ultimate sacrifice that was paid by so many is never forgotten. Lest we forget.

Mr TEAGUE (Heysen—Deputy Leader of the Opposition) (11:41): I rise to commend the motion moved by the member for Waite and, just for a moment, to pause to reflect on the Upper Sturt Soldiers Memorial Hall. You only need to drive past to see that it is one of those venerable halls that is built in response to community devastation, and it continues to stand the test of time, but it is also living, fresh, revitalised to this day. The stained-glass window that has been installed above the main doors of the hall is just a thing of beauty that just reminds us, with the light passing through it, that we can commemorate now a century and more of loss and devastation. We carry that with us each and every day, including when we go, as we did just a few days ago, to the local strawberry fair at that memorial hall. It is a living, breathing part of who we all are day to day.

I will reflect specifically on the commemoration service that took place on the lawns outside the Stirling library yesterday morning, hosted by the Stirling RSL and a tribute to those volunteers. So many contributions have reflected on the continuing practical service of RSL members and the Stirling RSL is a stand-out example.

The Stirling RSL convened the commemoration service at Stirling on the lawns. It was a chilly late morning, and the gathering of people were really rugged up unseasonally. There was a large turnout for the moment of reflection at 11am. At the beginning, and before we commenced, Doreen Thomas—who had come along for the first time to lay a cross in recognition of her late husband, John, a former president of the Stirling RSL who passed in the last year—reflected quietly, 'This is the first such occasion.' It was very special to be there together with Doreen.

We heard in the course of the commemoration service reflection specifically on the service of Aboriginal soldiers who enlisted and fought in the first war. We reflected with prayer, as we do each year, on that supreme sacrifice made by so many Australians in the first war.

The thing that struck me in particular this year was the central role that was played by local schoolchildren. They very much outnumbered the rest of the community at the service in Stirling. There was a significant contingent from Stirling East Primary School, a significant group from Crafers Primary School, from Aldgate Primary School, from St Johns at Belair and St Catherine's.

In particular, it was very moving to see the group of school leaders from Heathfield High School who laid a wreath and took responsibility for the raising of the flag at the conclusion of the service. It was truly moving. It is one thing to see so many young children engaged in understanding what the devastation of war is about and how it moves and shapes the fabric of today's Australia but it is all the more moving to see young adults who are at the age of so many who went and served in that war. Speaking to those school leaders immediately after the service it was so apparent that that was front of mind for each of them as well. The years go by, but the central importance of this commemoration is not fading but is renewed in each generation.

I want to also recognise the presence of the member for Mayo, Rebekha Sharkie, as well as leaders from the Adelaide Hills Council. All levels of parliamentary and local government were represented on that occasion.

Yesterday, I also had the opportunity, together with the Hon. Mira El Dannawi in another place, to host the visit to South Australia of His Excellency Pierre-André Imbert, the Ambassador of France to Australia, together with the Consul General Paule Ignatio, who is the Consul General of France in Melbourne with responsibility for South Australia. They were here for the happy occasion

of the inauguration of the Parliamentary Friends of France. I made the point to His Excellency that coming on the occasion of Remembrance Day presented an opportunity for participation in the state memorial service on North Terrace. I am so glad that the ambassador and the Consul General joined with the government and representatives of the community at the state memorial service yesterday morning.

I want to recognise, when it came to the evening, back here in this place, the ambassador's reflections on the losses that Australia and France suffered alongside one another on that terrible Western Front. We often reflect, as the member for Frome has just now, on those numbers of enlisted Australians, the 420,000 or so young men from an Australian population of 5 million, 60,000 of whom died in what was a devastation for Australia that lived through generations.

In France, the devastation was truly staggering. The number of military deaths was around 1.4 million, a total of six million casualties, and 600,000 civilians also died. The result of the devastation to French nationals was that the French population over the period, after the end of the war, went from about 40 million, reducing by about three million, more than half of the entire Australian population over that time. If one ever needed reminding on Remembrance Day, the bonds that tie France to Australia are there in those devastating numbers.

Remembrance Day is a day of great significance around the world. It is a day of particular significance to each and every one of our local communities, and we will continue to commemorate and remember them. Lest we forget.

Mr BASHAM (Finniss) (11:51): I, too, rise to support this motion by the member for Waite. It is such an important day to remember our history and how our country has grown and evolved from people making the ultimate sacrifice on shores very far away from ours. It is not easily comprehensible, going back 100-plus years, to imagine the thoughts of people sending their loved ones abroad to fight on shores that they had left many years earlier in many cases, and to see the country of Australia grow.

I was fortunate enough to be on a family holiday about 18 months ago when we were travelling through the English Channel. It was quite interesting to get a perspective from the middle of the channel about how close everything really was, yet so far away at the same time, and to understand the challenges that people had at the time in landing on those shores and the battles that were fought. World War I was an amazing conflict that was meant to end all wars but, sadly, we continue to have wars and we probably need to do more remembering about what has occurred in our world and hopefully move away from these conflicts.

In my electorate this year on Remembrance Day I had the privilege of attending a service at Mount Compass. The delayed start to parliament gave me the opportunity to choose to attend at Mount Compass. Being the most northern point of the electorate holding a service, it gave me the greatest opportunity to make sure that I got here on time, hence my choice of attending there. There were five services held across the electorate, that I am aware of, at public war memorials: Milang had one, and Victor Harbor, Port Elliot and Goolwa also had services.

It was lovely to be at the Mount Compass service. They are in the process of building a new war memorial for both Remembrance Day and ANZAC Day services. There is great passion in that community and the work is being done by a group of volunteers who are apparently down there most Wednesday mornings. They put in their time and donate their equipment to build this memorial. It is a great community where they get out there and do the work to deliver a wonderful memorial for those lives that have been lost.

There were probably about 60 people there at Mount Compass yesterday. It was a very nice service to stand there and remember and reflect, particularly in the minute's silence. As the world continues to buzz around you, you reflect on what has happened in the past. It is quite an emotional experience to share with others. It was a lovely time there. Thank you very much to Bill Coomans, the local councillor who lives in Mount Compass and represents that region. He pulled together the service, so a big thank you to him and all those others who were involved. It is nice that they were even able to get someone down there with bagpipes and someone to play the *Last Post*. It was fantastic.

Speaking of the *Last Post*, I was not at the Victor Harbor service, but there was someone who has been there apparently for the last 70 years. Vic Walter has been playing the *Last Post* at

the service for 70 years. He started playing the *Last Post* very young, as a boy, and he now has continued that tradition for a full 70 years. It is an amazing effort for one individual to make that commitment. He has apparently played at both ANZAC Days and Remembrance Days for that whole time, and he is pretty good these days after a lot of practice playing the *Last Post*. My understanding is it is not that easy a tune to play on a bugle, but he has done so. A big thank you to Vic for all his service over that time.

For me, I watched Remembrance Day when I was at school. It was a large event, particularly for schools. We held very large services either at a war memorial, where the school would all go down to join the service, or at other times at school. We have probably seen the tradition moving. The remembering of what occurred in wars has shifted slightly; I think ANZAC Day has certainly grown in popularity over Remembrance Day. Certainly when I was at primary school, it was very much the other way around. Remembrance Day was the key day when we saw people actually getting out there and remembering what happened in the past.

As I said, it is about the end of the First World War, but certainly through that era it was very much about remembering all wars. Particularly the Second World War that followed was something that was very front of mind in my life. I had a great-aunt who happened to be nursing in the UK during the mid-1930s. When war broke out, she enlisted with the Queen Alexandra's Royal Army Nursing Corps, and she served alongside the English for every day of the war. She served from day one to the last day of the war.

I have spoken about my Aunt Edith in this place before. She certainly was very dedicated to the soldiers. She served in areas such as North Africa through to France in really quite hostile areas at times, patching up soldiers who were badly injured. She also served on hospital ships as well. It was a really challenging time for all. Reflecting on sending 18 year olds and 19 year olds overseas, my eldest daughter is currently 19. I cannot imagine a child of mine travelling to do that. To me, it is amazing the sacrifice that not just those individuals made but also that their families made.

I am really pleased to be able to speak on Remembrance Day. It is certainly a very moving day and an important day in Australia's history. I think it is so important that we continue to make sure that people remember what happens during war because that is the best way to keep peace. With those words, I very much support this motion.

Ms STINSON (Badcoe) (12:00): I thank the member for Waite for bringing this motion. Clearly, it is one that has great support across the chamber. I am pleased to be able to speak on it today. Remembrance Day has even more significance for me now that I am lucky enough to be the member for Badcoe. That is, of course, because the seat of Badcoe is named after Victoria Cross recipient Major Peter Badcoe VC. There are probably not too many people in this chamber who know a great deal about him, so I might use this opportunity to speak a little about the sacrifices that he made and the symbolism of his experience and the significance of it to me and to my community.

Major Peter Badcoe died in the Vietnam War in the third act of gallantry that he exhibited in a rather brief time that he was a leader in that conflict. He was a very mild-mannered looking fellow. In most of the photographs that you see of him, he is wearing a beige-coloured cardigan and glasses and he does not necessarily strike you as someone who ended up being a Victoria Cross winner. Certainly, when you read about his history, the sacrifices and the incredible bravery that he exhibited in that conflict, he is every bit the hero that our ANZAC myths are made of.

He was known as the 'galloping major' for the energy that he exhibited and the energy that he applied to his role in the Australian Army Corps. He was recognised for not one, not two, but three acts of gallantry. Some may say he was a bit crazy-brave. There were two occasions on which he essentially showed incredible courage in what people might have thought were disastrous circumstances. He really provided huge inspiration for his troops to power forward and was successful on those first two occasions.

Unfortunately, on the third occasion he did sacrifice his life but in his actions managed to save many of his comrades. That was on 7 April 1967. Incredibly, the three acts of gallantry that he received the Victoria Cross for all happened from February to April. It was a breathtaking amount of inspiration and courage that he exhibited in a short period of time, and he certainly lives on as an incredibly brave fellow.

When I am down at the Plympton Glenelg RSL, there are still folks around who remember him, the odd one who served with him in Vietnam. I always enjoy having a chat with them and hearing their reflections on him and his life and what he gave for the protection of our freedoms. He has some family still in our area whom I have been lucky enough to meet. Certainly, I always enjoy hearing stories about him. Strangely enough, I feel like I know him quite well even though, obviously, he has not been with us for many decades. It is quite a legacy that he has left.

In addition to winning our top military prize of the Victoria Cross, he also received the United States Silver Star Medal. Maybe football fans might be most impressed that the ANZAC Day medal at the AFL is named in his honour, the Badcoe Medal, for the ANZAC Day match.

Strangely enough, I first came to know of Peter Badcoe way back in 2008—it might have even been 2007—when I was working for the then Attorney-General Mick Atkinson. The reason for this was he also held the post of veterans' affairs minister and I was an adviser in that office. The Badcoe medals, his set of medals, including the Victoria Cross, were put up for sale, and the South Australian public, rightly, was concerned that maybe an overseas bidder or a private collector might buy these medals and they might not be available to the public in the future.

I was really pleased to be part of the team that negotiated the sale of these medals to none other than Kerry Stokes, who later became my boss when I ended up working at Channel 7, so circles within circles here. He purchased the medals for a whopping $488,000 and still owns them to this day, but he gifted them back to the South Australian Museum where they are frequently on display and also frequently go on tour. They are an incredible gift from Kerry Stokes, who many in this place would know has a great interest in Australia's military history and has dedicated a lot of time and also a lot of money to making sure that our military history is preserved and that the public can access it.

I was very pleased to be involved in that endeavour, not knowing, of course, that I would be standing initially for the seat of Ashford, which was then renamed as the seat of Badcoe 10 years after that. When I am standing there listening to the last post at our Remembrance Day services, my mind goes to Peter Badcoe and the contribution that he made. It is my pleasure to be able to speak with school groups and other groups that come here about his life and his legacy, and I appreciate the opportunity to speak about him in this place today.

I was very lucky to attend the Plympton Glenelg service yesterday. I saw the member for Morphett there as well, who always makes time to attend that service. It is a solemn (and yesterday rather chilly) service, right on the foreshore, but a very moving one as well.

I would like to extend my special thanks to the Military Brotherhood Military Motorcycle Club who were there yesterday holding ground for their fallen comrades. They hoisted the flags and stood their ground in a symbolic gesture of never leaving their comrades behind, and I found that a very powerful thing for them to do. They are an incredible organisation who raise a lot of money but also provide a lot of support mainly to people who have served in Vietnam but also in more contemporary theatres of war, including Afghanistan, East Timor and other places. They are very important in my community through the Plympton Glenelg RSL, so it was great to see them there and see their participation.

There is a young singer who always performs at this service, or at least has since I have been attending them—Shay. Her voice just takes you to another place and I think that service benefits greatly from a moment for us all to really tune in to the incredible talent that she has that really reminds us of the gravity of the occasion. You will see people who are tourists just walking around on the esplanade suddenly stop and listen to the beautiful contribution that she makes to the service. I would also like to thank Tich Tyson, who is the person who organises the service every year—he does a spectacular job—and I want to thank the Plympton Glenelg RSL for hosting it.

I then dashed across town—you cannot be in two places at once—to where the Hilton RSL also hosts a wonderful service and I laid a wreath at the cenotaph there, and then I joined them for lunch at the Hilton RSL. The Hilton RSL is not actually in my electorate but will be next year. They will be moving to the National Servicemen's Association building, a new building that is going to be built by the City of West Torrens in cooperation with some state government funds, and they will be coming into my community. I have been visiting them for some years now for their celebrations, and it will be lovely for them to have a new facility but also for us to welcome them into the Badcoe community.

I want to thank Wendy Dobson, who seems to pop up all over the place. She must be the busiest woman on earth. I see her at events from Ascot Park to Hilton. She did a fantastic job with the service and with the lunch. I also want to thank a number of our local schools that attended that service, including Emmaus Christian College.

The importance of having young people and schoolchildren involved in these services does not escape me. As a young person, I remember asking my grandfather, who was a national serviceman, 'Why on earth are we celebrating war?' I was 11 or 12 and I just could not understand this. But, of course, through being exposed to ANZAC Day and Remembrance Day services it became obvious to me as a young person that this is not about the glamorisation of war, this is about remembering those whose lives have been lost, who have given their own bodies in sacrifice for the freedoms that we enjoy today. We cannot thank them any more deeply and I think it is apt that we take the time on Remembrance Day to think of those people. Lest we forget.

Mr PATTERSON (Morphett) (12:10): I also take the opportunity to recognise that yesterday was Remembrance Day. Even though it is 107 years since the first Armistice Day back in 1918, it still really is a moment of great significance for the service men and women, both from Australia and New Zealand—because we have the ANZAC spirit—who served in the theatres of war. It gives us a chance to remember the horrors our forebears had to go through in World War I, which really shaped a very young nation.

As was pointed out yesterday in the Remembrance Day ceremony, a significant number of Australians who enlisted and served were between the ages of 18 and 45. It was upwards of about 40 per cent. We were a young nation with only about five million in population and over 450,000 served. There was a very high casualty rate as well with over 60,000 soldiers killed. Of course, Remembrance Day was very important to those at the end of World War I. Also, subsequent to that were other theatres of conflict, such as World War II and Vietnam.

I was able to attend the Remembrance Day ceremony yesterday conducted by the Plympton Glenelg RSL that was held at Moseley Square, Glenelg, at the ANZAC Memorial. That ANZAC Memorial, while it comes into focus both on Remembrance Day, where the service is held, and also on ANZAC Day, really sits there as a reminder for 365 days of the year, as tourists and locals go through Moseley Square, of the sacrifice that has been made by our service men and women to give us the ability to enjoy the fantastic coastline and freedom that we have.

That ANZAC Memorial is made of black granite and it is in the shape of a semicircle, which replicates the setting sun. It says on it, 'At the going down of the sun we will remember them' and it pays tribute to those soldiers. That was the backdrop to the ceremony yesterday run by the Plympton Glenelg RSL.

Tich Tyson has been organising these ceremonies since when I was Mayor of Holdfast Bay and then became the member for Morphett. On a volunteer basis, he has been running and organising what is a significant event which provides good solemnity to the occasion. He is joined by Chelsea Carruthers, who has also taken this on and runs it.

In yesterday's ceremony we had the catafalque party and, pleasingly, we had a large crowd. Some of those in the crowd came from 2RAR. They were having a reunion, this time in Adelaide. They move their reunion around from state to state, and this year the occasion was to have it here at Glenelg, so it was great to have so many attend from there. At the same time, there was the reunion of the graduating officer class from 1970 from the national service. That is for those who were part of national service during the Vietnam War, and they came along too.

Sadly, we have reached the stage where unfortunately the last of our World War II veterans are dying. We recently had some of the centenarians, who went through great privations, went through the ordeals of war and lived to over 100. For all privations, it is remarkable that they were able to do that, so we are handing the baton over to a lot of those who served in the Korean War and the Vietnam War. It is those who make up the predominant cohort of veterans who attend and conduct these services. It is a really solemn service to be able to pay homage to them as well.

I was able to lay a wreath on behalf of our grateful Morphett community to recognise our service men and women. We also had school students from Glenelg Primary School who were able

to come along and lay a wreath, as well as other tiers of government. As the member for Badcoe said, she attended, as did the local councillors. As is the case with so many other members of parliament, there are many multiple ceremonies going on at the same time.

At the same time, the William Kibby VC Veterans Shed members conducted their service in what is a very peaceful area of the Michael Herbert Memorial Garden. It has provided an outlet for a lot of those veterans to turn what was, in the old days, an old basketball court into a garden. It includes a memorial garden where the veterans purposely plant poppies so that they can actually bloom in November. So, just yesterday, that memorial garden had the red poppies in bloom that so aptly signify Remembrance Day. Again, the cadets from Immanuel College were involved in that ceremony. They attended, were part of the catafalque party and spoke as well.

Interestingly, one of the speakers talked about their 19-year-old grandfather who served in bombing missions over Germany. In fact, he survived over 50 missions there when Bomber Command had one of the highest casualty rates of all the services in that European conflict. To survive 50 missions really relies on a lot of luck, but I suppose the attitude that they brought to that is remarkable for the harm's way that they put themselves in. Again, it was good to have the current generation at Remembrance Day. As I said at the start of my speech about Remembrance Day, it is to remember not only Armistice Day from 1919 but the subsequent conflicts and the service men and women who served.

It was also an opportunity, while laying the wreath, to have a moment's silence to recall my grandfather and his service. He served in the Royal Australian Navy at the start of World War II, going over to England to protect those waters in the English Channel and the Irish Sea. He then came back to Australia to defend Australia's shores during the Pacific theatre with the Japanese coming into World War II.

I also reflected on my great-uncle as well, who flew Beauforts and sadly was lost returning from a mission. The plane was not recovered. It was last sighted flying over an island where there was a spotter who reported that the engine sounded like it was in difficulties, and that was the last visual sighting of it before it was unfortunately lost. Remembrance Day has memories personally and, of course, as the representative of Morphett, that story is not unique: there are many of them and we pay tribute to them.

As I get back to the ANZAC memorial on Moseley Square, it really goes to *The Ode of Remembrance* that is read out each Remembrance Day which ends with:

> At the going down of the sun and in the morning
>
> We will remember them.

Mr DIGHTON (Black) (12:20): I would like to thank the member for Waite for moving this motion. I also thank the other members of the house. I always enjoy the reflections that you bring and hearing what occurs in other communities around our state and the different ways that our communities, our different RSLs, honour those who have served.

In particular, I want to echo those sentiments about the involvement of our younger people and our students in Remembrance Day. The member for Finniss talked about ANZAC Day and Remembrance Day. I think Remembrance Day is a bigger event for many schools—probably the timing has something to do with it—but in my experience as an educator, it is an important event for the school and it is heartening to see how much effort our schools often go to in having assemblies and Remembrance Day ceremonies.

I went to Hallett Cove where 1,000 students between the ages of Reception to Year 11 had a service. I was really impressed by the respect, the reverence and the understanding that was shown by those students throughout the service. That is a tribute to the school and to the teachers who put a lot of effort into making sure, in the lead-up to Remembrance Day, that students were aware of the significance of that day.

In particular, what happened at the service was the sharing of stories of family members of current staff members who have or are serving in our forces. That was important to allow the students to get a greater understanding through thinking about the impact on the families of the teachers who teach at the school.

I also want to recognise a particular reflection that was led by the armed services person, Chris—apologies, I do not have his title, but he gave an address. What I particularly appreciated about this address was that he talked about the importance of service and he talked about the importance of those who serve our nation through our armed forces. But he also made it clear that there are other ways to serve your community and he really encouraged the students to think about, 'How can you serve your community?' It doesn't necessarily have to be in the armed forces. I think that was a really powerful message for our students to hear because some of them might look at a service person, a man or woman in uniform, and say, 'That is not for me.' He made it really clear that they have a role to play.

I would say, from my experience as a former educator, that more and more young people are considering the armed forces, and that commitment, as a career path. I think it is worth celebrating the fact that there is perhaps, hopefully, a resurgence in people wanting to commit to service and to being involved in our armed services.

I want to say thanks to our RSLs—I have Christies Beach and Marion on either side. They are not in my actual community, but they are very close and they do fantastic work for our veterans. I also thank our schools, councils and other organisations for what they do in holding services to remember the sacrifice of those who have served our nation in our armed forces and to remember the sacrifice of the families who are also a part of that as well. I again thank the member for Waite for this motion and I commend it to the house.

Ms HUTCHESSON (Waite) (12:25): I want to thank all the members who have contributed to this motion and shared their reflections. The words spoken in this place today remind us that remembrance is not just an act of looking back but a continuing promise to honour, support and care for all who have served our nation.

We again recognise those who went to war and never came home, the brave men and women whose names are etched in the memorial halls across our state and whose stories live on in our communities. We honour those who returned carrying the visible and invisible scars of their service, and we acknowledge those who continue to serve today, protecting our nation and upholding the values for which so many lives have been given. We extend our deepest gratitude to their families, the quiet heroes who shoulder the weight of service and sacrifice, often without recognition.

We express our heartfelt thanks to our RSLs, to the Legacy organisations, to the Headstone Project and to every volunteer and community group that continues to stand by our veterans and ensures their memories endure. I would also like to acknowledge all the schools in my electorate that also held services yesterday. It was lovely to see them all gathered there, acknowledging, learning and also paying their respects.

May we always remember them, not only in silence but through our actions, our care and our collective commitment to those who have given so much for our freedom. Lest we forget.

Motion carried.

WORLD MENTAL HEALTH DAY

Ms PRATT (Frome) (12:27): On behalf of the member for Schubert, I move:

That this house—

(a) acknowledges that 10 October is World Mental Health Day;

(b) acknowledges that 42.9 per cent of Australians aged 16 to 85 years have experienced a mental health disorder at some point in their life and across South Australia that equates to two in five people;

(c) acknowledges that South Australia is projected to face a shortage of psychiatrists by 2033, with a peak shortage anticipated in 2027;

(d) recognises the demand within the community for psychiatric services, highlighting the unmet need for increased mental health support;

(e) calls on the Labor government to deliver more trainee positions to deliver more capacity to our public mental health system;

(f) acknowledges that our regions experience higher rates of mental health difficulties and suicides compared to our urban areas;

(g) urges the state government to provide more funding for regional local health networks (LHNs) to employ additional consultant psychiatrists and registrars; and

(h) calls on the state government for immediate action to address the critical shortage of mental healthcare services for rural South Australians.

I rise to put forward, in the name of the member for Schubert, a motion that speaks to World Mental Health Day. I thank the member for Schubert for this motion.

On 10 October each year we mark World Mental Health Day, which is of course a day to reflect on mental health awareness and on the care our community deserves. It is alarming that two in five South Australians will experience a mental health disorder at some point in their lives. This is not a distant issue, it is not an arbitrary set of figures or statistics but something that touches our families, our friends, our neighbours. It is in our workplace and it is certainly in our regional areas.

Nationally, 42.9 per cent of Australians aged 16 to 85 have experienced a mental disorder in their lifetime. While exact state-by-state lifetime prevalence for South Australia is sometimes harder to isolate in recent reports, South Australia's data does show that mental illness remains a major contributor to illness burden. For example, emergency department data for South Australia shows that in 2023-24 the rate of mental health-related ED presentations was 119 per 10,000 population. Many of these presentations at our emergency departments are urgent where people are arriving by ambulance. In South Australia, that is about 57 per cent.

This week, we heard from the Australian Medical Association South Australian president reflecting on a recent report. The AMA did the 2025 Public Hospital Report Card: Mental Health Edition, which paints a very concerning picture about mental health wait times in our emergency departments. The median emergency department wait time for a mental health patient in our state is 10 hours. One in 10 patients wait more than 31 hours for a bed, and on some days patients in acute distress are waiting more than 35 hours in our emergency departments, which is the longest delay on mainland Australia. The AMA described the situation pretty bluntly by stating on radio this week that the emergency department is not the best place for people experiencing acute mental distress. I thank Associate Professor Peter Subramaniam, who is our state president, for his contribution on this important topic.

The patients we are referring to are often highly vulnerable, experiencing psychosis, suicidal ideation or acute trauma, and yet they are spending hours in bright, noisy, overcrowded emergency bays, sometimes under restraint or awaiting a transfer. We know that emergency departments are designed perhaps to stabilise patients and triage but certainly not to provide the therapeutic environment required for acute mental health care. It is traumatising for patients, and the workforce I would argue, it is distressing for families and it is deeply demoralising for the staff who are trying to offer that care and treatment.

When it comes to the workforce, a survey a couple of years ago—but in this term of the current government—showed that, in South Australia, about 40 per cent of our psychiatrists were considering leaving their profession within the next five years, and 69 per cent had experienced multiple symptoms of burnout. In regional South Australia the situation gets more acute. We see fewer psychiatrists per person in regional South Australia than in some developing nations.

The state government has by now released its Psychiatry Workforce Plan, in partnership with the Royal Australian and New Zealand College of Psychiatrists, to address this workforce gap. It is a 10-year plan, but I have to say that the pipeline and the regional recruitment for what we need now remains a major concern.

In recent days, if not over the last couple of weeks, we have heard from the government about announcements, rolling out election promises for more mental health beds, and they are welcome. But while the state government has opened 24 new mental health beds at The Queen Elizabeth Hospital, with 24 newly announced at Noarlunga and 24 planned for Modbury, the AMA speaks very clearly on this and makes it clear that the beds that are being made available are only part of the solution. I would argue that these beds are separate to mainstream hospital inpatient beds: these dedicated mental health beds are still infrastructure that is owned by the hospital.

The fact remains that when patients who present to EDs distressed—they are assessed and admitted for short stays, which is going to be an important part of their recovery and their treatment—are discharged without community-based mental health services, in the absence of the workforce we need and the treatment services that should be available, that patient, that consumer, that person, will find themselves in a loop. Our psychiatrist workforce is certainly under extraordinary pressure. South Australia is forecast to experience a peak psychiatrist shortage by 2027, so that is in two years' time, with an overall deficit projected through to 2033.

Rural South Australia fares even worse. There are only about 19 full-time equivalent psychiatry positions covering all of our country areas. Many of those positions rely on short-term locums or visiting specialists, not permanent clinicians, which is why Dr Peter Subramaniam told ABC radio this week:

> While new beds are important, the real solution is community investment. If we provide GPs and community clinicians with the right supports, we can manage the majority of mental health presentations before they ever reach our crowded EDs.

When we look at the regions and do a snapshot of communities that the opposition represents, those communities in such places as Yorke Peninsula, the Riverland, the Far North and the Limestone Coast, as well as the Mid North in my region, face high rates of psychological distress, high suicide rates and far fewer specialist services than our counterparts in metro Adelaide. The limited data that we have access to certainly highlights this disparity, but I do not need data to validate what I am told by my own community time and time again and that is either, or a combination of both, we do not have enough mental health services in regional South Australia, or they say we do not know how to find them, or both is true.

In my own electorate of Frome, which sits within the Yorke and Northern Local Health Network, the challenge is real and it is deeply felt, particularly at a time where farmers in my electorate have been hit by one or a combination of an unprecedented and unexpected tomato virus in the Adelaide Plains that has corrupted their pipeline for export and trade and closed some businesses down. We have seen frost decimate the grapegrower industry of South Australia and it is certainly deeply felt in my community where drought also impacts grapegrowers.

The drought more broadly has impacted my broadacre farming families for the better part of three years—for some it is up to eight years—and then add to that the little coastal community that we know as the Samphire Coast. Environmental factors have contributed to disrupting primary production, but it creates an anguish when their business, their livelihood, their profit margin, their ability to pay bills and invest their revenue into their children and families adds to the angst, adds to the anxiety. I see that from Eudunda to Clare and Balaklava and certainly north of my electorate in Peterborough, where a reduction in health services, a departure or a withdrawal of GP services from the local hospital compounds the uncertainty and swell of concern that families feel about where they are going to get that medical support from where it does not exist or it cannot be supported.

Local GPs, nurses and mental health clinicians in the Mid North are certainly doing incredible work and I see every day where I live in Clare my home community investing in itself. We had a fantastic mental health expo in the main street of Clare at Ennis Park just recently. I was really touched to be invited to set up a stall, to be made to feel welcome and that there was a role for me as the local member of parliament but also as the shadow minister for mental health and suicide prevention. Together we were putting forward positive messages to a rural community about what services exist, how to find them, how to navigate them, what was helpful and what people might be looking for that we can call for investment in. So there are positives to find in this space as well, but it is often because it is being led at that community level.

I continue to applaud the efforts of Lorna Woodward and her association with Lifeline Connect in Clare because Lorna understands what outreach looks like, she understands that not everyone is going to walk through the door in Blanche Street and find the services that are available and that, if we are concerned about people's wellbeing, then we need to go and find them.

We need to find them where they are. They are at sport, they are at footy, they are at bowls, they are at cricket, they are at our country shows and at their ag expos and ag bureaus, and association and socialisation needs to take place for us to start to normalise in our communities a

comfort level when talking about mental illness as well as physical ailments. They are all part of the one body, to state the obvious.

Something really fabulous happened on Melbourne Cup Day that had nothing to do with South Australian jockey Jamie being the second female to win that cup, but in fact we hosted John Mannion, a former mental health commissioner and CEO and co-founder of the Breakthrough Mental Health Research Foundation.

He understood that by being invited to this event it was an opportunity to get in front of a large crowd and, while we were having fun, talk to us about how we normalise our language, how we live with mental illness, how we rely on—must rely on—evidence-based research and the investment that needs to come not just from the private sector but, he strongly suggests, from government to underpin the research that we need to validate and to back in the projects, the research, the knowledge, the expertise, the trials and the services that are important to help people be well.

I really want to thank him for coming to the Clare Valley. He has an important job to do and a stark reminder to give us, and that is that every day in Australia nine people will take their life, and seven of those nine people will be men. It is a very meaningful statistic in country South Australia and that is why investment in these services is critical.

We use this motion to call on the government to keep doing more, to invest in training placements in workforce in community-based services. With those comments, I commend the motion and I thank the member for Schubert for bringing this motion to the house.

Parliamentary Procedure

VISITORS

The ACTING SPEAKER (Ms Stinson): Before we head to our next speaker I would like to acknowledge that we are joined by the O'Sullivan Beach Boat Ramp boys, who are the guests of the member for Reynell. Thank you so much for joining us, and I hope you enjoy your experience at the South Australian parliament today. I also want to thank the member for Narungga who, earlier today, had the Friends of Yorketown Hospital visiting us. You may cross paths with them in the building today.

Motions

WORLD MENTAL HEALTH DAY

Debate resumed.

Ms CLANCY (Elder) (12:43): I rise today to indicate the government's support for this motion, recognising World Mental Health Day, and I thank the member for Schubert for bringing this motion before the house. As the motion rightly points out, the latest national data tells us that just shy of 43 per cent of Australians aged 16 to 85 have experienced a mental health disorder in their life. In South Australia specifically, that equates to roughly two in every five people, or around 564,000 South Australians.

Mental health challenges can be experienced across every age, background and location across our state. South Australians deserve to be able to access the right mental health care at the right time, whether that is a community service, a bed in a hospital or a place where they can walk in and be heard and supported.

We know one of the biggest tasks ahead of us is building and sustaining a skilled mental health workforce. Released in April this year, the SA Psychiatry Workforce Plan provides a long-term strategy to address the shortages the member raises in her motion. The plan was developed in partnership with the Office of the Chief Psychiatrist and the Royal Australian and New Zealand College of Psychiatrists.

A steering committee is currently overseeing the implementation of the plan's outcomes, including addressing the projected short to medium-term shortfall with a dedicated workforce surge strategy; increasing the projected growth of the SA psychiatry workforce over the next decade; enabling reskilling and redistribution to critical areas of need through systemic support; modernising working conditions for all psychiatrists, particularly in areas involving workflow and training; and

greater coverage that meets rural psychiatry demand, utilising video and teleconferencing services as well as the existing fly-in fly-out services.

SA Health is also responding to critical workforce needs across local health networks by developing a new Mental Health Nurse Transition to Professional Practice Program. The program includes a dedicated early career pathway for graduate nurses to specialise in mental health; structured clinical rotations integrated with postgraduate study towards a graduate certificate in mental health nursing; and a focus on strengthening career pathways, building a sustainable workforce and enhancing mental health care delivery across South Australia. This program will be piloted next year, offering up to 51 graduate nurses a supported entry into mental health nursing.

The Malinauskas government remains committed to increasing the mental health workforce in South Australia. We recently undertook an interstate and international recruitment campaign specifically focused on psychiatry, nursing and allied health. Our campaign targeted overseas and interstate health professionals, aiming to fill existing vacancies and recruit to new positions in the additional mental health services that are currently being established in our state.

We understand the profound impact mental health has on individuals, families and communities. That is why mental health is central to our ambitious health agenda. Since being elected, we have invested $1.7 billion into mental health and will invest $2.5 billion by the end of this term, a 30 per cent increase on what was provided by the former Liberal government. But we all know it is not just about dollar figures: it is about ensuring South Australians have access to the right service when they need it.

The emergency department is not always the right place for someone in crisis. That is why we are opening more alternatives for care, including free walk-in Medicare Mental Health Centres in partnership with the Albanese government. Adding to the existing centre in Adelaide, we have ones in Elizabeth, Mount Barker, Mount Gambier and Port Pirie, with more on the way in Onkaparinga, Marion and Burnside. We have also opened the Safe Haven in Salisbury, a calm community space offering peer-led support. We have supported Lifeline Connect centres in Clare and Port Pirie, and we have opened the Mental Health Alternative Care Service (MHACS), which is also in Port Pirie.

The Malinauskas Labor government has increased funding for community psychosocial programs by 24 per cent. This is in addition to reversing the 19 per cent cut made by those opposite. This funding boost has enabled more than 1,000 extra South Australians a year to receive support through non-government services to assist with their psychosocial mental health needs.

The member for Schubert is right to point out in this motion the unique mental health challenges faced by South Australians in regional and remote communities. These challenges are absolutely compounded where isolation, economic uncertainty and the impacts of climate change are taking a real toll. That is why our government has embedded mental health support within our $73 million drought assistance package, including funding for mental health and resilience programs specifically for drought-affected communities. Farmers, their families and anyone impacted by drought can seek assistance now by calling the PIRSA Recovery Hotline, Medicare Mental Health phone line or, for urgent assistance, the Mental Health Triage.

Preventive Health SA's dedicated website includes information on resources available in an easy to navigate way, and information and support has been provided to PIRSA hotline workers, Family and Business (FaB) Mentors and Rural Business Support counsellors to empower them to directly refer people for mental health support. A dedicated drought industry coordinator will be embedded with ifarmwell, a dedicated non-government organisation whose role it is to connect farmers and primary producers directly with mental health services and resources.

We are also boosting mental health support services to leverage experienced and trusted local mental health providers and farmer-designed mental health tools and supporting the expansion of the Men's Table program to provide safe, peer-supported spaces for men to connect in regional communities. This package is not just about providing counselling. It provides practical, sustainable and flexible support for drought-affected communities over a 12-month period. Referral pathways have been expanded to ensure that if a farmer reaches out for help, they have seamless access to the support they need.

Our government is absolutely committed to supporting rural communities with the services they need to stay strong and connected. We have hired three additional psychiatrists across three regional local health networks, and we have also recruited an additional eight mental health nurses across regional local health networks to deliver specialist mental health services for older people. There is new infrastructure as well, including a new 12-bed mental health ward at the new Mount Barker hospital, the first inpatient unit of its kind in the Adelaide Hills, and a new six-bed subacute ward at Mount Gambier hospital to double their mental health care capacity.

This motion is an important reminder that World Mental Health Day is more than symbolic; it is a call to action, a call to action those of us on this side of the house have heard and began responding to immediately when we came to government. Through record funding, new workforce programs, innovative infrastructure and targeted drought supports, the Malinauskas Labor government is delivering real progress. There are challenges ahead, but we are determined to continue listening to people's lived experience and to clinicians, and to work alongside communities to build a resilient, compassionate and inclusive mental health system for all South Australians.

Mr TELFER (Flinders) (12:51): I rise in support of this motion put forward by the shadow health minister. The shadow regional health minister has spoken so eloquently about the challenges that have been faced, particularly in regional South Australia. I note the different aspects of this motion in particular, firstly, obviously, recognising the importance of World Mental Health Day. Some of the facts and figures within this motion are really important for us to unpack to realise the impacts that they are having in regional South Australia in particular.

The demand within the community in my electorate, which is a long way away from Adelaide, and across regional South Australia for psychiatric services is a really important aspect and one which so many of my community members are bringing to me. It is challenging enough to access a psychologist within regional South Australia let alone trying to get that escalated to a point of being able to see a psychiatrist. This is leaving regional people in particular behind the eight ball when compared with their city cousins.

We had it highlighted to us that the unmet needs within the mental health space in particular that we are facing in South Australia are truly worrying, truly concerning, and something that I believe all South Australians should be casting their attention to because it is something that has been constantly under-resourced, which is sadly having poor outcomes.

The regional experience of mental health difficulties within this motion really does highlight the higher rates that are faced within regional communities and the higher rates of suicide, sadly, that stem from it, compared to our urban areas. Just this morning, I heard from a community member about another sad case within my community. It is something that happens too often.

Wellbeing and mental health care are such major concerns for regional South Australian communities like mine, and my electorate, sadly, continues to see accessibility to services diminished over and over. That is why we are seeing regional communities like mine continuing to be impacted by increasing levels of suicide, continuing to face challenges with accessibility, and continuing to tragically see young people in particular making up a significant proportion of these suicide numbers. It is so important to be able to fund the services that provide those supports, especially within regional South Australia.

I want to recognise the incredible work that some of the groups within my electorate are doing when it comes to mental health awareness. I want to start with the incredible work that has been done by the Mentally Fit EP teams. It has been a subject matter that I have spoken about in this place before because the work that team does is such a prominent part of support within not just Port Lincoln but across the whole of Eyre Peninsula. So much of the support that has been put in place is voluntary. They are always scratching to try to get some level of funding, some level of recognition, whether that is through government, whether that is through external philanthropy or whether it is through sponsorship of businesses.

Mentally Fit EP was created by community members back in 2014 to change that negative communication about mental illness and to equip and advance communities with the skills in mental health support to be able to support others within their community. That was under the umbrella of West Coast Youth and Community Support. As an aside, can I congratulate West Coast Youth on 40 years of service to the community. Next week, they have a special event, which I am very much looking forward to. They are an organisation that does amazing work.

Under that umbrella, the Mentally Fit EP brand was launched and now, over a decade later, they are still doing incredible work. I have spoken about the passion with which it was launched. I will not go into depth again on the vision that Kirsty Traeger had for this support that is community based, stemming from community for community. As decision-makers, as funders, this is something that I believe, in regional centres in particular, we should be leaning into more than ever: having services, knowledge and supports that are driven by local people for local people, based on local needs—not having someone from a health department or from a human services department coming out to regional South Australia and telling people what they need but instead knowing that that decision can be made from the ground up.

The work that Mentally Fit EP has done since 2014 to have that collective vision to flip mental illness on its head, to create conversation about mental health and to stop focusing on the negative, empowers people. It empowers people to take charge of their lives by educating, by reducing stigma and by upskilling community members and the work that they do through workshops, community forums, guest speaking roles, courses, events and campaigns, right across the whole of Eyre Peninsula—and it is a significant footprint.

Only last sitting week when we were here, I had the opportunity to be able to meet with representatives from Mentally Fit EP and to hear that they were successful in their application as part of the Impact100 process, which was a philanthropic group that started with 100 people and has now grown to a few hundred organisations, individuals or businesses that each put a thousand dollars in to fund grassroots delivery of services.

It is a competitive process. They put a presentation together. They did it at a dinner two weeks ago and they were successful in receiving a $100,000 grant, so congratulations to the Mentally Fit EP team. I know that that funding will be multiplied exponentially within my community. It will help Mentally Fit EP expand into more towns, train local leaders and peer facilitators and reach thousands more South Australians with stigma-free, accessible mental health support.

Within regional communities in particular, this is an incredibly important topic. I urge the government to put additional funding into regional South Australia in particular, because without that extra support, sadly, we are seeing regional communities left behind when compared with their city cousins. This is unacceptable. Your outcome should not be based on your postcode. I seek leave to continue my remarks.

Leave granted; debate adjourned.

Sitting suspended from 12:59 to 14:00.

Parliamentary Procedure

PAPERS

The following papers were laid on the table:

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

Health Advisory Council – Annual Report 2024-25—
- Ceduna District Health Services
- Eudunda Kapunda
- Far North
- Hawker District Memorial
- Kangaroo Island
- Lower Eyre
- Naracoorte Area
- Penola and Districts
- Southern Flinders
- Veterans'

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

Carclew Inc.—Annual Report 2024-25
Child Death and Serious Injury Review Committee—Annual Report 2024-25

By the Minister for Police (Hon. B.I. Boyer)—

Australian Criminal Intelligence Commission Chair, Board of the—Annual Report 2023-24

By the Minister for Climate, Environment and Water (Hon. L.P. Hood)—

Government Response to Standing Committees—Natural Resources Committee: Inquiry into Commercial Seaweed Production in South Australia Report September 2025
Stormwater Management Authority—Annual Report 2024-25

Parliamentary Committees

LEGISLATIVE REVIEW COMMITTEE

Mr ODENWALDER (Elizabeth) (14:02): I bring up the 74th report of the committee, entitled Subordinate Legislation.

Report received.

STANDING ORDERS COMMITTEE

Mr ODENWALDER (Elizabeth) (14:02): I bring up the third report of the committee, entitled Changes to Standing Orders.

Report received.

Parliamentary Procedure

VISITORS

The DEPUTY SPEAKER: I would like to acknowledge in the gallery students from John Pirie Secondary School, guests of the Hon. Geoff Brock, member for Stuart. Welcome. Hopefully, members of parliament will behave themselves and set the appropriate standard.

The Hon. G.G. BROCK: I have already warned them.

The DEPUTY SPEAKER: You have already warned them; okay. I would also like to acknowledge the following young political leaders from America who are part of the Australian Political Exchange Council: the Hon. Kelly Gee, Secretary of the Commonwealth of Virginia; the Hon. Preston Blakely, Mayor, Town of Fletcher; the Hon. Alex Dallman, member of the Wisconsin State Assembly; the Hon. Meghan Lukens, member of the Colorado House of Representatives; the Hon. Emerson Levy, member of the Oregon House of Representatives; Mr Jayson Ronk, Vice President, Blue Cross of Idaho; Ms Katherine Brownlee, Senior Manager, Governmental Affairs and Public Policy, American Gas Association; Mr Gilberto Soria Mendoza, Manager, Government Relations, Upstart; Mr Connor Costello, Visits Coordinator, Australian Political Exchange Council (our Sydney friend); and Mr Ariel Larkey, Australian Political Exchange Council. Welcome to our House of Assembly.

I was fortunate enough to have spent some time with them at lunchtime, and they said in American chambers, when ministers are answering questions, people do not interject. So I said to them, 'Be prepared.'

Question Time

ALGAL BLOOM

The Hon. V.A. TARZIA (Hartley—Leader of the Opposition) (14:05): My question is to the Premier. Does the Premier support the findings of the Senate Environment and Communications References Committee's report, titled 'Algal Blooms in South Australia', which was published yesterday? With your leave, sir, and that of the house, I will explain.

Leave granted.

The Hon. V.A. TARZIA: In relation to the SA government's response, the report states that 'time taken between the initial detection and the move to coordinate a potentially fragmented response was too long'.

The Hon. P.B. MALINAUSKAS (Croydon—Premier, Minister for Defence and Space Industries) (14:06): I thank the Leader of the Opposition for the question. Yes, I am familiar with some elements of the report, although there is a comprehensive amount to digest. The first thing is I think that there are some elements of the report that have merit at a top-line level. I think, whenever there is an inquiry that occurs post an event, it's just an obvious truth that it is done with the value of hindsight, which is always invaluable when we contemplate how we respond to any event, particularly one of an unprecedented nature.

I also note, in a way that I know the Leader of the Opposition will well appreciate, that these types of inquiries from the Senate often have politics at the heart of their objective. The Coalition will have their politics, the Greens will have theirs and so forth, but that doesn't mean—

Members interjecting:

The Hon. P.B. MALINAUSKAS: —and the government will have theirs, no doubt—that there aren't some points of merit that are worthy of contemplation and consideration. I would just draw the Leader of the Opposition's attention though to the fact that, as he well appreciates—and we have been very candid about this—for almost every possible event that could be disruptive in our community, there are plans within emergency management: a cyber attack, a bushfire, a flood, a pandemic. You name it, there is a playbook or there is a response plan that sits in place. That was not the case for a harmful algal bloom.

The Leader of the Opposition repeatedly in the public arena cites the fact that there was a group of scientists who were looking for money at a federal level allocated to the harmful algal bloom. I never once heard the opposition aerate that until after the fact themselves, which is worthy of—

Members interjecting:

The Hon. P.B. MALINAUSKAS: If the Leader of the Opposition's contention is that the federal government should have funded the scientists that were looking for money to look into the effects of climate change, you should have advocated for that before the harmful algal bloom, if indeed you are the prophet that you profess to be. But the truth is that there was no emergency response plan to the harmful algal bloom—

Members interjecting:

The DEPUTY SPEAKER: You are warned.

The Hon. P.B. MALINAUSKAS: —before one presented itself on this size and scale. As I was saying on ABC radio, I think it was Tuesday evening, we have had algal blooms in South Australia and Australia before; they are not uncommon. What makes this unique and unprecedented is the size, the scale and the particularly harmful nature of it. All of the historical experience in the past pointed to the bloom responding very differently than what it did, and in July it really became apparent that it was operating differently. That's when the opposition started to talk about the harmful algal bloom for the first time. That's when it sort of started generating a lot of tension. And that is what, of course, the government's public policy response reflected, the fact that we were indeed, it was clear, dealing with something that was unprecedented in nature.

What you have seen from the government since then is a pretty full-throated effort, notwithstanding the tens of millions of dollars that have been committed, then the $100 million that was committed, the countless public forums that government has presided over to make sure we get information out to the community. The challenges have continued to present themselves. We have had to deal with misinformation. We have had to deal with politicians from those opposite, making things up, deliberately dispersing them in the parliament, in the public arena. That takes time and oxygen. That creates confusion in the community, but we are just getting on with the task, and that's what we will continue to do.

The DEPUTY SPEAKER: Before we go to the next question, the member for Chaffey is called to order and warned for the first time. The member for Hammond is called to order and also warned for the first time. The member for Morphett is called order and warned twice, a second time. The member for Flinders is called to order as well. I also forgot, the member for Bragg, you're called to order as well.

ALGAL BLOOM

The Hon. V.A. TARZIA (Hartley—Leader of the Opposition) (14:10): My question is to the Premier. Does the Premier accept all 14 of the recommendations from the Senate inquiry report and, if so, when will they be implemented?

The Hon. P.B. MALINAUSKAS (Croydon—Premier, Minister for Defence and Space Industries) (14:11): We will assess the recommendations and consider a response if we believe it's appropriate to do so. What I would say, though, is that what we are really interested in as a government is executing and rolling out our $102.5 million summer plan. One of the things that we were able to learn from the COVID experience, where a lot of businesses were not heard, not responded to, is to support businesses that are being affected. We are seeing it up and down the coastline. We've seen that with a record investment, a record investment that eclipses the support provided for business during COVID being made by the state government, supporting hospitality businesses, supporting tourism operators.

In fact, I was speaking to some tourism operators earlier today, talking about the high levels of occupancy that still are being maintained in the state of South Australia in metropolitan Adelaide and suburban Adelaide and regional communities. We are doing everything we can to respond to the challenge. But what we are really focused on now, increasingly concentrating our focus on as we have seen the *Karenia* cell counts go back to normal levels in a way that gives very positive signs—and we are not getting carried away with it, but it is positive—is that it does invite a renewed amount of consideration and effort to continue to be made in recovery, which I know that the Minister for the Environment is putting a lot of effort into and following in her predecessor's efforts in this area.

What you see from that $102 million summer plan is that the single biggest proportion of it almost is basically going into the environment and recovery efforts, recovery around seagrass, vulnerable marine species, the investment in fish stock breeding programs, but also, critically, in reef restoration, including native oyster reef investment, which is an expensive exercise but we think is worthwhile. All of these things combined and, of course, all the science and research really make sure that we are well prepared for future events.

We continue to learn about the bloom as it evolves, particularly given the relative immaturity of harmful algal bloom science. There is a lot of global literature, but of course every bloom is different, and us understanding this one and learning about how it operates has been an ongoing exercise. This is where we are investing a lot of effort. We are really quite hopeful that we see the results that we have seen continue. We have another algae task force meeting at the end of the week. We will have more data that comes through there. Fingers crossed that that trajectory continues, but we are just focused on making a difference where we can.

Others will enjoy the benefit of applying hindsight as best as they can, and that is their prerogative. But, again, I just come back to a fundamental point: there has not yet been a recommendation or a policy proposition that, even with the value of hindsight, had it been applied even before the bloom began, would have made a difference to the bloom itself, and that is a really important point. There is no serious suggestion, apart from the ones that Frank Pangallo espouses, about any action that could have been taken by government, or any other human, that would have made the harmful algal bloom operate in a way that is different to what we have had to endure and experience.

Even with all the value of hindsight, despite all the dollars, the tens of millions of dollars invested in research, even with those combined, if we had our time again there is no intervention that could have been made that would have made a difference to the way the harmful algal bloom has performed or operated.

What we are left with is responding to the facts as they stand and dealing with a difficult set of circumstances as best we can, which is exactly what this government is doing.

The DEPUTY SPEAKER: Before we go to the next question, member for Morialta, you are warned for the second and third time. You will have an early minute soon. The member for Chaffey is warned for the second time. The member for Flinders is warned for the second and third time. Member for Flinders, unfortunately, you have a very distinctive voice and it comes through.

Members interjecting:

The DEPUTY SPEAKER: Order! Member for Morialta, I don't need your advice.

ALGAL BLOOM

The Hon. V.A. TARZIA (Hartley—Leader of the Opposition) (14:15): My question is to the Premier. Does the Premier agree with the statements made in the Senate inquiry report? With your leave, sir, and with that of the house, I will explain.

Members interjecting:

The DEPUTY SPEAKER: Sorry, what was the question again please?

The Hon. V.A. TARZIA: I asked the Premier: does the Premier agree with statements made in the Senate inquiry report, and I have asked for leave, sir.

Leave granted.

The Hon. V.A. TARZIA: Ms Faith Coleman, an estuarine ecologist and citizen science community leader, told the committee that:

> The messages now being broadcast are mixed, focused on economics and are often reactionary…
>
> Those who have been out on the water, documenting the impacts, and those who were (in many cases still are) leading the science in the public sphere have been poorly recognised and integrated with the current government monologue. With the increased unpredictability of the climate, this alternating 'Nothing to see here' and 'Move aside, the Government is here to save the day' approaches to the wicked, adaptive issues are becoming less and less effective, meaning that all levels of political power (including community) need to become more comfortable with collaboration and uncertainty.

The Hon. P.B. MALINAUSKAS (Croydon—Premier, Minister for Defence and Space Industries) (14:16): I thank the Leader of the Opposition for his question. His remarks and his question refer to the need to cover off on multiple different elements here in regard to the harmful algal bloom. That speaks to why we have a summer plan that has three very distinct focuses.

Yes, it is true that part of the summer plan is very much orientated towards the human and economic implications of the impacts of the bloom. It is also true that we have another tranche of the program that focuses on its impact around people's way of life and trying to inform the public about these events as best as we can, notwithstanding the conspiracy theories espoused by some members opposite. The third element, which is very much an important focus, which goes to Ms Coleman's representations, is how we try to invest in the science, the research and the capacity for recovery but, in terms of the science and research effort, looking at the implications of climate change.

One of the things that comes out of the Senate inquiry that I think is worthy of consideration is how the commonwealth, more broadly, is constructing a framework that allows them to respond to natural disasters that emerge as a result of the tragedy that climate change will impose upon our natural world. The truth is, and the science tells us, that harmful algal blooms like this one won't be the only consequence of climate change.

On this side of the house, while we have various points of view and emphasis amongst us, what you will not find is any disagreement on whether or not climate change is real and whether or not that is worthy of a response from government and human beings more broadly. We are not sitting around debating the merits of doing something about climate change. We are not having a hyperpolarised, fragmented debate. We are not tearing ourselves apart about the merit of doing something about climate change. We accept the fact that it is real. We understand the fact that it will have consequences for our natural world and we recognise that it is worthy of policy effort.

For the commonwealth government, we do think the harmful algal bloom invites consideration of making sure our natural disaster framework has a mechanism in response to that. We welcome the fact that the Prime Minister announced his intention to ensure that there is an ecological disaster framework to contemplate events like this in the future. I wish it weren't true, but we are going to see other events like this manifest themselves because of climate change. It does invite, I think, as a Senate report suggests, effort being made at a federal level to gear up the architecture to respond to it.

As far as the here and now is concerned, what you see is a collaborative, integrated government effort, not just between the federal and the state governments with the $102 million investment but even with local government and also the not-for-profit sector and environmental organisations that I know the minister is working with on our reef restoration effort. I know the Minister for Sport and Recreation is working with surf lifesaving clubs across our state. The federal, state and local governments are working collaboratively with the not-for-profit sector to actually try to tackle this unprecedented challenge in the most coordinated way we can. We will continue to maintain that effort for as long as it is required to do so.

But we go into this summer well prepared and well planned, because we have been able to learn a lot over the course of the last few months and invest accordingly. We are very proud of that, and we look forward to the summer and taking on whatever challenges are thrown our way.

NOISE MANAGEMENT

The Hon. D.R. CREGAN (Kavel) (14:20): My question is to the Minister for Environment and Water. What protections are in place for existing-use horticultural or agricultural businesses in growing residential areas that are subject to noise complaints or other complaints? With your leave, sir, and that of the house, I will explain.

Leave granted.

The Hon. D.R. CREGAN: A local business surrounded by growing residential areas has been subject to complaints of this type.

The Hon. L.P. HOOD (Adelaide—Minister for Climate, Environment and Water) (14:21): I thank the member for Kavel for his question. The Local Nuisance and Litter Control Act 2016 (LNLC Act) is administered by our local government, and it's imperative that local councils do work with the local community, with industry and with agriculture in its application. I come into this role with an appreciation and a passion for the agriculture industry, being the daughter of a farmer and also the granddaughter of farmers on both sides. So I appreciate his advocacy in this area.

It is important to note that the LNLC Act does not apply if an activity is already subject to an EPA licence under the EP Act. If an agricultural business holds an EPA licence it is subject to the provisions of the EP Act and its subordinate environment protection policies.

I am advised that there is also a wide range of certain activities that are licensed by the EPA if they meet certain thresholds as defined in schedule 1 of the EP Act. In those instances they would fall outside the scope of the LNLC Act. These include certain types of piggeries, poultry farms, cattle feedlots, saleyards, wineries, timber-processing works, meat processing, breweries, fishing processing, milk-processing works, produce-processing works, rendering or fat-extraction works, curing or drying works, tanneries, and wool-scouring and wool-carbonising works.

In addition, noise or other nuisance from the keeping of animals in accordance with a development authorisation within the meaning of the Development Act 1993 is not a local nuisance under the LNLC Act. However, even if agricultural businesses are not subject to an EPA licence, there is a defence against the offence under section 27 of the LNLC Act, where it is a defence to prove that the person took all reasonable precautions and exercised all due diligence to prevent the commission of the offence.

As we know, recent amendments to the act have been undertaken primarily around the focus of the collection of shopping trolleys, which we know are a significant nuisance within our local communities. It is important to note, in relation to our primary producers, that the act does still operate in the same way that it did under the former Marshall Liberal government.

Despite this, we have made it very clear in the other place that we would consider the matters raised by industry and by local MPs and whether that can form part of forthcoming consultation on the administrative regulations associated with the recently passed bill.

GOVERNMENT EXPENDITURE

Ms SAVVAS (Newland) (14:24): My question is to the Treasurer. Can the Treasurer inform the house of any calls for expenditure by the government over the last four years that were not budgeted for?

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Energy and Mining) (14:24): Yes, I can. On this side of the chamber, we carefully consider the policies we impose. After all, they have a real and lasting impact on everyday people's lives. From time to time, members of the parliament call for an alternative approach, and it is a—what's the word?—step-by-step process that we go through.

When an opposition calls on a government to do something, they are signalling to the public that they would have done this had they been—

Members interjecting:

The DEPUTY SPEAKER: Minister, can you just hold on a second. The next member of the opposition, particularly those on three warnings, will leave the chamber if—

Members interjecting:

The DEPUTY SPEAKER: Members on my right will leave too. We will hear the Treasurer's answer in silence. The Treasurer.

The Hon. A. KOUTSANTONIS: When an opposition calls on a government to do something, they are signalling to the public that this is what they would have done had they been in government. It's only—

The Hon. J.A.W. Gardner interjecting:

The DEPUTY SPEAKER: Member for Morialta, you clearly need a break—take 15 minutes.

The honourable member for Morialta having withdrawn from the chamber:

The Hon. A. KOUTSANTONIS: Until such a time that they tell the public that they will abandon these calls for funding, generally you can expect that from them. For example, let's hear what we have heard over the last four years. We have heard for calls for a $250 energy rebate for all South Australian households—that's $800 million across the forward estimates—and additional incentives to attract and retain doctors and nurses. That could be as much as $765 million over the forward estimates, where we would pay every doctor and nurse a $40,000 incentive, like Victoria. However, Victoria cap their payments but Queensland don't. So what is the opposition proposing? Are they capped or uncapped incentives? Are they for all the doctors and nurses or do they extend to all healthcare workers?

What's more, just this morning the opposition suggested that they would hold SA Health to its savings targets and to its budget. When the Auditor-General talks about overexpenditure by $1.6 billion, what he's talking about is dealing with activity above and beyond what they budgeted for. This is people walking through the front door saying that they've got and need treatment. Are members saying to us openly that they would shut the doors and turn people away? Of course they wouldn't. What they are saying is that there would be cuts.

Members interjecting:

The Hon. A. KOUTSANTONIS: Well, Mr Deputy Speaker, they need to explain this. But there are more. Let's go through them all. There is a freeze on emergency services levy bills; direct flights from Adelaide to India; new jet rescue boats; more loans for farmers; development of new facilities for pre-games for international 2032 Olympic and Paralympic teams; water infrastructure for Elliston; water infrastructure for Streaky Bay; a new Cummins police station; more cops in shops over Christmas; greater police presence in Glenelg, the CBD and Port Lincoln; unlimited health counselling for police; implementation of a five-point plan for shark mitigation; free flu vaccines; a budget boost for children's cancer care; normalised charges for allied health staff to attend appointments; more funding for psychologist supports; reinstatement of the Hahndorf main street project; various intersection upgrades, like Flaxley Road in Mount Barker, Verran Terrace in Port Lincoln and the Flinders Highway; and the funding of a SWAT-style team within the Department for Education to respond to closed childcare centres.

Just that alone, that small little vignette of calls over the last four years by members opposite, would equate to over $2 billion.

Members interjecting:

The Hon. A. KOUTSANTONIS: $2 billion. $3.7 billion in commitments, $2 billion in calls for funding in just four years. Just imagine all of this while taking either $1.6 billion or $2.3 billion in stamp duty—

Members interjecting:

The Hon. A. KOUTSANTONIS: —and the squeals from members opposite say it all. It is all coming home to roost. All the promises they have made on everything they have called for—the evidence is here: we've got the Facebook posts, we've got the tweets, we have all the evidence on everything they have called for, and they will own it all.

Members interjecting:

The DEPUTY SPEAKER: Before the leader takes the next question, the member for Flinders can join his colleague for 10 minutes.

An honourable member interjecting:

The DEPUTY SPEAKER: Your colleague wants me to give you more, member for Flinders.

The honourable member for Flinders having withdrawn from the chamber:

Members interjecting:

The DEPUTY SPEAKER: Members on my right—that's you guys, okay?—and particularly the member for Florey, you are on notice.

Members interjecting:

The DEPUTY SPEAKER: Next time, you will be joining your colleagues.

ALGAL BLOOM

The Hon. V.A. TARZIA (Hartley—Leader of the Opposition) (14:29): My question is to the Premier. Can the Premier advise whether when *Karenia cristata* comes under stress and subsides, the cells become more toxic, and how long do the toxins remain after the algae dies?

Members interjecting:

The DEPUTY SPEAKER: Members on my right!

The Hon. P.B. MALINAUSKAS (Croydon—Premier, Minister for Defence and Space Industries) (14:30): I thank the Leader of the Opposition for his question. The government continues to undertake science and research efforts in regard to the harmful algal bloom. We know that there is a suite of species that exist within the bloom. There is *Karenia mikimotoi*, there is the *Karenia cristata*. Of course, for much of our coastline now there is no *Karenia* at all. The cell counts we have seen are zero and at basically normal levels.

The government continues to undertake research into the bloom, including with *Karenia cristata* and how it operates relative to climate conditions. The government has been privy to some information that speaks to the fact that *Karenia cristata* might actually be a *Karenia* species that does not perform as well in warmer waters, which might be a good thing. But this is science that, like I said, continues to evolve and continues to present new things as we continue to invest in the effort and research. That's exactly why we do that research.

ALGAL BLOOM

The Hon. V.A. TARZIA (Hartley—Leader of the Opposition) (14:31): My question is to the Premier. What inquiries, if any, has the Premier made following comments in the Senate inquiry report from Doctors for the Environment Australia? With your leave, sir, and that of the house, I will explain.

Leave granted.

The Hon. V.A. TARZIA: The report notes:

Doctors for the Environment Australia is concerned at the downplaying of the potential health impact of the algal bloom by SA Health, with no plan for reporting or surveillance…

The Hon. C.J. PICTON (Kaurna—Minister for Health and Wellbeing) (14:31): I thank the Leader of the Opposition for the question but I completely dismiss and reject his claim in the last bit of his question in terms of downplaying.

On this side of the house we support our public health officials. We support Professor Nicola Spurrier, Dr Chris Lease, Dr David Cunliffe—esteemed public servants who have served this state well through COVID, through both governments and now through the harmful algal bloom, providing advice not only to government but to the people of South Australia. I think it is incredibly disappointing that we are seeing not only the position of members here in this house opposite us but also senators from Canberra. I particularly note the comments from Senator Leah Blyth today who has said you should not trust what SA Health have said.

Members interjecting:

The Hon. P.B. Malinauskas: Can you imagine if that happened during the course of the pandemic? It is a disgrace.

The Hon. C.J. PICTON: Absolutely. And what we heard Senator Blyth say—

Members interjecting:

The DEPUTY SPEAKER: Members on my right! The member for Hammond!

The Hon. P.B. Malinauskas interjecting:

The DEPUTY SPEAKER: Premier, the minister has the floor.

The Hon. C.J. PICTON: Thank you, sir. We heard Senator Blyth say today:

> I think trust is a huge issue, particularly coming out of the COVID pandemic and what SA Health have demonstrated is they can't be trusted to provide clear and evidence-based health advice...

This is coming from supposedly a party of government, a party that not that long ago won some plaudits from the public for backing public health advice during the course of the pandemic. Well, that reputation is now smashed. That reputation is in smithereens.

There is an opportunity now for the Leader of the Opposition, if he has some leadership backbone—and the shadow health minister, the member for Schubert—to stand up and say, 'We reject what Senator Blyth has said. We support our public health experts. We support the science. We don't support the dog whistling to the anti-vaxxers out there,' that some members of their party are seeking to politicise at every opportunity to cause division and a lack of faith in science and public health in our community. This is their opportunity; let's see if they do it.

Members interjecting:

The DEPUTY SPEAKER: Member for Newland, you are called to order. Premier! Treasurer! Member for Chaffey, can you just keep your comments to yourself; it might be useful.

Members interjecting:

The DEPUTY SPEAKER: Members on my right! Thank you for your advice, member for Hammond.

ALGAL BLOOM

Mr BASHAM (Finniss) (14:35): My question is to the Premier. Does the Premier agree with the statements made in the Senate inquiry report that the state government was slow to act and provided minimal support to affected communities when the harmful algal bloom was first detected in March 2025? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mr BASHAM: The report states that a range of local councils in areas impacted by the harmful algal bloom remarked that when the harmful algal bloom was first detected in March 2025, the state government was slow to act and provided minimal support to affected communities. The report also says that similar sentiments were expressed by individual submitters, with one community member saying, 'I feel abandoned by the government in this crisis.'

The Hon. P.B. MALINAUSKAS (Croydon—Premier, Minister for Defence and Space Industries) (14:36): I thank the member for Finniss for his question. It is interesting because the member for Finniss, I don't recall, on one occasion throughout the months of March, April, May or June, coming to the parliament—either him or any of his colleagues—and raising with anyone, once, anything to do with the harmful algal bloom. If the member for Finniss is suggesting that somehow he was exercising his function of leadership in his electorate during the course of the harmful algal bloom, that Senate report would of course be a reflection upon him as much as anybody else.

What we know is that on this side of the house we place a value on the science and the advice—whether it be coming from public health sources, now so routinely objected to by those opposite, or our marine scientists, we make sure that we seek their advice, that we scrutinise their advice and, provided that we form the view that it has been appropriately tested and examined, that it is something that should inform a public policy response.

I have to say, following the most recent contribution from the Minister for Health, that that is a stunning revelation. I think that if we are all just quietly honest with ourselves for just a moment, we would acknowledge that those who occupied the Treasury benches in the former government did a good job of following and listening to the health advice that was procured from a senior group of experts during the course of the global pandemic, and made sure they listened to that advice and used it to instruct and inform the policy response to that pandemic.

Many of the people who were on this side of the house then are on that side of the house now. For even those who weren't, some of them were in senior offices, like the Premier's office, at the time listening to health advice and making sure that the public communications were consistent with that health advice. So it is somewhat startling that in only one term of parliament those opposite are now actively undermining and rejecting the views from the same public health officials. It is truly remarkable.

Members interjecting:

The DEPUTY SPEAKER: Order!

The Hon. P.B. MALINAUSKAS: Premier Marshall would be rolling over in his political grave, knowing that you are acting as supplicants to those who reject public health advice.

The DEPUTY SPEAKER: Point of order?

Mr TEAGUE: It's 98(a), but it has moved into 127(2) territory. The question requires an answer. The Premier is debating the point and, by reflecting improperly on members, he is in contravention of 127(2) as well.

The DEPUTY SPEAKER: I won't uphold that point of order. The Premier was providing, I think, context and substance to the question itself.

Members interjecting:

The DEPUTY SPEAKER: Treasurer! Premier, you wish to complete your answer?

The Hon. P.B. MALINAUSKAS: Of course, when it came to the global pandemic, what makes it so distinct from the harmful algal bloom is that when we were talking about the global pandemic, lives were on the line—quite literally, lives were on the line. People were dying because of COVID, so a lot was at stake about whether or not you accepted and listened to the advice of public health officials. At least with the harmful algal bloom, there is no evidence or suggestion that anyone is dying.

But, at some point in the future, we may well face the prospect of another pandemic coming around, and when that occurs, whoever is in government I hope listens to the public health advice and listens to the science. Those opposite have now demonstrated that they would be completely incapable of making sure there was a safe and appropriate public health response unless they are willing to stand up and condemn Senator Blyth for her remarks, which we know you won't because you have all been taken over by the lunatics and you won't reject their contributions to this important public debate.

Mr TEAGUE: Point of order: the Premier has filibustered his time out, but the question was directly in relation to the slowness to act.

The DEPUTY SPEAKER: Member for Heysen—

Members interjecting:

The DEPUTY SPEAKER: Members on my right! Member for Newland, again! Next time.

Members interjecting:

The DEPUTY SPEAKER: Treasurer!

Mr TEAGUE: Standing order 98(a), which was—

The DEPUTY SPEAKER: Just give me the point of order; I don't need the commentary.

Mr TEAGUE: 98(a).

The DEPUTY SPEAKER: I don't see how he digressed. The language is—

Mr Teague: That's the point of order. You should rule on it.

The DEPUTY SPEAKER: Excuse me?

Mr TEAGUE: You need to rule on it. I have made the point of order.

Members interjecting:

The DEPUTY SPEAKER: I am not upholding your point of order. I have ruled on it. The member for Chaffey can leave the chamber for 15 minutes for yelling out 'rubbish' three times in a row.

Mr Whetstone: It was four.

The DEPUTY SPEAKER: Four? You can go for 20 minutes, in that case.

The honourable member for Chaffey having withdrawn from the chamber:

PORT PIRIE REGIONAL HEALTH SERVICE

The Hon. G.G. BROCK (Stuart) (14:42): My question is to the Minister for Health and Wellbeing. Can the minister please advise my community the reason for long waits to have X-rays and ultrasounds at the Port Pirie Regional Health Service, and what will be done to eliminate these extraordinary waiting times? With your leave and that of the house, I will explain, sir.

Leave granted.

The Hon. G.G. BROCK: Recently, there have been numerous constituents—and I mean numerous—coming to my office regarding long waits for up to eight weeks to be able to have X-rays and ultrasounds. In one case, it was 10 weeks and, in actual fact, it was earlier and easier to go to Port Augusta.

The Hon. C.J. PICTON (Kaurna—Minister for Health and Wellbeing) (14:43): I thank the member for Stuart for his question and for his interest and advocacy in terms of health services in his local electorate, particularly the Port Pirie Regional Health Service. Both the X-ray and ultrasound services at Port Pirie are provided by South Australia Medical Imaging, which is a part of SA Health. They also provide CT services in Port Pirie.

I am advised, both in terms of X-rays and ultrasounds, that we are certainly not seeing figures in terms of what the member is referring to, so if the member has constituents who are providing that information to him, then I would be very keen if he can provide that to my office and we are happy to chase up and follow up in terms of their wait. I can provide some specific information in terms of both of those services.

In terms of X-ray services, the advice I have is that we are seeing consistent staffing for that service and that there are, I am advised, no delays for people getting X-rays at the moment. Of course, I am happy to follow up any particular complaints or issues that he has. In relation to ultrasound, my advice is that we have seen a reduction in the wait for ultrasound for outpatient services. It has gone from about six weeks at the start of the year down to four weeks now. There has been additional staffing that we have been able to bring in that has helped to reduce that wait.

Of course, we would like to see it go down even further, but it is positive to see that moving in the right direction. Again, I would be happy to speak to him about that.

This is an important time for Port Pirie's hospital as we see imminently the construction and opening of the new emergency department. Having those radiology services provided is important for patients in those emergency situations as well. I am looking forward to seeing that new emergency department open and having more capacity to be able to provide services to people in the Port Pirie region who need those urgent health services in their local community.

ALGAL BLOOM

Mr BASHAM (Finniss) (14:45): My question is to the Minister for Climate, Environment and Water. When did the formal engagement commence between the federal government and the South Australian government in relation to the harmful algal bloom? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mr BASHAM: The Senate report published yesterday states that the communication with the federal government did not take place until months after the algal bloom was first detected.

The Hon. L.P. HOOD (Adelaide—Minister for Climate, Environment and Water) (14:46): I thank the member for his question. Obviously, we know that this was an event without precedent. In previous examples of this occurring in the state, for example in 2014 in Coffin Bay, it only lasted a matter of months. So as we saw the bloom not dissipate, particularly as we entered into the winter months and we saw that it was persisting, we did see an extensive effort, a cross-agency, coordinated effort, to respond to this unprecedented incident.

I know I speak for our side of the house about the good work of our former Deputy Premier and former Minister for Climate, Environment and Water in engaging with our federal counterparts, particularly as the new minister, Murray Watt, came into the role. As we established that the bloom was not dissipating during those winter months, not breaking up, we did see an extensive effort across agencies to respond to this unprecedented incident.

Obviously, in the first instance, it was the $28 million package to be able to support the sectors impacted by this unprecedented event and then working very closely with our federal counterparts on the $102.5 million summer plan. That has some real core components, particularly around the science and monitoring of harmful algal blooms. Just as an example, some of the investments we are making in science and monitoring include water monitoring and forecasting. That is investing in South Australia's capacity for real-time water quality monitoring and forecasting, and that will be through a collaboration with the CSIRO, including the acquisition of state-of-the-art monitoring buoys.

It also includes offshore water analysis, funding towards undertaking analysis in the deep waters of Gulf St Vincent where we know the bloom has previously persisted. As we have said, we have seen some really promising results over the last two weeks, a really dramatic decline and reduction in the *Karenia* cell counts, particularly around Gulf St Vincent, the metropolitan beaches.

We are also establishing a national office for algal bloom research. That is a new $3.2 million South Australian-based office serving as a central hub for algal bloom science and research. That is a really core component of our summer plan and something that is obviously referenced in the inquiry. They are in the process of recruiting experts for that office. They are quite niche roles, but they are roles such as phytoplankton taxonomists, marine experts and climate experts as well. Very much on this side of the house, we are aware of the impact in which our climate is creating these interconnected events that are impacting communities.

Obviously, something I am passionate about is the enormous investment in environmental resource and recovery, in particular around seagrass restoration and native oyster reef restoration. We know that they are investments in nature's own recovery tools that will build our resilience as we approach unprecedented ongoing events like this.

VOCATIONAL EDUCATION AND TRAINING

Mr FULBROOK (Playford) (14:50): My question is to the outstanding Minister for Education, Training and Skills. How is the government's investment in vocational education and

training helping to strengthen South Australia's workforce and support local industry needs, including in trades?

The Hon. B.I. BOYER (Wright—Minister for Education, Training and Skills, Minister for Police) (14:50): How refreshing it is to have a member of parliament who reads the whole question we give them. Fantastic. I am very, very pleased to have an opportunity to update the house on some important data that we have recently received about how we are going in terms of building the workforce that South Australia needs for a whole range of really important projects that everyone in this place is well and truly aware of.

We have a huge challenge in front of us; there is no doubt about that. For South Australia, we need an additional 78,500 VET trained workers in our state alone over the next five years. That is an enormous task, but it is also, of course, an enormous period of opportunity for our state. The projects that these not just young South Australians but primarily young South Australians have at their fingertips, if they can get the qualifications and skills they need, include working on some truly transformative and iconic projects.

I am talking about a non-stop north-south motorway, the rollout of a second year of teacher-led play-based learning before students start reception, all the new homes the Minister for Planning is working on, and the delivery of AUKUS, just to name a few. Of course, all those projects share the same challenge and that is making sure that we actually have the workforce we need to deliver those projects.

Just recently, we received some new data from the National Centre for Vocational Education and Research, which actually lives here in Adelaide. It shows the investment that this government has made in VET training over the last year. I have to say that the data we have tells a really good story. In fact, it shows that government investment in VET in our state rose nearly 10 per cent in 2024 compared with the last year.

Australian and South Australian governments allocated a combined $422 million to training in 2024, which was up 9.4 per cent compared with 2023. This is the largest amount invested in VET in South Australia since we started keeping these records in 2017. Of course, the measure of success is not just what we are investing, it is the outcomes that we need for South Australians to get those jobs. I can tell you, the most recent data we have is very promising on that front as well.

In 2025, the investment in VET is translating to really strong outcomes. South Australia, in fact, was the only state or territory—the only state or territory—to record an increase in student numbers for the period from January to June this year compared with that same period last year, a 3.8 per cent increase, which took student numbers to 57,645: electrotechnology up a staggering 41.6 per cent, growing by over 1,700 enrolments and construction and plumbing up 6.2 per cent, growing by 350 enrolments.

Let's compare that to other jurisdictions over the same period: New South Wales, down 15 per cent; Victoria down 4.5 per cent; Queensland down 1.6 per cent; WA down 1.3 per cent; Tasmania down 5.8 per cent; Northern Territory down 0.9 per cent. We were the only state or territory in the nation that managed to grow these numbers. Apprenticeships are growing too. In fact, in the March quarter, the NCVER report for that period showed that we had the largest growth in commencements in apprenticeships and traineeships in Australia, up 5 per cent. Again, I will compare other states and territories: Victoria down 16 per cent; Tasmania down almost 13 per cent; WA down 11 per cent; Queensland down 10 per cent; and ACT down 0.5 per cent. South Australia is doing the heavy lifting here to make sure these amazing projects benefit all South Australians with great jobs.

ALGAL BLOOM

Mr BASHAM (Finniss) (14:54): My question is to the Minister for Climate, Environment and Water. Why was there a delay in seeking formal commonwealth assistance with the harmful algal bloom? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mr BASHAM: The bloom was first detected in March but formal commonwealth assistance was not sought until July 2025.

The Hon. L.P. HOOD (Adelaide—Minister for Climate, Environment and Water) (14:54): I thank the member for his question. This just highlights the more than $130 million that has been invested in our state, both through a $28 million initial response and then the $102.5 million summer plan. This is significant investment—

Mr Brown: Not one question before the break.

The DEPUTY SPEAKER: Member for Florey!

The Hon. L.P. HOOD: —in our coastal communities, our coastal small businesses and also science, research, and environmental resilience and recovery. This is a cross-coordinated agency effort. It has been a collaboration with our federal counterparts, and I would say that that is a significant response to what has been an event that has no precedent.

As I was saying in my previous answer to the member, our most recent bloom was in Coffin Bay in 2014 and it only lasted a matter of months. When the bloom was being undertaken, the scientists were monitoring that and we were being provided that expert advice. When we saw that the bloom was not dissipating, we ensured that there was a coordinated cross-agency effort that has delivered significant investment to South Australia.

I would perhaps suggest that the member have the same concern for some of his colleagues, particularly in the other place, for the way in which they have spoken about this unprecedented event that is hurting coastal communities. Perhaps he should speak to his colleague in the other place about AI-generated images showing our beaches with blood in the water. Perhaps he should talk to his local small businesses about how they feel about images such as that being posted on social media or dodgy AI links being created to suggest links between the harmful algal bloom and the desalination plant.

Perhaps he should ask industry how they feel about those kinds of assumptions being made as part of this harmful algal bloom, because on this side of the house we are backing our coastal communities, we are backing our coastal small businesses and we are investing in the science, research, and environmental resilience and recovery. I am happy to continue to talk about some of those investments we are making.

I was talking earlier about the establishment of the algal bloom office. Yesterday, I spoke about the AI cytobots, a $1 million trial of state-of-the-art AI-powered submersible cytobots, which will help build our understanding of phytoplankton communities and help with the development of live detection and early warning systems. We are looking at algal bloom mitigation, as I said, and large scale shellfish reef restoration.

I think it has been very clear on this side of the house that we are backing our coastal communities, our coastal small businesses, our environment and our experts with significant investment between the state and federal governments: $102.5 million in our summer plan and $28 million in the initial response. Whilst we have seen some positive results in the last couple of weeks in terms of that dramatic decline in *Karenia* cell counts, we continue to roll out key elements of the summer plan to make sure that we are supporting our coastal small businesses, our coastal small communities and the sectors that rely on our oceans.

ALGAL BLOOM

Mr BASHAM (Finniss) (14:58): My question is to the Minister for Climate, Environment and Water. Which agency was responsible for managing the algal bloom and when was that made clear to coastal councils? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mr BASHAM: The Senate inquiry reports that councils were confused which agency—DEW, PIRSA or the EPA—was responsible.

The Hon. L.P. HOOD (Adelaide—Minister for Climate, Environment and Water) (14:59): I thank the member for his question. It speaks to what the Premier spoke about earlier. So concerned was the member at the time that he chose not to raise any questions in this place. The fact is this has been a cross-agency coordinated effort in response to what is an unprecedented event. We are

seeing these interconnected events, obviously, when speaking about how we saw some of the trigger points for the potential of such a harmful algal bloom, whether that was the River Murray floods, also the cold water upwelling that brought nutrients to our coastline, and also the 2.5° marine heatwave.

The fact is that we are seeing, in no small part due to climate change, our communities being affected by these events, which makes it all the more preposterous that in Canberra just today, their Liberal colleagues are tearing themselves apart over whether or not they should maintain a position on net zero.

The fact is that this was a coordinated cross-agency effort. I am also proud to chair a stakeholder reference group with Minister Scriven in the other place that is consulting and collaborating with various stakeholder groups, including local councils. We greatly value their advice and feedback, as we have been rolling out both our $28 million response and the $1.25 million summer plan. I thank all those stakeholders for being part of that group. It has been a significant cross-agency effort as we respond to this unprecedented event. We look forward to continuing to roll out that support to our coastal communities, coastal small businesses and also around recovery for our environment.

YORKE PENINSULA ROAD NETWORK

Mr ELLIS (Narungga) (15:00): My question is to the Minister for Infrastructure and Transport. Can the minister provide an update on roadworks between Edithburgh and Yorketown, which was signed to commence on 3 November. With your leave, sir, and that of the house, I will explain.

Leave granted.

Mr ELLIS: On 28 October, I was sent a photo by a constituent alerting me to electronic signage on the outskirts of Edithburgh which had been erected and advertised roadworks as having started on 3 November. However, when I drove through on the 31st, the signs were gone and there was no imminent sign of roadwork.

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Energy and Mining) (15:01): That is very concerning. I know the member is a fierce local advocate for his community and he fights hard for his local community. He put a lot of pressure on the then transport and infrastructure minister to lobby the then Treasurer to make sure we could have the adequate funding in place to upgrade that road, and that work has been done. I don't know why a particular sign has been moved. What I will do is make an inquiry of the Minister for Infrastructure and Transport in another place and get back to the member as quickly as possible.

However, I do want to point out to the house that there is a remarkable level of infrastructure spending going on across South Australia, not just in metropolitan Adelaide but across regional South Australia as well. Our regions had been terribly let down by consecutive governments in the past, Labor and Liberal. The outsourcing of the road maintenance contracts by the previous government was the final blow, the stake in the heart of regional communities for road infrastructure.

I know that the new Minister for Infrastructure and Transport has picked up the baton to make sure that we can get a good outcome for regional communities. I know that the regional members on the crossbench fight very, very hard to try to get more funding into the regions for regional roads. To us, we might use them on weekends or we might use them every now and again, but for people in regions that's their lifeblood, the arteries of their economy. If the blocks are not working, it has a major impact. I know that, especially during harvest, the member for Narungga gets lots of correspondence from his community about the state of the roads on Yorke Peninsula. We are working hard to try to remedy those errors.

In particular, I am very concerned about the road maintenance works. The assessment of those contracts has been pretty damning—pretty damning indeed. The promises that were made are impossible to be kept. As those contracts were privatised, of course, the earth was salted behind them, and they sold depots, sold plant and equipment, so it makes it very hard for the government to step back into that space. A lot of our local expertise is gone, retired, moved on, and it's very hard for us.

However, what we do know is that the last time we were in the Clare Valley, as we were driving up there, my former chief executive, who is the current chief executive of infrastructure and transport, followed a maintenance facility, and they were missing every third pothole.

The report back to me was these contracts really don't give value for money to the government. It makes you wonder how any government that claims to represent regional communities can think that privatising and outsourcing regional road maintenance will get you a better outcome than the government doing it itself. I have to say it is a tragedy.

On Yorke Peninsula, which has had a lot of work done on regional roads, this particular road that the member is talking about is critical. I know he has been arguing and fighting for it for a long period of time. I don't want him to leave this place this week thinking the government is not worried about it. I want him to go back to his constituents on the weekend and let them know that I will personally follow this matter up.

I want to reassure him also that the removal of the sign doesn't necessarily mean the work has stopped. That sign could have been up because there assessments being done on the work to be done by workers, to make sure that they were safe while that assessment was being done. But there are a number of reasons why that sign could have been moved. I doubt it was vandalism but it might have been some other reason. It might have been moved to another location. I will get a detailed answer and response from the minister and get back to the house sine die.

ALGAL BLOOM

Mr BASHAM (Finniss) (15:05): My question is to the Minister for Climate, Environment and Water. Was the government's response to the harmful algal bloom fragmented and confusing for stakeholders? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mr BASHAM: In relation to the coordination of government response, the Senate inquiry states:

> A wide range of inquiry participants claimed that the initial SA Government response and messaging about the HAB were fragmented and confusing for stakeholders.

The Hon. L.P. HOOD (Adelaide—Minister for Climate, Environment and Water) (15:06): I thank the member for his question. I reiterate the extensive cross-agency effort that has gone into responding to this unprecedented harmful algal bloom, and the extensive federal and state funding that has gone into supporting our coastal communities, our coastal small businesses and, of course, our experts who we back—particularly on this side of the house—and also our investment in nature's own recovery tools and our environment.

As we have seen throughout the rollout of our summer plan, we are making extensive investments in supporting the iconic South Australian summer that we all know and love. Whether that is through our BeachSafe app, which has had a significant take-up, providing people with the tools to decide where to plan their day at the beach, whether that is supporting our recreational fishers and boaters—I understand that the member for Reynell has some of her local fishers in the gallery today who are very much welcoming the reduction in boat ramp fees as part of our summer plan—or our significant voucher programs. The Minister for Tourism is doing a significant job, a fantastic job, in rolling those out. Whether it is our accommodation vouchers or whether it is our dining cashbacks, we have had an enormous response from people registering for those.

That is all about getting people to our coast because our small businesses want customers. We know the harmful algal bloom only affected around 30 per cent of our coastline. The Premier has stated that the perception of the bloom is perhaps more harmful than the bloom itself. That is why it beggars belief that the other side ask such questions when they have actually failed at every opportunity to call out their colleague and the way in which he has characterised the harmful algal bloom, whether that is comparing it to 'worse than COVID', a global pandemic that killed millions of people or whether that is posting AI-generated images of our beaches with blood in the water.

So perhaps, rather than questioning us on our significant $102.5 million summer plan, they should look a little bit closer to home because the only people they are hurting are the ones in our coastal communities and coastal small businesses.

Grievance Debate

AUDITOR-GENERAL'S REPORT

Mr TELFER (Flinders) (15:08): Yesterday a very interesting document was tabled in parliament looking at the Auditor-General's Report, No. 9 of 2025, State Finances—Insights on the 2025-26 Budget. It is not as big a document as some of the ones that get tabled here in this place but it is one that is full of content that South Australians would rightly be really concerned about.

I want to highlight a few of these aspects just to shine a light on the fact that the Auditor-General has laid bare some of those financial concerns that Labor are blindly taking our state into. To start, looking at net debt in particular, the Auditor-General talks about net debt and makes the comment that it continues to rise and is forecast to reach $48.5 billion by 2029—$48.5 billion. That number is eye-watering. That number is one which South Australians struggle to comprehend. That number is exponentially worse than any level of debt that South Australia has ever been in, even when taking into consideration the equivalent dollars that we are facing.

Some of the commentary that the Auditor-General has put in the report should make South Australians stand up and take notice. Net debt is projected to rise to 26 per cent of gross state product by 2029. The Auditor-General talks about net debt as a proportion of GSP being a common measure used by state governments to assess financial sustainability. It gives the advice that the commonwealth Parliamentary Budget Office considers a sustainable fiscal position to be one where net debt as a proportion of GSP is expected to be stable or to trend down over the long term. If you look at the graph that is within this report, South Australia sadly is in a higher trajectory when it comes to net debt to GSP. Things are only getting worse under this Labor government, and some of the commentary that has been provided by the Auditor-General is truly concerning.

Net debt in itself is not a bad thing, but when it is growing at a faster rate than revenue it should be ringing alarm bells for the Treasurer and for the Premier, because this is the situation that Labor is putting us in. If net debt is rising quicker than the revenue, we are only getting ourselves further and further into debt.

As I said, debt in itself is not a bad thing if it is used wisely, but some of the commentary that the Auditor-General makes is also about the restriction that it puts on the opportunities for future growth for our state. Not just the debt burden but the interest burden that is being faced by South Australia because of this debt is truly astronomical. The rising interest expense may constrain the state's fiscal capacity. Basically, the amount that we are paying in interest is going to significantly limit the amount of money that governments in the future are going to be able to put as investments into the community to pay for the things that are really important.

Interest expense as a total proportion of total revenue is expected to reach 8.3 per cent in 2028-29. Once again, it is a number that some people struggle to get their head around. It is up from 5.4 per cent in 2024-25, and it is going to be payments, repayments and interest payments of nearly $7 million a day—$7 million a day, each and every day, 365 days a year, and that number is only growing. Imagine what could be paid for with an extra $7 million. This is debt burden that state Labor is putting us under without any sort of management plan in place.

When the Premier was opposition leader he crowed about the importance of debt management. He called on the previous government to have a debt management plan in place. He said that that is exactly what they would do in government. Well, we are still waiting. We are nearly four years in and there is no plan to manage the debt that Labor is taking us down. Do not forget that that debt number is exponentially higher than under the previous government—record levels of debt, nearly $48.5 billion. What does Labor do about it? Just hope that it all goes away.

Some of the commentary from the Auditor-General about this is particularly worrying. It is not just about debt, it is also about budget management. The Auditor-General, in making commentary around the importance of budget management, states that robust performance monitoring is required for existing budget programs to inform decision-making. What does that mean? It means that ministers and departments should be conscientious in the way that they spend taxpayers' money. They should be managing their budget in a responsible way.

SCHOOL TRAFFIC ZONES

S.E. ANDREWS (Gibson) (15:13): I rise to call on members of the Holdfast Bay council to act on concerns about student safety on Bowker Street and to install an effective pedestrian safety crossing for students and families of Paringa Park Primary School.

In July 2024 I wrote to the council, raising the very real safety concerns of the community following a meeting with the principal, a teacher and a young student. There was no action. In August this year, I wrote again to the Holdfast Bay council, this time with details of a petition I ran on this issue. Still there was no action. But it is not just me raising this as an advocate for my community. Council's own consultation on their business plan advised that, and I quote:

> A dominant theme was concern about vehicle speeds on streets surrounding the school, particularly Bowker Street. Respondents described the road as a major thoroughfare, often used as a shortcut, with drivers routinely ignoring the 25 kilometre per hour speed limit. Many mentioned near misses involving children and said drivers were not responding appropriately to signage or school zones.

They go on:

> Overall, the feedback reflects a strong and unified call from the community for immediate and meaningful action to improve safety conditions around the school, especially on Bowker Street.

Yet despite this—knowingly—still no action from members of the Holdfast Bay council. I do reiterate local roads are the responsibility of our local councils, and I call again on members of the council to act on the very real safety concerns of families for this school and on the community surrounding Bowker Street. I would like to add some of the quotes that were raised in the petition I ran earlier this year:

> Thank you for raising this petition. This has been an ongoing issue for several years and while the council has been engaged, they have not yet been willing to put in a wombat crossing due to the costs involved. That is clearly the best solution for this street as it will force cars to slow down, and there are other traffic calming measures that could be instituted to make this area safer for children and stop it being a speedway for cars.

Another advised on the petition I ran:

> Cars doing 80 to 90km per hour on Bowker Street, something needs to be done before a child is killed. And not just lights, it needs multiple bumps.

Another stated:

> Yes, flashing lights at the pedestrian crossing would be a blessing! So many cars zoom down that street, unaware it's a school zone. This gives drivers better vision as they approach! May even save a life!

And this comment:

> My daughter attends school at Paringa Park Primary and there have been many times drivers have flown past the crossing whilst we are attempting to cross. It's only a matter of time before someone is hurt.

Council have not acted, despite all of the information that is in front of them, and I stand here again in this house urging them to act and put the very real concerns of the community to bear.

The state government, however, is acting on concerns around school zones and on its responsibility for our main roads. I am so pleased that the rollout of 40 km/h zones by our state government is occurring for schools in my community, in particular those schools—their principals and governing councils—that I have talked to over the last year. I note that, by the end of next year, there is going to be a 40 km/h zone outside Brighton Secondary School and another one outside Brighton Primary School. Both of these are on Brighton Road—a very busy road, as you all know. There will also be 40 km/h zones on Diagonal Road and Morphett Road surrounding Warradale Primary School.

There has been particular interest in improving safety along those roads for school families, and one very diligent grandparent advocate has been in touch. I am so pleased that the state government is acting on this. There are also going to be safety zones raised on Sturt Road for Sunrise Christian College, as well as on Marion Road for Marion Primary School and Westminster School. It is possible to act on behalf of student safety and community safety. The state government is doing it. I call on members of the Holdfast Bay council to do the same.

HAMMOND ELECTORATE

Mr PEDERICK (Hammond) (15:18): I rise to discuss the infrastructure funding for Hammond that was initiated during the Liberal government between March 2018 and March 2022. It is quite a significant list, including the Milang butter factory facade restoration, $20,000; Bremerton Wines, $400,000; Lake Breeze wines, $300,000; Eastern Fleurieu school, Langhorne Creek upgrade, $3 million; Callington Recreation Community Centre, $197,500; Monarto Safari Park, $4.55 million; Old Murray Bridge upgrade, $36 million; and Thomas Foods community infrastructure, $14 million.

It includes Gifford Hill Racecourse, Murray Bridge, $7.5 million; Murray Bridge Soldiers' Memorial Hospital emergency department, $7 million, alongside the operating theatre upgrade of $3 million; Murray Bridge High School upgrade, $20 million; Murray Bridge North Primary School upgrade, $5 million; Murray Bridge Regional Rowing Centre, $360,000; Murray Bridge swimming pool upgrade, $1 million; Greater Adelaide Freight Bypass planning study, $5 million; Murray Bridge to South-East links business case, including duplication of the Swanport Bridge, $5 million; Beston Foods Jervois plant upgrade, $2.5 million; Tailem Bend netball courts, $99,350; Tailem Bend new CFS station, $1.061 million; and Karoonda swimming pool—a big project that took years to get there, but we got there, member for Chaffey—$1.6 million.

Also included is Karoonda Districts Football Club upgrade, $258,000; Lameroo swimming pool regeneration $850,000; Zerella Fresh Parilla Potatoes new packing facility, $2 million; Browns Well Highway and Ngarkat Highway upgrade to bring back the roads to a 110 km/h speed limit, $42 million; Kalimna Hostel Strathalbyn redevelopment, $3 million; Strathalbyn and District Aged Care Facility upgrade, $16 million; Mannum Community College new STEM building, CAD lab and senior school upgrade, $3.9 million; and Eastern Fleurieu School Strathalbyn campus upgrade, $1.8 million.

There was $1.5 million towards the Mid Murray Murraylands Road upgrade; $900,000 towards the Coorong District Council high risk intersection upgrade; $1.5 million towards the Murray Bridge basketball stadium; $540,000 towards the Swanport Road recycled water pipeline project; $300,000 towards the Knights Well Road upgrade project; $25,200 towards the Borrika Tennis Club Incorporated to construct the tennis court; $17,900 to the Barefoot South Australia Water Ski Club Incorporated to construct a multiuse clubroom at Purnong Road, Caurnamont; and $2 million to the Dragway at The Bend.

There was $347,000 to the Bowhill Township; $125,000 to the Karoonda Business Park; $500,000 to the BIG4 Caravan Park at The Bend; $105,000 to the Harbour Mannum tourist grant; $200,000 to Murraylands Multisports; $171,000 to the sporting shooters at Tungkillo; $49,750 to the Imperial Football Club in Murray Bridge; $2 million for a new Strathalbyn SES station; $3.9 million for a new Strathalbyn Ambulance Station; $2 million to the Kanmantoo Copper Mine; $1.3 million to the Pinnaroo electric vehicle charging station; $648,000 to the Mallee Community Playground Trail project; and $449,917 to the on-farm emergency water infrastructure rebate scheme.

That is over $200 million worth of funding, which I was so proud to deliver as a local member during the former Liberal government during the time we were in government. It shows what you can do in regional areas when you have the power and the will to invest in local communities. A Liberal government will do that in regional South Australia, and I am so proud of what we delivered in the seat of Hammond.

PALESTINE NATIONAL DAY

The Hon. A. PICCOLO (Light) (15:23): This Saturday marks Palestine National Day, a time to honour the people's enduring struggle for justice, dignity and statehood and to reaffirm our shared commitment to peace, truth and humanity. First declared by the Palestinian National Council in 1988, this day is a powerful expression of national identity and resilience. For Palestinians around the world in exile, under siege or living in a diaspora, it is a deeply personal reminder of their right to self-determination and a future free from occupation.

More than symbolic, Palestine National Day asserts that the Palestinian people exist, that their history matters, and their future must be one of freedom. I begin by acknowledging the recent

peace arrangement—as fragile as it may be—which has brought a moment of respite to a region long gripped by violence. I welcome this development with cautious optimism and sincerely hope that it marks the beginning of a durable, just and inclusive peace, a peace that does not merely pause the suffering but ends it; a peace that recognises the humanity of every Palestinian child, every displaced family and every silenced voice.

I would also like to acknowledge the federal Labor government's recognition of the state of Palestine. This act of moral clarity affirms what 157 nations and the United Nations itself has already declared, that Palestine is not a theoretical construct but a real and rightful state with borders, people and a history that cannot be erased.

Recognition matters. It matters because it shifts the balance from silence to solidarity, from denial to dignity. It matters because it tells the Palestinian people in South Australia, across Australia and across the world that they are seen, heard and valued, but let us not pretend that recognition alone is enough. The reality on the ground remains dire. Palestine is disappearing, not metaphorically but physically under the relentless expansion of illegal settlements sanctioned and supported by the Israeli state.

These settlements are not passive structures, they are instruments of displacement, symbols of defiance against international law and barriers to peace. I condemn the actions of Zionist forces and ideologies that have perpetrated this injustice. However, I say with absolute clarity that not all Jewish people are Zionists, and not all Zionists are Jewish. The distinction is important.

Our critique is not one of faith but of a political movement that has, in the most extreme forms, justified the erasure of Palestinian lives, homes and history. From Deir Yassin to Gaza, the record is clear: massacres, blockades and bombings have left scars that statistics cannot convey. More than 69,000 Palestinians have been killed in the most recent conflict alone. These are not numbers, they are lives, stories and futures extinguished, and yet some in the Western world remain unmoved, their moral indifference cloaked in political expedience.

We must reject the false equivalence that dominates our media and political discourse. Just as we do not give equal airtime to Holocaust deniers, we must not legitimise those who deny the scale and severity of Palestinian suffering. The Hamas attacks on 7 October 2023, horrific as they were, were not the beginning, they were the consequence. It was the result of decades of occupation, oppression and silence. Destroying Hamas will not destroy the Palestinian cause because it is a just cause rooted not in extremism but in the universal desire for home, peace and dignity.

The two-state solution has been the formal position of successive Australian governments. We must ask: is it still practical, given the ever-expanding settlements and the refusal of consecutive Israeli prime ministers to even contemplate it? If peace is truly the goal, then the first step must be to stop, not retreat, just stop the expansion into Palestinian lands.

Jerusalem, a city sacred to Jews, Muslims, Christians and others, was meant to be an internationally recognised space, yet it has been claimed, divided and politicised. This is not the path to peace, it is a path to perpetual conflict. Today, let us honour Palestine National Day, not with platitudes but with purpose. Let us stand with the Palestinian people not just in word but in action. Let us support their right to statehood, their right to return, and their right to live free from fear. History will judge us not by our intentions but by our actions. I, for one, choose to stand on the side of justice and stand with the Palestinian people.

MORIALTA COMMUNITY AWARDS

The Hon. J.A.W. GARDNER (Morialta) (15:28): Today, I am pleased to announce the winners of the 2025 Morialta Community Awards. Tonight we will welcome most of them into the house for dinner, along with their loved ones, and I thank them for their service to the community. One of the award winners is Phil Smyth, a charter member of the Athelstone Kiwanis Club. This year Phil celebrated 41 years of serving our local community through Kiwanis. He has been there every step of the way offering dedicated volunteer service in the aid of others.

Chris and Fay Ward of the Rostrevor Campbelltown Kiwanis Cub are extremely familiar faces around our community and were very popular awardees. They raise money for charity, support local projects and, in addition to their longstanding service to Kiwanis, also work hard to support community and council events.

Next is Tony Fuda of the Eastern United Football Club. Tony's leadership at the club has enabled participation of hundreds of budding local soccer players over the years and his advocacy helped the club achieve their pitch and clubroom upgrades. Over the last three years, Tony's work to create the Silver Saints walking group has created new opportunities for dozens of seniors in our area to keep active, social and healthy.

Graeme Packer is a long-serving member of the Rotary Club of Morialta. He is always the first to roll up his sleeves whenever anybody needs help, and he has made his mark in some significant ways. The Thorndon Park community kiosk and the Athelstone Community Workshop are thriving, in no small part thanks to Graeme's leadership, along with the success of countless events supporting our local community and global Rotary charities.

Alan Cushway is another Rotarian of longstanding merit. Alan was one of the first people to come and see me after I was first elected because he was eager to get my support for Rotary programs, including the RYDA initiative, promoting road safety. At the community workshop, he has been an active worker since it opened in 2009, attending multiple sessions each week, giving many hours preparing accounts and banking and cooking the barbecue.

Maria Mignone has been contributing to our community for 50 years through a range of activities, particularly through her dedicated volunteering efforts at the Campania Club. Whether in the kitchen, serving on the floor, or elsewhere in the club and the community, she has helped keep alive authentic traditions that help maintain some of the most celebrated aspects of modern multicultural South Australia.

Abraham Shuken's coaching efforts with the Adelaide Community Basketball Association, located at the ARC, and the connections he makes with young people saw him recently awarded the Aussie Hoops National Coach of the Year award. But that is only the tip of the iceberg when it comes to what he does for our community. On governing councils at Highbury Primary and Charles Campbell College, Abraham has advocated not just for his own children but for our community at large. In 2018, his doorknocking efforts, collecting signatures for a petition, led directly to the construction of a pedestrian refuge on Lower North East Road.

The next winner is Deepa Ranjith. From the moment Deepa and her family came to our community, she has been making a contribution. As a performer and a teacher of Indian classical dance, she has helped enrich a range of community events, including here at Parliament House, with her performances and those of her more than 300 students.

Other winners included Tim and Michaela Moors. Morialta Secondary College performing arts leader, Tim, and drama teacher Michaela are recognised for their exceptional work establishing a wonderful culture for performance, creativity and connection to community at this new school. Their wide range of music and drama events included this year the inaugural school musical. Around 60 per cent of Morialta students are learning an instrument, which is an extraordinary achievement that supports academic achievement and school culture.

The final winners are Enrico Paterni and Orietta Ferraro of Baretto Cafe Bottega. Growing up in Rostrevor, as I did, the old Forest Avenue deli was an institution. When it closed in 2023, it was the end of an era, but Enrico and Orietta saw the potential for something new and more exciting. They put their money where their mouth was, took the risks and invested themselves completely in sharing their vision with our community. It is now a thriving hub of activity every day, drawing people to Forest Avenue from near and far. They feed 50 kilograms of coffee beans to local residents every week—and they are not even open on Sundays—and the community appreciates them in return.

I congratulate all the winners of the Morialta Community Awards 2025 and thank everyone who submitted nominations. Although I am leaving the parliament, I hope these recognitions will continue, and we are already getting the next four award winners ready to present before the election. I am pleased that Liberal candidate Scott Kennedy has confirmed that, if he is successful, he will continue to offer these awards.

Sir, as you know, Scott is a lifelong local who demonstrates his commitment to volunteering and community every week at the Athelstone CFS, where I think you might have met him when you were the emergency services minister a decade ago. I am not surprised by his commitment. I hope

it will be matched by the others. I once again put on the record my sincere thanks to all of those winners and their loved ones.

HOUSING AFFORDABILITY

Ms CLANCY (Elder) (15:33): I would like to take this opportunity today to talk about housing. We know the pressures of the housing market are being felt right across the country, including here in South Australia. Median house prices have grown in excess of 80 per cent in our state in the past five years, while rents have increased by 6 per cent in the past year alone. For too many South Australians, saving for a deposit while paying today's rents feels impossible. But the Malinauskas government is not standing idly by in the face of a housing crisis. We are pulling every lever, taking every opportunity we can to help more South Australians buy their own homes.

While we work to address housing affordability, it is really important to be honest about what is and what is not causing the problem. While friends of those opposite continue to point the finger at migrants and international students, this government will not scapegoat other people for a problem that has been decades in the making. Let me be clear: migrants and international students are not to blame for rising house prices or rent pressures. Housing affordability challenges are the result of years of underinvestment in supply and planning, the systemic destruction of vocational education and training, and wage stagnation unable to keep up with the cost of living.

Those opposite do not want first-home buyers to point the finger at the person buying their 20th property: they want them to point the finger at the fellow Australian trying to buy their first. Migrants have made and continue to make an enormous contribution to our state's economy, our health system and our community. They are the nurses staffing our hospitals, the engineers designing new infrastructure and the small business owners breathing life into our suburbs. They deserve and need somewhere to live too.

The Malinauskas government will continue working every day to solve the housing crisis by building more homes, not by building walls. Our focus is on accelerating construction, unlocking land and supporting all South Australians, whether they were born here or chose to make this state their home, to share in the opportunity and security that housing provides. Since our election, we have committed $3 billion in housing-related projects, investing in building more homes, creating new jobs and relieving pressure in a tight housing market.

In the 2025-26 state budget alone, we allocated more than $550 million to support the construction of almost 3,000 new homes to help vulnerable South Australians find secure housing. This builds on our earlier reform to remove property value thresholds for first-home buyer stamp duty relief and the First Home Owner Grant, providing eligible first-home buyers in South Australia as much as $55,000 in relief towards a new home. We have also released our Housing Roadmap, a comprehensive plan to increase supply as quickly as possible by supporting rezonings for close to 40,000 new homes, investing $1.2 billion in critical water and wastewater infrastructure and reforming planning laws to cut approval times almost in half.

We have learned from the mistakes of those opposite and Labor governments of the past to stop sales, fast-track construction and deliver necessary upgrades to provide an additional 4,817 public homes in South Australia by 2026. We are investing in the workforce needed to build these homes, including through the establishment of the technical college in Tonsley, in my electorate, that opens next year. It is not just first-home buyers and public housing tenants: we have also provided renters with greater protections, too, by banning rent bidding, making bonds more affordable, and protecting tenant rights and personal information.

Housing affordability is one of the defining challenges of our generation. No single program or initiative will solve it overnight. We need to build more homes, and we need a skilled workforce to build those homes. The Malinauskas government will not divide South Australians when we should be building with them.

Private Members' Statements

PRIVATE MEMBERS' STATEMENTS

Mr TELFER (Flinders) (15:38): Thanks to very generous bereavement donations from past members of the community, the Tumby Bay Hospital and Uringa Auxiliary have been able to fund

the first stage of an exciting project to build new patient bathrooms onto existing patient rooms at the Tumby Bay Hospital.

You may think that is something that is the responsibility of government: in regional communities, there is so much infrastructure that is funded by the hard work of auxiliaries and the bereavement donations that people make in our incredible communities. This long-awaited project was started in May this year. After years of interruptions and setbacks, it is so exciting to see this project actually delivered and to know that they are looking to the next stage to put these important bathrooms into hospital rooms at the Tumby Bay Hospital.

We are so grateful for the generosity of individuals and families in our community who donate money, who get involved in their auxiliary and share and bequeath for the benefit of others using the Tumby Bay Hospital and Uringa Auxiliary. It is a really key part of our community. Can I just recognise the hard work of the Tumby Bay Hospital auxiliary—president, Cynthia Fulton; secretary, Carolyn Thompson; and treasurer, Bev Ollivier—and I recognise those members who fundraise to deliver such important upgrades to health infrastructure in our small regional communities.

The Hon. A. PICCOLO (Light) (15:39): On Sunday, I had the good fortune of being part of the 2025 Eudunda Show. I had a stall there so I had an opportunity to meet a whole range of people from the Eudunda and surrounding communities. The weather was a bit inclement but it was a great show. It was full of people. I understand around 1,800 people, plus hundreds and hundreds of children, attended the event. It was a very successful event and there were a whole range of events on at the show. There was the Australian Army Band, a colouring competition, motorcycle trials and dog jumping. The theme this year was A Man's Best Friend and there were a whole range of events related to dogs, including dog races, etc.

I would like in particular to remind the house that this show was put on against the backdrop of a major drought. For this group of volunteers to host such a show was a terrific event. It was a fantastic effort. There are other issues that also confront this community, such as the northern transmission line, etc., but despite that they did a good job in hosting the event. I would like to particularly congratulate the committee—President Garry Schutz, Secretary Melinda Schutz and a number of other members of the committee—on hosting what quite rightly is a highly regarded spectacular event.

Ms PRATT (Frome) (15:41): Today, at a fire danger season briefing to MPs by the CFS I had the opportunity to meet with Brett Loughlin, the Chief Officer of the CFS, to raise my concerns with him on behalf of local farmers who are still waiting for their farm fire unit permits despite applying many months ago through the proper online channels.

With the fire season already on us, this delay is not just an inconvenience, it is a serious safety risk for rural communities who rely on these units as the first line of defence when fire threatens life and property. In the words of some of my farmers, they have advised me that the CFS has still not issued primary producer farm firefighting permit stickers for vehicles. In discussions with other members from different regions, the issue is actually across the board. Farmers in good faith have followed the new procedures to apply online through the CFS website, which a couple of years ago set out how to do it but, for whatever reason, those permits are delayed. One farmer says he has already responded to two fire incidents with a farm unit and it is a matter of high priority. One farmer reports a delay of up to 19 months. He says:

> On behalf of my CFS groups, one has received 75 units on the books, but they have only received back 25 permits.

The delays have real consequences. Without a current permit, farmers will face difficulties passing police roadblocks during these emergencies. Many have resorted to displaying expired permits, which we would discourage. At the start of the fire season, we cannot have red tape getting in the way.

The Hon. A. PICCOLO (Light) (15:43): Yesterday, we quite rightly remembered through Remembrance Day those who had fallen. Yesterday was also 50 years to the day when the Whitlam Labor government was sacked, and so we remember also the sacking of the Whitlam government by the then Governor-General Sir John Kerr on 11 November.

It was a constitutional crisis which ultimately resolved itself through the ballot box but this event had a lasting effect on a local 15-year-old schoolboy at Gawler High School. That schoolboy was me and I can vividly remember what I was doing at the time when in the first lesson after lunch the physics teacher at Gawler High School, as it was then known, Mr John Fielding, told the class that the Whitlam government had been dismissed from office.

While I did not fully understand all the politics of the event at the time, I strongly believed it was wrong. There was something wrong about one individual deposing or dismissing an elected government. As I said, the memories of that day are still vivid in my mind. Mr Fielding, my teacher at the time, gave me the privilege of actually coming to the school yesterday to re-enact his announcement to the class and I was able to see him after 50 years at Gawler High School. These events, plus other things, led me to join the Labor Party and to fight for justice.

Bills

SCRAP METAL DEALERS BILL

Introduction and First Reading

The Hon. B.I. BOYER (Wright—Minister for Education, Training and Skills, Minister for Police) (15:44): Obtained leave and introduced a bill for an act to regulate the scrap metal industry, and for other purposes. Read a first time.

Second Reading

The Hon. B.I. BOYER (Wright—Minister for Education, Training and Skills, Minister for Police) (15:45): I move:

That this bill be now read a second time.

Today, I introduce the Scrap Metal Dealers Bill 2025, which will not only assist in reducing opportunistic metal theft within South Australia but also reduce costly disruptions to the building and construction industries and reduce victims of and people affected by metal theft throughout our entire community.

This bill will enable South Australian legislation to be aligned with other Australian jurisdictions and countries around the world. The bill responds to a growing and deeply concerning trend: the theft of copper, piping and catalytic converters across the community and the incessant theft of countless metal components from construction and mining sites, which have an ongoing and significant impact on the state's economy.

The Master Builders Association of South Australia has found the estimated cost of metal theft to the industry in excess of $70 million per annum. The lack of regulation of the scrap metal industry has resulted in a significant amount of metal theft and associated illegal activities. Our government is committed to reducing crime, creating safer worksites and ensuring that our state continues to support businesses and economic growth. We are focused on reducing criminal activity, service disruptions and significant financial losses experienced by South Australian businesses and residents within the South Australian community.

This bill is necessary, as the regulation of the scrap metal industry is already occurring interstate. The key provisions of the bill are as follows:

1. Registration of legitimate and conscientious scrap metal dealers who are not a part of or involved in criminality.
2. Transaction records to be provided to police to assist with their investigations and identification of suspicious activity.
3. Prohibition of cash, cheque and in-kind payment for transactions, enabling transactions to be traceable and reducing the incentive for opportunistic theft.
4. Enforcement through the establishment of powers for police to enter, search and inspect any premises, vehicle or vessel and issue disqualification notices where necessary.

The bill does not target legitimate scrap metal businesses or stop people in the community from recycling their cans and bottles. Let me be clear about that. It targets the unregulated trade resulting

from the theft of metal from construction and mining sites, public utility sites, transportation locations, community sporting venues, event venues and people's homes and businesses for illegitimate and illegal gain. The bill provides flexibility to expand or exclude prescribed metal items and classes of persons defined as prescribed scrap metal dealers, such as manufacturers, allowing responsiveness to emerging crime trends and situations.

I thank the Ai Group for their ongoing discussions with SA Police and my office around the drafting of regulations for manufacturers. I give the same commitment again that we will continue to work not just with the Ai Group but industry on both sides—the housing, motoring and manufacturing industry and also the scrap metal dealers—in finalising the regulations. In developing the bill, we have consulted with interstate law enforcement, industry stakeholders and the broader community.

The message is clear: we must act now to make scrap metal theft unappealing for opportunistic thieves and reduce the rates of criminal activity and harm to both the community and our economy. This is responsible, measured and necessary reform. It reflects our Labor values: protecting communities, supporting business, economic growth, protecting the environment and making worksites safer for all workers. I seek leave to introduce the explanation of clauses into *Hansard* without me reading them, and I commend the bill the house.

Leave granted.

Explanation of Clauses

Part 1—Preliminary

1—Short title

This clause is formal.

2—Commencement

Commencement of the measure is by proclamation. Section 27(6) of the *Legislation Interpretation Act 2021* is disapplied.

3—Interpretation

This clause defines terms and phrases used in the measure.

4—Meaning of scrap metal and prescribed scrap metal

This clause defines what is scrap metal for the purposes of the Act, and also what is prescribed scrap metal.

5—Meaning of prescribed scrap metal dealer

This clause defines who is a prescribed scrap metal dealer for the purposes of the measure.

6—Presumption of carrying on business of buying and selling prescribed scrap metal

This clause sets out when a person who is buying and selling prescribed scrap metal is taken to be carrying on a business of doing so.

7—Application of Act

This clause clarifies the interactions between this measure and other Acts and laws, in particular the *Second-hand Dealers and Pawnbrokers Act 1996*, the *Second-hand Vehicle Dealers Act 1995* where there is some crossover between the items regulated under the respective Acts.

8—Criminal intelligence

This clause is a standard power for the declaration by the Commissioner of Police of certain information as criminal intelligence, and rules around its disclosure.

Part 2—Prescribed scrap metal dealers

9—Disqualification from carrying on business of buying and selling prescribed scrap metal

This clause creates an offence for a person to carry on a business buying and selling prescribed scrap metal if they are disqualified under this measure from doing so. The clause sets out how a person is, or may be, disqualified and sets out the grounds for that happening.

10—Interim disqualification

This clause enables the Commissioner of Police to disqualify a person from carrying on a business buying and selling prescribed scrap metal on an interim basis.

11—Notification of intention to carry on business etc

This clause requires a person who is proposing to carry on a business of buying and selling prescribed scrap metal to give the Commissioner of Police written notice of that fact. Failure to do so is an offence.

The clause creates a similar offence for a person who, on or after the commencement of the section, carries on a business of buying and selling prescribed scrap metal to fail to give the Commissioner of Police written notice of that fact.

12—Notification of change of information

This clause requires a person who has given the Commissioner of Police notice of certain information under proposed section 11 to give notify the Commissioner of any changes in that information. Failure to do so is an offence.

13—Register

This clause requires the Commissioner of Police to keep a register containing the information specified in the clause.

Part 3—Dealing in prescribed scrap metal

14—Prohibition on certain forms of payment for prescribed scrap metal

This clause creates an offence for a person who is buying prescribed scrap metal to pay for it using the payment methods specified.

15—Prohibition on advertising certain forms of payment for prescribed scrap metal

This clause creates an offence for a person to advertise the fact that they will buy scrap metal using one of the payment methods prohibited under the measure, or to offer to do so.

16—Records of certain prescribed scrap metal transactions

This clause requires certain records to be made and kept by prescribed scrap metal dealers in relation to certain transactions involving prescribed scrap metal.

17—Verification of identity

This clause requires prescribed scrap metal dealers to verify, in accordance with the regulations, the identity of a person from whom they buy prescribed scrap metal. Failure to do so is an offence.

18—Duty to report and retain stolen prescribed scrap metal

This clause requires prescribed scrap metal dealers to notify a police officer where they suspect prescribed scrap metal bought or received by them may have been unlawfully obtained. The clause prevents such prescribed scrap metal from being disposed of or altered by the prescribed scrap metal dealer until certain notification is made, and further enables police officers to give directions in relation to the disposal or alteration of the prescribed scrap metal.

Part 4—Enforcement

Division 1—Authorised officers

19—Authorised officers

This clause sets out who are authorised officers for the purposes of this measure.

20—Powers of authorised officers

This clause sets out the powers of authorised officers under the measure.

21—General provisions relating to exercise of powers

This clause clarifies the interaction between the measure and the *Summary Offences Act 1953* in respect of the powers of authorised officers who are police officers. The clause also creates an offence to hinder or obstruct an authorised officer.

Part 5—Review of certain decisions

22—Review of certain decisions

This clause confers jurisdiction on the South Australian Civil and Administrative Tribunal to review certain decisions of the Commissioner of Police under the measure.

Part 6—Miscellaneous

23—False or misleading information

This clause creates an offence for person to provide false or misleading information under the measure. A maximum penalty of $20,000 is fixed.

24—Statutory declaration

This clause enables the Commissioner of Police to require that information provided under the measure be verified by statutory declaration.

25—Liability for act or omission of officer, employee or agent

This clause provides that an act or omission of an officer, employee or agent of prescribed scrap metal dealer will be taken to be an act or omission of the prescribed scrap metal dealer unless it is proved that the officer, employee or agent acted outside the scope of their usual and ostensible authority.

26—Offences by bodies corporate

This clause is a standard provision imputing liability of a body corporate to each director of the body corporate.

27—Self-incrimination

This clause partially abrogates the privilege against self-incrimination in respect of certain requirements under the measure.

28—Limitation of liability etc

This clause provides that compensation is not payable for things done under the Act, and further limits any liability of the Crown, the Commissioner of Police and others performing functions under the Act.

29—Annual report

This clause requires the Commissioner of Police to provide to the Minister an annual report on the operation of the measure.

30—Evidentiary

This clause allows certain evidence to be given in proceedings by way of certificate.

31—Confidentiality

This clause is a standard confidentiality provision, limiting disclosure of certain information obtained by a person in the course of the administration, operation or enforcement of the measure.

32—Victimisation

This clause prohibits a person from victimising another person on the ground, or substantially on the ground, that the other person has disclosed or intends to disclose information, or has made or intends to make an allegation, that has given rise or could give rise to proceedings against the person under this measure. An act of victimisation may be dealt with as a tort or as if it were an act of victimisation under the *Equal Opportunity Act 1984*.

33—Regulations and fee notices

This clause provides power to make regulations and to prescribe fees by fee notice.

34—Review of Act

This clause provides for a review of the operation of the measure to be undertaken after the measure has been in operation for a period of 3 years.

Debate adjourned on motion of Mr Teague.

RESIDENTIAL TENANCIES (MISCELLANEOUS) AMENDMENT BILL

Introduction and First Reading

The Hon. A. MICHAELS (Enfield—Minister for Small and Family Business, Minister for Consumer and Business Affairs, Minister for Arts) (15:49): Obtained leave and introduced a bill for an act to amend the Residential Tenancies Act 1995. Read a first time.

Second Reading

The Hon. A. MICHAELS (Enfield—Minister for Small and Family Business, Minister for Consumer and Business Affairs, Minister for Arts) (15:50): I move:

That this bill be now read a second time.

I seek leave to have the second reading speech and explanation of clauses inserted in *Hansard* without my reading them.

Leave granted.

Mr Speaker, I am pleased to introduce the Residential Tenancies (Miscellaneous) Amendment Bill 2023 (the Bill).

The Bill proposes to amend the *Residential Tenancies Act 1995* (the Act), the *Residential Parks Act 2007* and the *Real Property Act 1886* to improve the rights of renters, modernise existing rental laws and ensure landlords can continue to manage properties effectively.

The amendments proposed in the Bill form part of the government's commitment to improve housing outcomes for people in South Australia.

Earlier this year, the commencement of the *Residential Tenancies (Protection of Prospective Tenants) Amendment Act 2023* and amendments to the Residential Tenancies Regulations 2010 provided some immediate relief for tenants, through taking measures to ban rent bidding, protect tenant information, and make residential rental bonds more affordable.

The Bill contains broader reforms that are necessary to respond to the many challenges faced by tenants in SA.

In September 2023, the Senate Community Affairs References Committee delivered its interim report into the worsening rental crisis in Australia. This report highlights that the challenges faced by tenants to find suitable, affordable, and safe housing are of unprecedented scale, with Australia experiencing a period of extremely low rental vacancy rates and rising rent levels. In August 2023, the residential rental vacancy rate in Adelaide was 0.5%, the second lowest rate of the Australian capital cities, behind Perth.

The Bill proposes amendments to SA's rental laws that are consistent with the agreement made by National Cabinet on 16 August 2023, to 'A Better Deal for Renters', which focuses on improving renters' rights across Australia. Reforms within the Bill also consider the outcome of extensive consultation on the review of the Act conducted by Consumer and Business Services (CBS).

Broad public consultation was undertaken between 15 November 2022 and 16 December 2022, when more than 5,000 people completed a YourSAy survey, and over 150 submissions were received from key stakeholders and members of the public. The outcome of this consultation informed the drafting of the Bill, which was released for targeted consultation between 14 August 2023 and 4 September 2023.

All stakeholder groups who made submissions during public consultation were invited to provide feedback on the Bill as part of targeted consultation. Submissions were received from 21 stakeholders including the Real Estate Institute of South Australia, Shelter SA, Uniting Communities, Better Renting, RSPCA South Australia, the South Australian Civil and Administrative Tribunal and COTA SA.

This feedback informed the final version of the Bill that I am pleased to introduce today.

A key reform in the Bill is to prohibit the termination and non-renewal of tenancy agreements without providing a prescribed reason. Notice of termination on a prescribed ground must be accompanied by written evidence as approved by the Commissioner for Consumer Affairs . This measure is part of a series of amendments that will provide tenants with greater security of tenure and encourage longer tenancies.

It is proposed that landlords will retain the ability to terminate a tenancy by providing a notice of termination due to a breach of agreement, as specified at section 80 of the Act. Landlords will also be able to end a periodic tenancy agreement or not renew a fixed term tenancy agreement because they require possession of the property for the reasons detailed at section 81 of the Act.

To balance the rights of landlords, the reasons that may be used to end a periodic tenancy or not renew a fixed term tenancy will be expanded through regulations. These reasons, which will be finalised after consultation on the supporting regulations, are expected to include when:

- The tenant or their visitor intentionally or recklessly causes serious damage to the property, including safety equipment and common areas;
- The tenant or their visitor puts neighbours, the landlord, or the landlord's agent, contractors or employees in danger;
- The premises are unfit for human habitation, destroyed totally, or destroyed to the extent that they are unsafe;
- The tenant or anyone else living at the property seriously threatens or intimidates the landlord, their agent or the landlord's contractors or employees;
- The tenant has failed to comply with a SACAT compliance order;
- The tenant has already been given two breach notices and the same breach occurs;
- The property is being used for illegal purposes;
- The tenant has brought in other tenants or sub-tenants without consent;
- The tenant has not paid the bond as agreed;
- The landlord is a government housing authority and the tenant misled the authority so they could get social housing;

- The tenant has been involved in an illegal drug related activity in the property;
- The tenant is keeping a pet without consent and SACAT has made an order excluding the pet;
- The tenant is renting a house from a charity or a community housing provider and the tenant no longer meets the charity or community housing provider's eligibility requirements to continue as a tenant;
- The tenant has engaged in false, misleading or deceptive conduct or concealed material facts from a landlord or agent in inducing the landlord to enter into the tenancy agreement.

Consultation highlighted that some tenants are apprehensive to exercise their rights under the Act, fearing retaliatory eviction. As a measure to ensure that tenants can exercise their rights, such as requesting necessary repairs, the Bill proposes to insert a new section 90A into the Act to allow SACAT to determine that a notice of termination has no effect when SACAT is satisfied it is a retaliatory notice. This change is consistent with the agreement made by National Cabinet to ensure provisions to allow appeals against retaliatory eviction notices are fit for purpose.

I understand that tenants are sometimes forced to leave rental properties due to disproportionate rent increases, which cause their rent to become unaffordable. Section 56 of the Act currently allows SACAT to determine rent to be excessive, by considering factors including the general level of rents for comparable premises in the same or similar localities and the state of repair and general condition of the premises. The Bill proposes to amend this provision to require that SACAT must also have regard to whether the increase in rent was disproportionate, when deciding if a rent increase is excessive. It is proposed that tenants who believe their rent is excessive will have 90 days after being notified of a rent increase, to apply to SACAT for a determination on whether the rent increase is excessive and should be reduced.

The Bill proposes several reforms to encourage longer tenancies. Under the *Real Property Act 1886*, the title of a registered proprietor is indefeasible subject to, amongst other things, a residential tenancy agreement not exceeding one year. The Bill proposes to amend this to three years to offer landlords greater security from a caveat being placed on their property by a tenant who has a fixed term tenancy agreement exceeding 12 months. This proposed change to the *Real Property Act 1886* is consistent with equivalent legislation in other Australian jurisdictions.

Tenants may be reluctant to enter longer fixed term tenancies due to concern about their liability to continue paying rent should they need to end the tenancy early. The Bill proposes to introduce section 75A, which limits the amount of unpaid rent that a landlord can claim to a maximum of one month of rent for each year remaining of the fixed term agreement. This must not exceed six months' rent in total. When there is less than one year remaining on an agreement, a tenant will only be liable for a maximum of one month of rent. It is noted that landlords will remain entitled to the costs associated with re-letting, such as advertising costs. The introduction of section 75A aligns with National Cabinet's agreement to limit break lease fees for fixed term agreements to a maximum prescribed amount which declines according to how much of the lease has expired.

Pets can offer physical and mental health benefits to their owners and can provide support to people experiencing loneliness. Many tenants in South Australia report struggling to find pet friendly rental accommodation. According to the RSPCA, one in five animals surrendered is due to their owners being unable to find a rental property that allows pets.

The Bill proposes to introduce a presumption that a tenant who applies to keep a pet in a rental property cannot have their request unreasonably refused, provided the tenant agrees to comply with any reasonable conditions imposed by the landlord. Reasonable conditions may include requiring the pet to be effectively restrained during inspections and requiring carpets in the premises to be cleaned to a professional standard at the end of the tenancy.

Tenants will have the option to apply to SACAT if they believe their request for a pet was unreasonably refused or they are not satisfied that conditions imposed by the landlord are reasonable.

It is also a challenge for some South Australians to find an accessible rental property. This challenge is intensified by limitations on how rental properties can be modified.

The Bill proposes change to section 70 of the Act, which specifies the process for requesting alterations to rental properties. This change will prevent a landlord from unreasonably withholding consent to an alteration or addition to a rental premises that is minor, necessary to ensure the provision of infrastructure or a service of a prescribed kind, or required for a disability within the meaning of the *Equal Opportunity Act 1984* and would not significantly change or affect the structure of the premises. Changes to this section would also prevent a landlord unreasonably withholding consent to an alteration or addition if the tenant has mobility or access needs relating to their age, which is reasonable and necessary for the tenant and would not significantly change, or affect the structure of, the premises.

Changes to section 70 of the Act will make it easier for tenants to make minor modifications such as installing wall anchors to safely mount furniture, adding picture hooks, installing child safety gates and changing internal window coverings. These changes will also create more opportunities for tenants to make changes to improve the accessibility of a property, through measures such as adding safety rails, temporary ramps, and custom shower heads, provided these changes are made good at the end of the tenancy.

All rental properties are required to meet the prescribed minimum housing standards under the *Housing Improvement Act 2016*. The Bill proposes to introduce section 67A, which will clarify that a landlord under a residential

tenancy agreement must ensure that their property complies with these standards on or before the day on which the tenant enters into occupation of the premises. It is noted that section 67A does not require an independent auditor to conduct inspections to ascertain compliance with these standards. Should a rental property not meet these standards, section 67A allows a tenant to request the landlord carry out urgent repairs to ensure the premises complies with these standards. Section 85B will allow a tenant to serve a notice of termination if their rental property does not comply with these standards.

The Bill proposes that tenants will be able to terminate tenancies in other circumstances. Under the proposed section 85AA, when a tenant has served a notice of breach of a residential tenancy agreement on the landlord on two occasions and the landlord has remedied the breach in the prescribed period on both occasions, should the same breach occur again, the tenant may serve a notice of termination without providing a period for the landlord to remedy the breach.

It is proposed that a tenant will also be able to terminate a tenancy in circumstances where the tenant has been offered and accepted accommodation by the South Australian Housing Trust (SAHT) or a subsidiary, or by a community housing provider.

Section 85C proposes that a tenant can terminate a tenancy if they require care of a kind prescribed by the regulations, such as care within a nursing home, and they need to vacate in order to obtain that care, or the tenant requires prescribed temporary crisis accommodation and needs to vacate the premises to obtain that accommodation.

At the National Cabinet meeting on 16 August 2023, agreement was obtained from all states and territories to implement a number of reforms to better protect tenants who are experiencing domestic and family violence.

The Bill proposes measures to strengthen protections for tenants who are victims of domestic abuse. This includes the introduction of section 85D, which will allow tenants to serve a notice of termination in circumstances of domestic abuse by providing supporting evidence to their landlord instead of making an application to SACAT.

Section 90B proposes to allow SACAT to order that a termination notice served on a tenant is invalid, if the tenant has been subject to domestic abuse and SACAT determines the termination notice was served due to the act of a person who subjected the tenant to that domestic abuse.

The inclusion of the proposed sections 66A and 66B will allow a person experiencing domestic abuse to alter any external door or window lock without the permission of their landlord, provided keys to these new locks are issued to the landlord or agent as soon as possible.

Changes to section 89A of the Act are also proposed. These changes will provide SACAT with greater jurisdiction to make decisions about whether a tenant who has experienced domestic abuse and was not responsible for damage caused by their co-tenant, should be liable to pay compensation to the landlord for this damage. In practice, this will allow SACAT to refund a victim's portion of a rental bond and hold a co-tenant responsible for any damages they caused, even when the amount of compensation owed to the landlord is greater than this tenant's portion of the bond.

The Bill proposes to provide additional protections for people living in shared accommodation. Extending the definition of rooming houses will afford more renters living in shared accommodation protections under the Act. The definition of a rooming house will be amended to mean premises in which 2 or more rooms are available for valuable consideration.

The proposed inclusion of sections 103B-103E to the Act establish a rooming house registration scheme for rooming houses with accommodation available for 5 or more persons. This register will be maintained by CBS and require that prescribed rooming house proprietors provide CBS with evidence that they are fit and proper to carry out business involving the provision of accommodation under rooming house agreements.

Further changes to the rooming house provisions within the Act include amending section 105U so that a proprietor may only terminate a rooming house agreement on a prescribed ground and by providing 60 days' notice. Presently, a proprietor can terminate a periodic agreement without ground by providing 4 weeks' notice.

South Australia is currently experiencing extremely low rental vacancy rates, making it a competitive time to be in the market for a new rental property. It is important that tenants who receive notice that their residential tenancy will not be renewed have enough time to secure new accommodation. The Bill proposes to amend section 83A to require that a landlord may only terminate a fixed term residential agreement at the end of the fixed term on a prescribed ground with 60 days' notice, as opposed to 28 days. This will provide tenants with more time to secure a new rental property and make the necessary arrangements to move house.

The Bill also proposes to allow tenants to vacate their rental property within the 60-day notice period and not pay rent after they vacate. This provision will be contingent on a tenant having had their tenancy terminated or not renewed on certain grounds, such as the landlord moving into the property, and requires the tenant to provide seven days' notice to the landlord or agent if they intend to vacate early.

At present, a landlord or agent may inspect a rental property once every four weeks. This is out of step with all other Australian jurisdictions, which allow a maximum of four routine inspections each year. The Bill proposes to amend section 72 of the Act to reduce the number of routine inspections permitted so that a maximum of four routine inspections per year is allowed, unless SACAT order that additional inspections are appropriate. Circumstances that may warrant additional routine inspections include where a tenant has issues with hoarding and more frequent inspections are required to ensure the safety of the property is maintained.

It is noted that section 72(1)(i) of the Act allows a landlord or agent to enter a rental property for a genuine purpose with the consent of the tenant. This section allows for landlords to hold re-inspections, should any issues arise during a routine inspection that the landlord and tenant seek to rectify without a landlord issuing a notice for breaching the tenancy agreement.

As a measure to ensure the privacy of tenants during the sale of a tenanted property, it is proposed that section 72(5a) is included in the Act to allow for regulations to prescribe requirements relating to the production, distribution or publication of documents or records in connection with the relevant entry onto the premises. This will allow the regulations to provide restrictions regarding how tenants' belongings can be photographed and published in real estate advertisements.

As a step towards improving energy efficiency standards in rental properties, the Bill proposes to introduce section 68A, which specifies that any new or replacement fixture in a rental property will be required to meet certain energy or water efficiency standards, which are to be detailed in regulations.

The inclusion of section 73A specifies that a landlord and tenant may enter into an agreement under which the tenant is able to pay for the installation of a solar energy system. This section is intended to clarify that no section of the Act prevents tenants and landlords forming agreements about the installation of energy saving infrastructure by a tenant.

The Bill also proposes changes to statutory and excess water charges. It is proposed that section 73 of the Act is amended to specify that a landlord is responsible for rates and charges not based on the level of consumption, such as the water supply charge. If the premises is separately metered, the landlord and tenant may agree otherwise. Further, a tenant is not required to pay rates or charges if the landlord fails to provide a copy of the invoice within 30 days.

The introduction of section 73B proposes to clarify that a landlord is responsible for excessive water usage charges caused by a fault in water infrastructure or equipment or other appliances, fittings, or fixtures at or connected to the premises when the tenant has notified the landlord of the issue as soon as practicable. It is noted that the tenant and landlord are not responsible for costs associated with a fault that is the responsibility of SA Water.

The Bill also proposes to introduce measures to prevent the provision of misleading information. Section 47C will require that a landlord or agent make prescribed information available to prospective tenants and do not make any statement or representation they know to be false, misleading, or deceptive or knowingly conceal a material fact of a kind prescribed by regulation. It will also be a requirement that tenants are informed of information related to embedded networks, when entering a tenancy where an embedded network is present.

To balance the rights of landlords, and ensure prospective tenants are deterred from providing misleading information, the Bill proposes to introduce a provision at section 47B to require that a prospective tenant does not give a landlord false information or a falsified document in connection with an application to enter a residential tenancy agreement.

At present, a landlord is not entitled to compensation (i.e., break lease costs) where the landlord terminates the agreement due to a breach by the tenant and the breach is for something other than unpaid rent. The Bill proposes the addition of section 84A. This section will specify that landlords are entitled to costs or expenses of a kind determined by the Commissioner in connection with the termination of a residential tenancy agreement in prescribed circumstances.

When National Cabinet met on 16 August 2023, it was agreed to move towards a national standard of no more than one rent increase per year for a tenant in the same property across fixed and ongoing agreements. To implement this, the Bill proposes to amend section 55 of the Act to clarify that an increase in rent, even by mutual agreement, must be at least 12 months after the date on which the residential tenancy agreement was entered into, or, if there has been a previous increase of rent under this section, the last increase. Section 55 also clarifies that if the agreement type changes (i.e. from fixed to periodic) the rent still cannot be increased within 12 months after the start of the original agreement or the last rent increase.

New provisions within the Act are proposed to accommodate changes to the payment of tenant bonds. Changes to sections 61-63 of the Act will allow regulations to provide for lodgement of bonds by tenants and clarify that bonds will be returned to tenants equally unless otherwise consented to or disputed. Further, changes to these provisions will clarify that SACAT may disclose sealed orders to CBS to allow CBS to make bond repayments in accordance with these orders.

Section 63 of the Act specifies the process for the repayment of bonds. At different stages of this process, parties are provided with 10 days to take certain actions. This timeframe of 10 days was designed to allow for communication via the postal system. The Bill proposes that these timeframes are prescribed in regulations, with the view to reduce these timeframes in circumstances where all parties have access to the online bonds system.

The Bill proposes to introduce section 67B into the Act. This section requires a landlord who becomes aware that drug related conduct has occurred at a rental property must test the property for contamination and remedy any contamination so that the property meets the minimum housing standards under the *Housing Improvement Act 2016*. The proposed introduction of 80A will allow a landlord to terminate a tenancy agreement if they are aware the tenant

has engaged in or allowed another person to engage in drug related conduct on the premises and testing indicates the property is contaminated.

The Bill will also clarify that a landlord or agent must not unreasonably withhold consent for a tenant to sub-let a property. To ensure that community housing is reserved for tenants who meet eligibility requirements, a landlord who is a community housing provider may withhold consent for a tenant to sublet the property when the sub-tenant does not meet the eligibility requirements to occupy the property. The Bill also proposes to introduce section 74B into the Act to specify that a landlord or agent must not charge a fee for giving consent to a tenant to sub-let the property.

The Act currently lacks detail about the process for ending a tenancy following the death of a sole tenant. The Bill proposes to amend section 79 of the Act to clarify that a tenancy agreement will terminate 30 days after the death of the tenant, unless an agreement is reached with an administrator or next of kin of the deceased tenant, the tenancy is terminated earlier by notice, or a SACAT order specifies otherwise.

The Bill proposes change to requirements regarding the manner and payment of rent. Changes to section 56A of the Act ensure the payment of rent is in a reasonably convenient manner and, in particular, to ensure that at least one means of payment is electronic and does not involve the collection of rent by a third party for a fee. This will guarantee that tenants who seek to transfer rent payments electronically, are able to do so without being charged.

It is further proposed within the Bill that section 99J of the Act is amended to prevent a landlord, agent, or database operator charging a tenant a fee for giving the tenant personal information listed about them on a residential database.

Section 101 of the Act specifies that the income derived from the Residential Tenancies Fund may be applied for purposes connected with, or arising under the Act or the *Residential Parks Act 2007* that are approved by the Commissioner. The Bill proposes to amend section 101 so that the Minister responsible for the Act may also approve the application of this income.

The Bill proposes to introduce section 114A into the Act, which provides that except in exceptional circumstances, leave must not be granted in relation to an application for a review of a decision by SACAT if a person was ordered to make a payment to another person and that has not occurred. This section is intended to prevent parties applying for a SACAT decision to be reviewed in order to delay making a compensation payment. A person will not be prevented from applying for a review of the decision when the compensation payment has been made.

The South Australian Government recently announced it will explore making the necessary changes to ensure ancillary dwellings, such as granny flats, can be rented to non-family members. This Bill proposes change to the definition of a residential tenancy agreement within the Act, to clarify that a residential tenancy agreement can include an agreement to rent a granny flat.

Reforms to the *Residential Parks Act 2007* are also proposed by this Bill. As a measure to encourage transparency relating to embedded networks, section 14 will be amended to require that a park owner must provide prescribed information to a resident if electricity is supplied via a connection point that is part of an embedded network.

The Bill also proposes change to section 18 of the *Residential Parks Act 2007* to include a new provision clarifying that residents of residential parks are not required to pay entry or exit fees, a management fee, a fee for amenities provided by the park (known as a communal contribution fee) or any other prescribed fee regardless of how the payment is described, including if this additional fee is described as 'deferred rent'. However, the resident and park owner may still agree to defer the payment of rent under an agreement so that it is paid at a later date than when it would fall due. Late rental payments must be calculated with specific reference to the regular rent fee payable for occupation. For example, a residential park owner may agree to allow a resident to pay $20 of the weekly rent of $200 late such that $180 is paid now and $20 is paid after the due date.

To discourage landlords and residential park owners from contravening the Act and the *Residential Parks Act 2007*, the Bill proposes to raise penalties to ensure the costs of contravening provisions are consistent and proportionate deterrents.

The Bill progresses reforms to South Australian tenancy laws that will ensure tenants are safe, secure and happy in their homes. They are also key in shaping the roles and responsibilities of landlords and land agents. These changes are significant, as they are a key component of the first substantive review of the Act since 2014.

I would like to thank everyone who participated in the review of the Act, through completing the survey, making submissions and sharing their stories.

In particular, I also thank the Real Estate Institute of South Australia, SACOSS, Uniting Communities, Anglicare, Shelter SA, SA Unions and the Honourable Robert Simms MLC who have worked constructively with the Government on these reforms.

Subject to passage of this Bill through Parliament, I will seek further amendments to the Residential Tenancies Regulations 2010 to support the changes proposed in the Bill.

I commend this Bill to the House and I seek leave to insert the Explanation of Clauses in Hansard without my reading it.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

These clauses are formal.

Part 2—Amendment of *Residential Tenancies Act 1995*

3—Amendment of section 3—Interpretation

This section is amended to allow receipts to be in paper or electronic form.

4—Amendment of section 55—Variation of rent

Subsection (6), which currently disapplies section 55 from a provision of a residential tenancy agreement under which the rent payable under the agreement changes automatically at stated intervals on a basis set out in the agreement, is deleted.

5—Amendment of section 81—Termination because possession is required by landlord for certain purposes

Section 81(4) is amended to adopt language consistent with section 91A(1).

6—Amendment of section 100—Residential Tenancies Fund

The Commissioner is authorised to pay unclaimed money to the Treasurer in accordance with section 6 of the *Unclaimed Money Act 2021*.

7—Amendment of section 105I—Rent increases

The equivalent amendment to the amendment to section 55 is made in relation to rooming house agreements.

8—Amendment of section 105U—Termination of rooming house agreement

The phrase 'providing for accommodation on a periodic basis' is deleted so that section 105U(6) applies to fixed term agreements as well as periodic ones.

9—Amendment of section 114A—Internal review in relation to certain orders

Certain orders are excluded from the definition of *relevant decision*.

10—Insertion of Schedule 4

Schedule 4 is inserted:

Schedule 4—Transitional provisions—Residential Tenancies (Miscellaneous) Amendment Act 2025

Transitional provisions are inserted for the purposes of the measure.

Debate adjourned on motion of Mr Teague.

Parliamentary Committees

SELECT COMMITTEE ON THE WAITE TRUST (ACTIVITIES ON AND USE OF CERTAIN TRUST LAND) BILL

The Hon. B.I. BOYER (Wright—Minister for Education, Training and Skills, Minister for Police) (15:51): I bring up the report together with the minutes of proceedings of the select committee.

Report received.

The Hon. B.I. BOYER: I move:

That the report of the committee be noted.

Motion carried.

Bills

WAITE TRUST (ACTIVITIES ON AND USE OF CERTAIN TRUST LAND) BILL

Committee Stage

In committee.

Clause 1.

Mr TEAGUE: Yesterday, in the course of my second reading, I flagged that a short committee stage would afford the minister an opportunity to reassure the committee and inform South Australians about what the practical limited scope of the minister's discretion here will involve. I raise that at clause 1 because what we see in the preamble, combined with the operative provisions of the bill, actually on its face grants the minister a really very wide discretion. In circumstances where this is a variation of the trust established by Peter Waite and his wife in the interests of promoting agriculture, this is clearly a development in the interests of the Sturt Football Club for the enhancement of their sporting capacity that will have flow-on educational benefits for Urrbrae Agricultural High School. It is a word of reassurance about what will be the practical purpose for which the minister will exercise discretion, pursuant to these changes.

The Hon. B.I. BOYER: Thank you member for Heysen. That is a very fair question. I think I understand your question and would characterise it as the bill providing not insignificant discretionary powers for the minister and where might that discretionary power be used outside of what is actually prescribed in the bill.

My answer is that on the works which are prescribed in clause 4, if they are done and then there is a fault or remediation works, I am told the discretion would be available to me to provide for people to go on and remediate or fix the faults in the original build. That is envisaged as the breadth of the discretion insofar as it would be used by me or any future minister.

Mr TEAGUE: I appreciate that. That is of benefit to the committee and I think informs the debate. Just to be clear, we are at clause 1 but I will indicate that when we get to clause 3, the key defined term is 'designated land', which is actually the entirety of the Waite Trust land as I read it. Then we use that defined term in clause 4, where the bulk of the relevant activities to be undertaken on the designated land relate to the installation of various fixtures, which are quite well specified in subparagraphs (i) and (ii) but, on the face of it, other than the limiting factor that they are to be activities 'by or on behalf of the Sturt Football Club Incorporated', it is very clear that they relate to the entirety of the trust land and include:

(iii) any other activity approved by the Minister or prescribed by the regulations;

That is where I am coming from.

The Hon. B.I. BOYER: I can tell you that the area of land will be defined by the plan deposited in the General Registry Office that is identified by the minister as the Waite Trust Designated Land Plan, by notice in the *Gazette*.

Mr TEAGUE: Just to be clear then, we have to anticipate what that designated land will be exactly, do we? Because as I read it, on the face of it, that looks like it is the whole trust land, and the prescribed land is the definition that I have not referred to, which is the more particular land to which the works are going to relate.

The Hon. B.I. BOYER: Thank you for clarifying, member for Heysen; I think I better understand your question. The specific site upon which the works will be done will be determined by planning work still to be done by the football club. They are holding off on that, waiting for this to pass, because they do not want to, I assume, go down that path and potentially incur that cost if approval is not given.

In answer to your broader question around the piece of land encompassed by the explanation I gave prior to this one, that is not the whole Waite Trust. The plan that will be deposited in the General Registry Office will more precisely designate the land in question. It will be used for construction, storage of building materials and whatever extra portion might be needed for the workforce to get on and off those premises in terms of entrance and egress.

Clause passed.

Clause 2 passed.

Clause 3.

Mr TEAGUE: We have two definitions, both of which are still to be determined. The first is 'designated land'. We are told that designated land is going to be a specified subset of the land, as yet not quite fully determined, but it will be where the relevant works are conducted. Then we have 'prescribed land'. We see prescribed land dealt with at clause 4(2), but I wonder if the minister might

indicate what the purpose of the two definitions is. What is the designated land on the one hand and what is the prescribed land on the other?

The Hon. B.I. BOYER: The designated land referred to in the bill refers to the school land that we use during the construction phase of the project, where certain facilities and amenities will be installed and constructed to upgrade the oval. The construction phase of the project will occur in two stages. The exact area of land required for the construction phase will be determined once the builder is engaged.

The prescribed land referred to in the bill is an area of school land that will be used by the football club when it is not in use by the school, in accordance with the long-term licence granted by the minister. This exact area of land will be confirmed when the construction phase of stages 1 and 2 is completed.

Mr TEAGUE: Just to be clear in an ordinary sense, because these areas are yet to be determined on the face of the bill, and it will be uncertain about the scope of the designated land in the first place—my first proposition was that that might contemplate the entirety—is it, therefore, that the designated land is going to include the land that is temporarily required in order to facilitate the construction works and then, once the construction works are all done and the builders all go away and presumably rehabilitate whatever they were working on, what you are left with is lights and sound, scoreboard, playing field, and so on? That is the prescribed land and that is going to be the subject of licence to Urrbrae?

The Hon. B.I. BOYER: Yes, that is right. I will try to describe it in a different way. It is essentially the oval, plus a little bit of land essentially at the fringes that might be needed for the storage of building materials and for workers to come on and off, or maybe toilets for those workers, and then once the project is done those bits that are outside the oval specifically will no longer be part of what is prescribed. It will be limited to, essentially, the way that you characterised it: scoreboard, oval, lights.

Mr TEAGUE: The bookend question then is—and here we are, I appreciate we are close to the end of a parliament and so on—why do we not have an annexure: here is the designated land, here is the prescribed land? If the answer to that is: this is where we are up to, we are legislating, we are not quite ready to designate and we take it on trust a bit, okay, you could live with that if that is actually where we are at, but is there any substantive reason why the designated land and the prescribed land could not or should not be identified now?

The Hon. B.I. BOYER: It is essentially because a builder has not been engaged yet, and that work has been held off pending parliament's consideration of these changes to the trust. What I can say is that in terms of the document that I will be required to lodge there will be, I understand, more specificity in that around what the area will be. It is certainly not the whole land, and I tried to characterise what it is just before. We are in a position where, if we went down that path and started incurring costs, that would come out of the bucket of money that has been set aside to do the project. There is then, of course, a valid risk that parliament does not approve this and all we are left with are some expensive plans that cannot be enacted.

Clause passed.

Clause 4.

Mr TEAGUE: I would perhaps just say this for the record: we have to contemplate the possibility that the builder that is chosen says, 'I could do it really much more efficiently if I could just access that driveway coming from this side of the block rather than'—as the minister has described—'these sorts of incremental parcels that might be immediately surrounding.' There is, I presume on the face of the way in which we are proceeding here, the possibility that the government is reserving to itself the possibility that a builder comes along and says, 'I really need to have access in a way that nobody has predicted and therefore it might involve setting aside an unexpected parcel or a circuitous route from one part of the property to another,' or something of that nature. Is it fair to say that the government is just not anticipating anything like that at this stage, and can the minister provide any further reassurance?

The Hon. B.I. BOYER: I can offer reassurance there. I am told a fair bit of work has been done around, as you framed it, the fact that other roads could potentially need to be used. I am told that it is only a couple of roads coming off Cross Road to the east and west that we believe will be needed. We have not looked at whether or not there is a scenario where other roads might be needed. We do not believe that will be the case, I have a pretty high level of certainty around that, and I am happy to offer that reassurance here.

Clause passed.

Clause 5.

The Hon. B.I. BOYER: I move:

Amendment No 1 [EduTrainSkills–1]—

Page 4, lines 7 and 8—Delete 'or a licence granted under this Act'

The government is proposing an amendment to clause 5 regarding immunity from liability. I am told it is a technical amendment. The amendment narrows the scope of the immunity from the liability provision so that it does not extend to the person who is granted a licence under the act.

We received advice that such an extension would be inappropriate and that the licence is a separate contractual arrangement. The immunity from liability provision should only apply to persons who are responsible for the proper operation of the trust. So what we are proposing under this amendment is to delete 'or a licence granted under this Act' from clause 5, page 4, lines 7 and 8.

The CHAIR: So you are moving the committee adopt the amendment; any further debate on that?

Mr TEAGUE: I anticipate supporting this amendment and I read it as applying to both parties to the anticipated licence agreement.

The Hon. B.I. BOYER: I might just get you to clarify that question if you could, member for Heysen, my apologies.

Mr TEAGUE: There is going to be a licence granted to Urrbrae Agricultural High School and that is under clause 4(2) as I read it. That is so they can use the prescribed land when the Sturt Football Club is not using it. That licence is going to have to be granted by the licensor—and there is a question as to exactly who the licensor is—but by carving out the licence, as the minister says, it is a separate agreement on terms. I was not meaning to be raising anything unusual, just to say that there is no immunity from liability that applies to one party to the licence.

The Hon. B.I. BOYER: The licence would be granted to the football club, not the school. So the arrangement is that the football club is allowed to use the oval when the school is not using the oval, so it would be the club seeking that licence in this case.

Mr TEAGUE: We have got the high school licensing to the football club, is that right? It is to be used by the football club when it is not in use by the high school—it was the other way, you got it in reverse. So they are the parties to the licence agreement and they are both not immune from liability for anything arising from that agreement, I presume, is the effect of the proposed amendment.

The Hon. B.I. BOYER: The advice I have is that upon the drafting of the bill we never intended to have licensees liable for breach of the trust, but the advice that has led to this amendment is that it could give rise in the current wording for that, so we are seeking to clarify that so that a licence and such individuals who are granted a licence would never be liable for breach of the trust.

Mr TEAGUE: But they could, so there could be, as a result of the amendment. All I am trying to get at is that the licence will be issued, I guess, by the minister for and on behalf of the school to Sturt Football Club, a private incorporated body, and that will be on terms that will be valuable for both parties.

I can see there are obvious ways in which the licensee might be in breach of the licence but the minister, on behalf of the school, might similarly breach the terms of the licence if access was restricted contrary to the terms of the licence and so on. All I am really getting at is to be clear that that removal of the immunity as a result of the amendment will apply both ways. I think it is there on the face of it but if the minister can address that it might be helpful.

The Hon. B.I. BOYER: Yes, the scenario that you painted where perhaps the school does not provide access to the football club under the arrangement we have here when they should or the club accesses it outside of those times will be dealt with in a separate licence outside of the act. The advice we received was that this process and the amendment of the act here was not designed to do that bit; that will be done outside of that and this is just to amend it so that use can be permitted in the first place. But there will be something in place to, I guess, licence that arrangement so if one of those parties is not doing the thing that they have committed to doing, there is some process.

Amendment carried; clause as amended passed.

Remaining clause (6), preamble and title passed.

Bill reported with amendment.

Third Reading

The Hon. B.I. BOYER (Wright—Minister for Education, Training and Skills, Minister for Police) (16:21): I move:

That this bill be now read a third time.

I thank the member for Heysen for his very good questions and the opposition for their support. I thank the member for Kaurna for having carriage of this last night. It is good to see we have found a way through this and I am looking forward to having those new facilities there for Sturt Football Club pretty soon.

Bill read a third time and passed.

STATUTES AMENDMENT (HEALTH AND WELLBEING) BILL

Committee Stage

In committee.

(Continued from 11 November 2025.)

Clauses 22 and 23 passed.

Clause 24.

Mrs HURN: In relation to clause 24, this took up a little bit of time in the briefing that we had from SA Health, which we were really grateful for. One thing that we had concerns with at first blush was whether the clarification that a person is not obliged provide information requested by a conciliator would result in less information being provided through that conciliator process. We were broadly happy with the feedback that was given by SA Health, but, minister, would you be able to confirm whether you are confident that this change or this clarification will not result in a delay to South Australians getting answers through the Health and Community Services Complaints Commission?

The Hon. C.J. PICTON: The short answer is yes, we are confident. My understanding—I am sure I will be corrected if I am wrong—is that the commissioner currently has a range of powers in terms of being able to ask for information; the conciliator does not.

Technically, at the moment, if there was an issue in terms of the conciliator being able to get access to the information that they needed to undertake the conciliation, then they could go back to the commissioner, get the commissioner to issue their formal request for information, then it goes back to the conciliator. That would all take a lot longer. This would actually hopefully make things shorter in the event that information and that power needed to be used.

Mrs HURN: Minister, can you confirm what types of matters are dealt with by conciliator?

The Hon. C.J. PICTON: I think one of the key elements of the Health and Community Services Complaints Commission is getting predominantly patients and clinicians together. I think everyone understands that in a healthcare system with 50,000 people working and hundreds of thousands of patients, sometimes things will go wrong and there will be complaints that need to be addressed.

In many of those cases, what the patient is most looking for is to be heard and to have the opportunity for the people involved in their health care to understand what impacted them and to learn from it and improve things for other patients in the future. That is obviously one of the key elements of all the commission's work. One of the key elements of what that conciliation would be is bringing together those parties so they have the opportunity to hear and hopefully act on the complaint that had been made.

Mrs HURN: Probably a supplementary to that: noting that this is just one tool that the commissioner has to get to the bottom of complaints, can you just explain what types of cases, what types of complaints, would go through the conciliator process as opposed to the other tools that there are?

The Hon. C.J. PICTON: I think that is up to the commissioner and their judgement in terms of how they would allocate their resources. There is a whole variety of different types of complaints that the commissioner gets. Some, I think, would fall into the category of potentially vexatious or minor issues that can be sort of noted. Perhaps some can be dealt with sometimes by an exchange of letters. Some can be dealt with by way of asking the health service themselves to address it and look into it.

I guess this is sort of the next step up from that, where you want to bring together those parties through the commission. But then there are obviously in the legislation more serious powers that the commissioner has to undertake reports in terms of some systemic issues. I remember a report that the commissioner did, maybe five or so years ago, in relation to what happened at Hampstead in terms of the treatment of some patients there. That is at the higher end in terms of where there are systemic issues that the commissioner can act on.

Mrs HURN: On the same clause, one of the things that came out through the briefing is the fact that the act is silent on the obligation to provide information or not. It was mentioned that that leads to delays in the conciliator process. What are some of the lengths of delays that have been experienced by people trying to get answers through this process?

The Hon. C.J. PICTON: That obviously would be on a very case-by-case basis. I am not sure it is something the Health and Community Services Complaints Commission would have ready access to data on. We will see if that is possible. If that is possible, we will provide it between the houses, but I think that is unlikely to be the case. This is feedback that we have had from the commissioner and the commissioner's office in terms of the need to strengthen these provisions to give more certainty and hopefully streamline this. Obviously, we hope to reduce delays.

Clause passed.

Clause 25 passed.

Clause 26.

Mrs HURN: Obviously, I am happy to ask this question in a different spot, but it just speaks to the establishment of the incorporated health service here. The clause I am speaking to is about the definition. Can the minister speak to what ambitions the government has to establish an incorporated health service and whether you have any services in mind?

The Hon. C.J. PICTON: The short answer is we do not, but we know that this is a feature in other states where there can be health services created that do not have hospitals attached to them. The legislation, as it stands at the moment, is quite specific in terms of hospitals being our local health networks. I think that we are moving into an age where the traditional model of the vast majority of those health services being delivered within a hospital is changing. We are seeing a lot more services being delivered in the community, a lot more services being delivered virtually and given that we were opening up the legislation, we thought it was prudent to add that there could be the ability to establish effectively a local health network but without a hospital attached to it.

We do not have plans to do that at this stage, but we think that it is something that down the track, particularly as we see more and more investment in things like virtual care, My Home Hospital and Hospital in the Home services, our future government might consider establishing a service. The current legislation is very prescriptive in terms of a hospital being attached to those, so to allow flexibility for that into the future, we think that with all the protections and all the board features that would sit around a hospital that the same thing could be applied to a health service that does not

have a hospital. Hence this change, which obviously is reflected in a number of different clauses in the bill.

Mrs HURN: What would be the process of establishing the incorporated health service? What type of feedback would you take on board? Would that be led by clinicians? Could the minister talk the house through that?

The Hon. C.J. PICTON: Obviously it is slightly hypothetical, but if it were me I would want to seek feedback on that from clinicians. I would want to seek feedback on that from community. Obviously, if it were an area in which some of those services are currently being conducted within a particular local health network you would want to seek feedback from that local health network and its board as well but, ultimately, that would be a decision for government in terms of how to structure those health services.

At the moment, I have the ability to change our structure of local health networks across the state. I very deliberately have not done that in the 3½ or so years that I have been the minister. I have seen it as important to try to settle the bureaucracy because there has been quite a revolving door of change of how the health service has been organised under successive governments over many, many years. I have viewed it probably as more important to try to get on and improve the service offering rather than changing the governance arrangements.

That does not mean that there might not be a prudent time at some stage in the future to look at that again. There is obviously the ability in the current legislation for that to happen. I do not have any current plans to do that. As I said, I have kept all those 10 local health network structures, boundaries and boards in place over the past 3½ years that I have been the minister so that we have had some level of stability in terms of the governance arrangements for SA Health.

Mrs HURN: Just one more question to round this out, if I may. Has there been any modelling on what type of budgetary impact this might have with the establishment of new statewide services under the incorporated services?

The Hon. C.J. PICTON: No, there has not been modelling undertaken but I would imagine that this would be, in the context of the size of the almost $10 billion health budget, relatively minor. We know that there are currently boards in place. We currently have a governance team that provides support for those boards that is already in place. That would not need to be replicated if there were to be a change in the future.

I think the budgetary impact would be whatever the services are that you are seeking to grow. That is where the cost would be. Taking that example of virtual care services, I think that is something that needs to increase into the future. That is happening not just here but around the country. I think that that increase in expenditure in that area is going to need to happen whether or not you change the governance approach to it. I expect that any governance changes to it would be relatively minor in the context of the cost of delivering those services.

Clause passed.

Clauses 27 to 56 passed.

Clause 57.

Mrs HURN: Clause 57(6), section 93(3)(fd). This one is about confidentiality and some of the proposed amendments there. It states:

> (fd) disclosing information to the Minister or persons employed or engaged to work for the Minister for the purposes of the Minister handling a complaint made by the person to whom the information relates (or by their personal representative) about health services the person has received…

Can you confirm, minister, does that mean that anyone who is employed by your ministerial office is able to receive information or is there going to be a certain designated person within your office to handle those matters?

The Hon. C.J. PICTON: Yes, that would be somebody who works in my office rather than a designated person. Let me step back to where this came from. In fact, I just put a post up today about it being 20 years since I first worked for John Hill when he was the health minister. Similar to

now, you would get many letters from people in the public. Somebody would write to him and ask for their case to be investigated. The ministerial office would investigate that case and prepare a draft response for the minister of what happened in terms of that person's treatment, care or whatever the issue was.

Somewhere along the way over the past two decades there formed a view on an interpretation of the Health Care Act that, if somebody wrote to the minister, they were not able to then get access to information to be able to respond to it unless that person then separately signed another form saying that they were happy for that to happen. I think this caused considerable confusion from members of the public who thought that they had written to the minister and surely the minister would be able to look into those issues. It added delay in terms of helping people with their issues that they wanted to be resolved.

In the meantime, the chief executive saw fit to provide an exemption under the Health Care Act for the minister to look into issues where that person themselves had raised a complaint or an issue with the minister asking for that to be looked into. What we are seeking to do is to codify that, and I think it is a sensible change. What it would not apply to is the other predominant issue that we get correspondence of, which is if you or another member of parliament or if a person's advocate, carer or a concerned resident raises an issue on behalf of another person. We would then still insist that that person then go back and have a form signed, because we would not be 100 per cent sure that that person had the authority.

However, when it is coming from a person directly, I think that there is clearly an implied permission that they want that issue looked into. Hence, not only the minister personally would need that but also the minister's office. If we do not have that protection in place, then either you have to go through a whole rigmarole around it or the health service and everyone who works for the health service is able to look into it, everyone except for the minister and their office under that interpretation of the legislation. I think this helps to codify what we are currently working with with that exemption. It codifies what most people would regard as common sense and hopefully means that people are able to get their issues looked into in a more expeditious manner.

Mrs HURN: Just picking up on something that the minister said about 'implied permission'. Can you just talk us through that? Say, for instance, if you are at a supermarket—and you would have many people come up to talk to you about the state of the health system at the moment—and you get the name of a constituent or someone from South Australia who has spoken to you in your capacity as health minister, you know their name, would you then be able to go to the health department and say, 'Joe Blow from the street raised this issue with me. Can you provide that information?' Or does it need to be explicitly written and does there need to be a direct request for a case to be investigated? I felt pretty comfortable with it until you said 'implied permission'.

The Hon. C.J. PICTON: I think this section is quite clear in terms of handling a complaint made by the person. If a person is making a complaint and they want that information looked into, to the minister, then this would allow the minister to make sure that they could get the information to look into that matter. I think it is quite a straightforward matter. We certainly are not seeking to extend it beyond the bounds of other people who have not made a complaint to the minister. When there are third parties involved, I think that it is still appropriate that we go through another process as well; but this is a relatively straightforward amendment.

Mrs HURN: Again following up on that, does there need to be a specific request for investigation? You would receive a number of complaints in general, and complaints in general often have a name attached to them. Does there need to be an explicit request for you as the minister to seek information from the department? If someone sends you an email talking about their experience in general but they are not saying, 'Minister, can you please get me an answer as to what occurred?', does there need to be an explicit request for an investigation to happen, or is it just by the nature of getting an email about a complaint in the health system, which you would get from time to time? There seems to be a slight grey area there: is there a form of words that is required, what is the trigger point, or is it just if anyone in South Australia contacts you about the health system, you can follow it up?

The Hon. C.J. PICTON: This is handling a complaint by the person or, what I should have added before, by a personal representative. There is a very specific subclass of those people, which includes a guardian, a medical agent or a substitute decision-maker, so that is very limited. It would

not be a matter of writing in and saying, 'We have a complaint that we think that the health system is lousy.' It would be a complaint about a specific issue that they are raising in terms of their care. Obviously, that is the vast majority of cases, and the vast majority of people's expectation when they do that is that the matter will be looked into appropriately, and this will allow that to happen.

Mr TEAGUE: Perhaps an overarching question: this is an amendment to the longstanding provisions applying to a person engaged in the operation of the act. Is there any particular set of circumstances that has caused the government to supplement what is already in the range of exceptions, or has this arisen in response to advice generally? Forgive me if I have missed anything along the way.

The Hon. C.J. PICTON: Perhaps the member the Heysen, I am sure for good reasons, was not here when we were talking about this earlier in that previously there were no restrictions on the minister looking into particular issues, and that happened very regularly.

At some stage in the past few years there had been an interpretation of the Health Care Act made to say that, if you wrote in saying, 'I had a lousy experience in the Mount Barker hospital and I am really concerned about this, minister,' the minister, whether it be me or Stephen Wade or whoever, could not write back unless we sent you back another form asking for you to sign that. That is something that did not used to be in place previously and, because of the additional rigamarole involved in that and what it meant for people's delay in getting the information that they sought and the delays in having their issues addressed, the chief executive has already provided an exemption under the legislation to allow for this specific case to occur. That has been in operation for some time and since we are opening up the act, we sought to codify this and to add this section in there to make it clear.

Mr TEAGUE: It is fair to say the history of the sections does not go back very far, and it has been chipped away at each several years since about 2012. If there is an opportunity while we are opening the act—and bear in mind those of us private members who are engaging in a similar receipt and referral process—is there not merit in extending the provisions that relate to the minister to all of those representatives, including private members, and in turn their capacity to take matters up to the minister?

The Hon. C.J. PICTON: We have not put that in here but I think that might be something to consider down the track in that the other significant point of delay causing issues, in terms of where there are steps involved in addressing people's concerns, is where one of the other 45 of us here will raise something with me and, because of the Health Care Act, we demand that a certain type of form is filled in at that stage. I think most electorate offices are generally okay with that now and are adept at that but it is not uncommon that it is not filled in correctly or there are issues with it and then we have to send it back and go back and forth, and that takes quite a considerable time sometimes.

Down the track could we consider a situation whereby, if a member of parliament has raised an issue, we have enough faith in members of parliament that they have only done so if they have got the permission from somebody and then that would be a manner in which that matter could be investigated, without those additional steps and rigamarole that could well be considered into the future.

I have not countenanced that. What we are looking at here is only where somebody has directly raised their own issue and I think that that makes sense. It certainly does not make sense to people when we were going back to them and adding additional steps for them which delayed following up their issue.

Clause passed.

Clauses 58 to 62 passed.

Clause 63.

Ms PRATT: Minister, following on from your previous answer, I see the language is the same in clause 57(6)(fd) and in the Mental Health Act in section 63. Clause 57(6) (fd) provides:

> disclosing information to the Minister or persons employed or engaged to work for the Minister...

Given that this is being inserted into the Mental Health Act, can you explain why anyone other than yourself might require this amendment? When we see people employed by the minister, what would their role and purpose be?

The Hon. C.J. PICTON: This obviously means the people who are helping to handle the complaint, so ministerial liaison officers, advisers, etc., who work in the office. Mighty as I regard myself, I cannot personally write every letter and draft every single letter. I know that is a significant revelation. We do have a team of people who help do that work, which I of course review and make sure I am happy with before I sign it. If you did not have the ability for other people who work in the minister's office to be able to help look into people's cases and provide that advice to the minister, then it basically would be as good as not having the clause at all.

Ms PRATT: Just a clarification on that please, minister: where a number of us have electorate officers, we understand the flow between an electorate office, electorate office staff, ministerial advisors, public servants and the communication that flows between a broad team of people who work for the minister. In reference to the Mental Health Act, what provisions are there that protect the confidentiality of that information being shared with staff? Of course ministers are busy, but this is not housing, it is not roads and it is not infrastructure, so I am looking for clarification: where these pieces of information are going to be about crisis management, what are the protections in place?

The Hon. C.J. PICTON: I have a couple of points. Firstly, people would only have information on a need-to-know basis, and it is only where a person has raised that complaint personally and it has clearly been raised personally with the minister that this section would be activated.

Secondly, people who work in ministers' offices—the same as for people who work in hospitals and the same as for people who work in various other elements of the public sector—have to comply with a whole range of different elements of confidentiality and provisions, whether that be in the Health Care Act or in other elements of public sector legislation. There are significant penalties in place in terms of if people were to misuse that information. So this is quite limited in terms of the scope to which this would apply.

I think a minister's office—similar to a Health chief executive's office and similar to any other minister's office—deals with a lot of personal information about people. The vast majority of other ministers do not have provisions in relation to these sorts of matters. Clearly Health has a higher bar of information, and that is entirely appropriate. There are additional confidentiality provisions in the Health Care Act that do not apply to other agencies, and that is entirely appropriate. They would apply to people who work in the minister's office in the same way that they would apply to other public sector employees in the health system, and everybody needs to make sure that they are very careful about the use of confidentiality and the use of personal information.

That is certainly the expectation for people who work in my team, as I am sure it was the expectation for people who worked when Minister Wade was the minister and as I am sure it was the expectation when you were chief of staff to the child protection minister. I am sure you dealt with some serious and confidential matters in those days.

No matter which party is in government, I think the vast majority of people who work in ministers' offices are very cautious and very careful about the confidential nature of the work that they are doing, and also mindful of the legislative provisions that would be in place if they were to breach that.

Mrs HURN: Just on the same section, can you just clarify, minister, does this relate to people who are employed by SA Health and work within your ministerial office or does it extend to those in your electorate office employed by DTF? Likewise, where does it fit being a media adviser? I am not sure of your exact situation, but the media advisers to health ministers from time to time tend to be employed out of the Office of the Premier. Does this provision extend to only those who are employed by SA Health within your ministerial office?

The Hon. C.J. PICTON: I think I can rule out somebody who works in an electorate office of a minister. I do not think that this would apply to them because they are not engaged by the minister; they are engaged by that local member of parliament. Similar to being the previous government, all the personal staff of a minister are contracted by the Premier and so hence this is in

relation to people who are employed or engaged for that minister. That would either be the personal staff under that particular provision of the Public Sector Act that I cannot quite remember at this stage or other public servants who are seconded from the department to work in the minister's office.

Mrs HURN: For ultimate clarification, this is only for people who are employed by the minister not for someone who is employed by the Premier?

The Hon. C.J. PICTON: No. To clarify, all the personal staff are employed directly by the Premier and some would be engaged to work in the minister's office and to work for the minister. Hence, the way that this section has been drafted is for people who are either employed or engaged to work for the minister under whichever of those provisions it is. One other point that I think is worth making is that this is for the purposes of the minister handling a complaint. I think that needs to be stressed very clearly. It is not for a general purpose, there is not a general power here, it is a person who is making a complaint on their own behalf to the minister.

Clause passed.

Remaining clauses (64 to 70) and title passed.

Bill reported without amendment.

Third Reading

The Hon. C.J. PICTON (Kaurna—Minister for Health and Wellbeing) (16:58): I move:

That this bill be now read a third time.

Bill read a third time and passed.

Members

VALEDICTORY

The Hon. S.E. CLOSE (Port Adelaide) (16:58): I seek your indulgence, sir.

Leave granted.

The Hon. S.E. CLOSE: I am grateful to be in this parliament on this land, Kaurna Minyurna Yarta, Aboriginal land. Always was, always will be. I acknowledge the truth of their presence on this land for time that reaches back so far that always is a fitting way to describe it.

I acknowledge the truth of the harm done to Aboriginal people and Aboriginal culture, at times unwittingly, at times violently, through the settlement of this land by new peoples some 200 years ago. I acknowledge the truth that policies of successive governments saw Aboriginal children taken from their parents and their lands, saw those lands taken and given to strangers and has seen Aboriginal people to this day too often caught in the cycle of trauma, poverty and incarceration.

I also acknowledge that there are many Australians of non-Aboriginal backgrounds who wish to learn from Aboriginal culture and have deep respect for Aboriginal people. I acknowledge the wisdom, resilience and generosity of Aboriginal people and acknowledge with joy the many who are leaders in Aboriginal communities and leaders in our shared communities. It is not weakness in a nation to acknowledge that harm has been done in its founding. Indeed, it shows strength to face that truth, to offer restitution and to seek harmony through celebration of diversity, not in its eradication.

We are a remarkable state and nation because we are the home for time immemorial of the Aboriginal people, because we are among the most multicultural nations on earth and because we are a healthy and generous democracy that can admit error and demonstrate compassion to all.

My parents raised me to believe that the good life for one is meaningless if we do not offer the good life to all; that privilege is corrosive in society, and unearned, unacknowledged privilege the most harmful of all; that recognising our fundamental shared humanity is the only pathway to a healthy, functional society and that a healthy, functional society is essential to individual happiness; that the earth on which we live, the nature on which we depend, and our fellow creatures with whom we share this blue-green planet are as necessary to us as we are to each other. Everything I have

done has been dedicated to these views: fairness in society, respect for all people and care for Mother Nature.

Throughout my career I have never acted alone. I have never been the sole creator of my political life. I have always been part of a team: in my childhood, in my immediate family, in my education, in my working life and in my political activism. I have many people and organisations to thank, many to acknowledge.

On my list of people to whom I am grateful, my parents, my dearly loved brother and my grandparents have earned pride of place in forming who I am. And my immediate family, my delightful children, now adults having grown up in my time here, my partner who gently parented in my absence are, without question, the most important people in my life. Wherever our paths take us we are an indissoluble family.

I also have my network of friends outside politics who have sustained me, or who have waited patiently for my return to their lives after the world of politics is over, and I am grateful to them all: Richard Beasley, Elisa Bell, Arnaud Benassy, Wendy Bevan, Claire and Mike Bossley, Annie Bucheker, Ian Creagh, Chris Daniels, Andrew Denton, Chris and Penny Gent, Adrian Graves, Joy and Dave Higgins, Allan Holmes, Liz Hounslow, Alison Kelty, Sean Kennihan, Haydon Manning, Clem Macintyre, Gunter May, Vicki McCoy, Mick Petrovski, Adrian Piccoli, Wendy Riemens, Tjangu Thomas, Pauly Vandenbergh, Tarnya Van Driel, John Williams and Roger Zubrinich. I will stop, but I fear I have left people out. Friendship is essential for all of us, and I hope to be as available and generous to you all as you have been to me.

In the list of institutions I wish to thank, those which educated me, the public schools I attended and Flinders University deserve special acknowledgement. The Labor Party, which I joined 42 years ago, the unions I joined from 1985, and the environment movement, which offered me friendship and purpose since 1987, similarly are owed my deep gratitude and respect.

In undertaking my job here I have been encouraged, educated, and supported by so many people, I risk offending many by naming only a few. Let me state categories of people and name at least some of those who have been significant to me. In the Labor Party I was fortunate in my early years to be welcomed into the astonishingly talented group of Mark Butler, Jay Weatherill and Penny Wong and they have remained friends, mentors and sources of inspiration.

I was befriended even earlier by Ian Hunter, who remains a dear and close friend. I learned from strong female leaders like Anne Levy, Carolyn Pickles, Gay Thompson and Steph Key. I worked with Gail Gago when she was environment minister, which was an absolute pleasure for she was one of the kindest bosses I have had.

I was a member, briefly, of the SDA, by virtue of working for the Pizza Hut, and then of the ASU for most of my career. I acknowledge the support in my political life from the United Workers Union which I persist in thinking of as the Missos. Convenors of the left faction Mark Butler, John Gazzola, Dave Gray and Karen Grogan have all left their impressions on me and were crucial in giving me the chance to represent Port Adelaide. I thank them all.

In the 14 years I have spent in this place I have made sincere friendships, and those closest to me in recent years have been my greatest supports in the complex roles of Deputy Premier and holder of two major portfolios. Kyam Maher (about whom I will speak more shortly), Blair Boyer and Joe Szakacs formed a group around me effortlessly combining humour, teasing and pastoral care. They will continue to offer much to our state and our government. Katrine Hildyard, always checking how I was going; Nat Cooke offering enthusiastic advice; Zoe Bettison, my 2012 by-election sibling, reminding me of how far we have walked on this path together; Tom Koutsantonis, my state convention sparring partner turned friend; and Stephen Mullighan, whom I knew when he was a student at the University of Adelaide and now unexpectedly joining me first on the backbench and then in departing this chamber.

To all of cabinet, each in their own way making this government the best it can be, I thank you. The stunningly talented backbenchers, some now on the front bench, I thank and admire you. I look forward to watching all of them rise over the next few years—Rhiannon Pearce and Lucy Hood already stepping into the ministry, and Nadia Clancy has become an assistant minister. You are brilliant and have much to offer the people of South Australia, and you will be joined in time by others

in that long chain of talent in our party. As right as I know this decision to leave to be, I will miss each of you.

In a category of his own is the Premier. From the time we caught up in a cafe in 2018 to discuss possible leadership together, he has had my respect, my affection and my gratitude for simply being as good a person and a leader as he is. I know it was he above all others who secured sufficient trust from the people of South Australia to take us into government in 2022. We are a strong and talented team, but he was the ingredient that made everything work. I was touched that he so clearly did not want me to leave, and moved that he showed me the respect to allow me to do so with his blessing.

Members of the opposition, I have had a complex relationship with some of you. Many of you I like very much and feel some common cause with; others I respect despite our widely different views. I wish you all well. Democracy requires you to offer a clear alternative and play your role in holding those in power to account.

I regret that not one of you chose to speak in favour of the Voice to Parliament, as I am certain that there are members opposite who know well that no harm and only good can come from having a group of Aboriginal people elected to tell us what they think, and who know the power of bipartisan support to a marginalised community and the pain of it being withheld.

The Legislative Council, accurately yet hilariously called 'the other place' by convention, is, at times, a wild adventure for those of us used to the predictability of this place. Three members of the crossbench there I wish to acknowledge as friends and as people who I have found over many years to be reasonable and thoughtful: Connie Bonaros, Tammy Franks, and Rob Simms. I thank you for your friendship.

I thank the staff of parliament for their hard work, accompanied by unfailing politeness and good humour, and I acknowledge their patience with us all. We are probably fortunate that thus far none have chosen to write their memoirs.

My team of ministerial staff has been remarkable in knowledge, capacity and a sense of fun. Those who came and left were Con Babaniotis; James Johnson; Caitlin Munyard, who I am sure has a fine career in politics to come; James Roffee; Tim Ryan, who liked working with me so much he did it twice; and Josh Vines, one of the longest-serving members of the team. Those who stuck it out to the end were Jason Gillick; Emily Gore, the incredibly talented crafter of legislative amendments and consensus; Cameron Hurst; Ashley Natt; and Claire Woods. Smart, hardworking and dedicated, each one of them.

Thank you to the entire outstanding ministerial office team headed by the kind and thoughtful Tom Chladek, with a special shout-out to my extraordinary aide, Sarah Goodall, and to Michael, for the miles and the music. To my electorate office team, who have worked for the people of Port Adelaide over these 14 years—Ashton Charvetto, Ellen McLoughlin, Alex Overley, Ian Steel and Steve Vines, and the current team of Samantha Regione, Cameron Hurst, Parris Tsemtsidis, and Lysander Bastiras—I thank each of you for our time together.

The ALP sub-branch of Port Adelaide has similarly been a strong and reliable presence in the electorate, its members deeply engaged in the community and the common cause of the labour movement. Their willingness to volunteer to get the message of this government to the people and the voice of the people to be heard by the government has been remarkable.

The community of Port Adelaide deserve my particular gratitude. From the tough by-election where I was put to the test to see if I was worthy, I discovered what it means to have a relationship of trust and honesty with an entire community. One of the unexpected joys in recent weeks has been seeing that community with fresh eyes as I introduced the Labor candidate to the myriad community groups, sporting teams and schools. Every encounter has been marked by a warm welcome, the proud showcasing of the strength of each organisation, and then a thoughtful list of things that could be done to make our part of the world even better. We are a strong, generous and dynamic community. We are Port Adelaide.

I would also like to acknowledge the quality of the South Australian Public Service: principals and teachers making every dollar and every day work for the benefit of students, social workers

dealing with the hardest situations families can face with kindness, industry specialists supporting economic diversification and skilling workers, and the dedicated and tireless staff in the environment portfolio at the frontline of climate and extinction crises.

The chairs and members of the committees and boards in that portfolio deserve special mention for not only taking administrative responsibility but also being a means of community connection that builds trust and adds to the diversity of advice and views that make government stronger. I hope many of you will remain friends now we are no longer colleagues.

Again, knowing this departure is the right decision will not protect me from missing working with you all. I am now going to single out two people who are seeking to replace me or already have. First is Cheyne Rich, the endorsed Labor candidate for Port Adelaide. Cheyne and I forged a tight partnership in the 2012 by-election, during which, as campaign manager, he criticised my clothes, my photographs and my refusal to put nonstop doorknocking ahead of having at least one meal a day. I am now returning the favour with relish. He will, should the people of Port Adelaide select him, be a dedicated MP who represents the best of Labor values.

My replacement as Deputy Premier requires a special mention: Kyam Maher. We have had a rare partnership in this job and an even more rare friendship in this place. I have been honoured to represent him in this chamber, particularly in undertaking the committee stage of the Voice to Parliament and managing the voluntary assisted dying legislation in this chamber, Kyam having done all the work to get it to us. His moral leadership and the pride the Aboriginal community feels in seeing him in these roles resonate far beyond this building, as does his dedication to finding the perfect sausage roll and his refusal to take me seriously.

I never imagined having a friend so close and yet who teases me so relentlessly. His social media is full of examples, my favourite of which was our picture in front of a Port Adelaide bakery with a sausage roll. It was similar to countless he took with candidates at the last election, only mine had the name of the bakery over my face. And yet I have the evidence still that he called me in public his 'actual factual best friend in politics'. Not working together seems unthinkable.

I do not wish to use this speech to talk about the record of the governments I have been part of, nor to claim my part in them. Not doing this, of course, does not imply there have not been significant projects and policies that have and will continue to make a difference. Both governments I have had the honour to serve have been bold and reformist and South Australians have benefited from their work and many important reforms will make a change for the long term. But self-praise, even masked by acknowledging a team effort, is no recommendation, and others will form their views, regardless of what I might assert.

I will not resist taking this opportunity to talk about the work not yet done, the challenges yet before all of us. Take this as my last message in this place about what I wish were different for our fellow South Australians. Our quest for fairness, our self-styled 'fair go' and egalitarian country, is under threat. Our social infrastructure is paper thin, at times a carapace masking a hollow core. Our sense of the collective is undermined by a tide of individualism without compassion, fuelled by so-called social media that is neither social nor ethically governed media.

For many people, our social infrastructure appears to be set up to benefit those who are already fortunate, with those who are born into disadvantage or misfortune left with barely adequate workarounds. This is perilous for our democracy, which holds the promise of a voice for all and fair outcomes for everyone.

My views are no criticism of this government nor that of the Prime Minister, Anthony Albanese. Indeed, if I were to allow myself to introduce party political analysis, I would lay much of the blame at the feet of the Howard government: the government that shifted the balance against those who struggled in favour of those who already succeeded, allowed antimigrant sentiment back into the heart of Australian politics for the first time since the abandonment of the White Australia policy, responded to the heartbreaking Bringing Them Home report with a heartless characterisation of truth as a black armband, and fundamentally undermined the structural soundness of the federal budget.

But set aside my views on the struggle between that side of politics and the constant effort of the few and all too short-lived federal governments to right the ship of Australia. I will resist listing

the many reforms by this state government that have made a material difference. Look instead at the evidence that there is work to be done, regardless of who is in power.

We are fortunate in Australia to have safeguards for our version of representative democracy: fair and free elections overseen by genuinely independent electoral commissions and compulsory and preferential voting, to name a few. Yet deeper than those essential protections lies the contract with Australians that, by being part of this country, they are entitled to a fair chance at success in life, access to a home, a health system that will care for them regardless of their means, and confidence that their children will all have the education that prepares them for the future.

Australians are entitled to be in a country that keeps pace with international changes: modernising the economy so that well-paid and productive jobs are available and the workers' share of growing national wealth will at least match that of the owners; an economy not utterly dependent on raw commodities, with the wild variation in prices they attract, and less dependent on carbon intensity given the trajectory of the world economy decarbonising; an economy that does not miss the digital revolution and thereby relegates Australians to the role of consumer rather than producer; a country that is not caught in the grip of endless and accelerating climate disasters, causing immediate harm to life, wealth creation and property and distracting government from its normal responsibilities.

All of these promises that a meritocratic, egalitarian and democratic society should be able to offer are weakening. I fear alongside this that our grip on a sensible, moderate and thoughtful democracy is at risk in the medium term. If the social contract of a prosperous, tolerant and compassionate society is broken, democracy will not last long.

What changes would I like to see? I will pick only three. First, we need to be serious about addressing the climate crisis not only by decarbonising our economy but also by protecting and restoring nature. The current and near future experience of climate change will wreak havoc on our economy, particularly primary production; damage our infrastructure; and risk the lives of those without the means to protect themselves from heat, flood, fire and storms.

What has been seen as an environmental problem is rapidly being experienced as an economic and social catastrophe. The truth is there is no way through climate change without nature to take carbon out of the atmosphere, to achieve net emissions reduction while still growing the economy, and to help us absorb at least some of the impacts of a warming and increasingly chaotic climate through resilient ecosystems.

The fact that the algal bloom would have been significantly diminished or even avoided altogether if we still had the 1,500 linear kilometres of shellfish reefs along our coast that were present 200 years ago and deliberately eradicated should forever change our understanding of our utter dependence on the power of nature. It is time we understood nature as being the most important infrastructure underpinning our economy and a prosperous society, and protect and resource it accordingly. We cannot survive without it, and nature should be accorded commensurate respect and priority.

Second, our school system needs to desegregate if we are to be a prosperous and socially cohesive nation. We are at the extreme end amongst OECD nations in the segregation of our students into schools based on the socioeconomic status of their parents. Chile, Hungary and Mexico are the only nations in the OECD with a higher concentration of disadvantaged students in the same school. The consequence of this is that disadvantaged students are missing out on fellow students with different experiences, knowledge, behaviours and ambitions. They are also disproportionately and absurdly, given their greater needs, in underfunded schools without the performing arts facilities, swimming pools and wellness centres that some schools with both public funding and high parental fees can offer.

About 75 per cent of Australian students finish school, which is not enough, but only 40 per cent of disadvantaged students do so. That is not an education system of a country that is serious about enjoying a high standard of living, high productivity and high GDP in an age where wealth is generated by advanced manufacturing and harnessing the power of digitisation, automation and artificial intelligence. Most nations manage largely to have kids from all backgrounds at school together. It is a fundamental plank in a strong democracy that children of all cultures, abilities and

backgrounds get access to quality education and, most importantly, spend time together, seeing each other as humans and as friends. We used to do this. Surely we can again.

Third, let's hold tight to kindness, respect and truth in public life. In South Australia, that is more the case than in most places, and decency remains the hallmark of our political discourse. But there is enough reason for concern in the trends overseas, in what we see here on social media and the kinds of demonstrations we occasionally see on our streets and on the steps of parliament to argue against complacency. Polarisation, rage and wild inaccuracies deliberately driven by the accelerant of so-called social media require an antidote. It is all of us talking to our fellow citizens as welcome equals. It is being yourself in public life, not a pre-programmed robot parroting lines written by others or worse, by AI. It is allowing doubt and debate, not seeking to dismiss others' views unconsidered and above all it is allowing truth to guide us, not self-serving invention.

Science is our ally in our democracy. All facts are friendly, even if they are not convenient. Evidence has weight where prejudice should not. Social media shaped by AI, driven by algorithms of companies that have no interest in us as humans, only as consumers, must not be allowed to compromise all that we have in this remarkable state, in this remarkable nation. As I leave, I am confident that you are all the keepers of decency, modesty and honesty for which South Australia is justly famed. With that, farewell.

The Hon. P.B. MALINAUSKAS (Croydon—Premier, Minister for Defence and Space Industries) (17:24): It gives me great pleasure—well, actually, that is not true; it is great disappointment—to rise and provide a few remarks in regard to the valedictory just provided by the member for Port Adelaide.

I thought I would start out by touching on some of the subjects that I had a suspicion the member for Port Adelaide would not touch on before providing a few remarks on my own reflections in terms of the special and important relationship I have been able to develop with the member for Port Adelaide over some period in time.

When you actually go back and look at the record of the amount of public policy achievements that in no small part are directly attributable to the member for Port Adelaide's efforts, it is quite impressive to say the least. For as long as I think all of us have known her, even well before her entry into the state parliament, the member for Port Adelaide has been a keen advocate for a range of different public policy areas, which even before her entry into the parliament were starting to yield results.

In 2005, there was the establishment of the Adelaide Dolphin Sanctuary, which covers 118 square kilometres of the Port River and surrounds. It is still the world's only city-based dolphin sanctuary, and that had the member for Port Adelaide's fingerprints all over it from the very outset. Of course, following her entry into the parliament in 2012, there has been a long list of positions and responsibilities that Susan has had. Having responsibilities and titles is one thing but actually translating them into active reform and an improvement of our society is another altogether.

In 2016, as Minister for Higher Education and Skills, Susan introduced the phonics test for year 1s, which has gone on to be expanded in different forms, but it was an incredibly important tool for teachers to be able to spot needs early on in terms of literacy. In the lead-up to the 2021 election, though, is where I guess I reflect most directly upon all of the efforts that the member for Port Adelaide contributed to that have had a massive impact. Her effort to see the passage of voluntary assisted dying laws in our state, along with the now Deputy Premier, was instrumental in the passing of those reforms which, in the eyes of many South Australians—and I voted for that legislation myself—actually allows a greater degree of dignity for people who are able to take up that option.

When we look at a number of efforts around policy that we took to the last election that have subsequently been implemented, they are principally because of Susan's advocacy and thoughtfulness: the amalgamation to create a new Adelaide University, Susan Close; the establishment of a new Animal Welfare Act in the state of South Australia, Susan Close; the passage of the Climate Change and Greenhouse Emissions Reduction (Miscellaneous) Amendment Act, which is fundamentally important for setting the course of South Australia's direction in net zero, amongst other climate targets and initiatives, Susan Close; legislation to ban large-scale puppy farms, which repeatedly appears on my social media and I suspect will continue to do so, Susan Close; the passage of the nation's first Biodiversity Act in setting a standard in Australia for that important cause, Susan Close.

I think the most important is the rollout of universal access to three-year-old preschool for thousands and thousands of young South Australians, setting them up for a better future starting next year—Susan Close. That is a remarkable record, and I know there are things that I have not listed. Each and every one of these reforms directly touch people's lives and the natural world that they depend upon. Anybody who comes into this parliament with an aspiration to ensure that their contribution makes a positive difference to the community around them would be pretty inspired by the fact that one person can have their name associated with such important reforms over that journey.

The fact that the member for Port Adelaide neglected to mention any of those things in her remarks is not surprising to anybody who knows her and has had the opportunity to be able to work with her. The member for Port Adelaide does not project humility for the sake of appearances, she is humble. She is a person who does not derive satisfaction out of recognition but, rather, out of impact. They are a set of characteristics that are exceptionally rare in this line of work, and that speaks to the integrity of the woman.

I have a different background to the member for Port Adelaide. In many respects, we have different interests and are different people, but we have a shared belief in the power of the Australian Labor Party to make a positive difference, a shared ideology and a common interest in using the power that is invested in those on the Treasury benches to make a difference.

Post the 2018 state election, when we went into opposition, it was a difficult period. Going from government, as relatively new ministers, into opposition was daunting. We faced the very real prospect to potentially spend the rest of our political lives in opposition. That was a pretty orthodox expectation. In those very early moments of going to opposition, when the party was going through a process to determine what the leadership make-up would be, I for one had a degree of anxiety and anxiousness about how all this would play out.

When the possibility of taking on the position of leadership became apparent, naturally, one's mind turned to who they would be serving with in executing the function of leadership because everybody appreciates, particularly in politics, that this is a team game. This is a team game. The question, of course, existed around who would be the deputy leader of the party. Susan's candidacy was obvious and was certainly where the winds were blowing.

Susan mentioned that we caught up in a cafe and that we had known each other a little bit, but not really well. I remember another discussion that we had when we were in a car together. I was driving down to Myponga for the member for Mawson's declaration of the poll. I asked if Susan wanted to take a bit of a drive together there and back, and whether or not we would take the opportunity to go together. I remember it clear as a bell. We talked about our common interests, our common concerns, our common hopes and aspirations, much of which were reflected in the remarks that you just provided in terms of the work that remains important and ongoing.

We also discussed what a healthy parliamentary party operation and outfit looks like. We spoke about the relationship between a leader and a deputy leader and the fact that it is unique. Neither of us had experienced it before. We had seen examples at a state and federal level of where it worked well, and we had also witnessed examples of where it had not, and spoke about what that looked like. I remember I said to Susan that from my perspective the best position to be in is not where trust is earned but where trust can only be lost. I spoke about the fact that I would rather just operate from a position of absolute trust from day one and have that unqualified faith in one another based on shared interests and shared beliefs, but absolute trust.

I can say without any qualification or hesitation that not for one second since then have I had anything but total trust and faith in the member for Port Adelaide. Her counsel has been consistent, it has been valued and, frankly, essential to the performance of the government. In roles of leadership, it is like drinking from a fire hose: there is so much happening all at the same time, and it is just an impossibility for any one individual to be across absolutely everything that is going on at the same time.

There might be a policy weakness that the government has, there might be a member of the caucus who deserves a bit more attention than what they are getting. Whether it be those causes, or more acute political ones, I have been able to depend, not rely but depend on the member for Port

Adelaide to be a source of information I can trust and act upon, knowing it was in the best interests not just of the party but of the government.

To be able to have that type of relationship is something that I have valued very much indeed throughout the seven years that we worked together as leader and deputy leader. I cannot thank the member for Port Adelaide enough for that.

The member for Port Adelaide is a beautiful person. She has a heart of gold, a degree of compassion for everyone. In her thoughtfulness and deliberate consideration, she has a profound capacity for being objective, even in circumstances that are uncomfortable for her ideology, an ability to be able to respect the views of others, even if they are diametrically opposed to her own position. That is a characteristic that the world desperately needs more of now than ever before.

I for one, think that governance in any liberal democracy would be a lot better for a million more Susan Closes but, alas, there is only one of you. We have been privileged in our party to have you as a leader and a champion of our own. You are going to be sorely missed. You already are very much missed. I am disappointed that you are no longer by my side but I know I will still be able to pick up the phone and rely on your sage advice at any point into the future.

There is zero doubt in my mind that whatever the member for Port Adelaide chooses to take up into the future will have a good cause at its heart because you are not capable of anything else. We, and I, would like to wish you every success in the future path that you choose to take. The South Australian Labor Party, the Australian Labor Party, is better for the contribution that you have made. The people of South Australia are better for the contribution that you have made and I am a better person only because of the contribution that you have made.

We thank you, we love you and we wish you every success.

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Energy and Mining) (17:37): We were sparring partners. Susan is in the Left, I am in the Right: natural-born enemies. When I first joined the Labor Party, my old boss used to say, 'If you can beat the Left, the Liberals will be easy.' I have to say the one thing the Premier is absolutely right about with Susan Close is that she is a wonderful person. She really is a compassionate, good-hearted person. I did not want her to leave. I did not want her to cease being Deputy Premier. I thought this team was a pretty good ticket and it was something that would have helped us do something quite momentous, and now we have to do it without her, which is a lot harder.

So for selfish reasons I am sad that you are leaving because you would have been a tremendous ally for us. I know you will be out there on the doors, helping us out and doing everything you can to get Cheyne elected. God knows he needs it and you will be there helping him. That is as big of an endorsement as you are going to get from me, mate. No, he is a good man. He will do an excellent job.

Susan made us all better. I considered her, in cabinet, the conscience of our party. If you could not convince Susan of what you wanted to do you probably should not be doing it because she is not the type of person who would have stopped something simply because she wanted to stop you. There would be a reason based on a piece of integrity behind it.

There are examples of legislation that I wanted passed in here but that Susan dug in on in cabinet. For the life of me I could not understand why she was doing it, but when she won (and she did win) and convinced me to do it—and it was not forced on me by the Premier; that is not how he operates—Susan convinced me it was the right thing to do. She won the argument because I knew that she was coming from a place of sincerity, not out of selfish ideology but for the good of the state and the good of the concept of what it was we were attempting to do. For that I say thank you.

Thank you for your service. Thank you for everything you have done. I wish you were not leaving. You should be sitting here. You should be going with us to the next election. But we cannot have it. I am very sad to see both you and Stephen leaving. It is not what we wanted, nevertheless it is occurring. You are a great loss, and Kyam has not shut up since you left.

Thank you for everything. I am happy to have been proven wrong. You have been an amazing contributor to the party, and you have made the state a lot better. I want to thank you for your personal kindness to me and to my family, and for your personal kindness to all of us and for making us all better ministers and a better government. Thank you very much.

The Hon. J.A.W. GARDNER (Morialta) (17:40): I would like to wish a happy birthday to the member for Port Adelaide and to recognise her, potentially on behalf of the opposition, as somebody who was shadow minister, or minister to her shadow, for about six of the last nine years. I recognise the contribution the member for Port Adelaide has made to the state and the fact that her service to the state has been authentic, heartfelt and consistent with her values, which were very clearly articulated today. I, for one, am very much looking forward to hearing many of Susan's contributions in the years ahead as she articulates an analysis of the conservative agenda of the leadership of the South Australian Labor Party. I know that she will do that in a very true way.

What the Treasurer just said reminded me of a story that I actually spoke to the member for Port Adelaide about earlier today. I thought I would mention it today rather than tomorrow, because it very much fits in with that last category of advocacy that she made in her speech for the way that we operate in public life. People may remember—I know that members of the Labor cabinet remember it fondly, although Susan potentially less so—that in the lead-up to the 2018 state election there was a policy document rewritten within the education department that, if read literally and taken to its logical conclusion, would have banned nativities and Christmas carols from our public schools.

As a shadow minister there is only one pathway available in such a circumstance: Tim Williams brought a cartoon from Dr Seuss to the public light, there was some talk back and we launched our campaign to save Christmas. The good news is that we succeeded.

The legislation for the education act that began under Susan's ministerial time, and which was slightly adapted post election to reflect the differences in opinion that had delayed it prior to the election, now includes—presumably forevermore—a specific clause protecting Christmas carols forever, which gained the unanimous support of the parliament. I apologise for the inconvenience and the frustration. In fact, I said today that, of all the things I should definitely be ashamed of in my time in politics, this is the one that I am acknowledging—but still least ashamed of, because we had a lot of fun from opposition at that time.

In the subsequent year, the crossbench in the upper house, obviously having been persuaded by what the Treasurer described as an incredibly authentic and persuasive personality, took the Labor side on the three main issues of contention in relation to that bill. There was the Education Union's position on a number of committees, there was whether or not children's involvement in religious activities should be opt in or opt out, and there was a third key difference, which was an education ombudsman. That was a position that we had advocated for in opposition and rejected in government, switching what had happened a year earlier.

It is not public knowledge, I do not think, but Susan and Tammy Franks came to my office as the minister after this had been an impasse for about a year. I was not sure whether we would ever pass this bill, and we would keep rattling on with the 1972 legislation that was no longer fit for purpose, that did not have framework for prosecuting truancy that was workable, that did not have the education conferencing availability—there was a whole range of inadequacies. It did not have the ability for principals in the education department to bar people for dangerous and inappropriate behaviour from schools. All these things were denied the legislation because we could not resolve this impasse that had been going for three years.

That could have been something that the member for Port Adelaide held over us for a period of time, but she was focused on the outcomes at the end of the day, and she came with Tammy Franks to my office and we worked on compromises that eventually involved a bit of give and take, a lot of creativity, the Graham report amongst other things, and got the legislation through—50 years of an update. South Australia is served well by that.

The Minister for Education and I have spoken a number of times in the last two or three years about some of the significant benefits to our students, young people, families and, importantly, teachers and leaders in our schools who have arisen from that. It would not have happened without that willingness to set aside politics on occasion. The truth is that that legislation passing got a modest newspaper article; I think we managed to get on talkback radio a little bit. Compared to the Christmas story it was a blip in the radar.

Ultimately, in the years ahead we are not going to be able to judge ourselves in this place by the amount of media hits that we have or the funny memes that we have created. God help me,

imagine that Christmas story being done now with the benefit of AI and the use of the word 'woke', which I do not remember existing in 2017. We are not going to be remembering our records as a result of the way in which we scored those media hits or the points off our opponents. Frankly, the only one that matters—how we understand ourselves to have performed—is going to be based on what we have achieved and the way that we have done it. I thank the member for Port Adelaide.

The Hon. B.I. BOYER (Wright—Minister for Education, Training and Skills, Minister for Police) (17:47): I will make a very short contribution. There are a couple of things I would like to point out and I endorse, of course, the comments of everyone else who has spoken. They have shared some really touching memories as well of things that the member for Port Adelaide has been involved in in this place.

There is this prevailing view in politics that, to get ahead and to be successful and to be worthy of promotion to perhaps cabinet or elsewhere, you need to be the loudest voice in the room, you need to be capable of throwing the attacks out there, taking no prisoners—all those sorts of things that tend to make the headlines and the TV bulletins. If you are not in some way capable of doing those things, you are not worthy for promotion or a more senior position; or even short of that, perhaps, you will be unsuccessful in bringing about change or making an impact on debate in this place and outside of it. To all those people in this place, and those who might be listening who are considering a future in this parliament, I say to you that there is another way.

The member for Port Adelaide, Susan Close, is proof that there is another way, but that way involves incredible intellect and knowledge and hard work. If you are armed with enough of those things, in the kind of abundant levels that Susan Close has, you can achieve all those things in here. You can be worthy of promotion to almost the highest office, you can influence debate in this place and outside of it, you can leave a mark on the state in ways that you had planned before you were elected to this place, but it does take incredible intellect.

Susan has shown that in this place and outside of it time and time again that, by being so across her brief, being so true to her own values on everything, by sheer hard work, by treating people well and with respect, and building relationships instead of burning them down, there is a way that you can be a very successful member of parliament and legislator and minister without doing some of those more unsavoury things that all of us, including myself, I am sure are guilty of sometimes. I hope that message gets out to people who consider a future in this place, because we need more people like that.

The other thing I just want to mention is one of the things that has been observed about the South Australian Labor Party, and I think very correctly for a long time, and that is the discipline of our outfit, the discipline of our unit. The discipline of our political party in this state is actually not about rules—every political party the world over has rules—it is about the individuals who operate within those organisations and it is the actions they choose to take or not take. Susan Close at different times has put herself in the back seat and put herself second and put her own personal ambition second and put the interests of other people ahead of her own interests. That is leadership.

Susan has always been about seeking to make those people around her better—make the whole team better. What is the ultimate goal for our movement and our party and what is my role within that and how do I achieve that, and if that requires at different times for me to take a back seat then I will be prepared to do it.

So when anyone out there is ever interested in what it is that makes this side of the chamber, in the political sense, tick—and it has done for a long time—it is that our history has been characterised at different times by individuals within it who have been willing to make those sacrifices and none more so than Susan. I think the Premier put that best when he spoke about the total trust and faith that he had in Susan at every different moment.

I will finish by saying in that same vein that Susan is someone who, as she builds other people up, is always capable of sitting down for that really honest conversation that we do so rarely in this job, which is to tell people that you believe in them and what they are capable of. We are so bad at doing that. It is a huge failing of ours.

I have been the beneficiary of Susan sitting me down and telling me that she believes in my own ability. She has done it with so many other people who are sitting here today, and I am not too embarrassed to say that without that kind of acknowledgement and personal support and someone

just saying, 'You can do this,' I am not sure I would have been able to step forward and I am sure that is true of other people here. I just wanted to acknowledge those maybe smaller, unheralded things that Susan has brought to this place that I am sure will live on for the rest of us as she goes on to do fantastic things.

Bills

STATUTES AMENDMENT (RECIDIVIST YOUNG OFFENDERS) BILL

Second Reading

The Hon. B.I. BOYER (Wright—Minister for Education, Training and Skills, Minister for Police) (17:54): I move:

That this bill be now read a second time.

Today I introduce the Statutes Amendment (Recidivist Young Offenders) Bill 2025. On 6 March 2025 the government announced the Young Offender Plan to crack down on serious repeat young offenders. The plan includes commitments to toughen bail and sentencing laws, including strengthening penalties for young offenders with extensive criminal histories, as well as giving police greater powers to manage street gangs, similar to what is available for outlaw motorcycle gangs.

We are also committed to investing $3 million over the next three years from the Justice Rehabilitation Fund for targeted intervention programs to break the cycle of reoffending for young people entrenched in the justice system. Following the announcement of the Young Offender Plan, the government convened a stakeholder round table with industry and sector leaders to discuss appropriate responses and interventions for serious repeat young offenders.

Various aspects of the plan have now been progressed. The Criminal Law Consolidation (Street Gangs) Amendment Bill 2025 creates a new legislative scheme giving police the right tools to target and disrupt the activities of street gangs. This bill was passed by this house on 16 September 2025.

A funding arrangement for the design and delivery of a specialised intensive therapeutic intervention program has also commenced. The model of care will be developed by the Department of Human Services in partnership with the Aboriginal community-controlled community-led sector, including in regional areas. Subject to co-design, the model of care will be therapeutic and clinically informed to provide individualised responses for each young person, recognising there is a high prevalence of undiagnosed disability in the group of young people.

This investment recognises that if we are to strengthen sentencing and bail laws in regard to young offenders it is crucial that targeted, effective, diversionary measures and therapeutic responses are in place to ensure that the detention of young people does not itself contribute to the rate of youth and eventually adult offending.

I wish to address a misconception about the intended beneficiaries of this investment which arose during consultation on the bill. The feedback from stakeholders emphasised that it would be more beneficial to invest in early intervention to address the drivers of offending and prevent escalation rather than wait until the youth is labelled a recidivist young offender.

While the investment in a specialised intervention program is seen as complementary to the bill, it is certainly not necessary in order to be eligible to participate in the program for the youth to be captured by the amended recidivist young offender scheme or to have received a penalty of detention. The program is to be directed at a small cohort of youths identified by SA Police and the Department of Human Services as being most at need of support to break the cycle of reoffending.

The Statutes Amendment (Recidivist Young Offenders) Bill 2025 implements the remaining aspects of the plan relating to the strengthening of bail and sentencing laws. The bill addresses concerns regarding a small cohort of young offenders who are responsible for a disproportionate number of charges before the Youth Court. We know that, in the past financial year, 20 young people were responsible for between 11 per cent and 13 per cent of all charges laid in the Youth Court. We also know that South Australia continues to maintain one of the lowest young offender rates in the nation, second only to the ACT.

Over the past 10 years there has been a significant and continuing decrease in the youth offender rate; however, this is not the time to get complacent. There remains a need to ensure the adequacy of criminal justice responses to those young people who repeatedly offend, particularly where that offending is serious in nature or results in harm to the community.

Firstly, the bill amends the Young Offenders Act 1993 to clarify the statutory principles that should be applied by the Youth Court in sentencing. Section 3 of the Young Offenders Act prescribes the objects and statutory policies that govern the exercise of sentencing powers conferred on the Youth Court. The overarching object of the act is to secure the care, correction and guidance necessary for the development of young offenders into responsible and useful members of the community, and for the proper realisation of their potential.

Section 3 also requires that regard be given to various other statutory policies such as the need to protect the community against violent and wrongful acts, the need to make the youth aware of his or her obligations under the law and of the consequences of breaches of the law, and the deterrent effect that any proposed sanction may have on the youth.

The bill introduces an additional statutory policy in section 3 of the Young Offenders Act which makes it clear that when sentencing a youth who has demonstrated a pattern of repeated offending, the court should give substantial weight to the impact of that conduct and the need to protect the safety of the community whether as an individual or in general. This amendment is intended to ensure that where a youth has repeatedly engaged in behaviours that result in harm to others or which jeopardise the safety of the community, the impact of that repeated offending and the need to protect the community from further harm is given adequate regard.

It is not expected to result in harsher sentencing where the youth has engaged in low-level offending which does not impact community safety, such as repeated breaches of a curfew condition in a bail agreement. It will be a matter for the court to determine what constitutes a pattern of repeated offending such that the additional statutory policy should be enlivened. However, to avoid discouraging youths from participating in diversionary pathways offered to them, the bill makes clear that charges dealt with by a police officer or family conference are to be disregarded. I seek leave to continue my remarks.

Leave granted; debate adjourned.

Sitting suspended from 17:59 to 19:30.

Personal Explanation

ALGAL BLOOM

Mr BASHAM (Finniss) (19:30): I seek leave to make a personal explanation.

Leave granted.

Mr BASHAM: Today, during question time, we had questioning of my commitment to the electorate of Finniss. This is simply insulting to me and my constituents. It is untrue and misrepresents the events in the period identified by the Premier, March through to June 2025. Being local members, you would think the Premier and the Minister for Environment would have some idea of how questions are derived. They come from the community you represent, so to imply that I am asking questions to make the situation worse for my community is laughable.

These questions have been brought to me by local business owners and residents who want clarity and transparency about this issue. They want to refer their customers to specific scientific data so they can give confidence to visit, swim or use their services. During the first week the harmful algal bloom was identified, Monday 17 March, I wrote to the government requesting a briefing on health issues, which I was granted. I immediately shared information with my community.

On 18 March, my office wrote to the Minister for Health and the previous Minister for Environment to offer to work in a bipartisan manner. I shared updates on my social media by sharing government agencies' information during the rest of March, and I have continued to do so. Both the minister and the Premier must have forgotten that I asked my first question on the harmful algal bloom on 3 April.

So much for the government working in a bipartisan manner: I was excluded from a community leaders briefing on 9 April, even after asking directly to be a participant. This

non-bipartisan approach was highlighted on 3 July when the Minister for Primary Industries claimed the opposition were trying to create fear and panic when the opposition called for support for fishers affected by the bloom.

Amazingly, when the Premier came back from leave, the government announced support for fishers. The Minister for Environment and the Premier have got on their feet in this chamber and have misrepresented me. I have highlighted key events to identify particular misrepresentation. I have prepared a more detailed chronology of events that I will publish, which demonstrates (1) my commitment to bipartisanship, (2) my commitment to my constituents and all South Australians, and (3) my commitment to identify relevant facts based on scientific evidence.

Bills

STATUTES AMENDMENT (RECIDIVIST YOUNG OFFENDERS) BILL

Second Reading

Adjourned debate on second reading (resumed on motion).

The Hon. B.I. BOYER (Wright—Minister for Education, Training and Skills, Minister for Police) (19:33): This amendment is intended to ensure that where a youth is repeatedly engaged in behaviours that result in harm to others or which jeopardise the safety of the community, the impact of that repeated offending and the need to protect the community from further harm is given adequate regard.

It is not expected to result in harsher sentencing where the youth has engaged in low-level offending which does not impact community safety, such as repeated breaches of a curfew condition in a bail agreement. It will be a matter of the court to determine what constitutes a pattern of repeated offending such that the additional statutory policy should be enlivened.

However, to avoid discouraging youths from participating in diversionary pathways offered to them, the bill makes clear the charges dealt with by a police officer or a family conference are to be disregarded. The bill amends the recidivist young offender scheme in division 4 of part 3 of the Sentencing Act. The scheme currently provides a mechanism for a court to declare the youth is a recidivist young offender. Pursuant to Section 55(1) of the Sentencing Act, a youth is liable to be declared a recidivist young offender if the youth has been convicted of at least three serious offences or at least two serious sexual offences committed on separate occasions. A youth who is declared a recidivist young offender is to be sentenced more harshly in respect of the triggering offence and any further serious offences committed as a youth.

It is now apparent that the current scheme has little to no utility. Only four youths have been declared by the court as recidivist young offenders since the scheme came into operation in 2010, the last declaration being in 2017. The bill amends division 4 of part 3 of the Sentencing Act to ensure that the recidivist young offender scheme operates as intended by capturing youths with extensive criminal histories involving serious offending.

Under the bill, a youth is automatically deemed to be a recidivist young offender when the legislative criteria in section 51(1) of the Sentencing Act are met, removing the need for a declaration by a court. The court will retain some discretion and be empowered to refrain from sentencing a recidivist young offender more harshly if the court is satisfied that special circumstances exist and that it is, in all the circumstances, not appropriate that the youth be sentenced as a recidivist young offender. If special circumstances are established, the harsher sentencing principles in subsection (3) of section 55 will not apply and that youth may, pursuant to the relevant provisions in the Young Offenders Act, apply to the Training Centre Review Board for conditional release from detention as if they were not a recidivist young offender.

The bill also clarifies that, for the purposes of qualifying as a serious repeat offender or recidivist young offender, a conviction includes a formal finding of guilt by a court or the acceptance of a plea of guilty by a court, whether or not a conviction is recorded. The Youth Court has previously exercised its discretion not to record a conviction against a youth, even in respect of serious offences where a penalty of detention was imposed.

While the meaning of 'conviction' has been interpreted broadly in some statutory contexts to include a finding of guilt where no conviction is recorded, there may be ambiguity as to its interpretation for the purposes of division 4 of part 3 of the Sentencing Act. The bill puts beyond doubt its intended meaning in this context. This will not affect the exercise of judicial discretion to refrain from recording a conviction when sentencing a youth. It simply ensures that such a decision does not circumvent the intended operation of division 4 of part 3 of the Sentencing Act.

There was some apprehension by stakeholders during consultation on the bill that these changes would bring a large proportion of young offenders within the recidivist young offenders scheme, including those who had only committed minor offences or offences considered to be at the lower end of seriousness. The serious offences listed in section 52 of the Sentencing Act include things like serious firearms offences, commercial drug offences, arson, robbery, serious criminal trespass in a place of residence and offences against a person which carry a maximum penalty of at least five years imprisonment, such as assault that causes harm. It does not capture those lower end antisocial offences such as property damage, theft or basic assault.

Further, in order for a conviction to qualify as a serious offence or serious sexual offence for the purposes of the recidivist young offenders scheme, the conviction must have resulted in a sentence of detention or imprisonment which does not include a wholly suspended sentence or a community based custodial sentence, such as home detention.

Once deemed a recidivist young offender, the young person must complete four-fifths of their sentence in detention and not in the community. Section 23(4) of the Young Offenders Act makes clear that a sentence of detention is an option of last resort and may only be utilised where no other penalty would be adequate. For that reason, only young offenders with a history of repeated and very serious offending can meet the criteria set out in section 55(1) of the Sentencing Act to qualify as a recidivist young offender.

The bill also makes related amendments to sections 53(2) and 55(2) of the Sentencing Act to clarify the interaction between a serious repeat offender and the recidivist young offenders scheme in certain circumstances, including where a youth has been treated by the court as an adult.

A transitional provision in clause 7 of the bill makes clear that the amendments to the Sentencing Act will apply in relation to the sentencing of a youth who is convicted of an offence after the commencement of the bill, regardless of whether the offence was committed before or after that commencement.

Finally, the bill amends the Bail Act to introduce a presumption against bail in circumstances where the applicant (a) is a youth who is a recidivist young offender as defined in part 3, division 4 of the Sentencing Act; and (b) the applicant is taken into custody in relation to a serious offence. The presumption against bail will apply to youths who are of or above the age of 14 years on the day on which the serious offence was allegedly committed.

Consistent with the existing test in section 10A of the Bail Act, the presumption of bail is displaced when the youth establishes the existence of special circumstances justifying their release on bail. A broader review of the Bail Act has been referred to the South Australian Law Reform Institute and will include consideration of whether the Bail Act appropriately deals with young offenders. I commend the bill to members and I seek leave to insert the explanation of clauses into *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

These clauses are formal.

Part 2—Amendment of *Bail Act 1985*

3—Amendment of section 10A—Presumption against bail in certain cases

Subclause (1) amends the definition of *prescribed applicant* in relation to presumption against bail in certain cases to include an applicant taken into custody in relation to a serious offence if the applicant is a youth who is a recidivist young offender.

Subclause (2) inserts definitions of *recidivist young offender*, *serious offence* and *youth* for the purposes of the section.

Part 3—Amendment of *Sentencing Act 2017*

4—Amendment of section 52—Interpretation

This clause inserts a definition of *conviction* for the purposes of the Division.

5—Amendment of section 53—Serious repeat offenders

This clause amends section 53 to make it clear that:

- the section applies to a youth who is being dealt with as an adult; and
- when determining the number of occasions on which a person has committed a particular kind of offence, offences committed by the person as a youth are not to be included unless the youth was dealt with as an adult.

6—Amendment of section 55—Declaration that youth is recidivist young offender

This clause makes amendments to section 55 of the Act to remove the need for a court to declare a youth to be a recidivist young offender and instead make it automatic in certain circumstances (subject to the discretion in subclause (5)).

7—Transitional provision

This clause makes transitional provisions in relation to the amendments in this Part.

Part 4—Amendment of *Young Offenders Act 1993*

8—Amendment of section 3—Objects and statutory policies

This clause amends section 3 of the Act to provide that, in imposing sanctions on a youth for offending, regard should be had to the deterrent effect any proposed sanction may have on the youth and if the youth has demonstrated a pattern of repeated offending, substantial weight should be given to the impact of that offending and the need to protect the safety of the community (whether as individuals or in general).

9—Amendment of section 4—Interpretation

This clause makes a consequential amendment.

Mr TEAGUE (Heysen—Deputy Leader of the Opposition) (19:40): I rise to indicate that I am the lead speaker for the opposition. I indicate the opposition's support for the bill and in so doing I will perhaps take up where the minister left off because the really substantial public policy reform opportunity and necessity is at the bail stage.

This bill adverts to that. It has in it the beginnings of a mechanism that recognises that bail and what we have seen far too often for many years now—the repeated breach of bail followed by an offence, followed by a new bail agreement, and breach of bail and so on—is a particular problem that really is one that is concentrating a focus on young offenders and on community safety in particular. The member for Bragg, the shadow minister for community safety, will focus on that, I am sure, in his contribution to the second reading speech shortly. There is an amendment that is filed in his name that goes more particularly to that.

The government's bill, this bill, is focused on what is I think on the government's own measure a relatively—perhaps towards vanishingly—small group of a subset of young offenders who would qualify for what is a marginally strictured, if you like, adjustment to the recidivist young offender provisions in the Sentencing Act. There is the dialling back of the court's discretion in relation to such offenders. Young offenders will be meeting the criteria of recidivist young offenders by definition rather than be eligible for declaration, as is the case on the face of the law as it stands.

The real world consequences of that definition as a recidivist young offender apply as they do presently in the three ways: imprisonment as a last resort is done away with; principal proportionality as well; and, as the minister has adverted to, the requirement that a sentence be served four-fifths in custody, all of which a child ordinarily has the benefit of. It is complete and necessary to note that in making these changes, particularly when it comes to the bail side, the

government has chosen to go out of its way to target not only exclusively young offenders but only a subset of young offenders.

We know the government has, in the course of this parliamentary term, sort of run up the flagpole some public surveys on the possibility of raising the age of criminal responsibility and has ultimately abandoned any policy move in that direction. This bill would, in a way, introduce what is a novel reference to 14 as the relevant age of responsibility. We see that in clause 3, where the new presumption against bail is set out in new subparagraph (i), which provides that the presumption will apply against an applicant who is taken into custody in relation to a serious offence if the applicant is a youth who is a recidivist young offender. The introduction of the words 'is a youth' is nearly tautologist but not quite and it does the work of inserting there, for these purposes only, the definition of youth being a child who, on the day of the offence being allegedly committed by that child, was of or above the age of 14 years.

I do not know whether this somehow contributed to the process of putting this bill together in the government party room, but here we are. We have what will be noted as this introduction of a new relevant age. It is worth highlighting because the government has chosen to focus on what are relatively discrete changes to the treatment of defining a recidivist young offender and then has piled all of this on at a level of repeat serious offending and then applied it to this subset of young people, which has both raised the stakes enormously and narrowed the field to this really rather novel subset of the community.

As the government has indicated in the briefing it has provided, its data shows that we might be talking about 20 or so young people who are in this category, but it is important to note that they are only being rendered the subject of this intervention at that very serious advanced stage. As I said at the outset of my remarks, on this side of the house we are concerned with outcomes, we are concerned with improvements in community safety and we are concerned with ensuring that young people who are repeatedly engaged in offending are not well served by having that whole process escalate and multiply and compound and for that to have to happen right at the most serious point, the conclusion of criminal proceedings. We all know that so often to take a criminal matter to its end and for there to be a completed trial process and all the rest, it takes a particularly long time.

The real scourge, which is both totally contrary to the young person's interest and, of course, contrary to community safety, is what goes on at the front end, which is at the point where a young person finds themselves charged with a serious offence before a court and then entering into an agreement on terms upon which they are then released. That contract of bail is something that happens immediately.

We can all focus on the quality of that agreement, but it is something that is willingly entered into and, like any contract, it ought not be entered into where there is not a sufficient level of understanding, a sufficient level of capacity to engage with relevant terms and the capacity to understand that there are consequences for breach. Yet, it is that repeated process that we are seeing so often, which has been so undermining of community confidence and community safety.

I have referred to recent events. There was a particularly egregious attack at the highway hotel just a few weeks ago. It got a reference in the street gangs debate just a little while ago. That involved a group of young people over a wide age range, some of whom will not have been convicted of anything but some of whom may have been already repeatedly the subject of a bail agreement. That highlights where the real outcome can be improved, and that is at the bail end.

This bill is novel, in that it has to be said that it is particularly harshly focused on young offenders in many ways. It ratchets up the bail consequences for this, as I have said, very narrow subset of young offenders in a way that puts them in that same 10A category as only a very small number of serious offences committed by adults in ways that are uniquely contrary to public and community safety. The change certainly sends a strong signal, targeted as it is towards young offenders.

In terms of the amendment to the Sentencing Act, the subject of part 3 of the bill, that provides the underlying mechanism by which the government would have this subset of young people rendered subject to the additional 10A category, as I have said already, the amendment to section 55 of the act takes away, in subclause (2), the provision that such an offender is 'liable to be declared' so but renders them 'by force of the subsection, taken to be'. In many ways it preserves the familiar structure that is already applicable for other purposes.

In some ways, because the bill at its front end is making this really dramatic addition to the list of 10A categories on the bail side, it is sort of wanting to acknowledge that bail is where the real action is. But by being so preoccupied with this serious offending and a process of repeat serious offending, it is kind of ratcheting up the seriousness but at the same time missing the point if it is not doing more. It is potentially therefore letting down those very youth because, by the time they get caught by this bill alone, they are well down the path and considerably further than they would be in circumstances where there could be more immediate impact on bail arrangements based on the breach of that contract in the first place.

The minister has adverted to it already. There are real concerns about how we navigate a space in which, in responding to youth crime, we are working—as the Department of Human Services takes responsibility for it—in a therapeutic space within a subset of Corrections. That is the intent. There ought to be the means by which responsible adults can intervene at an early point to prevent further criminal activity, prevent further risks to community safety and ensure that that is actually a practical outcome that is applied at an early point, as opposed to setting up this rather back-ended sort of structure.

So the government made its way here with this bill, and it is kind of flagging that there is an issue. By indicating that there is a reference to SALRI, it is certainly saying that bail might be really where it is at. But insofar as this bill is front-ended on the bail side, its criteria are not going to do the practical work. That is where it can be improved, as I expect the member for Bragg will address in just a moment in the course of the second reading. I say that we ought to be serious about adults taking responsibility for getting youth offenders back on track. It is something that, on the opposition side, we have already made very clear in terms of putting our policy money where our mouth is.

We have announced a $40 million commitment to a process of intervention to ensure that youth offenders actually see consequences and they also have the benefit of investment into measures to prevent them from repeating that criminal behaviour as early as possible. A presumption against bail has some important work to do in that regard, it is just that it should be applied by reference to the breach and not be limited to this very escalated process. With those words, as I said at the outset, the opposition supports the bill, but we certainly urge the government to improve it, and I will let the member for Bragg elaborate before the committee stage.

Ms THOMPSON (Davenport) (19:59): I rise to support the Statutes Amendment (Recidivist Young Offenders) Bill 2025. First, let's start with some perspective: South Australia has one of the lowest youth offending rates in the country, second only to the ACT. That is something that we should be proud of. The vast majority of young South Australians are doing the right thing: living their lives, studying, working and contributing positively to their communities.

But within that positive picture there is a small group driving a big share of the harm. In the past financial year alone, just 20 young people were responsible for around 11 to 13 per cent of all charges in our Youth Court. As the Commissioner of Police has pointed out, this is not a sweeping youth crime crisis; it is a concentrated problem involving a small number of young people who keep reoffending. They come before the courts time and time again, often breaching bail, receiving suspended sentences and returning with more serious offences. This bill is about targeting that specific pattern of behaviour. It is not about treating every young person who makes a mistake as a hardened criminal; it is about giving our justice the tools to respond appropriately when serious crimes are committed repeatedly and when community safety is at stake.

Under this legislation, a new category of 'recidivist young offender' will be introduced. It means that, if a young person has committed serious offences on more than one occasion, tougher measures will apply. Courts will be required to take into account not only the offence itself but also the broader impact on the community and the safety of that community. Once a young person falls into this category they will face stronger consequences: tougher sentencing for serious repeat offenders, a presumption against bail for those aged 14 and over when the offence is serious, and, when sentenced to detention, they must serve at least four-fifths of their sentence rather than being released early.

Importantly, the bill also preserves fairness and common sense. The court can still choose not to apply this tougher regime if special circumstances exist, ensuring judicial discretion remains

where it is needed the most. This is the right approach for South Australia because it is balance and evidence based. Most young people are doing the right thing and we should not lose sight of that. This bill recognises that we do not need a blanket 'tough on youth' policy. We need a targeted response for repeat serious offences—offending like robbery, arson and serious assault—committed again and again by a very small cohort. Police tell us that this small number of young people creates a big workload: reoffending while on bail, cycling back through the courts and frustrating the efforts of officers and youth workers who are trying to help them make better choices.

The public is reasonable. They expect consequences for serious repeat offending, and they also expect us to help turn lives around. That is exactly what this bill and the broader Young Offender Plan aim to do. Alongside the legal reforms, the government has committed $3 million to working intensely with this small cohort of high-risk young offenders, providing targeted programs, culturally appropriate supports, and pathways to education, family stability, and employment.

If we simply lock-up young people without tackling the reasons that they offend—trauma, substance abuse, mental health challenges, family instability—then we are not fixing the problem. Kids who keep reoffending are often the ones having the toughest time at home. In my experience, when you look behind the charges you often find a child who has lived through things that no child should ever have to live through: neglect, violence, poverty and addiction in the family. They have had little stability and little trust and often no-one consistently in their corner. That is why early support and intervention are so important. If we can reach these young people early and give them safety, connection and purpose, we can stop the cycle before it takes hold.

While this bill strengthens consequences for serious repeat offending, it is not about punishment for punishment's sake. It is about balance, accountability and opportunity side by side, because every time a young person turns their life around it is a win for all of us. When serious crimes keep happening, the community expects the justice system to respond, and they are right to expect that. Supporting this bill sends a clear message: we are backing young people who want to do better, and we will invest in the help that they need to get there. But if someone keeps making choices that hurt others, there have to be consequences. For victims this says, loud and clear: your safety matters and we take that seriously.

I believe this bill strikes the right balance. It is strong where it needs to be but compassionate where it should be. I commend the bill to the house.

Mr BATTY (Bragg) (20:04): I rise to make a brief contribution on the Statutes Amendment (Recidivist Young Offenders) Bill. I think this is just the latest example of Labor dragging their feet when it comes to law and order and tackling escalating youth crime—the latest example of Labor failing to prioritise community safety and put community safety first, because this bill is being introduced in a pretty concerning context: a context in which this government has lost control of law and order in our streets and in our suburbs.

South Australians are sick and tired of seeing bottle-shop workers, who are showing up at work, being attacked by gangs of youths. We saw examples, over the last couple of weeks, at the Arkaba and at the Highway hotel—really harrowing accounts of vicious attacks on people who are just trying to do their job, and people tell us that they see these same offenders time and time again. South Australians are sick of seeing these sorts of assaults on workers, they are sick of seeing stories of home invasions on the television news and they are sick of seeing small businesses being left devastated by shoplifting across the city and across the state. This sort of crime is not happening by accident. It is happening because we have weak laws, we do not have enough police and we have a government that never seems to prioritise law and order.

In that context, what we see tonight is, frankly, after four years of inaction, a bill trying to tackle youth crime and recidivist youth offenders being introduced into this parliament, in the dying days of this parliament. It is a start, but it is pretty weak because what we see is this law still allowing kids to commit crime time and time again, with little to no consequence. A small cohort of kids will keep committing crime time and time again if actions do not have consequences, if they know they can get away with it, and under Peter Malinauskas, and this Labor government, they know they can get away with it.

These laws are weak because they only apply to recidivist youth offenders. What that means is that this whole bill only has any work to do for a very narrow group of youths who have been convicted of at least three separate serious offences and then go and commit another serious

offence, at which point they would be denied bail or have a presumption against bail under this new law.

The bill allows a young criminal to go and assault a bottle-shop worker at the Highway or at the Arkaba, quite near my electorate, not once, not twice, not three times, but four times—on four separate occasions—and be convicted of each and every one of those offences, before this Labor government thinks it is time to actually respond and reverse the presumption against bail. That is convictions for four separate attacks on bottle-shop workers, four separate attacks of Molotov cocktails being thrown at tobacco shops or butchers, four separate attacks on small businesses. It is bizarre that, in the dying days of this parliament and after doing nothing for four years, this is the grand response. These weak laws are the reason why we keep seeing crime committed across this state.

The other problem with these laws, as the member for Heysen has identified, is that they do nothing to capture people at the point they break their bail. Bail is the problem here. We have seen huge increases in breaches of bail in the last few years. We are seeing the same small cohort on the government's own admission committing a large majority of the crime. We are hearing stories of youths committing hundreds of crimes, allegedly, in the course of a single year. There was the story of one youth who had about 57 breaches of bail in one year. That is more than once a week this particular youth was breaching their bail and this law does absolutely nothing about it. It allows you to go and commit a serious offence—which might take a long time to go through the courts, by the way—and in that time you can breach your bail as much as you want before this law has any work to do.

The member for Heysen categorised that bail agreement as a contract. It does nothing to punish that breach of that contract. Bail conditions are not made to be broken and until all offenders realise that, we are going to keep seeing breaches of bail because there is no consequence in this state.

What we have seen is the criminal justice system turn into a bit of a revolving door for a small majority of offenders and in this case, given the topic of this bill, a small minority of youth offenders. Criminals who are committing crime, getting arrested, only to be released on bail to go and commit more of the very same crime, are making an absolute mockery of the criminal justice system. Actions have to have consequences and criminals will keep committing crime if they know they can get away with it.

As the shadow police minister I talk to police officers. How frustrating must it be for our police officers who are going out doing their job arresting these kids and then, two weeks later, they are arresting the very same kids for the very same crime and again two weeks after that they are arresting the very same kids for the very same crimes. We have done nothing to respond to that. This bill does not respond to that. In fact, it gives you four separate chances to go and be convicted of four serious offences before it has any work to do. You can potentially breach your bail hundreds of times over that period with this bill having no work to do.

If you keep breaching your bail, you should face jail. The Liberal Party will introduce, if we are elected, a one-strike rule—compared to the many, many strikes that this bill allows—that would reverse the presumption. There would be a presumption against bail if an applicant, who is taken into custody for a serious offence, is already on bail for a serious offence.

Enough is enough. South Australians are sick of seeing these sorts of crimes committed and there being no consequences. They are sick of seeing crime escalating and, as we have said, it is not happening by accident. It is happening because we have weak laws, not enough police and a government that just never prioritises law and order.

The Liberal Party will respond to that. We have a plan for more police more quickly, with the largest ever police attraction and retention plan. We have a plan for better crime prevention by investing in early intervention and rehabilitation. No-one wants to see any person—let alone a young person—be put through the revolving door of the criminal justice system. We want to give young, vulnerable kids every opportunity to avoid a life of crime or to give them an off-ramp rather than just go through the revolving door.

We want to give them every opportunity to get back on track, which is why we have announced that we would fund a $40 million breaking the cycle fund, which would partner with community organisations to help deliver their proven early intervention and rehabilitation programs to break the cycle of reoffending.

At the moment the laws that we have and the approach that we have is not just failing us on community safety, ultimately it is failing these vulnerable young kids as well because we have not realised the current approach is not working. It is not working for them and it is not working for the community who is suffering with escalating crime.

We have also said we will have tougher laws. Under Labor and under these laws, criminals are getting arrested, they are getting released on bail to only go and commit more crime. It is making a mockery of the justice system. If you break bail, you should face jail, and that is exactly what we will do if we are elected.

We are trying to fix some of this legislation—and I foreshadow our own amendment to this bill—by adding to those presumptions in section 10A, so we are not dealing just with recidivist young offenders, just with a young person who might have committed four serious offences and been convicted of four serious offences, but we will also add in there if it is a young person who has been released on bail if they have committed another serious offence.

This is an opportunity for this parliament, before we break, to legislate: break your bail, face jail, so long as it applies to youth offenders. I would urge the parliament to support the amendment that I am foreshadowing now because we cannot just keep having this revolving door of giving people bail over and over and over again. It is time to prioritise community safety, it is time to put victims first, and it is time to ensure once and for all if you break your bail, you should face jail.

Ms STINSON (Badcoe) (20:15): I rise to support the Statutes Amendment (Recidivist Young Offenders) Bill. I have to say that this is one that does touch my community. Unfortunately, we have had instances of serious crime in my area and some of those have been committed by young people.

Members of this house would have seen television coverage in recent times in relation to the Highway Hotel and the unfortunate offences that have been committed there. That is directly across from my electorate office and I do like to refer to the Highway Hotel sometimes as our office conference room. We like to head over there for a drink and to catch up with locals whenever we have the chance. So I am very familiar with the Highway and the good people who work there.

It is very sad to me and to my community when people who are going about their jobs find themselves victims of crime through obviously no fault of their own whatsoever. Workers should absolutely be able to turn up to work and do their jobs and not have to worry about their own personal safety. The suite of reforms that our government is implementing is of great interest to me and my community, and I am glad to see that our government is paying close attention to what is happening and making sure that we are addressing it.

I think maybe the difference between the approach on the other side and the approach that this side are taking is really a comparison of a scattergun approach versus using a scalpel. What we are looking at is really investigating what the problem is and devising laws that address those problems—not getting into what I think can be a really slippery slope in politics of trying to best each other on law and order policy just for the sake of headlines.

What the important thing is and what my community cares about is that problems are being identified correctly, investigated properly, and that where there is need for law reform that that is happening quite precisely, rather than chasing headlines, actually making sure that the laws we are putting in place are addressing the problems that we are confronting as a community.

One of the figures that struck me and obviously struck others in this debate—because I noticed that it has been mentioned in the addresses already—is that we know that in the past financial year, just 20 young people were responsible for up to 13 per cent of the charges laid in the Youth Court. That is actually quite a staggering figure when you think about it: 20 young people are committing really quite a high proportion of the crimes that are ending up before the Youth Court.

That actually does not point to a widespread problem with a huge number of young people engaging in criminal behaviour. What it points to is a small number of young people who, frankly, we are failing to manage to find solutions for, failing to manage to intervene either using the justice

system or using our social justice system to ensure that those young people are not committing additional crimes.

Obviously, that is a much simpler thing to talk about than to actually fix, and there are certainly wiser folks in our justice and social justice systems that obviously are dedicating their time to finding ways to address that very small cohort of youths who are responsible for a disproportionate amount of harm not only to our wider community but also, unfortunately, to themselves and their own families a great deal of the time.

I think that this bill is aimed at really targeting that very small number of young people who find themselves repeatedly before our justice system, repeatedly committing offences, rather than tarring all young people or indeed all young people who come into contact with the justice system with the same brush.

I can recall when I was a teenager—I grew up in a country town—and there were issues like this that were referred to. I remember being acutely aware that others in the community felt that just because I was a young person I was somehow on the wrong side of the law or seeking to cause a nuisance or a problem. I think we have to be conscious as leaders in our communities, and as lawmakers, to really distinguish between the vast number of young people in our community who do do the right thing and who are not even just passive citizens but very active citizens in making sure that our community is a welcoming place and that they are contributing positively to it, day by day, and that they are not tarred with the idea that young people, or simply the stage of life of being young is somehow associated with offending or nuisance or poor behaviour, because it is simply not the case whatsoever.

We know that for young people who come into contact with the justice system, even for quite minor offences, that opens up a world to them that they otherwise might have avoided. We know a life spent in our court system and in our youth and adult justice systems is not one we would wish upon our worst enemies. We need to do whatever we can to ensure that young people are steered away from our justice system as much as possible so we do not have young people repeatedly committing offences and coming before the courts.

As I mentioned, this bill is one part of the Young Offender Plan, a plan that includes so much more. I will refer later to some of the diversion and intervention programs that are part of that plan as well. I think it is very important that we take a carrot and stick approach, that we have a diversity of approaches, tailored to the young people who are finding themselves in this predicament. That wider plan also includes commitments to toughen bail laws which have been the discussion by those opposite just now, and also strengthen penalties for young offenders with extensive criminal histories.

I think it would be remiss of us, in this debate, to think that this bill is the only thing that is being done: it's not. It is part of a much broader suite. The Young Offender Plan is looking at tackling this from many angles but, as I said, we are taking more of a scalpel than a scattergun approach to addressing this issue.

The Young Offender Plan, that broad plan, was developed in response to concerns raised by the Commissioner of Police regarding that very small cohort of youths who are responsible for a disproportionate amount of crime. The bill reflects a targeted response directed to fixing the problem where these young offenders come before the Youth Court time and time again. It also concentrates on serious offences. We are not talking about someone who commits quite a lot of minor offences; we are talking about someone who is repeatedly committing serious offences and largely that includes offences of violence or potential violence.

There are three significant amendments that make up this bill. Amendments to section 3 of the Young Offenders Act to introduce new statutory policy which makes it clear that, when sentencing a youth who has demonstrated a pattern of repeated offending, substantial weight should be given to the impact of that offending and the need to protect the safety of the community. Taking a look at the actual offending that is going on, and the gravity of that offending, empowers our Youth Court judges to apply that filter over the offending that is happening, before deciding whether that young person comes under these new laws.

Secondly, the bill amends the Recidivist Young Offenders Scheme in division 4 of part 3 of the Sentencing Act to ensure that youths who repeatedly commit serious offences are captured in the scheme. What that will mean is that a young person will be declared a recidivist young offender if they are convicted of two serious sexual offences or three serious offences. To be clear, a youth who is declared as a recidivist offender is to be sentenced more harshly in respect to the triggering offence that brings them before the court.

Those opposite lamented that it was taking two or three offences to be declared a recidivist young offender, but the word 'recidivist' means repeated so, of course, a recidivist offender is not someone who commits one offence, so I am not really sure where that argument was going. Obviously a recidivist offender is someone who repeatedly commits an offence and therefore it is a really obvious definition of recidivism, and that is being included as part of this act.

Obviously, we have laws that target young people who have committed a very serious offence as a one-off, but we need judges to have the capacity to be able to look at circumstances and tailor the right approach in relation to those young offenders. What we are doing here is making a statement that we expect that small number of repeat offenders to be treated more harshly in the sentencing process, and this is what these reforms are aimed at.

For the offences to qualify they must be committed on separate occasions and, secondly, they must result in a sentence of imprisonment that is not wholly suspended or served on home detention which obviously would indicate that the judge in that matter felt that special circumstances existed in those cases to suspend or to allow home detention.

What is a serious offence under these changes? It is things like serious firearms offences, commercial drug offences, arson, causing a bushfire, robbery, serious criminal trespass in a place of residence, and offences against the person which may incur maximum penalties beyond five years' imprisonment, such as assault causing harm. It is a pretty obvious definition of what a serious offence is. I think most people would not struggle too much to understand that they would be the kinds of crimes we were trying to capture here that young people might have committed more than once, and it should be subject to harsher, possible maximum sentences.

Interestingly, the bill also removes the need for a declaration by the court of a person being a recidivist young offender. I think that is really important, because we so often hear about how much work our courts have to do, and we also often hear the old adage of justice delayed is justice denied. Putting in a scheme, which does exist in other parts of the law, about seeking a declaration from the court really does hold things up. What this legislation does is to define what a recidivist offender is and generally a prosecutor will be able to go before the court and say, 'They fit this bill under the legislation,' and they are automatically dealt with as a recidivist young offender.

Of course, there may be circumstances in which a prosecutor does not want to advance that argument in which case they are free to say to the court that they feel there are special circumstances in which this young person should be treated differently, and the court can then refrain from sentencing the youth more harshly under these reforms. But the power is there and the capacity for both prosecutors to seek this and for judges to be able to adopt this approach without the need for additional court processes and additional hearings and additional evidence needing to produced on multiple occasions, just holds everything up for a young person who really does need to be dealt with quickly.

Thirdly, the bill amends the Bail Act 1985 to introduce a presumption against bail for recidivist young offenders who are taken into custody. I started my address by reflecting on the Highway Hotel example and certainly this, on the face of information that is before us in public—though not yet tested in court—would seem the kind of circumstance where this might be useful. This amendment will only apply to young people aged 14 or over and the presumption, again, can be rebutted if the youth or their legal team is able to establish special circumstances.

As I mentioned earlier, this complements other measures in the Young Offender Plan, and I really think that this approach, this really targeted approach is smart policy. It is intelligent law-making and it avoids over-reach and really tries to nail down and target the problem that we are faced with as a community.

Other elements of the Young Offender Plan include diversion and intervention programs. The member for Davenport spoke quite eloquently about the need to recognise the incredibly difficult

circumstances or backgrounds that so many young people committing these offences, or coming into contact with our justice system, are overwhelmingly coming to the system with.

As a community, we should bear some responsibility for the circumstances that those young people find themselves in. As the member for Davenport said, when they are children, it is not their fault that they are subject to things such as neglect, abuse, being exposed to substance abuse and other members of the family being involved in criminal activity. It is hard to expect that a young person can grow up in those environments and avoid some of these behaviours.

It is incumbent upon us as a community to be offering, through this plan, not just constructive approaches that try to intervene with young people who might be declared recidivist young offenders, or likely to be declared as such, but programs that are open to other young people who may come into contact with the criminal justice system. I really do think we bear a great responsibility to intervene as early and as productively as possible to try to steer young people away from what is a dire situation for them going into youth detention and, of course, the adult system.

Really this package is a carrot-and-stick approach where there are more welfare-based interventions, but for that very small number of young people who are committing serious offences and causing harm to themselves and others, there is the capacity for strong action, which I think our community demands, but equally I think our community demands that we take a compassionate approach to young people in particular.

I do have to say that when I am out in my community and speaking with so many bright, bubbly and smart young people, it is hard to reconcile their lives, the potential that they have, with the prospects for some of our most vulnerable young people who find themselves in contact with our justice system and broader government services. It is tough for us to imagine sometimes that young people could be in situations where they are committing crimes from very young ages and being exposed to criminal activity from when they are barely out of primary school. But that is the case and we as a parliament need to address that sensitively and productively, but also we need to act on behalf of our community who do demand and do deserve to be safe in their homes, their workplaces or in public.

I think that this bill really does strike the right balance with taking on board some of the difficult circumstances that young people find themselves in and also equipping our courts where they find it necessary to be able to apply harsher penalties when other things have not worked and where the courts feel that it is necessary in all the circumstances. I do find it sad, but unfortunately it is necessary. With those remarks, I commend the bill to the house and thank you for the time.

The Hon. B.I. BOYER (Wright—Minister for Education, Training and Skills, Minister for Police) (20:33): I have a few short comments. I particularly thank the speakers on this side for their contributions. The bill, as presented here, has been well thought out and a lot of work has gone into what we are proposing. As we have heard from speakers on both sides, these issues involving very young people can be complex and difficult.

As the member for Davenport observed, these young people are often from incredibly difficult backgrounds and have been through a great deal, and we, as legislators, have to strike that balance between making sure we put things in place that act as a really strong and efficient disincentive for current offenders, and those who might be on the cusp of doing that, to think twice about their actions and also making sure, as best we can, we take steps that actually break the cycle of offending.

Of course, there is always a question about whether or not presumptions against bail or detention do that or sometimes do not achieve what we think they might and sometimes make that cycle just continue. I thank those speakers for their contributions.

Bill read a second time.

Committee Stage

In committee.

Clause 1.

Mr BATTY: I have some questions about what will happen when this act commences, effectively, and I might ask them at this point. If there is a young offender who has committed 10 serious offences as at tonight or when this act commences, are they by virtue of this bill becoming recidivist youth offenders?

The Hon. B.I. BOYER: The short answer is yes, I am told.

Mr BATTY: We have talked a lot about the 20 offenders who we know are responsible for a large majority of the youth offending. How many of those 20 youth offenders will become recidivist young offenders by virtue of this bill commencing?

The Hon. B.I. BOYER: I will have to take it on notice in regard to those, but I am happy to do that.

Mr BATTY: Again, I have a question about the operation of this once it commences. If we have a 14 year old who commits three serious offences, I understand once this bill passes there will be a presumption against bail under section 10A if and when they go and commit a fourth serious offence. Would that same presumption be there if that individual was not 14 but was 19 years old?

The Hon. B.I. BOYER: No. It does not apply to adults. This is a specific provision to apply to youth offenders.

Mr BATTY: Is it not unusual that we now have a situation where we are legislating tonight to treat a small and defiant cohort of 14 to 18 year olds very differently to any other offender, and indeed a lot more harshly? Is there a reason why we are not legislating tonight to also crack down on adults who might commit serious offences? Why are we particularly targeting 14, 15, 16 and 17 year olds who commit serious offences and not 18, 19 and 20 year olds who commit serious offences?

The Hon. B.I. BOYER: That would appear to me to be a question totally outside of the bill that is in front of us.

Mr TEAGUE: Just on the starting point—it is important, isn't it? There has been focus on the around 20. There is this small number that we know about who have committed these repeated serious offences, and they are all caught presumably by force of the amendment the subject of clause 6, which is literally, by force of the subclause, that they are taken to be recidivist. Presumably then when they come to apply for bail, they will meet the definition. So it is not that everybody is starting with a clean slate tonight: they are brought along.

The particular question I have is around this narrowing of the subset of children who are eligible. You have to be 14 to be the subject of the presumption against bail, yet the offences that can render a child a recidivist young offender can be—hopefully vanishingly rarely; we have seen the examples recently in the press—committed by a young person aged 10 to 14 in circumstances where the court has established that doli incapax does not apply.

So that child has committed a serious offence, say aged 11 or 13, and comes before the court at age 15. Are they also rendered a recidivist child offender despite the fact that the definition for the purposes of the presumption only applies to 14-plus? I think the answer is yes, but I would be interested in the minster's assurance about that.

The Hon. B.I. BOYER: Thank you, member for Heysen. I will try to answer your question this way: what I am told is that doli incapax is found to apply between the ages of 10 and 13 because the sufficient intent cannot be formed at that age, and because of that we have chosen 14 as the starting point in terms of age.

Mr TEAGUE: Let me put it back this way: the defence of doli incapax is available to a child aged 10 to 14. Should that defence be successful, and it often is, then no charge proceeds and there is no conviction and no court process because the child is rendered incapable of forming the necessary criminal intent.

What my question zeroed in on is the circumstances in which the defence is unsuccessful, the court hears a doli incapax, or it is not raised, and a child under the age of 14 is convicted of a serious offence. It seems to me that that counts towards the necessary serious offences to render the child a recidivist youth offender, but it is only at the point where that child is a youth applicant for the purposes of this additional provision in the Bail Act that they need to be 14.

I think I am answering my own question, but it is a questionably very rare set of circumstances where, as of right now, you have a child who is 15 now and they have committed multiple offences, including offences that count towards the three or more when they are aged less than 14, so the doli incapax defence did not apply and they were convicted. I am just seeking that clarification.

The Hon. B.I. BOYER: Member for Heysen, this is, I hope, the answer you are looking for: if the person in question is 15, then the provisions of this bill apply for that alleged offence.

Mr TEAGUE: I will try one more time. We have a situation in this state, for the time being, where the age of criminal responsibility is 10, but there is an available defence for a child in the age range 10 to 14; that is, resort to doli incapax—a child not capable of forming criminal intent, so please do not proceed with charges because you are dealing with a child incapable of forming criminal intent. If that is successful, then at the end of the day, no worries; no offence is made out.

I am talking about circumstances in which you have a child in that age range, the defence is available but it is unsuccessful or it is not pleaded and you end up with an offence being proved. That child has therefore committed a serious offence under the age of 14. That is the landscape. You then look to the circumstances, the subject of the bill, and that child is applying for bail now aged 15. You go back over the history and you see the court was satisfied that they were capable of forming criminal intent, it convicted them at age 12 and 13 and 14, and here they come back now, tomorrow, at 15.

It seems to me that the purpose of the 14 threshold for the purpose of the applicant is only to zero in on the necessary age of the applicant at the time that they are applying for bail. The relevant offences that will be establishing recidivism will include offences that are committed at less than 14.

The Hon. B.I. BOYER: Correct.

Clause passed.

Clause 2 passed.

Clause 3.

Mr BATTY: I move:

Amendment No 1 [Batty–1]—

Page 2, line 13 [clause 3(1), inserted paragraph (i)]—After 'youth who' insert:

is alleged to have committed that offence while released on bail in respect of another serious offence or who

The CHAIR: Will you speak to it?

Mr BATTY: No.

The CHAIR: Minister, do you wish to respond to the amendment?

The Hon. B.I. BOYER: There are a few comments I would like to make in regard to the amendment being proposed by the member for Bragg. I understand that we have had a couple of references already tonight to the opposition's one-strike rule which, as I understand it, would see offenders breach bail and go to jail. That is the way it is characterised, anyway. Commentary has been made by those opposite—not necessarily by the member for Bragg, but perhaps by the member for Hartley—that they would always put it out for consultation. That was in response to a question put to the Leader of the Opposition on FIVEaa radio on 2 November. The opposition can respond whether or not that was done, in terms of this amendment and their one-strike rule being a well thought through policy, as it is put to us by them that it is.

As I said in the short remarks I made at the end of the second reading contributions, a great deal of work has gone into the bill that the government has before the house now, including the work that was done on the Young Offender Plan announced in March. A great deal of consultation sat behind that Young Offender Plan, including responses to stakeholders, legal bodies and other stakeholders as well.

The Attorney-General worked closely with SAPOL, as you would expect, on many of the issues that were raised in the Young Offender Plan. As we have already discussed here this evening, this bill has been carefully drafted to target a small cohort of serious, repeat young offenders. We heard in a number of the second reading contributions the very high number of offences committed by a relatively small number of young people that contribute to that overall figure, and the work that we have done, as best we can, is to target those recidivist offenders.

The bill, in that vein, adopts the targeted approach to capture those offenders who come before the Youth Court time and time again. The government agrees with the opposition it is certainly something that we are seeing from a small number of those recidivist offenders and they are committing in some cases serious offences that do put the community at risk and we are not suggesting otherwise.

But the amendment that is being proposed here by the member for Bragg is significantly wider in its application and I think there is a risk that it captures a much wider cohort of young people. In fact, it looks as though it will capture youths who may have no criminal history whatsoever and may find themselves spending time in detention only to be acquitted down the track—at least that is how it is explained to me.

I would assume we will ask some questions of the member for Bragg on this amendment. The opposition knows that the Legislative Council is the opportunity for amendments to be made to the bill where the government does not have the numbers. It is clear that this proposed amendment is not about improving the policy; it is about a platform to talk about the one-strike rule. For that reason, as I am sure I have made clear in my comments already, we are not going to be supporting this amendment.

Mr TEAGUE: It is interesting to have the minister's contribution to the debate on the amendment. I think the member for Bragg made clear in the course of the second reading the circumstances in which the amendment is moved and I speak up very much in support of the amendment.

I just put the proposition to the committee that, in the present circumstances, the government has been at some pains in the course of this debate to talk about how forensically and carefully and thoughtfully it has gone about the task of crafting this bill, and at the conclusion of the second reading contribution—and I welcome it—the minister said, 'Well, the government is also serious about this problem of repeat bail breaches, so much so that we are referring it off to SALRI.' That is an esteemed, authoritative, thoroughgoing body that will do very thorough work, which is valuable to the government. But it really rather makes plain that the problem that we are all grappling with here in this state is not one that is confined, or even characterised by this small group of young people—a subset of young people—who have found their way through the courts on repeated frequent occasions.

Yes, that is a really serious cohort, sure, but in the meantime we are doing a great disservice to this whole wide cohort of young people who are—just ask the police—in this kind of rinse and repeat cycle of crime, bail agreement, bail, crime, bail agreement, bail, over and over again. You hear these horror stories of tens and tens of bail breaches with no consequence.

I think we might all agree in the course of this debate that the rubber hits the road really very much at the point of bail and what are these repeated apparently no consequence offences or the dangerous perception of repeated breach without consequence. The courts have an extraordinarily important role in all of this. Proper resourcing of courts to ensure that applicants for bail understand the terms on which they are granted bail and that they are on terms that are capable of being complied with, and all the rest, has to be core to the framework, and I am sure SALRI will address it.

It is to emphasise that every step that is taken in terms of reforms has to be sincere, but if it is not disingenuous, it at least runs a real risk of just missing the whole wide scope of community safety risk that is going out there day to day on the streets. The sorts of kids who ought to be off the streets are not these criminal masterminds, repeat serious offenders who are heading towards lifelong serious crime; they are kids who we actually need to do the service of getting them off the streets, getting them out of the way of circumstances in which they go and repeat offend—hence, real consequences for breach of bail.

The other point that is really important to emphasise is that the bail agreement is happening right at the first point of contact with the court and, as I have said already in the course of my second reading contribution, it is an agreement that is entered into—freely entered into. The criticism might be put that when you are talking bail, you are talking about somebody who is entitled to the presumption of innocence and nothing is proved and all the rest, but they are entering into terms willingly. So you have a key moment in their life and engagement with the justice system and engagement on the terms. You are saying to them, 'Well, enter into a bargain,' and that is completely undermined, obviously, if the practical result is that it is not a bargain that has any consequence in the breach.

So the opposition joins with the government in being serious about the bail side. The government has sort of gone about it in the same way that the opposition has considered the matter, in terms of the introduction of a new category of presumption against, but the opposition says we are actually serious about grappling with real consequences for repeated bail breach by this group.

Lots of contributions have been quick to recognise that this is a serious focus on this subset of offenders and applicants for bail in the community. But that is where it is coming from. The amendment has merit and it ought to be supported. I commend it to the house.

The Hon. B.I. BOYER: Would the proposed amendment introduce a presumption against bail for children who have only been accused of a crime, as opposed to convicted of one?

Mr BATTY: I thank the minister for his question. The plain meaning of what the amendment says—it is only a one sentence amendment—is that if there is someone who is taken into custody in relation to a serious offence, and they are already on bail in respect of another serious offence, then there will be a presumption in 10A, against bail.

The Hon. B.I. BOYER: Thank you member for Bragg for your answer. Have you done any modelling on the capacity of the youth detention centres to accommodate the extra young people being detained for breaches of bail agreements?

Mr BATTY: I have been begging the government to do some modelling on capacity in our correctional facilities basically for the entire time that I have been the shadow minister for correctional services. We have been sounding the alarm on capacity issues in our corrections facilities that might be just moments away from absolute breaking point. We have been calling on the government to release its business case on a new rehabilitation prison but, for whatever reason, that is being kept secret by the government and the new minister.

But if what the minister is suggesting by his question is that we should be letting people out on bail just because there might not be room in jail, I think that is an outrageous suggestion and he should really carefully think about it because we cannot have a situation where the minister is proposing to let people out on bail just because there is no room in our jails. That is how crime is going to keep rising, so I would call on the minister to reconsider those sorts of questions.

The Hon. B.I. BOYER: I asked a very simple question about whether or not the due diligence had been done by the opposition around modelling about whether or not it could be accommodated. I was not making any imputations about whether it should or should not be. As those opposite should know, from sitting on this side for a number of years, asking these questions, this is what you get to do in the committee phase and that is what I am doing because the amendment is from the member for Bragg. We did get an answer to the first one, and that is an absolute cracker, but we did not get an answer for the second one at all.

Members interjecting:

The CHAIR: Order! Let's try to—

Members interjecting:

The CHAIR: Member for Bragg!

Members interjecting:

The CHAIR: Both are equally guilty on this occasion. Do you wish to speak?

Mr TEAGUE: I seek the call.

The CHAIR: You want the call? Go ahead, speak.

Mr TEAGUE: I would just add something here and this is something that comes up in repeated estimates when we look at the cost of holding young people in custody, and the cost per young person at Kurlana Tapa for example. It is a counterintuitive proposition in that there is a sunk capital cost at Kurlana Tapa. There has been recent improvement. The last time I was there, a little while ago, it had been the subject of significant capital works. The capacity at Kurlana Tapa is enormously in excess of the number of children who are in custody there, from time to time. We talk about a cohort of—the government will have this data available—maybe 11 at the moment; it is in the 20s sometimes. It results in an analysis of a very high per child cost because it is a fixed cost that is spread out over a very small number.

There is certainly capacity in that frame and I just reiterate—as the member for Bragg has said—it would be an outrageous proposition if we were grappling with a situation where you cannot enforce a binding bail agreement entered into by a court because there is no practical capacity in terms of custody. That has just got to be a baseline necessity, otherwise we are kidding everybody by entering into bail agreements in the first place.

Ms O'HANLON: Have you liaised with the Youth Court regarding their capacity to deal with the increase in bail applications?

Mr BATTY: What we know under this government is that there has been a huge increase in matters before the Youth Court. I think the figure is about a 50 per cent increase in matters before the Youth Court, and I think a 60 per cent increase for breaches of bail. What that data demonstrates is the very need for actions to have consequences, the very need for the amendment that we are moving tonight.

If actions do not have consequences, we will keep seeing these matters before the Youth Court, we will keep seeing kids commit crime over and over and over again. What you actually need is a deterrent. You need to make sure that if a youth is committing an offence, or indeed anyone is committing an offence, and they are getting released on bail after entering into a bail agreement and then they break that agreement, there is some sort of consequence for it.

Ms O'HANLON: That was your reasoning, but was that a yes or a no that you have asked?

Mr BATTY: I thank the member for her question again. As the government well knows, it is not open to the opposition to be consulting with government departments on a day-to-day basis. I would urge the government to come and introduce 'break your bail, face jail'. We have urged the government for the past year to introduce tougher bail laws, to at least review bail laws, and then they come to this parliament in the dying days of this parliament with this weak legislation that still is going to allow kids to commit crime over and over and over again with no consequence. It is the Liberal Party that says enough is enough, and that is why we introduced this amendment today so that if you keep breaking your bail you will face jail.

Mr TEAGUE: I might just add as well, if I may.

The CHAIR: This will be your last question, member for Heysen.

Mr TEAGUE: How?

The CHAIR: Because you had two others.

Mr TEAGUE: Really?

The CHAIR: Yes, you have.

Mr TEAGUE: I thought I had one but anyway I will only need this one.

The Hon. B.I. Boyer: In his defence, I think he is only seeking to have a go at answering the member for Dunstan.

The CHAIR: No, it is actually questions or speaking, one or the other, and he has either spoken or asked a question, and this is the third time.

Mr TEAGUE: Certainly, it is a contribution. I might say with great respect to the member for Dunstan it really is an extraordinary proposition, at a whole variety of different levels, to ask 'Has there been consultation with the Youth Court? Firstly, for the reasons that the member for Bragg has already addressed, but the fundamental proposition is—I say here in the context of clause 6—that clause 6 is rendering the relevant young person, by force of the subsection now, taking away the discretion from the court. So the government is at it itself. It is taking the discretion away from the court, applying these recidivist criteria by force of their own amendments.

If we have to go around asking the court whether or not it has some sort of capacity to apply the laws, then it betrays a basic issue with the appreciation of the separation of powers. As to perhaps the more practical meritorious sort of investigation about whether we have capacity in our jails, that is even more farcical because your basic responsibility in government, Corrections—and I am sorry, I am not sure if the new Minister for Police is also Corrections. I have forgotten. I think not. Definitely not human services, but you have a whole range of senior government portfolio responsibility for those resourcing matters. The real question that this boils down to is whether or not a fairly important contract that is entered into in the public justice system is enforceable. Again, these are just basic principles.

Any contract that is not enforceable is nothing more than some sort of philosophical aspiration or something, it is not law. The government certainly would be engaging in a great big dereliction of its duty if it were saying, 'You can't possibly have consequences for breach of bail because there is not capacity in the jails' or 'We are going to ask the court whether or not it has the means by which to deal with the lists.'

That is just as a key matter of principle. The point is that in many ways without this amendment, the class of applicant the subject of this new subclause in 10A will be both discretely escalated and also missing the fat side of the ground in a really big way and we will have the same community safety problem more or less as we have now.

The Hon. B.I. BOYER: A question to the member for Bragg: what stakeholders did you consult with regarding this amendment?

Mr BATTY: Once again, it has been left to the opposition to try to legislate from opposition because of your four years of inaction when it comes to law and order. There is plenty of crime in Dunstan—plenty of crime in Dunstan—and we will be telling everyone about it, do not worry.

What we do is speak to the people. We speak to people such as the proprietor of the Arkaba, such as the manager of the Highway Hotel, victims of crime. For those who are listening, I have read out their harrowing accounts here in this place, telling us they are seeing the same kids for the same crimes over and over again.

If you want to know more about what people think about it, why not have a look at the Premier's Facebook post on 14 February when he really read the room well when he said, 'Crime falls across the state.' That attracted 425 comments. I would suggest you have a look at them. A couple of them are your constituents actually, member for Dunstan. I will read some of them out, which will give a bit of a flavour of the consultation perhaps that you might get if you actually went out and listened to people. Lucy said:

> Don't know where you get that info from. All I hear is they get arrested, then they're out on bail (so many times).

Sonia said:

> Really!! All I hear about is break ins and home invasions and people walking free it's not police it's the system the laws need changing and enforcing the police get them then they walking free again!!

Ray said:

> Crime might be falling but people are still getting off with a slap on the wrist. It's bout time we started locking people up…

Sarah said:

> Are you sure? Because our area (5070) has had nothing but theft, break ins…peeping toms.

There are 400 of them. Steve said:

> I call BS…

Jo said:

> The courts aren't doing their job or the right thing by the public.

Greg said:

> …a lot of people are sick of low penalties and quick turn around times to bail…the Bail Act needs changing and making it harder to get bail and for some crimes bail refused.

Gin said:

> The CBD is terrible at the moment. People now shooting up in broad daylight in front of schools, vandalism and graffiti everywhere, petty crime, bike thefts. It's the worst residents have ever seen.

Disy said:

> Our laws need to be overhauled and made tougher stop letting kids out on bail over and over again people are not safe in their homes at shopping centres work place etc

There is a lot more, and I will keep going later in the evening perhaps, but the Liberal Party says, 'Enough is enough.' We will put community safety first and, if you break your bail, you will face jail, and we do not apologise for that.

The CHAIR: Minister, this will be your last question.

Members interjecting:

The Hon. B.I. BOYER: Come on, you have got nothing to hide.

Members interjecting:

The Hon. B.I. BOYER: Yes, that might be true actually. Anyway, we will not go back to that. My question is to the member for Bragg: in the opposition's opinion, is youth crime going up or down?

Mr BATTY: What we have seen through FOI data is a 50 per cent increase, I think, of youth crime since 2021. There is a 50 per cent increase in matters before the Youth Court since 2021. I would have to check the exact data; I do not have it in front of me. I get the game the minister is trying to play, and we can cherrypick figures all we like, but it is a real trap to fall into, because it is not people's experience.

People are sick of waking up every day and seeing on the news or in the newspaper the latest story of a violent home invasion, of a Molotov cocktail being thrown at a tobacco store and at small businesses being left devastated by shoplifting. I am sick of hearing from publicans every day about groups of youths going in, biting bottle shop workers, throwing bricks at windows and then walking out with very little or no consequence. So you can bring all the data you want, but that is not people's lived experience.

That is not what people are experiencing, and you cannot tell them otherwise because it is not reading the room well. Peter Malinauskas tried that in February, so do not try it again because it is the wrong approach. We need to crack down on people who keep breaching bail over and over again. It is very clear to me that the Malinauskas Labor government will not, so we will.

Members interjecting:

The CHAIR: Excuse me, members!

Members interjecting:

The CHAIR: Minister and member for—

Members interjecting:

The CHAIR: Have we had enough? We've done it? Okay. I think we have dealt with that clause sufficiently.

Members interjecting:

The Hon. B.I. BOYER: What did you say after that?

Mr Batty interjecting:

The Hon. B.I. BOYER: Did you say 'drunk'?

Mr Batty: No. I said, 'What is wrong?'

The Hon. B.I. BOYER: Can we get that please, 9.22?

The CHAIR: Minister, can you take a seat. The question before the Chair—

Members interjecting:

The CHAIR: Once everybody has calmed down, the question before the Chair is that the amendment in the name of the member for Bragg be agreed to.

The committee divided on the amendment:

Ayes 12
Noes.....23
Majority 11

AYES

Basham, D.K.B.	Batty, J.A.	Cowdrey, M.J.
Gardner, J.A.W. (teller)	McBride, P.N.	Patterson, S.J.R.
Pederick, A.S.	Pisoni, D.G.	Pratt, P.K.
Teague, J.B.	Telfer, S.J.	Whetstone, T.J.

NOES

Andrews, S.E.	Bettison, Z.L.	Boyer, B.I.
Brown, M.E.	Champion, N.D.	Close, S.E.
Cook, N.F.	Hildyard, K.A.	Hood, L.P.
Hughes, E.J.	Hutchesson, C.L.	Koutsantonis, A.
Michaels, A.	Mullighan, S.C.	Odenwalder, L.K. (teller)
O'Hanlon, C.C.	Pearce, R.K.	Picton, C.J.
Savvas, O.M.	Stinson, J.M.	Szakacs, J.K.
Thompson, E.L.	Wortley, D.J.	

PAIRS

Tarzia, V.A.	Dighton, A.E.
Hurn, A.M.	Fulbrook, J.P.

Amendment thus negatived; clause passed.

Remaining clauses (4 to 9) and title passed.

Bill reported without amendment.

Third Reading

The Hon. B.I. BOYER (Wright—Minister for Education, Training and Skills, Minister for Police) (21:30): I move:

That this bill be now read a third time.

Bill read a third time and passed.

LABOUR HIRE LICENSING (SCOPE OF ACT) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 29 October 2025.)

Mr TEAGUE (Heysen—Deputy Leader of the Opposition) (21:30): I rise to indicate that I am the lead speaker for the opposition. We had productive engagement with the minister and a briefing in recent days, but it will not come as a surprise that the opposition opposes the bill.

The short point here is that the act was amended by the Marshall Liberal government, meritoriously so, in the last parliament. What this bill is doing is restoring the status quo ante, and it is no more complicated than that. We are dealing with just a difference of view about the scope of the relevant provisions. I say that kind of matter-of-factly because I understand the state of the numbers in this house, and I think we will certainly continue to do all we can to prosecute the argument for good sense.

The important matters that have been raised, including by the Australian Industry Group, about the need for this this reversion ought to be taken on board by the government. We need not be here. It is a retrograde step to go back and render the situation as it was back in 2017 when the Weatherill Labor government first introduced it. I think it would be well known that that was the result—there was some fairly prominent reporting in the ABC back in 2015, and there was an Economic and Finance Committee report that was done into the industry, which focused particularly on exploitation and underpayment of migrant workers employed on farms and in food-processing industries.

The Liberal opposition at the time, it ought to be noted, opposed the bill on the grounds that such industries should be regulated nationally as labour hire providers, and that we were increasing, by state legislation, the red tape on providers already complying with existing worker protection laws. If these added amounts of red tape were going to do nothing beneficial then they were not going to capture the culprits, the subject of the committee reporting of the media at the time, and providers who were already flouting the law were going to continue and avoid them anyway.

As I said at the outset, the Marshall Liberal government introduced the changes that it proposed by way of an amendment bill in 2019. The scope of those amendments was to establish an industry-specific model relating particularly to horticulture, meat and seafood processing, cleaning and security industries. These were considered high-risk workplaces by various state and federal government reports. At the same time, it removed most of the imprisonment penalties.

So the bill that we have now seen the government come along and introduce in recent weeks would effectively undo those changes, expand the scope of the act to cover all labour hire firms and, by clause 4, do some work to exclude directors, partners, sole traders and high income workers. That would largely capture expert professional workers contracted or seconded to another company. Clause 5 would also exclude from the definition of 'labour hire workers' those who are moved within a single corporate group or public sector employees transferred between government agencies.

As I have said, this is legislation that is not supported by a variety of industry groups, including the Ai Group, and the opposition is opposed to it. For what it is worth, I would urge the minister to reconsider proceeding any further with it and perhaps going back and continuing to engage with those industry groups, and particularly the Australian Industry Group, which I commend for its engagement, and assistance to me, in considering the scope of labour hire legislation in this state.

The Hon. A. MICHAELS: I want to thank the member for Heysen for his comments. I understand we have divergent views on the extent of labour hire licensing. Our aim is to make labour hire licensing a broad-based system to protect as many workers as possible who might be subjected to some of the circumstances, as the member mentioned, that we have seen in the past. With that, I commend the bill to the house.

Bill read a second time.

Third Reading

The Hon. A. MICHAELS (Enfield—Minister for Small and Family Business, Minister for Consumer and Business Affairs, Minister for Arts) (21:38): I move:

That this bill be now read a third time.

Bill read a third time and passed.

CHILD SEX OFFENDERS REGISTRATION (MISCELLANEOUS) AMENDMENT BILL

Second Reading

The Hon. B.I. BOYER (Wright—Minister for Education, Training and Skills, Minister for Police) (21:40): I move:

That this bill be now read a second time.

Today I introduce the Child Sex Offenders Registration (Miscellaneous) Amendment Bill 2025. This bill follows the passage of the Child Sex Offenders Registration (Public Register) Amendment Act 2024 (Public Register Amendment Act) last year which gives effect to the government's election commitment to implement a three-tiered public child sex offenders register based on the model used in Western Australia.

This bill makes a clarifying amendment to the operation of the public register, as well as several miscellaneous amendments to the Child Sex Offenders Registration Act 2006, which was suggested by South Australia Police during the course of the development of the public register to improve the operation of the act.

I will now briefly outline the amendments included in the bill. One amendment relates to the operation of the government's public child sex offender register, set to commence in the coming months. This amendment clarifies the operation of section 66FA newly inserted by the Public Register Amendment Act, which relates to the intended operation of tier 2 of the public register—the locality search.

To be eligible for inclusion in tier 2, a registrable offender must have committed a further class 1 or 2 offence after becoming a registrable offender. This amendment clarifies that it is not relevant whether the further offence was committed before or after the commencement of the amendment act. In relation to the remaining miscellaneous amendments to the act, an amendment will be made to section 4 to include a single conviction for an offence of sexual abuse of a child under section 50 of the Criminal Law Consolidation Act 1935 within the definition of 'repeat registrable offender', and, related to this, a consequential amendment will be made to section 34 to provide that an offender convicted of sexual abuse of a child under section 50 will have lifetime reporting obligations.

The elements of the sexual abuse of a child offence in section 50 of the CLCA include two or more unlawful sexual acts committed against a child over any period of time. The horrific nature of this type of offending, which can often comprise ongoing abuse occurring over weeks or months, means that even if the conviction is for a single count of sexual abuse of a child, at least two unlawful sexual acts have occurred.

The maximum penalty for this offence is life imprisonment, placing it in the very worst category of offences on the statute book. The government agrees with SAPOL's view that because multiple unlawful sexual acts are required for a conviction for a section 50 offence, a single conviction should be treated as though it was multiple offences for the purposes of the act. This means that an offender convicted of a section 50 offence will be required to comply with lifetime reporting requirements and may also be subject to the additional requirements that can be placed on serious registrable offenders, such as electronic monitoring.

There is also an amendment to section 4 of the act to define the term 'separate occasion' to aid an interpretation of when offences are considered to have occurred on separate occasions for the purpose of various operations under the scheme.

The amendment to the section heading of section 13 to remove the word 'initial' from the heading 'Initial report by a registrable offender of personal details', is a minor technical amendment to keep the heading consistent with the body of the section as section 13 also contains requirements for ongoing reporting.

There is a further amendment being made to section 13 to include social media handles to the list of personal details that registrable offenders need to provide to police in their initial report. This is important to ensure that SAPOL can check registrable offenders' social media when

conducting compliance checks and to ensure that no prohibited contact with children is being made by a registrable offender via social media.

An amendment will be made to section 16 to provide that offenders exiting custody only need to provide SAPOL with any changes to personal details rather than a whole new initial report, if they have provided new personal details within the last six months. This amendment will assist in avoiding unnecessary administrative work on the part of SAPOL and allow them to redirect their resources to other things such as monitoring compliance of offenders.

An amendment will be made to section 21 to allow the Commissioner of Police to specify that any report under the act must be made within a particular time period, such as during business hours, in order to assist with staff scheduling at police stations. An amendment will also be made to section 66M to increase the penalty for failing to provide passwords, codes or information to assist police to gain access to data stored on a computer or other device from two years' imprisonment to $25,000 or five years' imprisonment.

The penalty increase is aimed at providing further deterrence to registrable offenders seeking to avoid providing passwords to access electronic devices or accounts. SAPOL advised that if a registrable offender knows that the device contains child exploitation material, they may choose to commit the offence of failing to provide access to the device, which has a much lower penalty than the penalty for possessing child exploitation material. The penalty increase in the bill closes the gap further between the child exploitation material penalty and the penalty for this offence, providing a disincentive for the offender to refuse access to their devices.

The amendment to schedule 2 allows for the disclosure of information to law enforcement or prosecution authorities for the purposes of investigating or prosecuting offences under the act. Currently, disclosure is permitted to investigate registrable offences, but not the offences within the act itself such as breaching reporting obligations.

The bill also contains an amendment to include the offence of indecent filming where the victim was under 17 years of age as a class 2 offence. This recategorisation was considered appropriate as indecent filming is an offence of a sexual nature and where the victim was a child. It is the government's view that it is appropriate to list it as a class 2 offence, which would, for example, mean that it could now be a relevant offence to classify a person as a registrable child sex offender if they are imprisoned for that offence.

Finally, a further amendment will clarify that an order to suspend lifetime reporting requirements under section 38 will cease to operate if the registrable offender is charged with a class 1 or class 2 offence. This is to ensure that there is no gap in reporting requirements once there is sufficient evidence of further offending behaviour such that police have decided to lay charges against a registrable offender.

The amendments contained in this bill will help ensure that the act is fit for purpose and that SAPOL can undertake their vital work in ensuring registrable offenders are complying with their obligations under the act, protecting the children of South Australia. 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 *Child Sex Offenders Registration Act 2006*

3—Amendment of section 4—Interpretation

This clause amends the definition of *registrable repeat offender* to include persons who have been convicted of an offence against section 50 of the *Criminal Law Consolidation Act 1935*, and also establishes that for the purposes of the Act, multiple offences which arise from the same incident will not be taken as having occurred on separate occasions.

4—Amendment of section 13—Initial report by registrable offender of personal details

This clause amends section 13(1)(p) of the Act by adding a requirement that a registrable offender must, in addition to providing details of any passwords used by the person, provide details of the accounts to which such passwords relate, as well as the details of any social media accounts used by the person.

5—Amendment of section 16—Registrable offender must report changes to relevant personal details

Section 16(4) of the Act currently provides that a registrable offender in custody for 7 or more consecutive days must report their personal details to the Commissioner within 7 days after ceasing to be in custody or before leaving South Australia, whichever occurs first. This clause amends section 16 of the Act by providing that in circumstances where such a registrable offender has, within the prior 6 month period, reported their personal details to the Commissioner, the registrable offender only needs to report to the Commissioner any changes to those details.

6—Amendment of section 21—Where report is to be made

This clause amends section 21 of the Act such that the Commissioner will be able to specify that reports are to be made on certain days, or between certain times. The heading of the section is also amended to reflect that the section now concerns more than just where a report is to be made.

7—Amendment of section 34—Length of reporting period

This clause amends section 34 of the Act to provide that the reporting period for a person who has been convicted of an offence against section 50 of the *Criminal Law Consolidation Act 1935* is the remainder of the person's life.

8—Amendment of section 42—Cessation of order

Section 42(1) provides for a list of circumstances where an order made under Part 3 Division 6 of the Act will cease to have effect. This clause amends that list to include where a registrable offender is charged with a class 1 or class 2 offence. Section 42(2) is also amended to provide that such an order will be revived if the charge against the registrable offender that caused the order to cease to have effect is withdrawn or otherwise discontinued, or the registrable offender is found not guilty in respect of the charge.

9—Amendment of section 43—Application for new order

This clause make amendments consequential to the amendments to section 42 of the Act made by clause 8.

10—Amendment of section 66FA—Commissioner may provide person with image of certain registrable offenders

This clause amends section 66FA of the Act to clarify the application of the section, making it clear that the section applies in relation to offences committed before or after the commencement of the section.

11—Amendment of section 66M—Powers of entry, search etc

This clause amends the penalty applicable to section 66M(3), increasing it to $25,000 or 5 years imprisonment.

12—Amendment of section 73—Regulations

This clause amends section 73 of the Act to provide for the making of fee notices under the *Legislation (Fees) Act 2019*. The heading of the section is amended to reflect the new additions.

13—Amendment of Schedule 1—Class 1 and 2 offences

This clause adds to the list of Class 2 offences an offence against section 26D of the *Summary Offences Act 1953* (indecent filming) in circumstances where the person being filmed was under 18 years old.

14—Amendment of Schedule 2—Information disclosure principles

This clause expands the circumstances where personal information about a registrable offender may be disclosed without authorisation to include where the disclosure is made to a law enforcement or prosecution authority of the State or another jurisdiction and is reasonably required for the purpose of investigating a suspected offence against the Act.

Mr TEAGUE (Heysen—Deputy Leader of the Opposition) (21:47): I rise to indicate I am the lead speaker and I indicate the opposition's support for the bill. That will come as no surprise to the government, this bill having been introduced by the Attorney in another place and not all that very long ago this year.

The minister has read the government speech onto the *Hansard*. It sets out the range of amendments that the bill makes, and I will briefly address some remarks along the lines of those made in another place by the Leader of the Opposition there. There are, as the minister indicated, a series of amendments to strengthen our child sex offender laws, and, as the opposition has consistently pointed out, that should be approached neither lightly nor should it be the subject of politicisation.

We are, in this place, at one when it comes to that most important responsibility of protecting children. There is no room for leniency, and certainly no room for tolerance of those who prey upon them. The community, South Australians, expect that those who commit these crimes are properly, reliably monitored—and for life, if necessary. Our laws need to, because they are practical measures, keep pace with how offenders are operating, including electronically and online in its whole variety of forms.

Practically, the bill is doing several necessary things. It is ensuring that anyone who is convicted of sexually abusing a child under section 50 of the Criminal Law Consolidation Act is automatically deemed a serious, registerable offender meaning lifelong reporting obligations from that first conviction. It also allows the Commissioner of Police to publish the details of offenders on the public register, even for offending that occurred before the register is established. Offenders will now be required to provide details of their social media accounts to police to prevent them from hiding online activity.

The bill also gives SAPOL more flexibility to direct offenders when and where to report and increases penalties for those who refuse to hand over passwords or access to their devices, lifting the maximum sentence from two years to five years for that conduct. If an offender who has been granted a reporting exemption is later charged with another serious sex offence then that exemption automatically expires. The bill also adds, as the minister has indicated, indecent filming of a child as a class 2 offence and expands the ability for police and law enforcement agencies to share critical information to keep the public safe.

These are practical, necessary and sensible measures. It is not a matter of punishment for punishment's sake but about public safety and deterrence. We must remember who this law is for and it is not for the offenders, it is for the children who have already been hurt and those we have a duty to protect from ever being harmed again. The Liberal opposition is steadfast in its wholehearted support for the bill. I commend it to the house.

Bill read a second time.

Third Reading

The Hon. B.I. BOYER (Wright—Minister for Education, Training and Skills, Minister for Police) (21:51): I move:

That this bill now be read a third time.

Bill read a third time and passed.

LEGAL PRACTITIONERS (DISCIPLINARY MATTERS AND FIDELITY FUND) AMENDMENT BILL

Second Reading

The Hon. J.K. SZAKACS (Cheltenham—Minister for Trade and Investment, Minister for Industry, Innovation and Science, Minister for Local Government, Minister for Veterans' Affairs) (21:52): I move:

That this bill now be read s second time.

Today, I introduce the Legal Practitioners (Disciplinary Matters and Fidelity Fund) Amendment Bill 2025. The bill makes three key changes. First, it amends the Legal Practitioners Act 1981 to transfer the functions of the Legal Practitioners Disciplinary Tribunal to the South Australian Civil and Administrative Tribunal; second, it enhances and clarifies the powers of the Legal Professional Conduct Commissioner; and third, it increases the cap on the Fidelity Fund under the Legal Practitioners Act 1981.

I will address each issue in turn. First, the Legal Practitioners Disciplinary Tribunal: the Legal Practitioners Disciplinary Tribunal is established under the Legal Practitioners Act 1981. The tribunal is an independent body which hears allegations of unsatisfactory professional or professional misconduct made in relation to legal practitioners. The tribunal also reviews certain disciplinary decisions made against legal practitioners by the Legal Professional Conduct Commissioner.

The Legal Practitioners Disciplinary Tribunal consists of 15 members appointed by the Governor on the nomination of the Chief Justice, ten of whom are legal practitioners practising as

solicitors or barristers in South Australia. The remaining five are required to be persons who are not legal practitioners but who are familiar with the nature of the legal system and legal practice.

The Legal Practitioners Disciplinary Tribunal does important work in ensuring the South Australian legal profession maintains rigorous standards of professional conduct. The government thanks the presiding member of the tribunal, Ms Maurine Pyke KC and all those current and past members for their work in this important body.

However, the government believes it is timely to transfer the functions of the Legal Practitioners Disciplinary Tribunal to SACAT. Already SACAT deals with the disciplinary matters for a range of other professions including medical and other health practitioners, under the health practitioners regulations.

This transfer will improve the efficiency of tribunal proceedings, make use of the existing facilities and processes of the SACAT and further strengthen the SACAT's role as a one-stop shop for such matters. The transfer is intended to address concerns about growing backlogs of Legal Practitioners Disciplinary Tribunal cases, with pending decisions dating back several years. The backlog is largely attributed to difficulties in securing the availability of the legal practitioner members to hear matters. They are not full-time tribunal members and they have their own busy legal practices to work around.

Most other interstate generalist civil and administrative tribunals already have a disciplinary jurisdiction in respect of legal practitioners. In amending the Legal Practitioners Act to transfer the functions of the tribunal to SACAT, the bill takes the approach of removing provisions governing tribunal practice and procedures that are no longer required because equivalent provisions are contained in the South Australian Civil and Administrative Tribunal Act 2013.

The bill is also drafted to ensure that SACAT's powers and procedures in dealing with legal practitioner disciplinary matters are consistent to the greatest extent appropriate with SACAT's existing powers and procedures for dealing with disciplinary matters relating to other occupations. The transitional provisions in the bill provide for a two-year run-off period for the Legal Practitioners Disciplinary Tribunal to complete any part-heard matter, after which any residual matters would need to be transferred to SACAT.

The bill also contains a number of amendments to the Legal Practitioners Act to expand the disciplinary powers of the Legal Profession Conduct Commissioner in certain areas that the commissioner has found wanting in past investigations. These amendments are:

- to broaden the commissioner's disciplinary powers in respect of former legal practitioners (including those who may have been struck off the Supreme Court roll) beyond a power to impose a fine to include a power to reprimand, to order the former practitioner to apologise and/or to pay the costs of having work the subject of an investigation redone and/or the costs of having the former practitioners files and records examined;
- to expand the Legal Profession Conduct Commissioner's power to require the production of documents under Schedule 4 of the Legal Practitioners Act to include documents held by people other than the legal practitioner, or legal practice, under investigation;
- to empower the commissioner to require a legal practitioner to undergo a medical or psychological health assessment if the commissioner reasonably believes, because of a notification or for any other reason, that the practitioner may have an impairment. The bill will also consequently enable the commissioner to apply to the Supreme Court for orders requiring a health assessment or suspending or cancelling a legal practitioner's practising certificate if the practitioner fails to comply with the commissioner's requirement to undergo the health assessment or to undertake treatment for an identified impairment.

Members interjecting:

The Hon. J.K. SZAKACS: Did you hear me? Did you hear me talk about the KCs? That part? I like that part. Another amendment in the bill will address a possible risk arising from a recent South Australian Supreme Court (Court of Appeal) Decision in Legal Profession Conduct

Commissioner v A Practitioner that could have allowed the Commissioner's disciplinary regime under part 6 division 2 of the Legal Practitioners Act to be bypassed and for complaints to be lodged directly with SACAT.

The amendment makes it clear that the commissioner's disciplinary regime is to be invoked before lodging a complaint with SACAT. However, the amendment ensures that the commissioner still has the power to lay a charge directly to SACAT in special circumstances. An example of this could include where the commissioner considers there is evidence of practitioner misconduct sufficient to be tested in formal proceedings before SACAT but not sufficient for the commissioner to be satisfied of what conduct did occur and whether it can be adequately dealt with by the commissioner's disciplinary powers.

The bill will also increase the maximum fines that can be imposed by the commissioner in exercise of the commissioner's disciplinary powers, with a commensurate increase in the maximum fines that may be imposed by SACAT in disciplinary proceedings under the Legal Practitioners Act.

Finally, the opportunity is taken to include in this bill an amendment to increase the cap on the Legal Practitioners Fidelity Fund. The Law Society of South Australia administers the Fidelity Fund, with oversight by the Attorney-General. Income paid into the Fidelity Fund includes a proportion of practising certificate fee revenue and interest from the combined legal practices' trust account.

Part 4 of the Legal Practitioners Act sets out the purposes for which the Fidelity Fund may be used, which includes compensating clients who have suffered a financial loss as a consequence of default by a legal practitioner and funding investigation of complaints and disciplinary action against legal practitioners. No payment may be made from the Fidelity Fund without the authorisation of the Attorney-General.

The balance of the Fidelity Fund is capped, with excess funds over the cap directed to the Legal Services Commission, or as otherwise agreed by the Law Society and the Attorney-General. In practice, the Fidelity Fund is predominantly used to fund the work of the Legal Profession Conduct Commissioner and the Law Society Ethics and Practice Unit, as well as the Legal Practitioners Disciplinary Tribunal.

These expenditures, combined with low interest rates, caused the Fidelity Fund balance to decline over a period between 2014 and 2022. That decline gave rise to concerns about the viability of the fund. Various measures were introduced to address these concerns, including the imposition of a financial levy on the legal profession itself to bring the fund back into a surplus.

With a significant percentage of its revenue historically generated by interest, the Fidelity Fund is particularly vulnerable to low-interest rate environments. The increases in official interest rates in more recent years have led to significant Fidelity Fund growth. The current Fidelity Fund cap was reached in early 2025 for the first time since the 2009-10 financial year. There is now a growing accumulation of excess funds. Increasing the cap will support the ongoing viability of the Fidelity Fund by ensuring investment returns can produce enough revenue to reduce the fund's vulnerability to interest rate fluctuations. 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 *Legal Practitioners Act 1981*

3—Amendment of section 5—Interpretation

This clause inserts and amends various definitions for the purposes of the measure.

4—Insertion of section 20AL

This clause inserts new section 20AL as follows:

20AL—Court may require practitioner to undergo assessment etc

Proposed section 20AL empowers the Supreme Court to make an order requiring a legal practitioner to undergo a health assessment, undertake treatment, receive counselling or participate in a program of supervised treatment or rehabilitation designed to address behavioural problems, substance abuse or mental impairment. If the practitioner refuses or fails to comply with such an order, the Court may make an order suspending or cancelling their practising certificate.

5—Amendment of section 23AA—Employment of disqualified person

This clause deletes subsection (6), which sets out how the Legal Practitioners Disciplinary Tribunal is to be constituted for the purposes of a hearing under the section, as proposed section 78 sets out how SACAT is to be constituted for proceedings under the Act. The clause also updates internal cross-references.

6—Amendment of section 56—Statutory interest account

This clause amends subsection (6), which sets out the method for calculating the cap on funds that may be retained in the Fidelity Fund, to provide that, if at any time the amount of the Fidelity Fund exceeds an amount calculated by multiplying $11,500 by the number of legal practitioners who held practising certificates on the last preceding 30 June, the Society must hold the excess in the statutory interest account.

7—Amendment of heading to Part 6

This clause makes a consequential change to the heading of Part 6.

8—Amendment of section 67B—Application of Part

This clause amends section 67B to provide that Part 6 does not apply to the conduct of a member of SACAT (who is a legal practitioner or former legal practitioner) acting in their capacity as a member of SACAT insofar as they are exercising a function under the principal Act.

9—Amendment of section 72—Functions

This amendment is consequential.

10—Insertion of Part 6 Division 2 Subdivision 1A

This clause inserts new Subdivision 1A as follows:

Subdivision 1A—Assessment of fitness to practise

77AA—Commissioner may require practitioner to undergo assessment etc

Proposed section 77AA empowers the Commissioner to, in specified circumstances, require a legal practitioner to undergo a health assessment by a medical practitioner or psychologist. A medical practitioner or psychologist may, for the purposes of conducting a health assessment under the proposed section, require the legal practitioner to provide information reasonably required, and to attend at a specified time and place, for the purposes of the assessment. The proposed section sets out the actions the Commissioner must take, and the orders the Commissioner may make with the consent of the legal practitioner, following the receipt of a report of the health assessment from the medical practitioner or psychologist. If a legal practitioner refuses to comply with a requirement of the Commissioner or refuses to consent to an order of the Commissioner, the Commissioner may apply to the Supreme Court for an order under section 20AL or 20AD.

11—Amendment of section 77J—Powers of Commissioner to deal with certain unsatisfactory professional conduct or professional misconduct

This clause amends subsections (1) and (2) to increase the maximum fines the Commissioner may order a legal practitioner pay in certain circumstances if satisfied that there is evidence of unsatisfactory professional conduct or professional misconduct by the practitioner. In addition, the clause amends subsection (3) to expand the Commissioner's powers following an investigation into a former legal practitioner's unsatisfactory professional conduct or professional misconduct. The clause also makes various amendments to update terminology.

12—Repeal of section 77K

Section 77K is repealed.

13—Amendment of section 77L—Commissioner must lay charge in certain circumstances

14—Amendment of section 77M—Commissioner to provide reasons

15—Amendment of section 77O—Commissioner may conciliate complaints

These amendments are consequential.

16—Insertion of Part 6 Division 2 Subdivision 6

This clause inserts new Subdivision 6 as follows:

Subdivision 6—Review of certain decisions by Tribunal

77P—Review of certain decisions by Tribunal

Proposed section 77P confers SACAT with jurisdiction to deal with matters consisting of the review of specified decisions of the Commissioner.

17—Substitution of Part 6 Division 3

This clause substitutes Division 3 as follows:

Division 3—Constitution of Tribunal

78—Constitution of Tribunal

Proposed section 78 sets out how SACAT will be constituted for proceedings under the Act and requires SACAT to establish panels of assessors.

18—Insertion of sections 79, 80 and 81

This clause inserts new sections 79, 80 and 81 as follows:

79—Complaints

Proposed section 79 allows the Attorney-General, the Commissioner or the Society to lodge a complaint alleging unsatisfactory professional conduct or professional misconduct on the part of a legal practitioner or former legal practitioner with SACAT. The Commissioner may not lodge a complaint under the proposed section unless they are satisfied that, in the circumstances of the case, special reasons exist that justify the lodgement, or they have investigated the conduct of the practitioner to whom the complaint relates and are satisfied that there is evidence of unsatisfactory professional conduct or professional misconduct by the practitioner and that the conduct cannot be adequately dealt with under section 77J. Except in specified circumstances, a complaint may not be lodged more than 5 years after the day on which the person lodging the complaint became aware of the conduct to which the complaint relates.

80—Hearing by Tribunal

Proposed section 80 requires SACAT to, on the lodging of a complaint, conduct a hearing for the purpose of determining whether the matters alleged in the complaint constitute grounds for disciplinary action. The proposed section also sets out specific powers SACAT may exercise during the hearing of a complaint.

81—Disciplinary action

Proposed section 81 sets out the orders SACAT may make on the hearing of a complaint and sets out the actions SACAT must take following the determination of proceedings under the proposed section.

19—Repeal of section 82

Section 82 is repealed.

20—Amendment of section 83—Notice of inquiry

These amendments are consequential.

21—Repeal of section 84

Section 84 is repealed.

22—Amendment of section 84A—Proceedings to be generally in public

This clause amends section 84A to provide that, except where the *South Australian Civil and Administrative Tribunal Act 2013* provides otherwise, proceedings before SACAT under Part 6 Division 4 must be heard in public. The deletion of subsection (2) and the amendment of subsection (3) are consequential.

23—Amendment of section 85—Costs

This clause deletes subsections (3) and (4) as the enforcement of monetary orders made by SACAT is dealt with by section 89 of the *South Australian Civil and Administrative Tribunal Act 2013*. The clause also makes various consequential amendments.

24—Substitution of section 86

This clause substitutes section 86 as follows:

86—No internal review by Tribunal of decision under Division etc

Proposed section 86 provides that a decision of SACAT under this Division cannot be the subject of an application for internal review and disapplies section 71(2a) of the *South Australian Civil and Administrative Tribunal Act 2013* in relation to an appeal against such a decision.

25—Repeal of sections 87 and 88

Sections 87 and 88 are repealed.

26—Amendment of section 89—Proceedings before Supreme Court

27—Amendment of section 90AD—Dealing with matter following referral or request by regulatory authority in participating State

These amendments are consequential.

28—Amendment of section 90A—Annual reports

This clause makes a consequential amendment and inserts a new subsection (4) which provides that an annual report of SACAT under section 90A may be combined with a report of SACAT under section 92 of the *South Australian Civil and Administrative Tribunal Act 2013* provided that the reports relate to the same period.

29—Amendment of Schedule 1—Incorporated legal practices

This clause amends Schedule 1 clause 18 by deleting subclause (6), which sets out how the Legal Practitioners Disciplinary Tribunal is to be constituted for the purposes of a hearing under the clause, as proposed section 78 sets out how SACAT is to be constituted for proceedings under the Act. The clause also updates internal cross-references.

30—Amendment of Schedule 3—Costs disclosure and adjudication

This amendment is consequential.

31—Amendment of Schedule 4—Investigatory powers

This clause amends Schedule 4 to allow an investigator to require any person who has or has had control of documents or information that may be relevant to a complaint investigation in relation to a legal practitioner or former legal practitioner to produce or provide a copy of the documents or information.

Schedule 1—Related amendments and transitional provisions

Part 1—Amendment of *Notaries Public Act 2016*

1—Amendment of section 8—Investigations, inquiries and disciplinary proceedings

This clause makes a related amendment to the Act specified to replace a reference to the Legal Practitioners Disciplinary Tribunal with a reference to SACAT.

Part 2—Transitional provisions

2—Transitional provisions

This clause sets out transitional provisions in relation to the transfer of jurisdiction from the Legal Practitioners Disciplinary Tribunal to SACAT. The effect of the provisions is that any proceedings before the Legal Practitioners Disciplinary Tribunal in relation to which evidence has already been taken will continue before that Tribunal. Any proceedings in relation to which evidence has not been taken will be transferred to SACAT. Any proceedings which have continued before the Legal Practitioners Disciplinary Tribunal as a result of this clause that are not completed immediately before the day occurring 2 years after commencement of this clause will be transferred to SACAT.

Mr TEAGUE (Heysen—Deputy Leader of the Opposition) (22:01): I rise to indicate I am the lead speaker for the opposition and I indicate the opposition's support for the bill. Starting where the minister left off in relation to the Fidelity Fund, we have just heard the minister rehearse the government speech. As has been so often the case in this parliament, the house is on notice of debate in another place by the time it comes here. Sometimes that has been years in between, but on this occasion it is just a few months ago.

I recognise the work of the Attorney-General in another place in working together with the profession towards these amendments. The final paragraph of the government speech refers to the challenges that the Fidelity Fund faced in a low-interest environment. That was something I was acutely aware of in what I describe as the nanosecond during which I was responsible for those relevant powers and functions of the Attorney-General.

It has been long known that the Fidelity Fund has had a challenge to ensure that it is sustained. The amendments with regard to the Fidelity Fund will assist it in doing so. As is well known, the bill enhances the powers of the Legal Profession Conduct Commissioner in a variety of ways. I think perhaps the most consequential practical change of the bill is the move from the Legal Practitioners Disciplinary Tribunal to SACAT in terms of dealing with disciplinary matters in the profession.

It has to be said that there has been not much but some feedback about this particular change, which is a substantial one. The response that I have had from the Law Society in the course of considering this is that it really deals with it as a practical matter. The Legal Practitioners Disciplinary Tribunal was difficult to convene as a practical matter. It has proved over time that that has led to delay, and the first draft of this bill was not all that attractive because it did not include the sort of guarantee that the profession needed that the SACAT would be properly constituted when it was going to hear disciplinary tribunal matters.

There have been amendments to ensure that it is properly constituted. As a result, the bill in that respect has the Law Society's support. I will just refer, for members' reference, to the Law Society's submission that it has published, dated 28 October 2025. Let there be no difficulty about interpretation of the Law Society's view. That submission provides:

> The Legal Practitioners (Disciplinary Matters and Fidelity Fund) Amendment Bill…proposes significant reforms to the regulation of the legal profession, including:
>
> 1. An increase in the cap of the Legal Practitioners' Fidelity Fund, which is used to fund the regulatory framework of the profession;
> 2. The transfer of the jurisdiction of the Legal Practitioners Disciplinary Tribunal…to the South Australian Civil and Administrative Tribunal…and
> 3. Expanding the powers of the Legal Profession Conduct Commissioner...
>
> The proposed reforms have previously been considered by the Law Society's Executive, Council, and Ethics and Practice Committee.
>
> The Society strongly supports the increase in the cap of the Fidelity Fund, which will ensure its long-term viability.
>
> The Society also supports measures that will more efficiently deal with disciplinary matters and enhance public confidence in the legal profession. The Society had previously made a number of observations in respect of the proposed reforms, including with respect to:
>
> - the introduction of new health assessment powers;
> - the new penalty regime; and
> - appointments to the Tribunal for legal disciplinary matters.

It goes on to address those matters in some more detail, including the matter of transfer to the SACAT. In so doing, it fleshes out its support for the changes. I might put it just in the practical sense that it is: that might rise no higher—and I do not think it needs to—than the Law Society having been satisfied that it is worth a try so far as those moves from the Legal Practitioners Disciplinary Tribunal to the SACAT. It is worth a try.

We ought to keep a close eye on how that works in practice. Of course, the Law Society's important role in providing feedback, including via its relevant committees, will continue to be of importance. It should be a matter of central consideration to the government. With those words, I indicate again the opposition's support for the bill and commend it to the house.

The Hon. J.K. SZAKACS (Cheltenham—Minister for Trade and Investment, Minister for Industry, Innovation and Science, Minister for Local Government, Minister for Veterans' Affairs) (22:07): I thank the member for his contribution and commend the bill to the house.

Bill read a second time.

Committee Stage

In committee.

Clauses 1 to 9 passed.

Clause 10.

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

> That clause 10, which is printed in erased type, be inserted in the bill.

Mr TEAGUE: I just invite the minister to put on the record the nature of the amendment so the committee has that in *Hansard* at a convenient point.

The Hon. J.K. SZAKACS: The clause is with respect to a commissioner who may require a practitioner to undergo an assessment.

Clause inserted.

Remaining clauses (11 to 31), schedule and long title passed.

Bill reported with amendment.

Third Reading

The Hon. J.K. SZAKACS (Cheltenham—Minister for Trade and Investment, Minister for Industry, Innovation and Science, Minister for Local Government, Minister for Veterans' Affairs) (22:10): I move:

That this bill be now read a third time.

Bill read a third time and passed.

SPICER COTTAGES TRUST (MISCELLANEOUS) AMENDMENT BILL

Second Reading

The Hon. J.K. SZAKACS (Cheltenham—Minister for Trade and Investment, Minister for Industry, Innovation and Science, Minister for Local Government, Minister for Veterans' Affairs) (22:11): I move:

That this bill be now read a second time.

I seek leave to have the second reading explanation inserted in *Hansard* without my reading it.

Leave granted.

Mr Speaker, I am pleased to introduce the Spicer Cottages Trust (Miscellaneous) Amendment Bill 2025.

The Spicer Cottages Trust was established in 1897 by Edward Spicer to make provision for housing for widows of religious ministers and supernumerary ministers in the Methodist Church. The Trust was initially established in connection with the Methodist Church in South Australia, now the Uniting Church.

The *Spicer Cottages Trust Act 1934-1938*, which was enacted so that the trustees could become a body corporate, was later repealed and replaced by the *Spicer Cottages Trust Act 1978* to remove obsolete provisions and consolidate the provisions of the Trust into one Declaration of Trust.

Until recently, the activities of the Trust involved holding and maintaining a series of cottages and residential properties for the purposes of the Trust.

However, in 2021, the Trust sold its properties to the Adelaide Benevolent Society, conditional on the existing Trust tenants being entitled to remain as tenants in their current dwellings as long as they remain able to live independently. The Trust is therefore no longer a property owner or landlord, and has advised that there are currently no ministers or spouses requiring accommodation.

As such, the Trust now wishes to support the community in other ways and has an interest in affordable housing and other general requirements such as education, health care and other family support. To do so, the Trust has sought to amend the Act to allow for additional operational flexibility for the management and distribution of the Trust's funds to benefit people in need. Amendments will also be made to enhance the administration and effectiveness of the Trust.

The Bill will:

- expand the objects of the Trust to include to provide assistance to persons in poor, needy or difficult circumstances through the provision or assistance in the provision of affordable housing, or the provision of assistance with obtaining an education or training, health or allied health services, or other support services;
- insert various provisions in the Act to allow the Trust more flexibility in receiving and managing its funds and other property or assets;
- update the Trust's administrative processes by allowing for a notice for a meeting of the Trust to be sent by post or email, for meetings of the Trust to be conducted via telephone or video conference, and for a resolution to be made by the Trust where notice of the proposed resolution has been given to all members and agreed by a majority of the members by email;
- change the membership requirements of the Trust by allowing membership of up to 8 members, of whom at least 2 must be members of the Uniting Church in Australia or of any church formed by a union

of the Uniting Church with another church, and to allow a member to be appointed by a resolution of the Trust;

- insert a provision to provide that, where the Trust consists of fewer than 4 members, the South Australian Synod of the Uniting Church in Australia may, by resolution, appoint a person as a member of the Trust;
- insert a provision that the Act is in addition to, and does not derogate from the Trustee Act 1936; and
- make other technical changes and updates to the language of the Act.

Mr Speaker, I commend the Bill to the House and seek leave to insert the Explanation of Clauses into *Hansard* without my reading it.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

These clauses are formal.

Part 2—Amendment of *Spicer Cottages Trust Act 1978*

3—Amendment of section 4—The Trust

This clause amends section 4 of the Act, such that the Trust will now consist of up to 8 members, of whom at least 2 must be members of the Uniting Church in Australia, or of any Church formed by a union of that church with another church.

4—Insertion of section 5

This clause inserts a new section 5 into the Act.

5—Interaction with other Acts

Proposed section 5 provides that the Act is in addition to, and does not derogate from, the *Trustee Act 1936*.

5—Repeal of First Schedule

This clause repeals the First Schedule, consequential to the amendment to section 4 of the Act.

6—Amendment of Second Schedule—Declaration of Trust

This clause makes various changes to the Second Schedule, including expanding the objects of the Trust, expanding the ways in which the Trust may manage and apply its funds, providing for communication by email as well as by post, allowing for telephone or electronic conferences to be considered meetings of the Trust, providing for mechanisms for the appointment of members to the Trust, and modernising some of the language used throughout the Schedule.

Schedule 1—Transitional provision

1—Trust membership

This clause ensures continuity for the current membership of the Trust despite the changes made to section 4 of the Act.

Mr TEAGUE (Heysen—Deputy Leader of the Opposition) (22:12): I indicate that I am the lead speaker for the opposition and that the opposition supports the bill. As I think has been foreshadowed, it is a hybrid bill so it will need to go to a committee unless there is a suspension of standing orders. I do not preview what is in the government's mind in this regard but, in indicating the opposition's support, I indicate that the opposition will support the efficient passage of the bill through the house.

This is a bill that was introduced by the Attorney in another place back in May. It would amend the Spicer Cottages Trust Act 1978. The nature of the amendment is to update the structure, the objects and the administrative arrangements of the Spicer Cottages Trust. As I have indicated, it meets the criteria of the hybrid bill in that it clearly has a primary purpose and chief object to promote the interests of one or more public local bodies. Standing order 268 goes on to provide that hybrid bills are referred to a select committee. I anticipate that the government will seek to suspend standing orders to allow the bill to proceed without it being referred to a select committee, and I would indicate the opposition's support for that.

The trust was originally established to provide housing for widows of religious ministers in the Methodist Church, later the Uniting Church. Since it has divested, I understand, its residential property holdings in 2021, the trust no longer functions as a landlord and seeks greater flexibility to apply its funds for broader charitable purposes. The bill, in order to facilitate that, would amend section 4 of the act to allow for a maximum of eight trust members, with a requirement that at least two be members of the Uniting Church in Australia or a church formed by union with it. It inserts a new section 5 to clarify that the act is intended to operate in addition to the Trustee Act 1936.

The bill would repeal schedule 1 and introduce numerous amendments to schedule 2, the declaration of the trust. These include, relevantly, expanding the trust's objects to encompass assistance to individuals in poor, needy or difficult circumstances. This assistance may be provided through the delivery or facilitation of affordable housing, education and training, health, allied health services and other relevant forms of support. The trust is given broad powers to determine how it applies its funds, including whether assistance is provided directly to individuals or indirectly through third-party organisations.

Administrative provisions will also be modernised as a result of the bill. These changes include enabling notice of meetings by post or email, allowing meetings to be held via telephone or videoconference, and permitting decisions to be made through email resolutions, where all members have been notified and the majority agree. References to 'chairman' are changed to 'chair'. Additional provisions are included to clarify a point of process for members.

Notably, the bill enables the trust to appoint new members by resolution and, in cases where the trust has fewer than four members, allows the South Australian Synod of the Uniting Church to make appointments by resolution. There is a transitional provision at schedule 1 ensuring continuity of membership by allowing existing members of the trust to remain in office, notwithstanding the structural changes to section 4. With that, I commend the bill and, as I say, I indicate the opposition's support in both respects.

Bill read a second time.

The DEPUTY SPEAKER: This bill is a hybrid bill and, in accordance with joint standing orders (private bills), it should be referred to a select committee.

Referred to Select Committee

The Hon. J.K. SZAKACS (Cheltenham—Minister for Trade and Investment, Minister for Industry, Innovation and Science, Minister for Local Government, Minister for Veterans' Affairs) (22:17): I move:

That joint standing orders (private bills) be so far suspended as to enable the bill to pass through its remaining stages without reference to a select committee.

The DEPUTY SPEAKER: As we do not have an absolute majority, ring the bells.

An absolute majority of the whole number of members being present:

Motion carried.

Third Reading

The Hon. J.K. SZAKACS (Cheltenham—Minister for Trade and Investment, Minister for Industry, Innovation and Science, Minister for Local Government, Minister for Veterans' Affairs) (22:18): I move:

That this bill be now read a third time.

Bill read a third time and passed.

STATUTES AMENDMENT (ADMINISTRATIVE REVIEW TRIBUNAL) BILL

Second Reading

The Hon. J.K. SZAKACS (Cheltenham—Minister for Trade and Investment, Minister for Industry, Innovation and Science, Minister for Local Government, Minister for Veterans' Affairs) (22:19): I move:

That this bill be now read a second time.

I seek leave to have the second reading explanation and explanation of clauses inserted in *Hansard* without my reading them.

Leave granted.

Mr Speaker, I am pleased to introduce the Statutes Amendment (Administrative Review Tribunal) Bill 2024.

The Bill amends several South Australian Acts to substitute all references to the Administrative Appeals Tribunal with references to the Administrative Review Tribunal, due to the recent legislative reforms by the Commonwealth Government.

In May 2024, the Commonwealth Government passed legislation to establish a new Administrative Review Tribunal, which replaced the Administrative Appeals Tribunal as the new federal tribunal responsible for conducting merits reviews of administrative decisions. The Administrative Review Tribunal has the same jurisdiction as the Administrative Appeals Tribunal.

The Commonwealth legislation establishing the Administrative Review Tribunal came into effect on 14 October 2024. The Administrative Appeals Tribunal has now ceased operations, with all matters transferred to the Administrative Review Tribunal.

As a result of these changes, a review of South Australian legislation has been conducted and has identified a number of consequential amendments to South Australian Acts that are required in order to reflect the establishment of the new Administrative Review Tribunal.

Parts 2 to 13 of the Bill make technical amendments to the affected South Australian Acts to substitute all references to the 'Administrative Appeals Tribunal' with references to the newly-created 'Administrative Review Tribunal'.

In addition, references in South Australian Acts to certain provisions in the *Administrative Appeals Tribunal Act 1975* (Cth) have been replaced with the equivalent provisions in the *Administrative Review Tribunal Act 2024* (Cth).

I commend the Bill to the chamber and seek leave to insert the Explanation of Clauses into Hansard without my reading it.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

These clauses are formal.

Part 2—Amendment of *Agricultural and Veterinary Chemicals (South Australia) Act 1994*

3—Amendment of section 3—Definitions

This clause amends the definition of *Commonwealth administrative laws* to substitute the reference to the *Administrative Appeals Tribunal Act 1975* with a reference to the *Administrative Review Tribunal Act 2024* of the Commonwealth.

4—Amendment of section 16—Application of Commonwealth administrative laws in relation to applicable provisions

This clause amends section 16 of the principal Act to substitute the reference to section 28 of the *Administrative Appeals Tribunal Act 1975* with a reference to section 268 of the *Administrative Review Tribunal Act 2024* of the Commonwealth.

5—Substitution of section 18A

Proposed section 18A is inserted into the principal Act.

18A—Construction of references to Part 7 of Administrative Review Tribunal Act (Cwth)

This clause substitutes section 18A to replace references to Part IV of the *Administrative Appeals Tribunal Act 1975* with references to Part 7 of the *Administrative Review Tribunal Act 2024* of the Commonwealth.

Part 3—Amendment of *Biological Control Act 1986*

6—Amendment of section 54—Appeals to Supreme Court

This clause amends section 54 of the principal Act to substitute a reference to the *Administrative Appeals Tribunal Act 1975* with a reference to the *Administrative Review Tribunal Act 2024* of the Commonwealth.

Part 4—Amendment of *Competition Policy Reform (South Australia) Act 1996*

7—Amendment of section 29—Definition

This clause amends the definition of *Commonwealth administrative laws* to substitute the reference to the *Administrative Appeals Tribunal Act 1975* with a reference to the *Administrative Review Tribunal Act 2024* of the Commonwealth.

8—Substitution of section 33A

Proposed section 33A is inserted into the principal Act.

33A—Construction of references to Part 7 of Administrative Review Tribunal Act (Cwth)

This clause substitutes section 33A to replace references to Part IV of the *Administrative Appeals Tribunal Act 1975* with references to Part 7 of the *Administrative Review Tribunal Act 2024* of the Commonwealth.

Part 5—Amendment of *Controlled Substances Act 1984*

9—Amendment of section 11A—Application of Commonwealth therapeutic goods laws

This clause amends section 11A of the principal Act to insert a reference to the Administrative Review Tribunal.

Part 6—Amendment of *Corporations (South Australia) Act 1990*

10—Amendment of section 3—Definitions

This clause amends the definition of *Commonwealth administrative laws* to substitute the reference to the *Administrative Appeals Tribunal Act 1975* with a reference to the *Administrative Review Tribunal Act 2024* of the Commonwealth.

11—Substitution of section 36A

Proposed section 36A is inserted into the principal Act.

36A—Construction of references to Part 7 of Administrative Review Tribunal Act (Cwth)

This clause substitutes section 36A to replace references to Part IV of the *Administrative Appeals Tribunal Act 1975* with references to Part 7 of the *Administrative Review Tribunal Act 2024* of the Commonwealth.

Part 7—Amendment of *Federal Courts (State Jurisdiction) Act 1999*

12—Amendment of section 3—Interpretation

This clause amends the definition of *Commonwealth administrative laws* to substitute the reference to the *Administrative Appeals Tribunal Act 1975* with a reference to the *Administrative Review Tribunal Act 2024* of the Commonwealth.

Part 8—Amendment of *Gene Technology Act 2001*

13—Amendment of section 19—Review of certain decisions

This clause amends section 19 of the principal Act to substitute a reference to the Administrative Appeals Tribunal with a reference to the Administrative Review Tribunal.

Part 9—Amendment of *Marine Safety (Domestic Commercial Vessel) National Law (Application) Act 2013*

14—Amendment of section 4—Interpretation

15—Amendment of section 13—Application of Commonwealth administrative laws to applied provisions

These clauses amend the principal Act to substitute references to the *Administrative Appeals Tribunal Act 1975* with references to the *Administrative Review Tribunal Act 2024* of the Commonwealth.

Part 10—Amendment of *New Tax System Price Exploitation Code (South Australia) Act 1999*

16—Amendment of section 28—Definition

This clause amends the definition of *Commonwealth administrative laws* to substitute the reference to the *Administrative Appeals Tribunal Act 1975* with a reference to the *Administrative Review Tribunal Act 2024* of the Commonwealth.

17—Substitution of section 32A

Proposed section 32A is inserted into the principal Act.

32A—Construction of references to Part 7 of Administrative Review Tribunal Act (Cwth)

This clause substitutes section 32A to replace references to Part IV of the *Administrative Appeals Tribunal Act 1975* with references to Part 7 of the *Administrative Review Tribunal Act 2024* of the Commonwealth.

Part 11—Amendment of *Research Involving Human Embryos Act 2003*

18—Amendment of section 21—Interpretation

This clause amends section 21 of the principal Act to provide a definition of *Administrative Review Tribunal* and repeal the existing definition of *Administrative Appeals Tribunal*.

19—Amendment of section 22—Review of decisions

This clause amends section 22 to substitute references to the Administrative Appeals Tribunal and the *Administrative Appeals Tribunal Act 1975* with references to the Administrative Review Tribunal and the *Administrative Review Tribunal Act 2024* of the Commonwealth.

Part 12—Amendment of *Sports Drug Testing Act 2000*

20—Amendment of section 3—Interpretation

This clause amends section 3 of the principal Act to provide a definition of *Administrative Review Tribunal* and repeal the existing definition of *Administrative Appeals Tribunal*.

21—Amendment of section 10—Review by the Administrative Appeals Tribunal of Agency's decisions

This clause amends section 10 of the principal Act to substitute references to the Administrative Appeals Tribunal with references to the Administrative Review Tribunal.

22—Amendment of section 11—Removal of entries from Register

This clause amends section 22 to substitute references to the Administrative Appeals Tribunal and the *Administrative Appeals Tribunal Act 1975* with references to the Administrative Review Tribunal and the *Administrative Review Tribunal Act 2024* of the Commonwealth.

Part 13—Amendment of *Water Efficiency Labelling and Standards (South Australia) Act 2013*

23—Amendment of section 3—Interpretation

24—Amendment of section 14—Application of Commonwealth administrative laws to applied provisions

These clauses amend the principal Act to substitute references to the *Administrative Appeals Tribunal Act 1975* with references to the *Administrative Review Tribunal Act 2024* of the Commonwealth.

Mr TEAGUE (Heysen—Deputy Leader of the Opposition) (22:19): I rise to indicate that the opposition supports the bill. I also indicate I am the lead speaker. This is another bill that is able to progress in the house directly because it was introduced in another place by the Attorney-General on 31 October last year. Unlike some of the business that we have been dealing with in recent days, this for some reason has been around the place now for more than a year having been dealt with in another place in the latter part of last year.

The bill is confined to making consequential amendments to South Australian acts that are consequent on the passage of the commonwealth Administrative Review Tribunal Act 2024. The context of that—and it begs the question whether there is any special reason why this has waited so long, and the minister might address that in closing the debate shortly—is back on 3 June last year, the commonwealth Administrative Review Tribunal Act 2024 received its assent. That act established the ART as a replacement for the AAT, the Administrative Appeals Tribunal, and it re-established the Administrative Review Council. The Administrative Review Tribunal has the same jurisdiction as the AAT.

There are several state acts, unsurprisingly, that reference the AAT, and the bill makes simple consequential amendments to replace references to the AAT and the Administrative Appeals Tribunal Act 1975 with ART and the Administrative Review Tribunal Act 2024 respectively.

As I have indicated, the Liberal Party supports the bill, commends the fact that it is here, commends its passage through the house and, subject to that invitation to the minister, I do not expect that there is the need to go into committee.

The Hon. J.K. SZAKACS (Cheltenham—Minister for Trade and Investment, Minister for Industry, Innovation and Science, Minister for Local Government, Minister for Veterans' Affairs) (22:22): I thank the member for his support and appreciate the opposition's support.

Bill read a second time.

Third Reading

The Hon. J.K. SZAKACS (Cheltenham—Minister for Trade and Investment, Minister for Industry, Innovation and Science, Minister for Local Government, Minister for Veterans' Affairs) (22:23): I move:

That this bill be now read a third time.

Bill read a third time and passed.

STATUTES AMENDMENT (COMMUNITY AND STRATA TITLES) BILL

Second Reading

Adjourned debate on second reading.

(Continued from 30 October 2025.)

Mr TEAGUE (Heysen—Deputy Leader of the Opposition) (22:23): I rise and indicate I am the lead speaker for the opposition. I indicate the opposition supports the bill. I am, I think, still engaged in what has been some productive negotiation about what we might call one of the time limit changes that is one of the three or four broad subject matters of the bill. We might be making progress, otherwise there are, on the face of it, 17 daunting looking amendments in my name that will need to be got to in the committee stage, but they are really broadly in three categories: the first is time, the second is materiality and the third is a quorum for meetings and the capacity to conduct business.

None of those matters is news to the government and what has been going on in relation to the changes that are the subject of the bill appears, from my point of view, to have been an attempt to arrive at some practical changes through compromise. The amendments that I am—

The DEPUTY SPEAKER: Member for Heysen, sorry to interrupt. I have some bad news for you, sir. According to the record, you actually spoke at 12:54 on 30 October on this very bill and there being subsequent speakers means you do not have a right to continue.

Mr TEAGUE: I didn't have—

The DEPUTY SPEAKER: I am just letting you know what the Clerks have advised me.

Mr TEAGUE: Then I appreciate your guidance, Deputy Speaker, and I will sit down immediately and we can move to the committee stage. I hope that that refresher, while it might not have been particularly necessary, vis-a-vis me and the minister, might just get it refreshed for the purposes of the committee. Otherwise, I appreciate your intervention.

The DEPUTY SPEAKER: Minister, do you wish to close the second reading debate?

The Hon. A. MICHAELS (Enfield—Minister for Small and Family Business, Minister for Consumer and Business Affairs, Minister for Arts) (22:26): I do, and I am sure during committee the member for Heysen can continue his remarks. I want to thank all members who have spoken on this bill. I want to thank the member for Heysen for his collaborative efforts on reaching some resolutions on some of those amendments. I want to particularly thank Gordon Russell for his advocacy—he has significant experience since the 1980s on this—the ERD Committee for the report that led to many of these changes, everyone who participated in the consultation, and Gillian Schach, who is here very late to assist us tonight. I commend the bill to the house.

Bill read a second time.

Committee Stage

In committee.

Clauses 1 to 8 passed.

Clause 9.

Mr TEAGUE: I move:

Amendment No 1 [Teague–1]—

Page 5, line 5—Delete '21 days' and substitute '28 days'

This is in the first of the three categories that I have just now repeated. I do not know if it was picked up, but it was a bit of a *Sunday Too Far Away* moment. I am reminded of Foley's remarks at the front bar and so I am glad that we are here in committee.

This is one of what are really matters of practicality. Section 39 is the subject of the amendment in clause 9 of the bill, which concerns variation of bylaws. The amendment would extend the time from what is proposed to be an extension from 14 days to 21 to push it out to 28 days and, consistent with other proposals in relation to time measures, this is responsive to feedback. I do not know that there is lot more to be said about it and I might just use it as a means of asking specifically in relation to this section, and more broadly, to the extent that the government is not supportive of the amendment I am proposing, how has it landed in this case on the proposed change to 21 days, and is there something that might be consistently applied in relation to all of these time changes?

The Hon. A. MICHAELS: I thank the member for his question. This particular change is separate from some of the other timeframe changes. This is when corporation bylaws need to be provided to the Registrar-General. Going from 14 which is currently in the act, to 21 days was on the recommendation of the Registrar-General requesting that 21 days, and for that reason we propose to not support your amendment but remain with what the Registrar-General has recommended.

Amendment negatived; clause passed.

Clause 10 passed.

Clause 11.

The Hon. A. MICHAELS: I move:

Amendment No 1 [ConsBusAffairs–1]—

Page 5, line 36 [clause 11(1), inserted subsection (8a)]—Delete '5' and substitute '10'

With consultation with the member for Heysen we have reached a resolution, and I appreciate his consultative nature in these discussions. We are proposing to extend the five days to 10 days which provides a slightly longer time for a manager to send owners documents in relation to explanatory pamphlets in terms of management fees and other information that is required. So this is on the basis of what we have previously agreed to as well as feedback from the Strata Community Association, and I would like to thank them for their feedback on this bill.

Mr TEAGUE: I will speak to that and just by way of context indicate that the provision the subject of the bill prior to the minister's amendment is a requirement for those documents to be provided within five business days. The minister's proposed amendment would take that out to 10 days. In a bit of a preview, my amendment would take it out to 28 days. You see what is happening.

With every good intention, and I do not take any issue, but it does not rise quite as high as an agreement on the 10 days, but I am drawn to it. What is going on here is that this is a disclosure prior to meeting of now more fulsome documents by the body corporate manager that effectively, as the result of the combination of the obligation on the body corporate manager prior to the meeting to give certain documents to the secretary and the obligation on the secretary to ensure that the documents are provided with the notice convening the meeting, those two obligations combine, if you then have a look at section 81(2) of the act, to establish a 14-day in advance accompanying notice, therefore 14 days in advance of the meeting provision of the pamphlet, copy of contract and any other prescribed information.

The subject of the amendment is then found in the new subsection (8a), which is the obligation on the body corporate manager after the event to go and circulate around the completed—essentially the only document that is going to change in that suite is the contract itself because it will be now executed. The interesting point about that is the to-be-deleted subsection (8) of the act as it currently stands. If you go to section 78B(8) as it currently stands, it is a wholly different arrangement. It provides:

The body corporate manager must ensure that a copy of the contract, and any other prescribed information or document of a kind prescribed by regulation is available for inspection by members of the corporation at least 5 clear days before the date of the meeting at which the corporation is to consider whether or not to enter into the contract.

It is currently silent about the provisions of those things afterwards. So it is certainly beefing up the obligations. It is circulated with a notice now and that is good in the interests of bringing it to the attention of those considering it.

It might be noted, maybe it is just coincidental, but the five clear days bit is there applied as it currently stands to this making available for inspection and then perhaps coincidentally but for no other reason we now see it sort of being the time period that is adopted on the new after-the-event service obligation in the new subsection (8a). That tells me that there is no great big magic to the five days. It is not all that time-critical because it is just something that has been entered into and it is a document that is on notice prior to the meeting anyway. Everybody has already got it, they just do not have a copy of the executed contract in their hand.

It strikes me that, while it is a good idea for it to be amped up in the way it is for everybody to eventually have it in their file, there is no particular urgency to that, so I welcome the extension to 10. If that is where we have got to then I think that is a productive result of engagement on the matter, and I hope that that will assist all relevant participants in terms of the practical administration of these things.

Amendment carried; clause as amended passed.

Clause 12.

Mr TEAGUE: I move:

Amendment No 3 [Teague–1]—

Page 7, line 16 [clause 12(2), inserted subsection (4b)(a)(i)]—Delete 'gifts or other' and substitute:

material gifts or other material

Amendment No 4 [Teague–1]—

Page 7, line 21 [clause 12(2), inserted subsection (4b)(a)(i)]—Delete 'gifts or' and substitute:

material gifts or material

Amendment No 5 [Teague–1]—

Page 7, line 23 [clause 12(2), inserted subsection (4b)(a)(ii)]—Delete 'gifts or other' and substitute:

material gifts or other material

Amendment No 6 [Teague–1]—

Page 7, line 25 [clause 12(2), inserted subsection (4b)(a)(ii)]—Delete 'gifts or' and substitute:

material gifts or material

Amendment No 7 [Teague–1]—

Page 7, line 31 [clause 12(2), inserted subsection (4b)(b)]—After 'differ' insert 'materially'

Amendment No 8 [Teague–1]—

Page 7 after line 37 [clause 12(3)]—Before inserted subsection (8) insert:

(7a) The regulations may prescribe a minimum value for the purposes of determining whether a gift or benefit is a material gift or material benefit for the purposes of this section.

Amendments Nos 3 to 8 are all of a common nature, in that amendment No. 8 speaks to the quality of what is meant by 'material', so they all concern the same point on the same clause, which is to establish some materiality to a gift for the purposes of the section, then amendment No. 8 inserts a new subsection (7a) that does not go ahead to prescribe the materiality value but provides that regulations might do so. As such, we are dealing with the practical concept of materiality, so I move these amendments altogether.

The Hon. A. MICHAELS: I indicate that the government does not support these amendments. We understand what the member for Heysen is attempting to do in terms of somewhat relaxing the strict conflict of interest disclosure requirements for body corporate managers that are imposed by this bill.

The present bill as it stands is addressing a number of concerns that were raised during consultation and off the back of a *Four Corners* investigation into the body corporate management industry and conflicts of interest in that industry, where the bill would require managers at AGMs to declare commissions, gifts and benefits, including from self-interested transactions and related parties received since the last AGM, as well as estimating amounts to be received in the next 12 months.

The manager would then need to disclose as soon as practicable after the AGM if commissions, gifts or benefits actually received differed from expected benefits previously disclosed and any undisclosed benefits as well. I understand the SCA, representing managers, argued that only material gifts should be disclosed. Of course, that does introduce some level of ambiguity in terms of what is material, given the nature of allegations of conflicts of interest in the industry. We think it is cleaner to leave the present bill as it is drafted, and therefore, unfortunately, we are not able to support this amendment.

Mr TEAGUE: I just note I appreciate the minister's engagement with the amendment and appreciate that contribution on the record. In terms of that question of vagueness, I highlight that that is the work the regulations would do. There is no impediment to the regulations being really quite specific about that. The minister has indicated that it is cleaner not to go down the path of a materiality threshold at all. I understand the merits of that.

This is a means by which materiality might be established. If it is not done now the subject of the bill, then it will need to be legislated in some subsequent amendment. Of course, if it was adopted as a regime now, then the regulations might be made in establishing a materiality threshold of some nominal or, to use the fashionable description in recent weeks, some sort of peppercorn level. But I understand the government's preferred course is not to do that, and I understand where the state of the house is. Again, I appreciate the minister engaging to that extent for the purposes of the committee.

Amendments negatived; clause passed.

Clauses 13 and 14 passed.

Clause 15.

Mr TEAGUE: I move:

Amendment No 9 [Teague–1]—

Page 8, line 27 to page 9, line 9 [clause 15, inserted subsection (6)]—Delete inserted subsection (6) and substitute:

(6) If a quorum is not present after 30 minutes has elapsed from the time appointed for a general meeting of the corporation, the meeting may proceed to business and the persons present who are entitled to vote constitute a quorum provided that only matters that were listed in the meeting agenda distributed prior to the meeting may be voted on at the meeting.

This is the third of the three categories that—

The CHAIR: A trilogy.

Mr TEAGUE: It is a category. I am doing that so as not to cause a sort of general befuddlement over the number of amendments overall. I am doing my best to avoid confusion myself, but it really is boiling down to these three categories, the third of which is this question of quorum. Again, it is a practical measure. We have notice provisions that are pretty thoroughgoing, including these provisions with respect to the actual circulation with the notice of documents relevant for particular meetings.

The amendment would have the effect of providing that business could be conducted but be limited to business the subject of the meeting notice. That would provide for a means by which the world could move on, albeit in those somewhat confined ways. That is the method. It will come up again for a similar purpose at a subsequent amendment, so I give that thoroughgoing treatment of it now and we might be able to deal promptly with the subsequent amendment. I commend it to the committee.

The Hon. A. MICHAELS: I would like to indicate that the government again unfortunately does not support this amendment. It is quite limited to dealing with unanimous resolutions and giving people the opportunity to go back to another meeting for those very limited resolutions. A few examples include voting to change the voting rights, which is attached to a lot that requires a unanimous resolution, and amending the scheme description of a strata plan for development which requires a unanimous resolution. Very few other resolutions are unanimous and therefore the amendment is very limited in its scope. We think that on those very significant decisions an opportunity should be given to lot owners to come back for a meeting if a quorum is not achieved.

Amendment negatived; clause passed.

Clauses 16 to 29 passed.

Clause 30.

The Hon. A. MICHAELS: This replicates the earlier amendments. We have certain amendments that are for the Community Titles Act and they are replicated in the Strata Titles Act. This one is going from five days to 10 days, off the back of feedback from the Strata Community Association and discussions with the member for Heysen. Again, I move this amendment in my name for the reasons we discussed earlier:

Amendment No 2 [ConsBusAffairs–1]—

Page 13, line 35 [clause 30(1), inserted subsection (8a)]—Delete '5' and substitute '10'

Mr TEAGUE: I will reconsider my amendment, which would have extended that time to 28 days. I appreciate the minister's contribution just now, in characterising it as lining up with the previous move from five out to 10. I am glad that there is some movement in that regard, and so I will not move my amendment.

Amendment carried; clause as amended passed.

Clause 31.

The CHAIR: I think the amendments were all consequential.

Mr TEAGUE: They are not necessarily completely consequential, but they are more or less consequential in that they are same thing, replicated in the other legislation. Noting the minister's contribution the last time round, I will not move the amendments standing in my name, amendment Nos 11 through to 16 inclusive.

Clause passed.

Clause 32 passed.

Clause 33.

Mr TEAGUE: I think for the same reason, noting the minister's contribution on the last occasion and given that we have the advantage of having proceeded by the use of these three categories, I will just indicate that this is the quorum provision. I note the minister has given the government's attitude to the matter when it was previously raised. In the circumstances, I will not move amendment No. 17 standing in my name.

Clause passed.

Remaining clauses (34 to 40), schedules 1 and 2 and title passed.

Bill reported with amendment.

Third Reading

The Hon. A. MICHAELS (Enfield—Minister for Small and Family Business, Minister for Consumer and Business Affairs, Minister for Arts) (22:55): I move:

That this bill be now read a third time.

Bill read a third time and passed.

WORKPLACE PROTECTION (PERSONAL VIOLENCE) BILL

Introduction and First Reading

Received from the Legislative Council and read a first time.

STATUTES AMENDMENT (ATTORNEY-GENERAL'S PORTFOLIO) BILL

Final Stages

The Legislative Council agreed to the amendment made by the House of Assembly without any amendment.

TAFE SA BILL

Final Stages

The Legislative Council agreed to the bill with the amendments indicated by the following schedule, to which amendments the Legislative Council desires the concurrence of the House of Assembly:

No. 1. Clause 9, page 8, line 24 [clause 9(3)]—After 'Governor' insert:

, of whom 1 must be a member of the staff of TAFE SA nominated by the Minister after consultation with the Australian Education Union (SA Branch) and the Public Service Association of SA and 1 must be a person nominated by the Minister after consultation with the United Trades and Labor Council (trading as SA Unions)

No. 2. Clause 9, page 8, after line 35—Insert:

(4a) Without limiting subsection (4), the Minister must, in nominating members for appointment, take reasonable steps to ensure that at least 1 member resides in a rural, regional or remote area of the State.

No. 3. New clause, page 15, after line 35—After clause 23 insert:

23A—Review of barring notice by Minister

(1) A person who is barred under section 23 for a period exceeding 1 month from TAFE SA grounds may apply to the Minister for a review of the barring notice.

(2) An application under this section must be made in a manner and form determined by the Minister.

(3) The Minister may, on the hearing of an application for a review of a barring notice, confirm, vary or revoke the notice.

(4) A barring notice continues to apply pending a determination by the Minister of an application for review of the notice.

No. 4. New clause, page 19, after line 32—After clause 33 insert:

34—Review of Act

(1) The Minister must cause a review of the operation of this Act relating to the matters referred to in subsection (2) to be conducted and a report on the review to be prepared and submitted to the Minister.

(2) The review must consider the changes made in relation to TAFE SA as a result of the enactment of this Act and may consider any other matter the Minister considers appropriate.

(3) The review and report must be completed as soon as reasonably practicable after the third anniversary of the commencement of this Act.

(4) The Minister must cause a copy of the report submitted under subsection (1) to be laid before both Houses of Parliament within 6 sitting days after receiving the report.

No. 5. Schedule 1, page 20, lines 27 to 29 [Schedule 1, clause 6(2)]—

Delete subclause (2) and substitute:

(2) Subject to this Act, a person holding office as a director under section 8 of the repealed Act immediately before the commencement of this clause will, on the commencement of this clause—

(a) continue to hold office as a director on the same conditions and for the remainder of their term of office; and

(b) be taken to have been appointed under section 9 of this Act.

(3) The following provisions apply in relation to a prescribed appointment of a director:

(a) the requirements relating to the nomination of members set out in section 9(4) and 9(5) of this Act will be taken not to apply in relation to the prescribed appointment;

(b) section 7(3) and (4) of the repealed Act will be taken to apply to the prescribed appointment as if that section had not been repealed;

(c) the prescribed appointment will be taken to be an appointment under section 9 of this Act,

(however, to avoid doubt, nothing in this subclause applies in relation to any subsequent appointment or reappointment of the person).

(4) In this clause—

prescribed appointment, of a director, means—

(a) the reappointment of a person holding office as a director under section 8 of the repealed Act immediately before the commencement of this clause (being a director whose term of office expires on 14 October 2026); or

(b) the appointment of a member before 14 October 2027 to fill a casual vacancy occurring in the office of a director,

and, to avoid doubt, includes the nomination of a person in respect of such an appointment.

FIREARMS (DIGITAL BLUEPRINTS FOR 3D PRINTING) AMENDMENT BILL

Final Stages

The Legislative Council agreed to the bill without any amendment.

EDUCATION AND CHILDREN'S SERVICES (SPORTS VOUCHERS) AMENDMENT BILL

Introduction and First Reading

Received from the Legislative Council and read a first time.

VICTIMS OF CRIME (COMPENSATION) AMENDMENT BILL

Introduction and First Reading

Received from the Legislative Council and read a first time.

At 22:59 the house adjourned until Thursday 13 November 2025 at 11:00.