

**LEGISLATIVE COUNCIL****Thursday, 14 October 2021****The PRESIDENT (Hon. J.S.L. Dawkins)** took the chair at 11:00 and read prayers.

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

*Parliamentary Procedure***SITTINGS AND BUSINESS****The Hon. R.I. LUCAS (Treasurer) (11:01):** I move:

That standing orders be so far suspended as to enable petitions, the tabling of papers and question time to be taken into consideration at 2.15pm.

Motion carried.

**The Hon. R.I. LUCAS:** I move:

That Orders of the Day: Government Business, Nos 1 to 6 be postponed and taken into consideration after Orders of the Day: Government Business, No. 7.

**The Hon. K.J. MAHER (Leader of the Opposition) (11:02):** I move an amendment to the motion put by the Treasurer:

That Orders of the Day: Government Business, Nos 1 to 11 be postponed and taken into consideration after Orders of the Day: Government Business, No. 12.

The council divided on the amendment to the motion:

Ayes..... 11  
 Noes ..... 8  
 Majority ..... 3

**AYES**

Bourke, E.S.  
 Hunter, I.K.  
 Pangallo, F.  
 Simms, R.A.

Darley, J.A.  
 Maher, K.J. (teller)  
 Pnevmatikos, I.  
 Wortley, R.P.

Hanson, J.E.  
 Ngo, T.T.  
 Scriven, C.M.

**NOES**

Bonaros, C.  
 Lee, J.S.  
 Stephens, T.J.

Girolamo, H.M.  
 Lensink, J.M.A.  
 Wade, S.G.

Hood, D.G.E.  
 Lucas, R.I. (teller)

**PAIRS**

Franks, T.A.

Centofanti, N.J.

Amendment thus carried; motion as amended carried.

*Bills***STATUTES AMENDMENT (BUDGET MEASURES 2021) BILL***Second Reading*

Adjourned debate on second reading.

(Continued from 12 October 2021.)

**The Hon. K.J. MAHER (Leader of the Opposition) (11:08):** I rise to speak on the second reading of the budget measures bill and indicate we will be supporting the bill but with amendments that have been filed during the course of this week. There are amendments that I filed myself earlier in the week and there are further amendments that were filed yesterday by the Hon. Robert Simms.

This bill was listed as the number one priority of the government when all members of this chamber received a letter—and I have it in front of me—dated 8 October 2021 from the Hon. Rob Lucas, Treasurer, Leader of the Government in the Legislative Council. That is, on Friday last week the number one priority for the government was the Statutes Amendment (Budget Measures 2021) Bill.

We are happy to oblige and help the government do what they want to do in this place. I suspect they are changing the order at the very last minute today because they do not like the amendments that have been put. Quite frankly, the government said they wanted to do this, so we will help them do this bill today and that is where we find ourselves.

The amendments that have been put and filed in my name introduce a parliamentary budget advisory service that will help cost policies in the lead-up to an election. This is something that was administratively set up before the last election and this regularises those arrangements and sets it up by legislation.

Amendments that were filed yesterday by the Hon. Robert Simms go to government advertising. They do not stop government advertising but, in the last nine months before an election—that is, the relevant election set out in the Electoral Act—they confine government advertising to those things that are necessary and reasonable for government and take the politics out of it.

This is something the Treasurer himself has long railed against so, once again, what this bill does is help the Treasurer give effect to public statements he has made over many years. This does apply for this election period for this Liberal government, but it applies during the election period for every future government. Be it Labor, Liberal, minority, majority government, this applies from here on for every government.

Amendments were filed by the Hon. Robert Simms yesterday. We will be supporting those amendments. I note I do not put any stead in an argument that amendments are being filed too late for us to consider here. They are similar things that have been agitated in the lower house during the course of this week. What is more, on Tuesday, at 11.49am, the government filed amendments to a bill that was considered that afternoon.

I am going to predict some sort of concern from the government about amendments only being filed yesterday, but if it is good enough for the government to have done it only two days ago, on the same day a bill was being considered, it is well and truly good enough, on something that is about accountability, transparency and the use of potentially millions of dollars of taxpayers' funds, for amendments that were filed yesterday to be considered today.

The bill itself amends the Mining Act to allow the use of an observable market index price or similar independently determined sale price in the cases of mineral sale price. It makes changes to the Motor Vehicles Act and Road Traffic Act, which is probably the most significant and possibly contentious part of the bill, which provides a legislative basis for SA Police to roll out new mobile phone detection cameras.

Figures that have been provided by the Treasurer show it is expected that 100,000 fines will be handed out in the first three years. Each fine is \$646. The total of these fines in the budget is assumed to be \$46 million, which is less than the \$64 million you would expect at 100,000 fines at \$646 each. The explanation, I am told from the Treasurer's office, has been that they do not anticipate

all motorists will be able to pay these fines, which is a truly remarkable situation. Be that as it may, I commend the bill to the house and look forward to its passage this morning, with the amendments proposed.

**The Hon. R.A. SIMMS (11:12):** I rise also in support of the bill and to indicate the Greens will be supporting the amendments from the Labor Party. Also, I will be moving some amendments on behalf of the Greens that deal with advertising. I understand the government is expressing some concerns around the lateness of the amendments. I apologise for that, but the amendments are based on legislation that had been introduced into the lower house this week, so the government has had some oversight of the issues.

The guidelines that are being proposed are, I think, an improved transparency measure and one that would provide greater accountability in terms of use of government money not only under this government but going forward into the future. But I will talk more to those when we reach the next stage of this debate.

In terms of the urgency of the matter, this has been talked about for some time. I think it is appropriate to move this on, given we had all been told this was going to be the key priority for this week.

**The Hon. R.I. LUCAS (Treasurer) (11:13):** The situation in this chamber is completely contrary to decades of general convention and practice that we have generally observed in this particular chamber. I think frankly what we are seeing here, which I am extraordinarily disappointed at, is that the contagion that we have seen in terms of the way business has been conducted in the House of Assembly in the last few days has, for some bizarre reason, infiltrated and infected the proceedings of this chamber. I am very disappointed the Hon. Mr Simms is a willing participant and party to this.

In relation to our convention and practice, and as Leader of the Government both many years ago and for the last four years, I have, almost without exception, tried to accede to the wishes of the majority of members in this chamber. So when the Labor Party, for example, or one of the crossbench says, 'We're not ready to proceed with a particular bill because we haven't yet considered the amendments,' we have agreed with that particular proposition, even when we put it on our priority list. Every week we have a priority list and when we have the planning meeting at 4.30 on a Monday afternoon, if the Labor Party or the crossbench say to me, 'We're not ready to proceed with that,' even though it is on our priority list we agree not to proceed with that particular matter.

The Leader of the Opposition—and he knows the falsity of what he was saying—tried to compare circumstances where there may well be amendments moved by a range of people, Labor, Liberal and crossbench, where there is an agreement on the floor either for it to proceed or not to proceed, where we proceed. But if there are substantive amendments to a bill, and if the Labor Party says to me, 'These are substantive amendments and our caucus hasn't considered them, we haven't even looked at them,' then we allow an adjournment or progress to be reported so that at least people can consider the amendments.

I have to say that, without exception, when members of the crossbench approach me and say they are not ready to proceed with a particular bill because they have not had a chance either to be briefed or they have not seen the amendments that have been moved by the Labor Party or the government or they want further time to reflect, we have agreed with that. But to have a circumstance this morning where, rightly, we did highlight the fact that we wanted to get the budget measures bill through, we knew what was in the bill and everyone had been briefed on it, and we were aware that it was likely that the Labor Party might move the same amendment they moved in the House of Assembly in relation to the budget—as it turned out it is slightly different, but not significantly different—so we were at least well aware of that.

I have not even looked at the amendment that the Hon. Mr Simms moved yesterday. For the Hon. Mr Simms to say that the government has had oversight of it because it was introduced in the House of Assembly, it was introduced into the House of Assembly yesterday by the Labor Party as a bill. So there is actually a bill being canvassed in this parliament which, I assume, covers exactly the same things. I assume this is a joint act between the Greens and the Australian Labor Party, but

I do not know whether the amendments that are being moved by the Hon. Mr Simms are exactly the same as the bill being proposed by I think the member for Lee, Mr Mullighan.

The reality is, as a member of the government and as a member of this chamber, I have not even looked at it. I have not seen or considered the bill that was moved in the House of Assembly yesterday—because I am obviously not in that particular chamber and we are handling our own business. There was an amendment filed yesterday afternoon. I saw that the amendment was filed but I have not had a chance to be briefed on it or to take any advice on it in relation to its potential operation.

Then to have a hijack today, when no-one advised us—as I said, in our planning meeting at the start of the week there was no discussion about this amendment from the Hon. Mr Simms at all—at all. I think one or two members, including the Leader of the Opposition, were listed as speaking, and it was our intention to proceed with the bill today. But, all of a sudden, a completely new issue, unrelated—it is not as if it is an amendment to an existing proposal within the bill. There are four or five issues in the bill where everyone has been briefed on them. It is not as if someone is proposing a difference to a proposal in the bill. This is something which is completely different to anything that is in the budget measures bill, where no-one has had a chance to have a look at it, other than clearly the Labor Party and the Greens who have had a chance to look at it.

Other members of the crossbench might have been briefed on it last night or this morning, I do not know, but certainly, as I said, I have not been briefed on it and I have not had a chance to have a look at it, other than seeing it being filed late yesterday afternoon, or whenever it was. If this is the way this chamber is going to continue to conduct itself, where we just tear up all the rules, where you can cobble together a majority of people at short notice and tear up all the conventions and practices we generally abide by in this chamber, then so be it. It can be Rafferty's rules from here on.

Members of the crossbench who have supported this particular proposition can bear in mind, with their legislation, the substantive discussions we have had in recent times in relation to the ICAC legislation, where we had the courtesy to work assiduously with the Hon. Mr Pangallo on a whole series of amendments and discussions so that everyone was aware of what was going to proceed. On other bills that have been important to the Hon. Mr Pangallo we have also worked assiduously in terms of saying, 'Okay, if you're not ready we'll defer consideration of the bill until you are.' I defy the Hon. Mr Pangallo to indicate where I, as Leader of the Government in this chamber, have duded him in relation to a particular amendment or proposition and the process or way we handled it.

The convention would be that when we convene again in the next sitting week, the numbers will be there and there will be no excuses from anybody in relation to not having a chance to have your joint party room, in our case, or the caucus in the case of the Labor Party, to consider the amendments, take advice and decide one way or another. It is the difference of a Thursday of this sitting week and Tuesday of the next sitting week in relation to the consideration of the bill, in particular the complete new provision in the bill about which there has been no discussion and no debate.

This is a slippery slope. If a majority of people want to slide down that particular slope then so be it, but there will be swings and roundabouts and I think it will be to the detriment of the good order and the good operation of this particular chamber. We can have a situation where, on a bill, a major provision completely unrelated to the bill can, on a Wednesday afternoon, be dumped and filed and then, on Thursday morning at 11 o'clock, it gets jammed through.

If that is the way we want to run our business in this chamber then so be it, but I will be glad that I will have sailed off into the political sunset, because in all of my time, under Labor leaders like the Hon. Chris Sumner and other Labor leaders, and Liberal leaders, we have generally abided by the conventions in terms of the good operation of this chamber. With great respect to my lower house colleagues, I think that is why we manage our business in a much better fashion than the business is managed in the House of Assembly.

I think that is to our credit. I think it is to the benefit of the legislation. Even if the majority of members want to support whatever it is the Hon. Mr Simms and the Labor Party want to be considered, there may well be deficiencies in the drafting of the proposal which could be tidied up.

However, until people have had a chance to consider the amendments and have that discussion and debate, then I think we are, in essence, giving up the proper legislative scrutiny role that we should have as a chamber.

There have been so many of us who, on various occasions, have said that our role as a chamber is review, scrutiny of legislation, etc. We talked yesterday about the recommendations in relation to the operation of committees, and there is a scrutiny of bills committee, etc. It is all about review and the proper scrutiny of legislation, regulations, or whatever it might happen to be. That is our role as a chamber. What we are being asked to contemplate this morning is completely inimical, completely alien to, I think, that not only lofty but also important role and goal to this as a house of review and as a legislative chamber.

The numbers are there, obviously, to have forced us to this particular position, but I indicate during the committee stage I will be moving at clause 1 to report progress to ask members in this chamber to reflect on my contribution. As I said, the numbers will be there on the first sitting day of the next sitting week for the majority in this chamber to support amendments or maybe amendments to amendments if someone recognises there is a deficiency in the way it has been drafted, and we can have that particular debate on the first Tuesday that we come back.

I conclude by saying that it is correct, as the Leader of the Opposition said, that the government's priority this week was the budget measures bill with what we expected to be the amendment in relation to the budget office. We had not seen it at the start of the week, but we assumed it was going to be something along those lines. It was slightly different, but nevertheless substantially the same. But this is a whole new ball game, adding something new to it, and I would urge members to pause and reflect and, when we get to clause 1 and I move that we report progress, that progress is reported so that we can consider and reflect and get back to the proper role that we should be playing as a chamber.

Bill read a second time.

**The Hon. K.J. MAHER (Leader of the Opposition) (11:27):** I move:

That it be an instruction to the Committee of the Whole on the bill that it have power to consider a new clause to amend the Public Finance and Audit Act 1987.

Motion carried.

**The Hon. R.A. SIMMS (11:27):** I move:

That standing orders be so far suspended to enable me to move an instruction without notice.

Motion carried.

**The PRESIDENT:** I note the absolute majority.

**The Hon. R.A. SIMMS:** I move:

That it be an instruction to the Committee of the Whole on the bill that it have the power to consider new clauses to amend the Public Finance and Audit Act 1987 relating to the approval of the Auditor-General required for certain government advertising expenditure.

Motion carried.

**The Hon. R.I. LUCAS (Treasurer) (11:29):** I move:

That the committee stage be made an order of the day for the next day of sitting.

The council divided on the motion:

Ayes ..... 12  
Noes ..... 7  
Majority ..... 5

AYES

Bonaros, C.  
Girolamo, H.M.  
Lensink, J.M.A.

Centofanti, N.J.  
Hood, D.G.E.  
Lucas, R.I. (teller)

Darley, J.A.  
Lee, J.S.  
Pangallo, F.

## AYES

Simms, R.A.

Stephens, T.J.

Wade, S.G.

## NOES

Bourke, E.S.

Hanson, J.E.

Maher, K.J. (teller)

Ngo, T.T.

Pnevmatikos, I.

Scriven, C.M.

Wortley, R.P.

## PAIRS

Franks, T.A.

Hunter, I.K.

Motion thus carried.

*Motions***RIDGWAY, HON. D.W.**

Adjourned debate on motion of Hon. R.I. Lucas:

That this council notes and thanks the Hon. David Ridgway for his service to the Legislative Council and the community since his election to the Legislative Council in 2002.

(Continued from 12 October 2021.)

**The Hon. R.I. LUCAS (Treasurer) (11:33):** I rise briefly to thank members for their contributions to this particular motion and as I indicated in my introductory remarks the Hon. Mr Ridgway, from London, has been following the contributions with interest. Given that he missed the opportunity to make some valedictory remarks before he left this chamber, he has, via me, asked for leave to make his final remarks.

So I would ask members, if they can, to close their eyes and imagine that I have somewhat less hair, am a little bit heavier set and a much friendlier and happier person than I am as I deliver these remarks on behalf of the Hon. Mr Ridgway. These are remarks I am making on behalf of the Hon. Mr Ridgway:

This isn't quite how I intended to leave parliament but sometimes the timing is not your decision, none the less it's where I now find myself in London reading all the nice things you have all said about me. Politics is a strange profession often with a difficult pathway between standing up for what you believe, targeting Ministers and holding the Government to account and having a cordial, sometimes friendly working relationship with the other 21 members of the Legislative Council. Judging by comments I'm somewhat humbled to think I may have got close to getting the balance right. Thank you all for including a boy from Bordertown.

It's important to recognize those that have supported and encouraged from the beginning right the way through my journey.

Firstly it was Hon Dale Baker my local Member for MacKillop and Hon Ren De Garis who encouraged me to pursue a career in politics, their initial thoughts were MacKillop however things rarely go to plan in politics.

Once I set my course for the Legislative Council others offered their support Hon Caroline Schaefer, Hon Nick Minchin, Cory Bernardi and Martin Whyte and I thank them all for the parts they played to see me enter parliament in 2002. Caroline was a mentor and almost like a big sister and it was great to have her in the office next to me on the 2nd floor, both being from a rural/farming background meant we were early risers and often at work well before 7.00am and were able to get a couple of hours work done before this place came to life.

The Liberal Parliamentary team has also been extremely important to me along this journey with great support from opposition Leaders like Kerin, Evans, Redmond and Marshall. I was given an extremely wide range of Shadow Ministerial opportunities and I thank them all for that. I would also like to place in the record my thanks [for] the wonderful support and comradeship I enjoyed from the broader Liberal parliamentary team during the 16 long years of opposition and more recently in Government.

Can I make special mention of the Liberal Legislative [Council] team, I won't mention them all by name but I do want to recognise the way they all supported me after I became the Leader of the Opposition in unusual

circumstances. I really appreciated the way we all worked as a really solid team for those 11 years and I have very fond memories of that time and friendships that I'm sure will stand the test of time.

You can't have a long career in politics without good staff and I would like to pay tribute to those who came on the journey with me, firstly Cecilia Schutz endured 14 years with me and I thank her for her patience and persistence, we were a good team. Bridie Ward was with me from 2002 left in 2006 came back in 2018 thanks Bridie. Rowan Thomas started as a trainee in my office, went to work in Canberra, returned and eventually was one of my ministerial advisers, thank you Rowan.

Others that deserve a thank you mention are David Franchitto, Kathryn MacFarlane, Andrew Ockenden, Julia Ebbs, Lucy Wood, Daniel Willson, Bev Barber, Simon Potger and of course Hendrik Gout who was the absolute square peg in a round hole and of course the team in my ministerial office they all played an important role.

It's great to be back working with Leonie Muldoon and the team from DTI; thanks for your support in the past and the implementation of the Joyce review.

It was also a pleasure to work with Rodney Harrex and the SATC team and they can all be proud of the \$8.1 billion visitor economy prior to bushfires and Covid.

It was mentioned by others that I am fortunate to have an extensive network of friends, community and business connections. I have enjoyed tremendous support from all of these people and groups and I continue to reach out to them in my new role, thank you all.

The Parliament is full of good people many have become good friends, as has already been said the team in Hansard looked after [me] on my very first day and they continued that every step of the way for almost 20 years.

Jan Davis and Chris Schwarz, the best 2 Clerks I've had the pleasure to work with and the great team they have around them have provided excellent support and advice and made some of the more dreary times in this place much easier to endure. Again Thank You.

Creon and the catering team also rate a special mention I hold them responsible for the 20kg weight gain in my first 10 years although I'm happy to say I left parliament lighter than when I started. That's why Frank couldn't see me on Unley Rd.

And then of course there is Nicky and the gang in the Blue Room, thank you especially to Nicky who has become a good friend and played a role in the 20kg gain and the 21kg loss, thanks Nicky.

As we near the end of this speech there are some special thank you comments I would like to make.

The Premier thank you for the privilege and honour to serve as a minister in your cabinet and for appointing me to this role in London as our 26th Agent General, a job I'm enjoying more and more every day.

As you all know my two closest friends in this place are Hon Rob Lucas and Hon Terry Stephens we have enjoyed a great friendship and many good times together over the almost 20 years, I estimate at least 5000 strategy meetings over a coffee and probably somewhere between 1000 to 2000 lunches in the food court. Thanks for all you have both done for me and I'm sure we still have many strategy meetings and a lot of lunches ahead of us.

By the way the first post Covid shipment of Spencer Gulf King Prawns arrive next week!!

I've left the most important people to thank to last. Meredith my wife of 33 years has been at my side supporting me every step of the way, I simply could not have had the career opportunities without her unwavering support, I love and thank you. The rest of the family our 3 children Ashleigh, Tara and Louis have also been part of the journey and made sacrifices along the way, also my heartfelt thanks to you all as well.

In closing...I wish you all the very best for your future endeavours and look forward to seeing you all in London someday.

For the benefit of *Hansard* readers, I indicate that that statement is a statement I read on behalf of the Hon. David Ridgway as his thanks to all in that contribution.

Motion carried.

### **EDIACARA CONSERVATION PARK**

**The Hon. J.M.A. LENSINK (Minister for Human Services) (11:42):** I seek leave to move the motion in an amended form.

Leave granted.

**The Hon. J.M.A. LENSINK:** I move:

That this house requests Her Excellency the Governor to make a proclamation under section 30(2)(a) of the National Parks and Wildlife Act 1972 to abolish Ediacara Conservation Park.

The purpose of abolishing Ediacara Conservation Park is to allow for the land to be proclaimed as an addition to Nilpena Ediacara National Park. Under sections 30(2)(a) and 30(3) of the National Parks and Wildlife Act 1972, abolition of a conservation park will require a resolution of both houses of parliament and a subsequent proclamation by the Governor.

The notice of motion to abolish Ediacara Conservation Park has been tabled for the requisite 14 days pursuant to section 30(4) of the act. Subject to the resolution of this house, the members of the house will request that Her Excellency the Governor abolish the Ediacara Conservation Park pursuant to section 30(2)(a) of the National Parks and Wildlife Act 1972, and contemporaneously proclaim the land as an addition to the Nilpena Ediacara National Park pursuant to section 28(2)(b) of the National Parks and Wildlife Act.

The Ediacara Conservation Park adjoins the northern boundary of Nilpena Ediacara National Park and comprises approximately 4,767 hectares. It was first proclaimed in 2007 to protect a unique and well-preserved assemblage of fossilised Ediacaran soft body marine organisms of international importance. It also holds places of cultural significance to the Adnyamathanha people.

The park is the first location where Ediacaran fossils were discovered by Reg Sprigg in 1946. The discovery gave a new understanding of the early evolution of complex life on earth and warranted the first new geological time period to be declared in 120 years, the Ediacaran period. The term Ediacara was derived from the name of the hills where Reg Sprigg found those first fossils, and is now applied globally to fossils of the same period.

Nilpena Ediacara National Park was recently proclaimed to protect the nearby fossil fields on Nilpena Station, recognised as arguably the greatest site in the world for Ediacaran fossils. The sheer diversity of species, the number of specimens and the outstanding state of preservation enable complex ecology and climatic events to be understood.

Research is ongoing at Nilpena, with significant ongoing discoveries from the University of California, Riverside, and ongoing research by the South Australian Museum. It is the location from which many species have been discovered and named. It is the focus of research funded by NASA into alternative earths. It has been extensively published and has been visited by many distinguished people, including Sir David Attenborough.

The proposed change in status of Ediacara Conservation Park will ensure the entirety of the fossil fields are conserved within Nilpena Ediacara National Park, reflecting the national and international significance of its fossil heritage values and ensuring consistency of management across the sites.

The fossil sites contained within Nilpena Ediacara National Park will form a core element of the Flinders Ranges World Heritage nomination currently being progressed by the South Australian government. The land also contains important biodiversity values, including two state threatened ecosystems, river red gum woodland on levees and banks of drainage lines, and *Acacia aneura* complex low open woodland. The habitat is suitable for rare flora, such as the endangered Slender Bell-fruit. Populations of the rare elegant parrot have also been recorded in the area.

The national and international significance of the wildlife and natural features of the land justify its reclassification to a national park under the definition set out in the act. The incorporation of the land currently comprising Ediacara Conservation Park into Nilpena Ediacara National Park will bring the total size of the new national park to approximately 64,617 hectares.

The land is located within the Adnyamathanha number one consent determination area. Notification of the proposed reclassification of Ediacara Conservation Park was provided pursuant to the Adnyamathanha Settlement Indigenous Land Use Agreement. The Adnyamathanha people, through the Ikara-Flinders Ranges National Park Co-management Board, hold an advisory role over the Ediacara Conservation Park, and this advisory role will be extended to cover the entirety of Nilpena Ediacara National Park. With those words, I indicate that I would like to leave my comments there.

Debate adjourned on motion of Hon. J.E. Hanson.



*Bills***SUICIDE PREVENTION BILL***Second Reading*

Adjourned debate on second reading.

(Continued from 23 September 2021.)

**The Hon. K.J. MAHER (Leader of the Opposition) (11:48):** I rise to speak on this bill and indicate that I will be the lead speaker for the opposition. We are supportive of this bill. I think this is the second suicide prevention bill that has been introduced in a parliament in Australia, following close on the very first one that was introduced to a parliament in Australia by the member for Kurna, Chris Picton, who introduced a very similar bill in another place sometime before this bill was introduced in this chamber.

Suicide is the leading cause of death for South Australians between the ages of 15 and 44. The largest data we have on suicide in South Australia, from the Institute of Health and Welfare, reveals 251 South Australians were registered as lost to suicide in 2019. That represents a substantial increase from 2018, with 212 South Australians lost to suicide. Faced with such alarming statistics, it is clear that more must be done in the prevention of suicide in South Australia.

The bill before us has an extensive history prior to reaching the parliament, as the shadow minister for health, the member for Kurna, outlined in the other place when he introduced a very similar bill. A lot of the work is a great credit to you, sir, during your time, not just as President of the Legislative Council but for many years before that and particularly in your role as South Australia's inaugural Suicide Prevention Advocate. During that time, you worked tirelessly to advance suicide prevention in this state. A very large part of the efforts of your work is the bill we see before us today.

Unfortunately, sir, you did not get to see the foundational and trailblazing work with this bill through to fruition. As we know, on World Suicide Prevention Day in 2020, when you were lauded with a lifetime achievement award from the peak body for suicide prevention, you were removed from that role. It is a shame that those things occurred in the sequence and on that day as they did; however, that is history and we owe you a great deal of gratitude for the bill that was first introduced in the lower house and now the bill that we see before us.

It is a pity that in the transition to the member for Kavel, who took on the roles entailed in the Suicide Prevention Advocate and who I understand no longer holds those roles, we have seen unnecessary delays to this bill. As I said, I note that this is not the first suicide prevention bill introduced in Australia. The first one was introduced by the shadow minister for health, the member for Kurna.

This bill contains many of the same elements as does the bill the opposition introduced in the other place, and that is probably not a surprise, as they are both based on the work that you led, sir. This bill enshrines in legislation the Suicide Prevention Council, it tasks the council with the development and rollout of a state suicide plan and requires ongoing annual reporting on that plan, and it tasks the council with a number of additional functions, including providing advice to the health minister on suicide prevention programs.

The bill ensures that the council will be given the resourcing it requires to carry out its legislated functions. It legislates for a suicide prevention register, a database to provide accurate and timely information on deaths by suicide. The government has included minor amendments to the bill since the draft version was circulated some 10 months ago, and I indicate that we are broadly supportive of these amendments. We note that they were filed only this week: yesterday and the day before, I think those amendments were filed, and the government has indicated a very strong desire to see the bill progress today, notwithstanding that the amendments were filed just this week.

I know, Mr President, how passionate you are to make sure that we see this come into place before this parliament finishes and before you finish your time in this parliament. I think it is fitting that we do that. So notwithstanding the government's desire to progress a bill when amendments have been filed only this week, we agree. This is important. Particularly—and the minister may reflect

on this—the reporting of attempted suicides; we are keen to find out the reason for that and the particular merits of that amendment.

We indicate we are happy to support the amendments in this place, noting that if necessary we would look forward to constructive dialogue between the houses to make sure any of those concerns, particularly with one element, can be sorted out. We do not want to stand in the way of this bill being sorted out, notwithstanding that amendments were introduced as recently as only yesterday.

Noting that we are in support, notwithstanding that amendments were introduced only yesterday, I will point out my disappointment. After having spoken to you, sir, this morning about the importance of this bill and getting it through this place, in my attempted discussions with the health minister to try to make sure that happened today, he wanted to play politics with this bill, and I think that is absolutely shameful.

Having said that, as I said the opposition will not stand in the way, because this is such an important bill. I just want to briefly highlight some amendments the opposition will be moving to seek to enshrine in the legislation. The issues group on suicide prevention: the group is currently in operation and includes senior public servants from across government, chaired by the Commissioner for Public Sector Employment. We think this is a worthy amendment, so we look forward to the passage—unusually, but given the importance of this issue—of this bill through this chamber today.

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (11:54):** I would like to thank the honourable members who contributed to the second reading discussion on the Suicide Prevention Bill 2020. I would like to thank the Hon. Tammy Franks, the Hon. Connie Bonaros and the Hon. Kyam Maher for their contributions and their support for the bill. I particularly appreciate that the opposition has withdrawn its opposition to this bill progressing today and is willing to consider any possible amendments between the houses.

I am offended by the Hon. Leader of the Opposition's comments that I have been playing politics with this bill. It is a matter—

*Members interjecting:*

**The Hon. S.G. WADE:** The government program is in the hands of—

*Members interjecting:*

**The PRESIDENT:** Order! No conversations across the chamber.

**The Hon. S.G. WADE:** —the Government Whip and the Leader of the Government in the Legislative Council.

*Members interjecting:*

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

**The Hon. S.G. WADE:** It is not in the hands of the Leader of the Opposition.

*Members interjecting:*

**The PRESIDENT:** The minister has the call and will be heard in silence.

**The Hon. S.G. WADE:** This whole parliamentary week demonstrates the Labor Party's willingness to play games with the parliament and important matters such as this. Nonetheless, I do welcome the fact that they have stepped back from their opposition and will allow this bill to progress today.

I would like to thank the Hon. Tammy Franks and the Hon. Connie Bonaros in particular for the way they spoke with great sensitivity about a topic that is not easy to talk about, and yet it is crucial that we do talk about suicide. Countering the myths is vital for reducing the stigma associated with suicide. It is an essential part of our prevention effort.

I would like to acknowledge the contribution of the President. He played a major role in the development of this bill through his previous role as the Premier's Advocate for Suicide Prevention,

and leadership in presiding over the Premier's Council on Suicide Prevention. I appreciate his thoughtful advocacy and leadership.

I would like to thank all the people who have contributed to the development of the bill: firstly, the members of the Premier's Council on Suicide Prevention and their support staff. The council members played a major role in ensuring that this bill received considerable support from across all sectors and in the wider community. I thank members of the community and the many organisations and agencies that voiced their wholehearted support for the bill through the government's YourSAY website and by providing written submissions. I appreciate the time and effort they gave in making submissions. In considering this bill, I believe we should be gratified by the level of community support that has been shown.

I also thank those members of this place who have raised issues and sought to further improve the bill. We have taken those views into consideration and have proposed some amendments which reflect the input of various members of the house. I propose to outline the amendments and discuss them in the committee stage; likewise, I propose to address the opposition amendments in the committee phase.

There are a couple of matters that I thought best dealt with at the summing-up phase, in particular the Hon. John Darley's office, during the briefing process, sought advice as to the difference between clause 8(1), which states that the minister 'may' establish guidelines, whereas at clause 24 it requires that prescribed statutory authorities 'must' comply with any guidelines in the preparation of their suicide prevention action plans.

The bill already sets out quite extensive requirements prescribing what statutory authorities must comply with in the preparation of their action plans. The intention of clause 8(1) is future-focused and will allow further guidelines to be promulgated, if the need arises. If the guidelines are needed and exist then a statutory authority must comply with them, but at this time no further guidelines are proposed. Providing a statutory framework for suicide prevention provides the state with an opportunity to continue to lead the nation in suicide prevention.

I would also like to address an issue raised with me by the Hon. Frank Pangallo. Tragically, we know that people subject to scrutiny by investigatory bodies or professional regulatory bodies can experience great stress, and there are cases where they may have taken their own life which may well have been linked to the stress of this scrutiny. I understand the Hon. Frank Pangallo has raised the case of Chief Superintendent Doug Barr in this context.

There have been other cases that I have been involved in where people have talked about the darkness they felt and how they often thought about taking their own life during such investigations. This has occurred across many workplaces and in relation to a range of investigatory bodies and professional regulatory bodies. I think it is something we need to look at, at what we can do to reduce the stress and increase support to people under scrutiny.

Should this bill be passed and the Suicide Prevention Council established, I propose to ask it to investigate these issues and examine how employees or other people under investigation can access the right mental health and other support they may need during extremely stressful times. This council has considered issues in the past relating to specific occupational groups, and the wellbeing of medical practitioners, or for that matter other health practitioners registered under AHPRA, will be of concern to that group.

Whilst investigations and professional regulations are important, we need to look at what we can do to ensure people receive support as early as possible and at how the process of investigation can be conducted so that, as far as possible, it does not create avoidable stress. We need to think about how to handle these situations better and prevent deaths by suicide by improved awareness, and by automatically ensuring that people can access wraparound mental health support to help them cope through these situations. It is important that we recognise these are the types of issues that a dedicated Suicide Prevention Council could consider.

Finally, I wish to offer my condolences to everyone bereaved by suicide. I look forward to a future where people with lived experience of suicide do not have to struggle with the associated stigma and have the care and support of the community.

Bill read a second time.

*Committee Stage*

In committee.

Clauses 1 and 2 passed.

Clause 3.

**The Hon. K.J. MAHER:** I move:

Amendment No 1 [Maher-1]—

Page 4, after line 9 [clause 3(1)]—Insert:

*Issues Group on Suicide Prevention or Issues Group* means the Issues Group on Suicide Prevention established under section 19A.

This is the first of three amendments on the same issue. It seeks to establish in legislation what already exists, the Issues Group on Suicide Prevention. As the amendments further on talk about, it consists of the Commissioner for Public Sector Employment and the chief executive of each administrative unit of the public sector. It allows for deputies to be appointed to the issues group. It is something that already occurs, and I commend this amendment to the chamber.

Should the amendments find favour with this chamber—as I hope they will, given the spirit of cooperation—we are prepared to move forward with this today and look at it in the other house. I expect it will find favour with that chamber in the same spirit of cooperation. If there are any issues to do with this, we like the amendments—we have some concerns but understand the need to pass this and sort it out between the houses.

**The Hon. S.G. WADE:** I ask the Leader of the Opposition whether this clause was in the opposition's bill?

**The Hon. K.J. MAHER:** I thank the minister for his question. I do not have a copy of the opposition bill which, as we canvassed in the second reading, was the very first bill ever introduced on suicide prevention in Australia, the bill introduced by the member for Kaurua, Chris Picton. I do not have a copy of that with me so I cannot answer, but it certainly was not in the copy of the second bill that was introduced some time later by the minister.

**The Hon. S.G. WADE:** It does raise an interesting point because the honourable member reflected that there were similar elements between the opposition bill and the government bill. The main reason why there are differences is that the opposition drew on a draft of the bill that had not been subject to consultation. The government, in contrast, believes in engaging the community and undertaking consultation and the government bill reflects the views of the community. So we believe the government bill should be preferred.

In relation to the issues group, this amendment is not supported. Under section 24 of the Public Sector Act, public sector administrative agencies consist of departments and attached offices. The current department list includes the Auditor-General's Department. I will not read the list, but let's just say it is more than 20. The proposed amendment would place all of these administrative units on the proposed issues group. The honourable member refers to the issues group being current practice. The issues group that his amendment suggests is not current practice.

More importantly, by using this definition, it leaves out critical public sector agencies such as SAPOL, SAFECOM, South Australian Metropolitan Fire Service, SA Ambulance Service and Veterans SA. This was precisely the type of difficulty expressed in trying to draft legislation to establish the issues group in the bill, namely, how to define which agencies should be included. But I do make it very clear that the government established the issues group, the issues group continues to exist, and I am happy to give an undertaking to the house that the government has no intention of stepping back from the issues group. It is a valuable cross-agency network.

This amendment would make chief executives of each Public Service administrative unit, or the nominees, members of the issues group. It is essential that nominees are those persons within the relevant public sector agencies who are best able to advise on the issues that are significant for

suicide prevention within their agencies, the communities they serve, the wider community and on any interagency issues.

Additionally, some agencies had two members to ensure input from these diverse areas on the government issues group. It is the government's view that we should continue to maintain that flexibility to get the right people around the table and not be constrained at the issues group level by statutory formulae.

Finally, under the amendment, the minister may appoint a deputy of a member. In undertaking this function, it is assumed that the minister would obtain nominations from each agency—that is, a member of the proposed issues group. There is, however, no requirement for the minister to choose a deputy from that agency. This statutory process for appointing a deputy is both potentially cumbersome and problematic.

**The Hon. K.J. MAHER:** I thank the minister for his contribution and I agree that there may well be things that need to be tweaked. It is disappointing. As I foreshadowed, there are, particularly with the reporting of attempted suicide, concerns that have been raised about whether that should be an amendment or not, but we are prepared to accept what is in the bill at the moment and sort these issues between the houses.

I would ask the minister to perhaps reflect as to whether the concerns he has raised might be concerns that can be sorted out between the houses because once we vote against this, it is lost for good and there is not the opportunity to look at it between the houses. I would ask the minister, perhaps in the spirit of cooperation, to allow this amendment to stand so that we can do that like we are doing with his amendments.

**The Hon. S.G. WADE:** I certainly do not intend to support a flawed amendment. Of course, the House of Assembly is a house of parliament. They can move an amendment.

**The Hon. C. BONAROS:** I note what the Leader of the Opposition has just outlined. I think it is worth putting on the record that SA-Best has undertaken a great deal of consultation in relation to this bill with the minister and his advisers and indeed with Dr Brayley also. We have undertaken that level of consultation because we appreciate that this bill is a framework and does not include all the nuts and bolts, it does not include all the substance.

Ordinarily, we are very reluctant to support bills that do not provide the nuts and bolts and leave things to regulation. I think in this case, given where we are at with the establishment of this framework, there is the potential that we will do things which will circumvent the ability for those who will be responsible for this to do what they want to do, or what they need to do.

I have met with the minister's advisers, I have met with the people who will be tasked with doing these roles and with Dr Brayley, and been given enough assurances around what the issues group will do and what they will be doing. I do not want to regret my words, minister, but I accept that that is being done in good faith and that there is nothing in that which will prevent any of the things that the Leader of the Opposition wants to achieve but, at the same time, we will not be hindered by prescriptive provisions around that.

The advice we have had from the minister is that the amendment is problematic and there may be issues with certain appointments and so forth as a result of the way it is drafted. Putting that to one side, the other issue is that it does not allow for the flexibility that not the minister has told me he requires but the people who are undertaking the work have told us they require. Frankly, I would trust them more than I would trust the minister, with respect to the minister, which is exactly what we have done throughout the course of this entire bill. For those reasons, I am comfortable at this stage with what I have been told at the ground level is being anticipated and what that will look like.

I do think that at some stage we will be back here debating this bill in another form because there will be a number of other things that we might have to address. I am very cautious at this stage of doing anything that is going to hinder the work that has been done that underpins this legislation. It is very much in its infancy and so we do not want to be putting any unnecessary burdens in place. It is for those reasons, not because I do not agree with prescribing an issues group as such, that we have indicated to the minister and indeed to those people who have advised us on this that we will not be supporting this amendment.

If there is another amendment that is to be moved that addresses those issues then of course we would be open to that, but my firm view in this instance is that we do not need this prescriptive provision in this bill. If it was in a form that was not prescriptive then that is a different story. Again, I am confident that the work that is being done at the moment—we are not being asked to take the minister's word for it—is already happening and I am satisfied that it has been happening to an acceptable standard.

**The Hon. S.G. WADE:** I thank the honourable member for her contribution and I agree with it. I think it is important to stress to the house that the Premier's Council on Suicide Prevention and the issues group that is associated with it, and the work of the Premier's Advocate, has been dynamic and organic, particularly under the leadership of our President.

I think we need to be careful that we do not actually stifle that continued evolution. The community engagement is significant and I do not think it is appropriate to take the leadership of that work out of the hands of the Premier's Advocate and the Suicide Prevention Council. In that sense, it is somewhat different to other bodies. It is not a ministerial controlled body, if you like. It has a broader remit and its own leadership.

In terms of any issues that the opposition might want to consider between the houses, I would also be very open to not only consider any alternative amendments that the opposition might want to propose in the other place but also to give undertakings. I recognise the fact that the undertaking I gave earlier to the continued operation of the issues group was at the specific suggestion of SA-Best and I certainly am happy to give that assurance. The government believes that the Suicide Prevention Council in itself and the issues group have both quite distinct contributions and that both of those contributions should continue.

**The Hon. C. BONAROS:** I might just add in relation to that, in relation to the undertakings that were given to us, there were issues that were raised by my colleague the Hon. Frank Pangallo specifically in relation to the role that various agencies have on that issues group involving first responders. The last thing we would want is a bill to go through that does not actually envisage first responders—whether they be our firefighters, our ambos, SAPOL, or whatever the case may be—having a role in the issues group.

The concern, obviously, is always going to be that we do not want to prescribe those groups at the expense of another group which may have an equally important role to play on that issues group. They are the discussions we have had, for the record, for the benefit of other members. They are the discussions we have had with the minister and his team in relation to that issues group and ensuring that they actually cover the broad scope of agencies, government agencies and bureaucrats, if you like, that ought to be covered. The undertakings that we were asking for specifically related to the explicit inclusion of first responders into the issues group.

**The Hon. S.G. WADE:** I thank the honourable member for her point. The Hon. Frank Pangallo's discussions in relation to the first responders is a contributor to the amendment. One of the amendments the government is asking the council to consider confirms, again, the relevance of the work of the council to first responders.

The Hon. Connie Bonaros's contribution does highlight another area where it would be important to maintain flexibility; for example, in the Ambulance Service. If they were able to have more than one person present, they might have a person from management, they might have a person with lived experience, and so, again, this is an area where I think it is valuable to be organic.

Amendment negated; clause passed.

Clauses 4 to 8 passed.

Clause 9.

**The Hon. S.G. WADE:** I move:

Amendment No 1 [HealthWell-2]—

Page 7, after line 7 [clause 9(2)(i)]—Insert:

- (iva) at least 1 must be a current or previous first responder with lived experience of suicide, or experience supporting other first responders with lived experience of suicide;

This is the amendment that I adverted to in relation to our discussions with the Hon. Frank Pangallo. In moving this amendment, I would like to acknowledge and thank Senator Andrew McLachlan CSC, Senator for South Australia, and also SA-Best members, the Hon. Frank Pangallo MLC and the Hon. Connie Bonaros MLC, for their advocacy, keen interest and advice on this matter, which is to include on the membership of the Suicide Prevention Council a nominee who is an emergency first responder as a prescribed person.

The government welcomes and supports specifying this additional priority group to the membership of the council. Emergency responders have a significant risk of suicide arising from the nature of their employment and their consequent and high exposure to traumatic and traumatising incidents. The Centre for Disease Control and Prevention notes that first responders, including police, firefighters, ambulance and other public safety and emergency responders, are crucial to ensuring public safety and health. In doing so, they may be at elevated risk of suicide because of the environments in which they work, their culture and stress, both occupational and personal.

This stress can be acute, whether it be associated with a specific incident, or chronic, an accumulation of trauma from multiple events. I think it would be fair to say that it may well be cumulative. Somebody might experience trauma in their childhood. They may serve in the military. They might come back and take up work with the Ambulance Service. They take that stress with them.

Occupational stress in first responders is also associated with increased risk of mental health issues as well as suicidal behaviours, such as thinking about or planning suicide and suicide attempts. As a group on which the community relies to protect their safety and health, there can be a culture of expectation about their capability and resilience in both the community and the work environment. This expectation is often at odds with the experience of first responders and the research about trauma or post-traumatic stress disorder.

It was my privilege to sit down with first responders on Kangaroo Island recently and talk about the stress they have experienced coming out of the bushfires there and how important it is to provide mental health first aid and ongoing mental health support and other supports to people who have experienced traumatic experiences such as that. Including a person who is a current or previous first responder with lived experience of suicide or experience supporting other first responders with lived experience of suicide will add this area of important and critical knowledge and expertise to the Suicide Prevention Council.

During the consultations, there was a strong recommendation from respondents to identify and include members in priority population groups, as well as other areas of expertise, on the membership of the Suicide Prevention Council. While first responders was not a group that was mentioned in the consultation, it was also the intention of clause 9(2)(i) of the bill to ensure that the membership collectively has the knowledge, skills and lived experience of suicide to enable the council to effectively carry out its functions. This is reinforced by including, out of the 13 members, nine specified areas of experience or knowledge, including lived experience of suicide and one that must have experience or qualifications prescribed by the regulations.

In considering the make-up of the council's membership, there has been a conscious effort to allow for emerging priority population groups or sectors that should be reflected in the council's membership over time. One measure to enable this was providing the minister the discretion to nominate three other members whose knowledge and experience will be valuable in the operation of the council. This amendment would lead to the number of positions over which the minister has discretion changing from three to two. The addition of first responders is supported and helps enhance the capacities of the council to carry out its functions.

The use of the words 'at least' before each prescribed area of membership also expresses an intention to reflect as much intersectionality where possible in the membership of the council. For example, a first responder may be nominated who also meets another listed requirement. This will further strengthen the council's knowledge and expertise. I want to reinforce the point that membership of the Suicide Prevention Council is not the only way this bill will ensure and respond to the needs and interests of both known and emerging priority population groups and communities at risk of suicide.

The state Suicide Prevention Plan and the suicide prevention action plans that prescribed statutory authorities will be required to provide are measures for enabling this. For both types of plans there are community consultation requirements which will also produce information about issues for emerging priority populations and what suicide prevention action is required. Research and epidemiological information and other information on suicide, including information from the suicide register, will be considered in their preparation. I anticipate there will be improved information to facilitate prevention strategies addressing risk factors for first responders. I commend the amendment to the council.

Amendment carried; clause as amended passed.

Clauses 10 to 19 passed.

Clause 20.

**The Hon. K.J. MAHER:** I will not proceed with my amendment.

Clause passed.

Clauses 21 to 34 passed.

Clause 35.

**The Hon. S.G. WADE:** I move:

Amendment No 1 [HealthWell-1]—

Page 20, line 35 [clause 35(1)]—Delete 'and suicide attempts'

I indicate to the opposition that I certainly appreciate that this amendment does need explanation and the government is happy to provide that. If the opposition needs further information, having received the explanation, we are more than happy to talk between the houses.

During public consultation on this bill there was considerable interest in including suicide attempts in the suicide register. In drafting the bill it was thought that this could be completed by including general data on attempted suicides in that register. However, the suicide register's defining purpose is to collect data on persons who have died by suicide in order to provide epidemiological information that will support the prevention of suicides.

The data required is extensive and collected in a manner that must preserve the privacy of individuals and their families. A high level of protection is in place to prevent the release of data that could possibly identify a person because of the means, method or location of death. The suicide register builds on the Coroner's register, which provides findings on the cause or circumstances of death for reportable deaths.

The suicide register will expand this to include an assessment of suicide probability. These deaths may not have undergone a Coroner's investigation, but information available suggests the person may have died by suicide. The type of circumstance where suspected suicides are thought to occur includes motor vehicle accidents where it is difficult to confirm intentionality. The information and data collection process requires significant epidemiological rigour to determine if these suspected suicides are eventually categorised as unlikely to be known, highly unlikely, potential or highly likely to be suicide.

The suicide register is not appropriate for obtaining and including information about suicide attempts. Including suicide attempts would involve a whole different process to obtain information from sources such as hospitals, ambulances and others to identify attempted suicide. Work is being undertaken, through the Australian Institute of Health and Welfare National Suicide and Self-harm Monitoring Project, to examine ways of improving information and data about suicide attempts. While this work is at an early stage, information about suicide attempts will be made available and published.

To include attempted suicides would be to expand the suicide register beyond its remit. This would not be consistent with the agreed national approach for establishing suicide registers in all states and territories, as led by the Australian Institute of Health and Welfare. All states and territories are collaborating with the institute to ensure a consistent approach for data definitions, data



collection, analysis and register management requirements to ensure the quality and validity of the information, appropriate release of information and to protect privacy.

The register relies on obtaining and reviewing significant personal information obtained during the Coroner's investigation, review of hospital clinical records, police information obtained during the investigation, as well as collecting any additional data in accordance with coding rules and practices. There would be a significant resourcing impact if suicide attempts were included. Given the level of additional information and analysis that would be required, a significant increase in resource capacity would be needed, and this would not necessarily ensure the level of reliability and validity that is needed for information to be of sufficient use for preventing suicide attempts.

There are also significant difficulties in distinguishing attempted suicide from other injuries or situations. Until there is a way of consistently ensuring this, the data would be of questionable quality. A significant amount of very sensitive information is collected about suicides for the suicide register, and in deciding to move the amendment it has become abundantly clear that expanding the register to include attempted suicides would have significant privacy control concerns, since there would be a much larger group to manage and a person would have their name in this register for life. I commend the amendment to the council.

**The Hon. C. BONAROS:** SA-Best does support the amendment for the reasons that have been outlined by the minister, but I think it is important to place on the record some additional information, which we sought straight from the horse's mouth, if you like, from the briefings that we have had with one of the people, or indeed the lead person, the guardian, if you like, of the register, who will be responsible for the design, implementation and management of that register.

For me, I am satisfied that the focus of that unit is one of suicide prevention, and inevitably that will take into account suicide attempts. The advice, as I understand it, from the guardian, if I can call her that, is that while the inclusion of suicide attempts is extremely problematic in a prescribed form—and I am not going to promise to get the terminology right here—it is accurate to say that it will not mean that suicide attempts will be excluded from the register itself, because the design will inevitably include, if I can call them this, markers that will be included in the register, the constructs that underpin that register, and they will be broad enough for that group to be able to identify clusters and triggers and potential suicide attempts.

It is not just going to be limited to completed suicides, but it will inevitably be able to pick up, potentially, suicide attempts; it just will not be a prescribed requirement that that be one of the roles, for the reasons that have been outlined by the minister. I think that is a really important factor. It certainly is for me, but I am satisfied on the face of it, based on the information that we have received from the experts in the know, the people who will have control of this, that they have envisaged many of the questions that I have asked regarding the register about attempted suicides and, indeed, about suicides that are completed, and that they will be able to undertake that work, albeit not necessarily in a prescribed form.

I would like to raise one other point perhaps at this stage, which was the subject of those discussions, about the input into the information that is required for the register. I think this is very important and I am hoping that the minister is going to give an undertaking, which I may not have asked him for previously. One of the important things that came out of that conversation, or at least one of the conversations that I had, is that the regulations are broad enough, or take into consideration the requirement for the MOU that is going to be entered into, to include the sharing of information between those agencies that will be party to that MOU.

From my recollection, I think it was the Coroner, SAPOL and I cannot remember the third one, but I think the point that was made was that it was very important that when we come to the stage of making regulations what is required is sharing information back and forth between the agencies or bodies that will be the subject of those arrangements. If we cannot go back to SAPOL, if we cannot go back to the Coroner, if we cannot go back to—and I am sorry that I cannot remember the third one—then that is going to be an inhibiting factor. So I think it is envisaged that when the regulations are drafted that will be taken into account.

**The Hon. S.G. WADE:** I am certainly happy to give an undertaking that we will pursue the suggestion, because to me it certainly seems to have value in so many areas. I know that in the work

the honourable Minister for Human Services has been doing in terms of safeguarding people with disabilities, information sharing with the commonwealth has been a significant issue. I know that in relation to child protection, information sharing between agencies has been a significant issue. Certainly, I believe that the work of suicide data collection and analysis would be supported by information sharing.

Considering the honourable member's posing of the question of who might be the third group, we do primarily think that the information exchange would be between the Coroner and the custodian of the register within the Department for Health and Wellbeing, but it may well also include SAPOL. Trying to think of the answer to the honourable member's question, I thought there might well be information that might be valuable to be shared with the Child Death and Serious Injury Review Committee. So I think that is a point well made, and I certainly give an undertaking to the honourable member that I will ask the relevant officer to explore that opportunity.

I concur with the comments the honourable member made in terms of the fact that the register might still have information which is broad enough to identify clusters and trends, and the work of the Premier's Council on Suicide Prevention has certainly addressed issues such as that. I can recall the issue in relation to access to lethal means by people in the veterinary profession. So we do want to identify clusters, and we do want to act early. I would also make the point that even without a cluster our officials continue to monitor attempted suicide data and statistics, and that will continue.

The honourable member referred to the horse's mouth and then dubbed her 'the guardian'. This particular officer is collecting a range of titles. I know that the Attorney-General had her as an adviser in the other place, and following that work she was dubbed 'the professor'. So I will let her know she now has a new title: she is both the professor and the guardian.

**The Hon. C. Bonaros:** Guardian of the register.

**The Hon. S.G. WADE:** Guardian of the register. Certainly, I would like to thank that officer and all the officers who have worked so hard in suicide prevention over the years and, in particular, in bringing this bill to the house.

**The Hon. C. BONAROS:** Just to clarify for the benefit of those who have not been part of those discussions, the MOU that I was discussing covers Wellbeing SA, which sits under the Department for Health and Wellbeing and the Coroner and SAPOL. I think they are the three parties we are talking about. They are the three parties we want to make sure are able to share information back and forth in relation to those issues we have just outlined.

**The Hon. S.G. WADE:** Just by way of clarification, Wellbeing SA is part of SA Health, but it is a distinct administrative unit from the department.

Amendment carried; clause as amended passed.

Clauses 36 to 40 passed.

Clause 41.

**The Hon. K.J. MAHER:** I am not moving this amendment.

Clause passed.

Remaining clauses (42 to 44) and title passed.

Bill reported with amendment.

*Third Reading*

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (12:40):** I move:

That this bill be now read a third time.

Bill read a third time and passed.

**FIREARMS (MISCELLANEOUS) AMENDMENT BILL***Second Reading*

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (12:42):** 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.

The Firearms (Miscellaneous) Amendment Bill 2021 amends the Firearms Act 2015 to enhance public safety by addressing the Coronial inquest recommendations arising from the tragic murder of Mr Lewis McPherson. The Bill also fulfils South Australia's commitment to the National Firearms Agreement to re-categorise lever action shotguns.

In 2012, 18 year old Lewis McPherson was fatally shot in an unprovoked manner, by a youth in unlawful possession of a handgun. The offender was sentenced to 27 years imprisonment for murder.

In 2017, the Deputy State Coroner released his findings from the related Inquest, including recommendations for legislative change. The Coroner ultimately made a total of 17 recommendations impacting on several government agencies. Recommendations 7-10 were directed to SAPOL to enhance public safety and are addressed by the amendments contained in this Bill.

This Bill contains amendments to sentencing the offence of trafficking in firearms contained in Section 22 of the Act. The Bill proposes greater penalty for aggravated offences, with an aggravated offence being defined as circumstances in which it has been proven that the person to whom the firearm was supplied was a person under the age of 18 years. As such, if a person supplies a firearm to a juvenile then they will be subject to a greater penalty.

Another important aspect addressed in this Bill is the introduction of a requirement upon a court to impose cumulative sentences for certain offences relating to the unlawful possession, use and acquisition of firearms and supply of ammunition as contained in Sections 9, 22(2)a, 31(1) and (4) of the Act.

Following the 1996 tragic mass shootings at Port Arthur in Tasmania, a National Firearms Agreement was agreed to. The 1996 agreement was reviewed between 2015 and 2017 and updated in 2017 and all States and Territories became a signatory to this revised agreement.

Part of that agreement was to increase controls on lever action shotguns through a re-categorisation of that type of firearm. Firearms are grouped into differing categories that require different levels of control. Lever action shotguns are presently categorised by section 5 of the Firearms Act as a Category A firearm, regardless of their magazine capacity. A licence holder is not required to establish a genuine need to acquire each particular Category A firearm. This means licensees are generally at liberty to acquire as many of these rapid action firearms as they wish.

The concern is the elevated risk to the safety of the community as they could be fired rapidly and have a potential for a capacity greater than 5 rounds. Hence the national agreement to re-categorise lever action shotguns from Category A to Category B or D, depending on magazine capacity.

This Bill amends the Categories of Firearms in Section 5 of the Act, so that lever action shotguns with a capacity of 5 rounds or less are Category B firearms, and those with a capacity of more than 5 are Category D firearms. This re-categorisation also provides consistency in controls upon lever action shotguns and pump action shotguns of equal capacities, as pump action shotguns have been categorised in this manner for an extended period now. The Bill includes a transition provision for owners of lever action shotguns.

SAPOL has consulted with all owners of lever action shotguns and advised of the intention to re-classify their firearm to either Category B or D. Upon passing of this Bill, SAPOL Firearms Branch will again contact the owner of any registered lever action shotgun affected by the change, confirm the status of their lever action shotgun and advise of the transitional provisions. Any licence holder that does not have that category of licence will be provided with a temporary variation for the ownership life of that specific firearm. This variation will be at no cost to the owner (normally a fee applies to licence variations).

The Government's Bill will deliver on South Australia's commitment to the National Firearms Agreement on lever action firearms controls and will provide for stronger penalties for criminals that supply firearms to minors. As was the case with the tragic murder of Mr McPherson. The Marshall Liberal Government is dedicated to ensuring public safety through a balanced governance of firearms that reduces the risk of harm and criminal enterprise. The Government looks forward to bipartisan support from the Labor Opposition and the Crossbench in the other place so that these important reforms can be enacted without delay.

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

## 3—Amendment provisions

These clauses are formal.

Part 2—Amendment of *Firearms Act 2015*

## 4—Amendment of section 5—Categories and types of firearms

This clause amends the categories of firearms to include a lever action shotgun with a magazine capacity of 5 rounds or less as a category B firearm and a lever action shotgun with a magazine capacity of more than 5 rounds as a category D firearm.

## 5—Amendment of section 22—Trafficking in firearms

This clause inserts a penalty in relation to an aggravated offence where it is proved that the illegal supply of a firearm was to a person under the age of 18 years of age. Where the firearm is a category C, D, or H firearm or a prescribed firearm, the maximum penalty is \$100 000 or 20 years imprisonment, or in the case of a category A or B, the maximum penalty is \$50 000 or imprisonment for 10 years.

## 6—Insertion of section 66A

This clause inserts new section 66A:

## 66A—Cumulative sentences of imprisonment for certain offences

This proposed section provides that unless the court is satisfied that there are special reasons for not doing so, a court must order that any sentences of imprisonment imposed for certain offences are to be cumulative. This applies where a court convicts a person of an offence against section 9 of the Act for the illegal possession or use of a firearm and also convicts the person of an offence against section 31(1) of the Act for the illegal acquisition or possession of ammunition. It also applies in relation to a conviction against section 22(2)(a) for the illegal supply of a firearm where the person is also convicted of an offence against section 31(4) for the illegal supply of ammunition.

## Schedule 1—Transitional provisions

## 1—Transitional provisions—lever action shotguns

This clause sets out the transitional arrangements in relation to lever action shotguns that are lawfully held by persons as category A firearms immediately before the commencement of this measure. The provisions allow for those persons to continue to possess the firearms as either holders of a firearms licence that authorises possession of a category B firearm (in the case of a lever action shotgun with a magazine capacity of 5 rounds or less) or as the holder of a category 12 (miscellaneous) licence (in the case of a lever action shotgun with a magazine capacity of more than 5 rounds). It also provides for the corresponding registration of those firearms to reflect their re-categorisation as either category B or D firearms.

Debate adjourned on motion of Hon. T.T. Ngo.

**MOTOR VEHICLES (ELECTRIC VEHICLE LEVY) AMENDMENT BILL***Second Reading*

**The Hon. R.I. LUCAS (Treasurer) (12:43):** I move:

That this bill be now read a second time.

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

Leave granted.

The *Motor Vehicles (Electric Vehicle Levy) Amendment Bill 2021* amends the *Motor Vehicles Act 1959* to introduce a road user charge for zero and low emission vehicles.

The 2020-21 Budget delivered the largest investment in electric vehicles in the State's history, delivering \$18.3 million to implement South Australia's Electric Vehicle Action Plan.

The 2020-21 State Budget also announced the Government's intention to introduce a road user charge for zero and low emission vehicles.

Drivers of internal combustion engine vehicles pay fuel excise when they fill up their vehicles with petrol, diesel or LPG. Drivers of zero and low emission vehicles pay little or no fuel excise. Currently, there are very few zero and low emission vehicles in South Australia, but it is expected that the uptake will increase as the availability of models increases and they reach price parity with comparable internal combustion engine vehicles. As the State transitions towards a higher usage of zero and low emission vehicles, a road user charge will ensure that vehicle owners continue to provide funding for the maintenance and improvement of our road network into the future. This includes supporting infrastructure for electric vehicles.

Recognising that the market for electric vehicles is still being established, the road user charge commences from 1 July 2027 or when the sale of battery electric vehicles reaches 30 per cent of new motor vehicles sale in South Australia, whichever is earlier.

To support the uptake of electric vehicles while the market is being established, the Government will also introduce an \$18 million electric vehicle subsidy package subject to the passage of this Bill through Parliament. The package will provide a \$3,000 subsidy for up to 6,000 electric vehicles purchased from the date the Bill is approved by Parliament.

Combined with the existing \$18.3 million Electric Vehicle Action Plan in South Australia, this package will increase the total level of support for electric vehicles to \$36.3 million and should support the uptake of electric vehicles in South Australia while introducing a more sustainable long-term road funding model.

The final package considers feedback received through the consultation process and allows the market for electric vehicles to develop further before commencing new charging arrangements. The design also has regard to the similar arrangements introduced in Victoria and that proposed in New South Wales.

#### Details of the charge

The *Motor Vehicles (Electric Vehicle Levy) Amendment Bill 2021* sets out the ability to levy a charge on electric vehicles in South Australia based on the distance travelled. The charge will be an additional levy for the registration of an electric vehicle.

The details of the charge are broadly consistent with similar arrangements in place in Victoria and proposed in New South Wales.

An electric vehicle is defined as a motor vehicle that is powered wholly or partly by electricity from an external source, commonly known as a battery electric vehicle or plug-in hybrid vehicle, or by hydrogen, commonly known as a fuel cell vehicle or fuel cell electric vehicle. The charge will not apply to heavy vehicles or kinds of vehicles outlined in the regulations. The Government intends to exclude motor bikes and special purpose vehicles from the charge as part of the Regulations.

The charge will be calculated based on the number of kilometres travelled by an electric vehicle on roads and road related areas. This includes travel within or outside of the State. It will not apply where travel is undertaken on an area of private land that is not open to or used by the public.

The prescribed rate applying to the number of kilometres travelled by an electric vehicle is in line with that applying in Victoria and proposed in New South Wales at:

- 2.0 cents per kilometre (indexed) for plug-in hybrid vehicles
- 2.5 cents per kilometre (indexed) for any other electric vehicles

Consistent with the proposed indexation arrangements in New South Wales, the prescribed rate will be indexed annually, from 2022-23. The prescribed rate will be indexed by movements in the Adelaide consumer price index.

The prescribed rate has been set at rates that are below the average amount of fuel excise paid by owners of internal combustion engine vehicles. The lower per kilometre charge recognises the environmental and health benefits associated with electric and zero emission vehicles.

A lower rate applies to plug-in hybrid vehicles, relative to other electric vehicles, recognising that they pay some existing fuel excise.

Based on the number of kilometres travelled by an average passenger vehicle in South Australia of around 12,200 kilometres (2018 ABS data), a 2.5 cents per kilometre rate will result in an annual charge of around \$305 for a battery electric vehicle.

Based on the average fuel consumption and distance travelled by passenger vehicles in South Australia (2018 ABS data), a non-electric vehicle pays around \$565 in fuel excise each year, on average, at the current fuel excise rates. This is around \$260 higher than the charge that will be payable by a battery electric vehicle.

The charge will be calculated and applied as part of the vehicle registration process. When a relevant owner registers their vehicle, they will be required to provide an odometer reading as part of the registration process. This approach is intended to minimise the administration burden associated with the new charging arrangements by leveraging off the existing registration arrangements.

## Amendments to the Highways Act 1926

Under the *Highways Act 1926* the Treasurer must pay into the Highways Fund money collected or received in respect of registration fees under the *Motor Vehicles Act 1959*. This will include the additional levy for the registration of an electric vehicle.

The Bill amends the *Highways Act 1926* to expand the use of the Highways Fund to include the cost of installing, maintaining, altering, operating or removing charging facilities for the electric vehicles and refuelling facilities for hydrogen powered vehicles.

### Electric vehicle subsidy package

Subject to the passage of the *Motor Vehicles (Electric Vehicle Levy) Amendment Bill 2021*, the Government intends to introduce an \$18 million subsidy package to support the uptake of electric vehicles in South Australia.

A \$3,000 subsidy will be available for the first 6,000 battery electric vehicles purchased in South Australia, below a price cap of \$68,750 (inclusive of GST). A price cap is considered important to provide an incentive to bring lower priced electric vehicles to the market and avoid subsidising expensive electric vehicles. The subsidy will not be available for plug-in hybrid vehicles, consistent with arrangements in other jurisdictions.

Subsidies will be limited initially to one per individual person residing in South Australia and two per business located in South Australia. The vehicles will be required to be registered in South Australia.

I commend this Bill to the House.

I seek leave to have the detailed explanation of clauses inserted into Hansard without my reading them.

### Explanation of Clauses

#### Part 1—Preliminary

##### 1—Short title

This clause is formal.

##### 2—Commencement

Commencement will be on the day on which the Treasurer publishes a notice in the Gazette specifying that the Treasurer is reasonably satisfied that sales of battery electric vehicles in South Australia will be 30% of new motor vehicle sales in South Australia or 1 July 2027, whichever occurs first.

##### 3—Amendment provisions

This clause is formal.

#### Part 2—Amendment of Motor Vehicles Act 1959

##### 4—Amendment of section 5—Interpretation

This clause inserts a definition of 'electric vehicle' for the purposes of the measure.

##### 5—Amendment of section 20—Application for registration

This clause provides for an odometer reading to be submitted in relation to an application for registration of an electric vehicle and makes a minor consequential change to some wording to ensure the language would include the new levy.

##### 6—Amendment of section 24—Duty to grant registration

This clause makes a minor consequential change to some wording to ensure the language would include the new levy.

##### 7—Amendment of section 24A—Registrar may accept periodic renewal payments

This clause ensures that the periodic payment scheme can address the issue of odometer readings for electric vehicles.

##### 8—Insertion of section 37AA

This clause inserts a new provision requiring payment of an electric vehicles levy of an amount calculated at the prescribed rate per kilometre travelled on roads and road related areas (whether within or outside the State) by an electric vehicle and provides for recovery of the levy and indexing of the prescribed rate.

##### 9—Amendment of section 41—Misuse of vehicles registered at reduced fees or without fees

This clause provides for an odometer reading to be submitted when a person is required to pay the Registrar an amount pursuant to an order under the section relating to an electric vehicle and to ensure that the 'prescribed registration fee' is taken to include any levy payable.

## 10—Amendment of section 57—Duty of transferee on transfer of vehicle

This clause provides for an odometer reading to be submitted in relation to an application for transfer of registration of an electric vehicle and makes a minor consequential change to some wording to ensure the language would include the new levy.

## 11—Amendment of section 58—Transfer of registration

This clause makes a minor consequential change to some wording to ensure the language would include the new levy.

Schedule 1—Related amendment of *Highways Act 1926*

## 1—Amendment of section 32—Application of Highways Fund

This clause ensures that the Highways Fund can be used for defraying the cost of installing, maintaining, altering, operating or removing charging facilities for electric vehicles and refuelling facilities for hydrogen powered vehicles.

Debate adjourned on motion of Hon. T.T. Ngo.

**STATUTES AMENDMENT (ABORIGINAL ANCESTRAL RESTING PLACES) BILL***Introduction and First Reading*

**The Hon. R.I. LUCAS (Treasurer) (12:44):** Obtained leave and introduced a bill for an act to amend the Births, Deaths and Marriages Registration Act 1996 and the Burial and Cremation Act 2013. Read a first time.

*Second Reading*

**The Hon. R.I. LUCAS (Treasurer) (12:45):** I move:

That this bill be now read a second time.

I am pleased to introduce the Statutes Amendment (Aboriginal Ancestral Resting Places) Bill 2021. This bill represents an important step of ensuring that thousands of Aboriginal ancestral remains can finally be respectfully laid to rest.

As members will be aware, in the aftermath of European settlement in South Australia, and Australia more broadly, the remains of many Aboriginal people were taken, generally without consent, for scientific study, medical examination, museum display and other purposes. This is no longer considered acceptable and there is a worldwide push to repatriate such remains to the places from whence they came, wherever possible.

Over half of all uninterred Aboriginal ancestral remains in Australia are held in South Australia. The vast majority—the skeletal remains of approximately 4,600 individuals—are held by the South Australian Museum as part of its extensive human biology collection. The museum now also holds some remains formerly held by other South Australian institutions.

In December 2018, the Museum adopted a policy to manage and repatriate the remains in its collection so that they can be respectfully laid to rest. Where the provenance of the remains is known, the Museum's policy is to hand them over to the contemporary Aboriginal traditional owners of the relevant area. It is then a matter for the traditional owners to determine where and when the remains should be buried.

Legally it is clear that the Burial and Cremation Act 2013 applies to the disposal of all human remains in this state, including the burial of Aboriginal ancestral remains. Under the Burial and Cremation Act it is an offence to inter bodily remains other than in a lawfully established cemetery or natural burial ground without the approval of the Attorney-General. The act requires certain information pertaining to the identity of the deceased, cause of death and so forth to be provided prior to the disposal of the remains. This is very difficult, if not impossible, in the case of Aboriginal ancestral remains.

I am advised that without amendments to the act the process for repatriation of remains will be administratively slow and complex. Several thousand exemptions would need to be given to allow for the interment of repatriated remains without the usual identification requirements under the act. This would impose an unnecessary burden on traditional owners who, having finally had the remains

of their ancestors returned to them, wish to respectfully bury those remains in a timely manner and without further difficulty.

With this foremost in our minds, the government has prepared this bill to make special provisions for the interment of Aboriginal ancestral remains. The bill amends the Burial and Cremation Act 2013 and the Births, Deaths and Marriages Registration Act 1996 to insert new provisions enabling the interment of Aboriginal ancestral remains in areas known as 'Aboriginal ancestral resting places'. The primary amendments are to the Burial and Cremation Act so I will discuss these first. Then I will deal with the consequential amendments to the Births, Deaths and Marriages Registration Act.

Part 3 of the bill amends the Burial and Cremation Act. Clause 20 replaces section 19 of that act to allow for any person to establish an Aboriginal ancestral resting place in the same way that any person can establish a cemetery, natural burial ground or crematorium. Clause 21 provides that a cemetery authority may set apart any part of the cemetery as an Aboriginal ancestral resting place.

Alternatively, a resting place could be established as a standalone area by or with the consent of the owner of land. A person or body would have to assume the role of 'relevant authority' in order to fulfil the responsibilities that apply under the Burial and Cremation Act and other relevant legislation. Other legislative requirements, such as development approvals, would also have to be met.

Pursuant to clause 9(12) of the bill, it will be up to persons of a prescribed class to certify that remains are Aboriginal ancestral remains in order for them to be dealt with under the provisions in this bill. The regulations will provide for certificates to be given by appropriately qualified persons, most likely from the South Australian Museum and Forensic Science SA, or the Minister for Aboriginal Affairs.

In addition to allowing the creation of resting places, clause 11 of the bill allows remains that have been certified to be Aboriginal ancestral remains to be buried on private land with the consent of the landowner and the local council, or within a national park, reserve, wilderness protection area or zone, with the consent of the person or body responsible for administering the park, reserve or wilderness area and the local council, if there is one.

This would not be a formal resting place under the act, rather simply a burial of ancestral remains. It would no longer be necessary for an exception to be obtained from the Attorney-General under the act for such a burial, as is currently the case when the identity of the person to be buried is not known. As Aboriginal ancestral remains are skeletal, they can be buried on private land within metropolitan Adelaide or townships with the consent of the landowner and relevant local council and in compliance with the regulations.

Wherever they are interred, Aboriginal ancestral remains must be left undisturbed in perpetuity. This is only fitting given the disrespectful treatment to which they have previously been subjected. Provision is made in clauses 12 and 13 for the cremation of Aboriginal ancestral remains, although burial is likely to be preferred in most instances. Currently, the Burial and Cremation Act does not allow interred remains to be exhumed, other than with the consent of the Attorney-General.

Clause 15, amending section 13 of the act, provides that in the case of Aboriginal ancestral remains, before approving an exhumation, the Attorney-General must consult with the relevant authority for the resting place and the minister responsible for administering the Aboriginal Heritage Act 1988. Outside of a resting place, the Attorney-General must consult with the minister responsible for the Aboriginal Heritage Act before making such a decision.

Clause 16 inserts new section 13A in the act. This provision is of general application. It makes it an offence to break open, damage, deface, desecrate or destroy an interment site or to improperly or indecently interfere with or cause any indignity to human remains unless authorised under the Burial and Cremation Act or any other act or law. The maximum penalty is two years' imprisonment.

Clause 17 amends section 17 of the act to ensure that cultural practices and ceremonies for burials or reburials of ancestral remains must be allowed by the authority for a cemetery or resting place. Clause 24 inserts a new subdivision 2 in part 3, division 3 of the act, dealing with the issue of



interment rights. It provides that where a resting place is located within a cemetery, the authority responsible for the cemetery may issue interment rights to provide for the interment of Aboriginal ancestral remains.

These interment rights would remain in force in perpetuity and the relevant authority for the cemetery would be obliged to leave the ancestral remains undisturbed in perpetuity. Interment rights could be transferred or, if unexercised, could be surrendered. A register of interment rights must be kept by the relevant authority for the cemetery.

Clause 26 amends the existing requirement that relevant authorities must have due regard to the customs and needs of the various communities that may resort to the area for disposal of human remains, so as to include Aboriginal ancestral resting places. Clause 22 inserts new part 3, division 2A providing for the closure of resting places if they become full or unsuitable for the interment of remains.

Notice of the proposed closure would be required to be given to the public twice—18 and nine months before the proposed closure—as well as to any relevant recognised Aboriginal representative body constituted under the Aboriginal Heritage Act, and the minister responsible for Aboriginal affairs at least 18 months before the proposed closure. Once the resting place is closed, remains cannot be disturbed except as authorised by the act, the Attorney-General or the state Coroner. A penalty of \$10,000 or two years' imprisonment would apply.

Clause 29 inserts new section 49A, which sets out the power of councils to assume administration of Aboriginal ancestral resting places. It essentially reproduces the current powers in the act for councils to step in and assume administration of cemeteries and natural burial grounds, but with some important differences. First, the approval of the Attorney-General would be needed before a council could take over administration of a resting place. A council could only step in if there is no existing relevant authority for the resting place, if the relevant authority is unknown and not ascertainable, or if the relevant authority agrees to transfer its responsibilities to the council.

Where a council proposes to assume the administration of resting place, it must give notice to any recognised Aboriginal representative body for the area in accordance with the regulations. It must also observe the terms of any trust affecting the administration or use of the Aboriginal ancestral resting place unless the Supreme Court relieves it from the obligation to do so.

Clause 30 amends section 50 to extend the general requirements in the act for members of the public to have free access to cemeteries and natural burial grounds to resting places. However, where a resting place is situated within a reserve, wilderness protection area or wilderness protection zone, the usual park entry fee would still apply. Existing section 50(2) is amended to provide that anyone suspected of committing or being about to commit an offence in a resting place can be required by the relevant authority to leave the resting place.

Clause 31 inserts new subsection (2a) in section 53. It requires a relevant authority for an Aboriginal ancestral resting place to keep a register and a plan in respect of the resting place. The register must identify each site in which Aboriginal ancestral remains are interred, record any exhumations and contain the particulars prescribed by regulation. The plan must show each site at which Aboriginal ancestral remains are interred and each site set aside for the interment of such remains. A maximum penalty of \$5,000 applies for failure to comply with this provision.

New section 53(6) is of general application and requires that where the ownership or administration of a cemetery, Aboriginal ancestral resting place or natural burial ground is transferred, the transferor must ensure that the registers and plan kept in relation to the cemetery, resting place or natural burial ground are transferred to the new owner or administrator. A maximum penalty of \$5,000 applies for failure to do so.

Section 55 of the act currently allows the minister to grant exemptions from specified provisions of the act. Clause 32 of the bill amends section 55 to allow the minister to delegate the power to grant exemptions by instrument in writing, either absolutely or conditionally. Such a delegation would not derogate from the minister's ability to act in any matter and would be revocable at will. The amendments to the Births, Deaths and Marriages Registration Act 1996 in part 2 of the bill are consequential on the amendments to the Burial and Cremation Act already discussed.

Clause 4 adopts the definitions of certain terms as they appear in the Burial and Cremation Act, in order to ensure consistency between the two acts. Clause 5 amends section 38 regarding the notification funeral directors are required to give to the Registrar of Births, Deaths and Marriages to clarify that the requirement in that section does not apply to the disposal of Aboriginal ancestral remains. This is because the identity details that are normally notified are not ascertainable in relation to Aboriginal ancestral remains.

Instead, new part 6A is inserted. Section 39A provides that a funeral director or other person who arranges for the disposal of Aboriginal ancestral remains must, within seven days after disposal, give the registrar a written statement containing prescribed particulars about the place and manner of disposal and any other information required by regulation. In turn, the registrar is required to give a written statement regarding the disposal of the remains to the minister responsible for the Aboriginal Heritage Act.

Clause 7 of the bill amends section 40 of the Births, Deaths and Marriages Registration Act to require the registrar to maintain a register of the disposal of Aboriginal ancestral remains as notified under section 39A. That register must contain the particulars of each disposal notified under section 39A.

Overall, the measures in this bill are designed to provide a regime to facilitate the respectful interment of Aboriginal ancestral remains, either within existing cemeteries or natural burial grounds, or in standalone resting places. Greater flexibility has been included for burials on private land or within parks, reserves and wilderness areas, provided consent is obtained.

Once buried, remains will be left to rest in perpetuity, protected by the provisions in the act and bolstered by the additional protection afforded by new section 13A. Suitable provision has been made for the recording and registration of these interments, wherever they occur, so as to reduce the risk of any further disturbance and to allow interested persons, such as traditional owners and the minister administering the Aboriginal Heritage Act, to keep track of where ancestral remains have been interred.

I commend the bill to members and seek leave to have the detailed explanation of clauses inserted in *Hansard* without my reading it.

Leave granted.

#### Explanation of Clauses

##### Part 1—Preliminary

###### 1—Short title

###### 2—Commencement

###### 3—Amendment provisions

These clauses are formal.

##### Part 2—Amendment of *Births, Deaths and Marriages Registration Act 1996*

###### 4—Amendment of section 4—Interpretation

This clause amends section 4 to insert and update a number of definitions.

###### 5—Amendment of section 38—Notification by funeral director etc

This clause amends section 38 to disapply it to the disposal of Aboriginal ancestral remains.

###### 6—Insertion of Part 6A

This clause inserts a new Part consisting of section 39A.

###### Part 6A—Notification of disposal of Aboriginal ancestral remains

###### 39A—Notification by funeral director etc

Proposed section 39A requires a funeral director or other person who arranges for the disposal of Aboriginal ancestral remains to give the Registrar of Births, Deaths and Marriages a written statement of the prescribed particulars of the place and manner of disposal and any information required by the regulations within 7 days after the disposal. The proposed maximum penalty for non-compliance is \$1,250.

## 7—Amendment of section 40—The Register

This clause amends section 40 to require the Registrar to maintain a register of disposal of Aboriginal ancestral remains notified under section 39A that contains the particulars of each disposal notified under that section.

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

## 8—Amendment of long title

This clause amends the long title to include reference to the establishment, administration and closure of Aboriginal ancestral resting places.

## 9—Amendment of section 3—Interpretation

This clause inserts a number of definitions and amends and replaces existing definitions.

*Aboriginal ancestral resting place* is defined to mean a place set aside for the interment of Aboriginal ancestral remains (including remains that have been cremated).

The clause inserts a definition of *inter* to clarify that the term includes re-inter, and expands the definition of *relevant authority* to define the relevant authority for an Aboriginal ancestral resting place.

The clause inserts a provision stating that, for the purposes of the *Burial and Cremation Act 2013* and any other Act or law, the bodily remains of a deceased Aboriginal person are *Aboriginal ancestral remains* if a person of a prescribed class has, in accordance with the regulations, given a certificate certifying that, in the opinion of that person, the remains are Aboriginal ancestral remains.

## 10—Substitution of section 5

This clause substitutes section 5.

## 5—Relationship of Act with other laws

This section provides that the provisions of the Burial and Cremation Act are in addition to, and do not derogate from, the provisions of certain specified Acts and any other Act or law.

## 11—Amendment of section 8—Offence to inter bodily remains except in cemetery, natural burial ground or Aboriginal ancestral resting place

This clause amends section 8 to allow Aboriginal ancestral remains to be interred in lawfully established Aboriginal ancestral resting places or on land (outside a cemetery or natural burial ground) in Metropolitan Adelaide, a township or prescribed area with the permission of the landowner and the approval of the relevant council (if any) and in accordance with the regulations, or if the land is within a reserve, wilderness protection area or wilderness protection zone, with the permission of the person or body for the time being responsible for the management of the reserve, wilderness protection area or wilderness protection zone, and with the approval of the council and in accordance with the regulations.

## 12—Amendment of section 10—Cremation permits

This clause amends section 10 to allow the Registrar of Births, Deaths and Marriages to issue a cremation permit for the cremation of Aboriginal ancestral remains without the documents usually required to be provided to the Registrar (i.e. medical certificate of cause of death or disposal authorisation from the Coroner).

## 13—Amendment of section 12—Documents to be provided before disposal of bodily remains

This clause amends section 12 so that the cremation or interment of Aboriginal ancestral remains can take place without the need for the sighting of various documents and the recording of details of them (i.e. certificate of identification, partial certificate of cause of death, disposal authorisation from the State Coroner, the Minister or the Registrar).

## 14—Substitution of heading to Part 2 Division 3

This section substitutes a new heading to Part 2 Division 3.

## Division 3—Offences related to interment sites and human remains

## 15—Amendment of section 13—Opening of interment sites, exhumation and re-interment

This clause amends section 13 so that before the Attorney-General gives an approval under the section in relation to Aboriginal ancestral remains interred in an Aboriginal ancestral resting place, the Attorney-General must consult with the relevant authority for the Aboriginal ancestral resting place and with the Minister responsible for the administration of the *Aboriginal Heritage Act 1988*.

## 16—Insertion of section 13A

This clause inserts a new section.

## 13A—Desecration of interment sites and human remains

Proposed section 13A makes it an offence for a person to—

- (a) wilfully break open, damage, deface, desecrate or destroy an interment site; or
- (b) improperly or indecently interfere with, or offer any indignity to, human remains (whether or not interred).

The proposed maximum penalty is imprisonment for 2 years.

The offence does not prevent an act that is authorised by or under the Burial and Cremation Act or any other Act or law.

#### 17—Amendment of section 17—Religious and other ceremonies not to be interfered with etc

This clause amends section 17 so that it applies to Aboriginal ancestral resting places as well as to cemeteries and natural burial grounds.

#### 18—Amendment of heading to Part 3

This clause amends the heading to Part 3 so that it captures Aboriginal ancestral resting places as well as cemeteries and natural burial grounds.

#### 19—Amendment of heading to Part 3 Division 1

This clause amends the heading to Part 3 Division 1 so that it captures Aboriginal ancestral resting places as well as cemeteries and natural burial grounds.

#### 20—Substitution of section 19

This clause substitutes section 19.

##### 19—Establishment of cemeteries, other burial grounds and crematoria

The substituted section provides for the establishment of Aboriginal ancestral resting places as well as cemeteries, natural burial grounds and crematoria.

#### 21—Substitution of section 22

This clause substitutes section 22.

#### 22—Designation of Aboriginal ancestral resting places and natural burial grounds within cemeteries

The substituted section provides for the designation of areas within cemeteries as Aboriginal ancestral resting places, just as relevant authorities for cemeteries can currently set aside areas within cemeteries as natural burial grounds.

##### 22—Insertion of Part 3 Division 2A

This clause inserts a new Division dealing with the closure of Aboriginal ancestral resting places.

##### Division 2A—Closure of Aboriginal ancestral resting places

##### 28A—Closure of Aboriginal ancestral resting places

Proposed new section 28A enables the relevant authority for an Aboriginal ancestral resting place to close the resting place (with the approval of the Minister) if—

- (a) the capacity of the resting place to hold human remains has become exhausted; or
- (b) the resting place has for any other reason become unsuitable for the disposal of human remains.

The section requires notice of a proposed closure to be given in a newspaper circulating throughout South Australia on 2 occasions. It also requires notice to be given to the Recognised Aboriginal Representative Body (if any) for the area in which the Aboriginal ancestral resting place is situated.

Notice must also be given to the Minister responsible for the Aboriginal Heritage Act at least 18 months before the date of the proposed closure.

A relevant authority that proposes to close an Aboriginal ancestral resting place must provide the Minister with details of any representations or submissions made to the relevant authority in respect of the proposed closure.

Once an Aboriginal ancestral resting place is closed, a person commits an offence if the person disposes of human remains in the resting place. The proposed maximum penalty is \$10 000 or imprisonment for 2 years. The same maximum penalty is proposed for the offence of knowingly disturbing human remains interred in a closed Aboriginal ancestral resting place except as may be authorised by the Act, the Attorney-General or the State Coroner.

#### 23—Insertion of heading

This clause designates the existing contents of Part 3 Division 3 as Subdivision 1 dealing with interment rights for cemeteries and natural burial grounds.

Subdivision 1—Interment rights (cemeteries and natural burial grounds)

24—Insertion of Part 3 Division 3 Subdivision 2

This clause inserts Subdivision 2 dealing with interment rights for Aboriginal ancestral resting places established within cemeteries.

Subdivision 2—Interment rights (Aboriginal ancestral resting places within cemeteries)

38A—Issue of interment rights

Proposed section 38A requires a relevant authority for a cemetery that agrees to the interment of Aboriginal ancestral remains in an Aboriginal ancestral resting place within the cemetery to issue an interment right for interment right.

Before doing so, the relevant authority must give the person a statement in plain English setting out the rights and responsibilities of the respective parties in relation to any memorial erected in the resting place, the cost of the interment right and any options for periodic payment.

An interment right may provide for the interment of such Aboriginal ancestral remains in the Aboriginal ancestral resting place as the relevant authority considers to be within the capacity of the resting place to hold.

If an interment right is issued, then, subject to the Act, it obliges the relevant authority—

- (a) to permit the interment of Aboriginal ancestral remains in the Aboriginal ancestral resting place in accordance with the interment right; and
- (b) to permit memorials to be erected in the Aboriginal ancestral resting place with the approval of the relevant authority and in accordance with the terms of the interment right; and
- (c) to leave Aboriginal ancestral remains interred in the Aboriginal ancestral resting place undisturbed in perpetuity; and
- (d) to leave any memorials in the Aboriginal ancestral resting place lawfully erected in the resting place, with the permission of the relevant authority, undisturbed (provided that the memorials are kept in good repair).

An interment right in respect of an Aboriginal ancestral resting place may be issued to a natural person or a body corporate.

38B—Duration of interment rights

Proposed section 38B provides that an interment right issued in respect of an Aboriginal ancestral resting place within a cemetery remains in force in perpetuity.

38C—Transfer of interment rights

Proposed section 38C provides that an interment right issued in respect of an Aboriginal ancestral resting place may be transferred but—

- (a) the consideration payable for the transfer of the interment right must not exceed the current fee payable for the issue of an interment right of the same kind; and
- (b) the interment right may contain conditions limiting the right of transfer to persons of a specified class.

A transfer of an interment right will not take effect until it is recorded by the relevant authority in its register of interment rights.

38D—Surrender of interment rights

Proposed section 38D will allow the holder of an unexercised interment right relating to an Aboriginal ancestral resting place to surrender the interment right to the relevant authority that issued it and be given a refund equal to the current fee payable for an interment right of the same kind, less a reasonable fee for administration and maintenance costs and for costs involved in the establishment of the Aboriginal ancestral resting place (determined in accordance with the regulations). An *unexercised interment right* is one under which no human remains have been interred.

38E—Exercise or enforcement of interment rights

Proposed section 38E provides that if the holder of an interment right issued in respect of an Aboriginal ancestral resting place has died or no longer exists, the interment right may be exercised or enforced by a person of a class determined in accordance with the regulations.

**38F—Register of interment rights**

Proposed section 38F requires a relevant authority for a cemetery to keep a register of interment rights issued by the relevant authority in respect of any Aboriginal ancestral resting place within the cemetery.

**25—Amendment of section 43—General powers of relevant authority**

This clause amends section 43 to add references to Aboriginal ancestral resting places.

**26—Amendment of section 44—Multicultural needs to be recognised**

This clause amends section 44 to add references to Aboriginal ancestral resting places.

**27—Amendment of section 46—Neglected cemeteries, Aboriginal ancestral resting places and natural burial grounds**

This clause amends section 46 to add references to Aboriginal ancestral resting places.

**28—Amendment of section 49—Power of councils to assume administration of cemeteries and natural burial grounds**

This clause amends section 49 to correct a reference.

**29—Insertion of section 49A**

This clause inserts a new section.

**49A—Power of councils to assume administration of Aboriginal ancestral resting places**

Proposed section 49A allows a council to assume the administration of an Aboriginal ancestral resting place (with the approval of the Minister) if—

- (a) there is no existing relevant authority for the Aboriginal ancestral resting place; or
- (b) the relevant authority for the Aboriginal ancestral resting place is unknown and is not reasonably ascertainable; or
- (c) the relevant authority for the Aboriginal ancestral resting place agrees to transfer it to the council.

Before assuming the administration of an Aboriginal ancestral resting place, a council will be required to give notice of its intention to do so to the Recognised Aboriginal Representative Body (if any) for the area in which the Aboriginal ancestral resting place is situated.

If a council assumes the administration of an Aboriginal ancestral resting place, it will be required to observe the terms of any trust affecting the administration or use of the resting place, except to the extent that the Supreme Court relieves it from the obligation to do so.

**30—Amendment of section 50—Public access to cemeteries, other burial grounds and crematoria**

This clause amends section 50 to add references to Aboriginal ancestral resting places. It also amends the section to make it clear that subsection (1) does not prevent the charging of fees for entry to a reserve, wilderness protection area or wilderness protection zone within which an Aboriginal ancestral resting place is situated and does not relieve any person from an obligation to pay a fee for entry to a reserve, wilderness protection area or wilderness protection zone.

**31—Amendment of section 53—Registers, records and plans to be kept by relevant authorities**

This clause amends section 53 to require a relevant authority for an Aboriginal ancestral resting place to keep a register identifying interments, recording exhumations and containing prescribed particulars of matters specified the regulations, and to keep a plan of the Aboriginal ancestral resting place showing each site where remains are interred and each site set aside for interments. The proposed maximum penalty for non-compliance is \$5 000.

The clause also inserts a new provision to require the registers and plans kept under section 53 in relation to a cemetery, Aboriginal ancestral resting place or natural burial ground to be transferred to the new owner or administrator if there is a change of ownership or administration of a cemetery, Aboriginal ancestral resting place or natural burial ground. The proposed maximum penalty for non-compliance is \$5 000.

**32—Amendment of section 55—Exemptions**

This clause amends section 55 to allow the Minister to delegate the Minister's power to grant exemptions.

**33—Amendment of section 59—Powers of authorised officers**

This clause amends section 59 so that the powers of authorised officers extend to Aboriginal ancestral resting places.

**34—Amendment of section 65—Service of notices and other documents**

This clause amends section 65 to allow the service of notices and other documents to be given by email and other methods prescribed by the regulations.

35—Amendment of section 66—Regulations and fee notices

This clause amends section 66 to allow regulations to be made in relation to Aboriginal ancestral resting places and to allow fees for the purposes of the Act to be prescribed by the Minister by fee notice under the *Legislation (Fees) Act 2019*.

Debate adjourned on motion of Hon. R.P. Wortley.

*Sitting suspended from 12:58 to 14:15.*

*Parliamentary Committees*

### NATURAL RESOURCES COMMITTEE

**The Hon. N.J. CENTOFANTI (14:16):** I bring up the report of the committee on its South-East Drainage Network Fact-Finding Visit 30 August to 1 September 2021.

Report received.

*Parliamentary Procedure*

### PAPERS

The following papers were laid on the table:

By the Treasurer (Hon. R.I. Lucas)—

CTP Insurance Regulator—Report, 2020-21.

By the Minister for Human Services (Hon. J.M.A. Lensink)—

Children and Young People in South Australia's Child Protection and Youth Justice Systems—Six Months Snapshot of the South Australian Dual Involved Project dated September 2021.

### ANSWERS TABLED

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

Before moving to questions without notice, I indicate that it is my understanding that the Hon. Mr Pangallo has a birthday tomorrow, so we wish him all the very best for that great celebration tomorrow.

*Question Time*

### MEMBER FOR NARUNGA

**The Hon. K.J. MAHER (Leader of the Opposition) (14:19):** I seek leave to make a brief explanation before asking a question of the Treasurer regarding leadership.

Leave granted.

**The Hon. K.J. MAHER:** On 8 September 2020, in relation to the—

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. K.J. MAHER:** On 8 September 2020, sir, in relation to your future in the Liberal Party, the ABC reported:

Treasurer Rob Lucas said the decision to run against his own party's candidate would make Mr Dawkins' position untenable.

Yesterday, in another place, the Premier was asked about the future of the member for Narunga, Fraser Ellis, as the Liberal candidate. The Premier responded that generally the Hon. Rob Lucas represents the parliamentary party and the Premier on the Liberal executive. My questions to the Treasurer are:

1. Given the Treasurer publicly expressed views about the membership of the Hon. John Dawkins before the matter was decided by his own party's executive, will the Treasurer now share his views on whether the member for Narungga, Fraser Ellis, should be a member of the Liberal Party or the Liberal Party room or a candidate?

2. Given the Treasurer described a Liberal MP's position in the party as untenable for exercising a democratic right to nominate for office, how does he describe the position of the member for Narungga, who is facing charges linked to misuse of public funds in his role as an MP?

3. How will the Treasurer be voting on behalf of the parliamentary Liberal Party and Premier on the state executive in relation to the member for Narungga as a Liberal Party member and a Liberal Party candidate?

**The PRESIDENT:** Before calling the Treasurer, I think it is worthwhile observing that the Treasurer is obviously able to comment in this chamber on his actions as the Treasurer, as a member of the government's leadership team. When it comes to matters pertaining to the state executive of the Liberal Party, that doesn't come into the gambit of this chamber. I call the Treasurer.

**The Hon. R.I. LUCAS (Treasurer) (14:21):** Mr President, I think you have very adequately summarised the position. I don't propose to indicate what I might or might not do should I be fortunate enough to be the representative at the state executive meeting in the near future.

*Members interjecting:*

**The PRESIDENT:** It was difficult for me to hear what the Treasurer said.

**The Hon. K.J. Maher:** He wanted you out of the party, sir.

**The PRESIDENT:** Order! The deputy leader has the call.

#### LAND TAX

**The Hon. C.M. SCRIVEN (14:22):** My question is to the Treasurer regarding land tax. How many land tax assessments for the last financial year have been issued, and how many remain to be issued?

**The Hon. R.I. LUCAS (Treasurer) (14:22):** The last estimate I have had on those that remain to be issued—I don't have an exact number of how many have been issued, but it would be at least 50,000 or 60,000, I suspect—I think there is something like 5,500 to 6,000 still remaining to be issued for the financial year 2020-21.

#### COVID-19 HOSPITAL RESPONSE

**The Hon. E.S. BOURKE (14:22):** My question is to the Minister for Health and Wellbeing regarding health. Can the minister advise when the first of the additional COVID-19 beds that were announced this morning will be fully staffed and operational? Are the beds that were announced this morning temporary or permanent? Can the minister advise how long the beds are funded for?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:23):** I thank the honourable member for her question. I would like to stress that this is part of a \$123 million investment by the Marshall Liberal government. In fact, the beds within that \$123 million investment have been rolling out for weeks. I will remind honourable members of the press conference that I think the Minister for Human Services and I were both part of a number of weeks ago. That's 30 beds that will give people with disabilities an opportunity to take the next step beyond their medical episode of care on to their lives beyond.

In terms of the particular initiatives that were announced this morning—and I thank the honourable member for giving me the opportunity to bring those to the attention of the house—there are three key elements. They were public hospital investments in Modbury Hospital, 46 beds which have both post-acute and subacute elements. The Modbury facility in particular is taking advantage of an opportunity that has been created by another great investment by the Marshall Liberal government, whereas under the former Minister for Health, the Hon. Jack Snelling, in 2014 I presume it was, the government was even reported to be considering closing the Modbury Hospital.

*Members interjecting:*



**The PRESIDENT:** Order! I would like to hear the minister. Order!

**The Hon. S.G. WADE:** The Hon. Clare Scriven asks me, 'Under what program was that?'

*Members interjecting:*

**The PRESIDENT:** Order, leader!

**The Hon. S.G. WADE:** I'm happy to tell the Hon. Clare Scriven that it was under the Transforming Health program, another attempt to downgrade hospital services across metropolitan Adelaide. This government, in contrast, came in and is investing money to build a brand-new, ground floor palliative care service with gardens and private spaces. It is a massive improvement in the quality of services for people who are in the end of life journey. This opportunity is—

**The Hon. E.S. BOURKE:** Point of order.

**The PRESIDENT:** Point of order. Minister, resume your seat.

**The Hon. E.S. BOURKE:** Considering the minister highlighted yesterday that it was so important—

**The PRESIDENT:** What is your point of order?

**The Hon. E.S. BOURKE:** The question was about the COVID-19 beds, not about your investments in Modbury Hospital.

**The Hon. S.G. WADE:** No, but the honourable member is—

**The PRESIDENT:** Just one moment, minister. The minister is answering the question. He has a large scope, I think, to answer that, and I am sure he will continue to do that.

**The Hon. S.G. WADE:** Exactly right. The honourable member, I know, does have problems following lines of thought, so let me restate it for her. The Modbury Hospital—

*Members interjecting:*

**The PRESIDENT:** Order! The Hon. Ms Bourke, order!

**The Hon. S.G. WADE:** In spite of the downgrading of the Modbury Hospital under Labor's Transforming Health, this government was elected with a mandate to renew the Modbury Hospital—

*Members interjecting:*

**The PRESIDENT:** Order! The Hon. Ms Bourke is out of order, so is the leader. The minister will continue, and he will be heard in silence.

**The Hon. S.G. WADE:** I was hoping for a better performance than yesterday. The Modbury Hospital investment under the Marshall Liberal government, part of undoing the damage of Transforming Health, involves having a palliative care service on the ground floor of that facility—

**The Hon. K.J. MAHER:** Point of order.

**The Hon. S.G. WADE:** Mr President, why should I not be given the chance to answer this question?

**The PRESIDENT:** Minister, resume your seat.

**The Hon. K.J. MAHER:** Point of order: the Hon. Emily Bourke brought up a point of order on relevance. At no point has the minister even mentioned or attempted to answer the question about COVID-19, not once. He is not choosing to answer the question in how he sees fit. He is not answering it—even close at all. There hasn't been even an attempt to have any nexus with the question.

**The PRESIDENT:** Order! The leader has made his point. The minister will continue his answer. He is coming to the end of his time, but I am sure he will at some stage, obviously, refer to COVID-19.

**The Hon. S.G. WADE:** I make a point that it is very difficult for me to answer a question in the allocated time when frivolous points of order continually disrupt my answer.

**The PRESIDENT:** Well, continue.

**The Hon. S.G. WADE:** Certainly, the opposition is entitled to ask questions, but the government is entitled to give answers. If the opposition doesn't like the answers, they've just got to take their medicine. So let's take some more medicine. You were downgrading Modbury Hospital.

*Members interjecting:*

**The PRESIDENT:** Order! Sit down. Leader!

**The Hon. S.G. WADE:** This is chaotic. This is disruptive. How can I answer the question?

**The PRESIDENT:** Well, I certainly haven't downgraded Modbury. I think we are going to move on to the next question and that comes from the Hon. Dr Centofanti.

### COMMUNITY BRIDGING SERVICES

**The Hon. N.J. CENTOFANTI (14:28):** My question is to the Minister for Human Services regarding disabilities. Can the minister please update the council on the services that Community Bridging Services provides for people with disabilities—

*Members interjecting:*

**The PRESIDENT:** Order! The conversations across the chamber are totally out of order.

*Members interjecting:*

**The PRESIDENT:** The Hon. Ms Bourke and the Minister for Health and Wellbeing and the leader will cease. There is a member on her feet and she will be heard.

**The Hon. N.J. CENTOFANTI:** Can the minister please update the council on the services that Community Bridging Services provides for people with disabilities and their most recent achievements?

**The Hon. J.M.A. LENSINK (Minister for Human Services) (14:28):** I thank the honourable member for her question. It does indeed give me great pleasure to speak to Community Bridging Services, which has recently celebrated its 25<sup>th</sup> year in operation. In 1996, Mr Freddie Brincat, as executive director, founded CBS, and his focus was to support people with disability to do and achieve what they want, aligned with a strength-based model and a focus on positive interactions.

At the time of CBS's founding, the state government was undergoing a process of deinstitutionalisation and reforming services with a planned movement of people with disability from institutional to community living. Negotiations were undertaken to transition the Leisure and Adult Education Team from the Strathmont Centre to the not-for-profit CBS.

CBS supports over 1,500 participants in work, looking for employment or accessing further education and training via their 21 office locations throughout South Australia. They are guided by five organisational values: person centred, strengths-based inclusive approach, integrity, reliability and adaptability, and commitment to excellence. They provide Jobnet employment services, social enterprises and NDIS supports.

Mr Brincat has been awarded an OAM for his services. We had the event quite recently at the Adelaide Zoo, and I also acknowledge that the member for Hurtle Vale attended that event. We heard from people who have been clients of the service who particularly acknowledged and wanted to congratulate Freddie because he has been so focused on making sure that his services are very much client focused. Clearly, he has been a great support to a number of people.

I congratulate CBS in terms of the achievements they have made for people with a disability over the years, providing them with great support, and I wish them all the best for the future.

### COVID-19 QR CODE SECURITY

**The Hon. R.A. SIMMS (14:31):** I seek leave to make a brief explanation before addressing a question without notice to the Minister for Health and Wellbeing on the topic of QR code data.

Leave granted.

**The Hon. R.A. SIMMS:** According to a report by the Auditor-General released this week, SA Health has been holding onto the QR code data it receives for contact tracing indefinitely. This is despite the Department of the Premier and Cabinet deleting QR check-in data after 28 days. My question to the minister therefore is: with more than 400 million check-ins since the system was first introduced in December 2020, can the minister explain why SA Health has deemed it appropriate to hold on to this data beyond the 28 days?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:31):** I thank the honourable member for his question. To make it clear, he seems to be under a misapprehension: SA Health has not retained—I think you referred to—more than 400 million. The latest data I have is there have been 429 million total check-ins, but there is no suggestion in the Auditor-General's Report that SA Health has retained those check-in records.

The check-in records are stored in a data facility of the Department of the Premier and Cabinet. There was an issue raised about the retention of data and I will address that, but I think it's important to note that the Auditor-General wrote in his cover letter that:

Overall, I concluded that reasonable controls were applied by the Department of the Premier and Cabinet and SA Health to protect people's contact details obtained through the COVID Safe check-in app.

The government is strongly committed to maintaining and securing people's rights to privacy. As with many parts of the response to the pandemic, the storage of data for QR codes is a matter for continuous improvement, and certainly the government, including SA Health, will action the recommendations of the Auditor-General.

Before I address the particular issue of how SA Health came to retain data, I think it's important that we conduct this conversation in a very calm way because literally the last thing any of us would want to do is to undermine the state's response to COVID-19 and I have no doubt that QR code check-ins will be very important for the future public health response. We have seen it only in the last couple of weeks when we have had—let's remember, day after day—positive cases, significantly truck drivers, and it has been very important for the tracing of people to have had QR code data.

One of the challenges highlighted by the recent events with truck drivers is that, again, lower socioeconomic individuals are more vulnerable because they are less likely to have a smartphone. Some of these truck stations are in or near Aboriginal communities, which themselves have vulnerabilities, so it is really important that we maximise QR codes and that we don't undermine it.

Let me stress: the government affirms our responsibility to maintain privacy. If I may, I will explain how it comes to be that SA Health would retain data. The SA Health COVID Operations and the state Command Centre, health, request discrete subsets of QR check-in data collected and managed by the Office for Data Analytics, which is part of DPC, according to their data retention policies.

These small subsets relating specifically to contacts of positive cases of COVID-19, or people exposed to COVID-19 at an exposure site, are then used for the purposes of contact tracing. The subset data is used to identify a group or cohort of people for public health action which could involve advising them to quarantine, contacting them by SMS or email, as well as communicating with them once they are quarantined.

SA Health is responsible for their wellbeing during quarantine. For this reason, phone numbers and names of people are kept in the system for management as a contact or case of COVID-19 and data used for contact tracing is entered into a secure database as a health record under the Health Care Act 2008, and also retained under records management privacy requirements for communicable disease case histories. Information provided to COVID Operations for contact tracing purposes is not provided to third parties.

I think it is really important to stress that, whilst there isn't a legislative regime to support the privacy of QR codes per se, once it transitions into the health space it is protected statutorily, on my understanding, by both the Health Care Act and the Public Health Act. Both of them have confidentiality requirements, and I can assure you that the public health team, particularly the contact tracing team, is acutely aware of its responsibilities to protect privacy. In fact, when the history of

COVID-19 in South Australia is written, one of the themes will be the tension between the police in their investigative role and contact tracers in their public health role and, if you like, the circumstances in which the public health team is willing to share information with police.

I strongly emphasise both to the council and to the South Australian community that SA Health is dealing with your information fundamentally to protect you and those you might come in contact with. It is being managed under the health policies and legislation. We are certainly keen to take opportunities through the Auditor-General's Report to continuously improve what we do because we share the honourable member's desire for privacy for the South Australian community as well.

### HEALTH WORKFORCE

**The Hon. T.T. NGO (14:38):** My question is to the Minister for Health and Wellbeing about health:

1. Will all 1,200 graduate nurses brought on line this year be provided long-term employment in the public health system or not?
2. If our health system is fully staffed and prepared, why are nurses being warned that their Christmas leave could be cancelled at the last minute?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:38):** First of all, I took the first part of the question on notice yesterday, but in relation to the second part of this question, I am not aware of any communication to nurses warning them that their leave could be cancelled at short notice. Whatever the normal arrangements are, as far as I know, they are in place.

If any of the local health networks have given their nurses advice reminding them that their leave might be cancelled at short notice, that might be because we are going through a pandemic. That might be because the South Australian community may need to call on their services. And I would like to thank nurses, doctors and the whole range of health professionals for their extraordinary work in the COVID-19 pandemic.

One of the announcements the government made on the weekend will significantly ease the pressure on our workforce. On top of the fact that since we were elected in 2018 the Auditor-General's Report shows we have employed 2½ thousand more health professionals than we inherited from the previous government, in the last financial year, and in spite of Labor's misinformation campaign, the Auditor-General's Report shows that we employed an extra thousand health professionals.

That was up to 30 June, and what has happened since then? We have gone out into the market and are trying to recruit another 370 nurses across metropolitan health networks. But it doesn't stop there. On the weekend we announced we want to go for a doubling of our graduate nurse intake. So what might that do for overtime and leave entitlements? Perhaps having those hundreds more nurses will actually make it easier to find the nurses who need to do the work without double shifts, without cancelling leave.

I am not hearing the yapping statements from the backbench of the Labor Party from other parts of the health community. What I am hearing is relief that the government is continuing to deliver what we have delivered over the last four years, and that is a larger health workforce to deliver better health care for South Australians.

### HEALTH WORKFORCE

**The Hon. K.J. MAHER (Leader of the Opposition) (14:40):** A supplementary question in relation to the answer about doubling the graduate nurse intake: can the minister say whether this doubled intake will be for just one year, jobs for one year, or will they be ongoing jobs in the public sector?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:41):** To be frank, I doubt that the government—

*The Hon. K.J. Maher interjecting:*

**The PRESIDENT:** Order! The leader asked a question, listen to the answer.

*The Hon. K.J. Maher interjecting:*

**The PRESIDENT:** Order! The leader asked a question; if he wants to do that then he should listen to the answer.

**The Hon. S.G. WADE:** I completely agree with you, Mr President. If the honourable leader—

*The Hon. K.J. Maher interjecting:*

**The PRESIDENT:** Order!

**The Hon. S.G. WADE:** —persists in asking questions and not giving me even the space to give an answer I'll take it that he didn't want an answer. Let me be honest with the house, when it comes to the next—

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. S.G. WADE:** I've finished.

*Members interjecting:*

**The PRESIDENT:** Order! I call the Hon. Mr Stephens.

#### **COVID-19 VACCINATION ROLLOUT**

**The Hon. T.J. STEPHENS (14:41):** My question is to the Minister for Health and Wellbeing. Will the minister update the council on the contribution community pharmacies are making to South Australia's COVID-19 vaccination program?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:42):** I would like to thank the honourable member for his question and his keen interest in the delivery of health services through pharmacies, only slightly behind the interest of the Hon. Tung Ngo.

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. S.G. WADE:** I think being slightly behind Tung Ngo is high praise.

**The PRESIDENT:** Minister, answer the question.

**The Hon. S.G. WADE:** Thank you, Mr President. South Australia's vaccine rollout continues to gather momentum, with South Australians rolling up their sleeves in record numbers. Last week there were more than 20,000 vaccinations delivered in a single day, and that was achieved on two consecutive days. There are almost 1.9 million doses that have been administered, with more than 73 per cent of South Australians aged 16 and over having received their first dose and over 55 per cent of South Australians aged over 16 fully vaccinated.

Pharmacists and pharmacy staff have been at the forefront of primary healthcare efforts throughout the COVID-19 pandemic, and they are now a crucial part of the workforce that is delivering COVID-19 vaccines in the community. In addition to ensuring that all South Australians continue to have safe and timely access to medicines and health advice, they have now delivered more than 38,000 COVID vaccinations; that is double their dose number from just over two weeks ago, from 19,000 on 23 September.

So whilst the pharmacy network was a relatively late addition to the battery of vaccine distributions, they have undertaken a phenomenal effort in a short time, and I want to thank pharmacists, pharmacy staff and pharmacy businesses that are helping the vaccination program. Community pharmacies are the first healthcare providers to offer the Moderna vaccine to people aged 12 and over as part of a national strategy helping increase vaccine access in South Australia.

Access to the Moderna vaccine through pharmacies provides consumers with greater choice of vaccines and, importantly, helps ensure more people roll up their sleeves. I'm advised there are now 260 pharmacies providing COVID-19 vaccinations across the state. Most are providing both AstraZeneca and Moderna vaccines, providing consumers with increased choice and access.

The commonwealth onboarding of pharmacies is ongoing and I am very keen to see that continue, particularly because in a number of rural communities the town may well have a pharmacy but it may not have a GP. South Australia is also continuing to work with the commonwealth to increase the timeliness of supply and the volume of Moderna flowing to pharmacies so that they can continue to help drive up our vaccination rates. Community pharmacies provide access and they have a proactive approach to helping reach even more South Australians.

I understand that some pharmacies are using Facebook to not only promote appointments but to reach out to the community to avoid wastage. I was recently told of someone who was at work looking at the online booking system when a colleague mentioned that the local chemist had just posted on Facebook that they had eight doses remaining that needed to be used before the day was out. A short walk and a few minutes later, the individual had received their first dose.

It will be extremely important that we are increasingly nimble and flexible in terms of responding to what will increasingly be the high fruit, if you like—people who, unlike the first tranches of South Australians stepping up, are not keen to get the vaccine. Perhaps they still need to be persuaded. Perhaps they need to be supported in terms of access.

Efforts like the pharmacy networks reaching out to their communities but also being accessible just one corner away from thousands of South Australians means that we continue to appreciate the pharmacy network as key partners in the vaccine program.

#### COVID-19 VACCINATION ROLLOUT

**The Hon. K.J. MAHER (Leader of the Opposition) (14:46):** Supplementary arising from the answer where the minister quite rightly thanked pharmacy staff for their good work and before that nurses: minister, given that you have thanked pharmacy staff and before that doctors and nurses, will you also thank paramedics and apologise for current ramping levels?

**The PRESIDENT:** No, that doesn't relate to the question. I am going to move on.

#### PUBLIC HOSPITAL DOCTORS

**The Hon. C. BONAROS (14:46):** I seek leave to make a brief explanation before asking the Minister for Health and Wellbeing a question about public hospital doctors.

Leave granted.

**The Hon. C. BONAROS:** In what has been described as an unprecedented show of solidarity, about 400 public health doctors held a stop-work meeting yesterday to be updated on their EB negotiations with the state government. These are the very frontline doctors who worked around the clock for the past 18 months to protect the community from the ravages of the COVID-19 pandemic, some of whom are known to regularly work double shifts to ensure enough qualified doctors are on duty.

The meetings that I refer to were organised by SASMOA, the doctors' union, which informed its members the government had rejected its proposal for a three-year deal with a pay increase of between 2 and 2.4 per cent a year, which also included initiatives to address excessive workloads, fatigue and bullying and improving conditions for trainee doctors.

SASMOA didn't know how many doctors would turn out, especially after Dr McGowan, SA Health CEO, sent a communique warning the doctors their pays would be docked if they attended the stop-work meeting. But Dr McGowan need not have worried because his attempt to poke the bear backfired spectacularly. The doctors showed up with their feet, all 800-plus of them. My questions to the minister are:

1. Do you agree with Dr McGowan's communique and threats to doctors that they would be docked pay for attending the stop-work meeting, or do you believe Dr McGowan shouldn't be kicking these doctors, who are on the brink of exhaustion, in the teeth and focus on resolving the dispute?
2. How many other public health workers, nurses, orderlies, cleaners, etc., are threatened for attending stop-work meetings?

3. Don't you agree the current deal being offered by the state government is an insult to those frontline health doctors?

**The PRESIDENT:** The Treasurer I think is taking a point of order, is he?

**The Hon. R.I. LUCAS (Treasurer) (14:48):** No, Mr President, I propose to answer the question as I am the minister that handles all the EB negotiations.

*Members interjecting:*

**The PRESIDENT:** Order! Before the Treasurer does do that—

*Members interjecting:*

**The PRESIDENT:** Order! I am speaking! Before the Treasurer answers that question, I will remind the Hon. Ms Bonaros that I think three out of the four questions were actually seeking an opinion and I am going to ask the Treasurer to answer the relevant parts of that series of questions.

**The Hon. R.I. LUCAS:** I am happy to respond to those parts of the questions I can. I am very happy to speak to the Hon. Ms Bonaros after question time to provide any further information that she might wish.

I am the minister responsible for handling EB negotiations with all public sector workers, including SASMOA. In the discussions we have had so far with SASMOA they, together with a couple of other unions, have said the major issue for them is really the resourcing levels in their particular area of the public sector—obviously health facilities and hospitals in particular.

As the Minister for Health has just outlined, but I can add to that as well, the government is acknowledging that by a massive increase in resources going into health. The Hon. Ms Bonaros will know that at the time of the budget we highlighted the fact that our budget this year was almost \$1 billion more than the budget of the last Labor government.

As the Minister for Health has just outlined in his very comprehensive series of answers to questions, we have added to that particular record spending level by the additional initiatives that he and the Premier have announced in recent weeks, but in particular in the last couple of days. I am sure there will be one or two more still to come in the near future.

We are responding to the issues that SASMOA are raising and that is that they are saying, 'We need more resources, we need more spending, we need more funding, we need more staff,' and as the minister outlined—I won't repeat it again—they are already out there looking for 350-odd extra nurses. We are going to employ up to the 1,200 potentially eligible nursing and midwife graduates in the period leading up to the end of this year.

The government acknowledges the issues that SASMOA is raising. They are saying to us that their key issue isn't salaries. Their key issue is actually resources in the health sector and hospitals and we are acknowledging that. Those issues are not formally part of EB negotiations. Nevertheless, they do raise the issues. We say, 'Look, the government is responding. We hear what you say. We acknowledge the issue that we need to provide additional resources and we are doing so.'

In relation to the issue of the salary increase, which SASMOA says isn't the most important issue for them, bear in mind part of what we have to do with this SASMOA negotiation is the ICAC has actually reported on the working conditions and salary conditions of salaried medical officers and has actually made some very strong recommendations in relation to concerns they have about the way the employment arrangements work and the EB arrangements work with some of our salaried medical officers.

We have to remember that with salaried medical officers, they are very hardworking, we acknowledge the excellence of the work that they have done, but they are not at the lower end of the pay spectrum within the public sector. I think it has been identified in the Auditor-General's Report that two medical officers with rights of private practice are earning between \$1 million and \$1.5 million.

There are about 300, I think, that are earning more than half a million dollars a year with rights of private practice and what we pay them. Their current salaries compare more than favourably with the salaries that are paid to equivalent doctors in other state and territory jurisdictions. They are not at the bottom of the rankings. They compare favourably, depending on which classification level you are at.

In relation to what the government has offered—they have asked for 2.5 per cent, we have said no—most of the recent settlements that we have settled have been between 1.2 and 2 per cent, and the government has been negotiating a salary increase of around 1.5 per cent, unless there are productivity trade-offs and we were prepared to talk to them about that.

In relation to the final point the honourable member has raised, I haven't seen all the detail of the missive from the CEO but the second part of the missive is entirely consistent with the approach the former government adopted and we have adopted with previous industrial disputes with teachers and other public sector workers. That is, if you take time off work to go on a protest meeting, then the taxpayers of South Australia are not going to pay you for taking time off work for a protest meeting.

That is an entirely reasonable proposition. It is a position we adopted in the teachers dispute and the teachers' union, in the end, accepted that. If they wanted to march in the streets and sing Johnny Farnham songs, that was terrific but we weren't going to use taxpayers' money to pay for it. So it's entirely the same position, that second part of the email or whatever it was from the CEO, which is consistent with our general position, adopted by the former government and adopted by this government, that if you are taking protest action and not working then you can't expect the taxpayers to pay you for that.

**The PRESIDENT:** The Hon. Ms Bonaros has a supplementary.

#### HEALTH WORKFORCE

**The Hon. C. BONAROS (14:54):** Further to that, can the Treasurer advise why the government is only willing to commit to a short-term agreement expiring in 14 months' time?

**The Hon. R.I. LUCAS (Treasurer) (14:54):** Because we've got short, medium and long-term issues in terms of managing our health system. We want to see a fair and reasonable salary and EB agreement settled with SASMOA, and we are open to sitting down for sensible discussions within the parameters that I have broadly outlined here. There are other details that they are seeking, which we are prepared to look at; there are some that we are not.

They have ruled out a number of areas of reform which we think are important, some of which are predicated on the recommendations, in part, of the ICAC commissioner, who did raise issues about the employment arrangements with salaried medical officers who might have the rights of private practice. The ICAC commissioner raised issues, for example, of we need to make sure that, in some limited cases, doctors are not being paid more than 1.0 in terms of full-time equivalent, that is, between their private sector work and their public sector work. The ICAC commissioner actually raised some issues that there were some examples that they had determined where people were being paid for more than 1.0 full-time equivalent.

There are some important issues that have been raised. We are seeking to negotiate sensibly a response to that. So far SASMOA have refused to negotiate in relation to those particular issues. We will continue to work as hard as we can in terms of trying to reach a sensible agreement but, as I said, they have always said to us their biggest issue is massive increase in resources—tick. The minister and the government are delivering on the massive increase in resources that they are asking for.

#### HEALTH WORKFORCE

**The Hon. C. BONAROS (14:56):** Further supplementary to either the Treasurer or the minister: are you concerned that you will lose even more doctors to the private sector if these issues are not appropriately resolved in a timely manner?

**The Hon. R.I. LUCAS (Treasurer) (14:56):** No, I am not concerned. Clearly, I would be concerned if that was the case. Clearly, if we did lose hardworking, excellent doctors who are



assisting us not only in managing COVID-19 but the ongoing challenges of the health system, yes, I would be concerned if that was to happen. But I don't believe, in the current nature and the state of the negotiations and the reasonableness of the offer that we have put—as I said, when you compare what we pay our doctors here in South Australia compared to what other jurisdictions are paying, they are being reasonably treated.

Some of our other public sector workers, a lot of them are in the middle of the rankings. One or two of them are at the highest rankings in terms of interstate comparisons, but a number are actually at the lower end. Our costs of living in South Australia are obviously lower than, for example, in the Eastern States of Australia. So we think the current conditions for salaried medical officers in South Australia are reasonable. We accept the fact we need to see reasonable improvements, but as I said, they have always said to me and to the government that their biggest issue isn't salary. Their biggest issue is the extent of resourcing in our hospitals and we are responding to that, as the minister has outlined.

### SA AMBULANCE SERVICE

**The Hon. I. PNEVMATIKOS (14:58):** I seek leave to make a brief explanation before asking a question of the Minister for Health and Wellbeing regarding health.

Leave granted.

**The Hon. I. PNEVMATIKOS:** At 6.25pm on Monday night, SA Ambulance reported a priority 1 patient left uncovered in the community. At 7.40pm on Monday night, SA Ambulance reported priority 2 life-threatening cases were left uncovered in the Adelaide Hills. My question to the minister is:

1. Why was a South Australian in cardiac arrest left with no ambulance available to attend on Monday night?
2. Is it acceptable that ambulances were being sent from the city on Monday night to attend to call-outs in the Adelaide Hills?
3. How many hours were ambulances ramped in August and September?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (14:59):** I thank the honourable member for her question. On Monday 10 October 2021, the Ambulance Employees Association asserted that a priority 1 SA Ambulance case was left uncovered in the community with no immediate ambulance to send while another priority 1 patient was in cardiac arrest.

I can confirm that the Ambulance Service declared an OpStat White at 6.25 on 11 October that allows short-term measures to be made to enable SAAS to meet demand. It is interesting the time of day: 6.25 is that early evening part of the SAAS day where a significant number of crews are changing shifts. The Hon. Rob Lucas has been pursuing with the Ambulance Employees Association improvement in rosters, which I believe will have long-term benefits not only to the effectiveness of the Ambulance Service—

*Members interjecting:*

**The PRESIDENT:** Order! The minister is answering the question.

**The Hon. S.G. WADE:** The Ambulance Service is working with its workforce to have rosters which not only better meet the demand patterns of particularly the Adelaide community but also provide significant benefits to the workers. I was only talking to an ambulance officer yesterday who said that, when he first joined the Ambulance Service, he started with 14-hour shifts. My understanding is that that is the evening component of a 10-hour/14-hour blended shift—in other words, he would do 10 hours for his day shifts and 14 hours for his night shifts—and he said what a fatigue challenge that was.

The Hon. Rob Lucas is working with the Ambulance Employees Association for roster reform that will see a significant number of workers being given the opportunity to work 10 or 10½ hour shifts I understand is the new model, rather than 12 hours. It was members of this government who helped initiate the occupational safety and—I always have trouble with the name of that one. The President I know has served on that committee and is better at remembering the name than I am. Certainly,

there was a parliamentary committee of this parliament that looked at health workforce fatigue, and rosters that are not better suited to fatigue management and work/life balance, which I think are a significant historical issue that the health service has had to deal with.

I was making the point that certainly early evening roster changes can undermine the opportunity of the Ambulance Service to respond to cases. SAAS was experiencing a high number of calls in the southern suburbs, which was combined with a backlog of emergency cases in Adelaide. All cases raised by the AEA have been reviewed by SAAS, and I am advised that any suggestion that a patient was in cardiac arrest is not correct. Paramedics were dispatched to both patients as soon as possible, and both patients were, I understand, transported to an emergency department in a stable condition.

### SA AMBULANCE SERVICE

**The Hon. K.J. MAHER (Leader of the Opposition) (15:02):** Supplementary: minister, are you really blaming ambulance officers and industrial relations for these failures?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:02):** No.

### INFRASTRUCTURE AUSTRALIA REPORT

**The Hon. D.G.E. HOOD (15:03):** My question is to the Treasurer. In a recently released report by Infrastructure Australia they outline skill shortages experienced nationally. Can the Treasurer outline the government's response to that report for South Australia?

**The Hon. R.I. LUCAS (Treasurer) (15:03):** The report recently released by Infrastructure Australia is a very important report. The issue they raise is skills shortages as a result of the massive increase by governments, state and federal, of infrastructure programs. As members will be aware, in South Australia we now have a record \$17.9 billion infrastructure program over the forward estimates, almost double what used to be the norm, and each of the other state and territory governments have similarly had very significant increases in public infrastructure programs, significantly in response to the need for economic stimulus arising from COVID-19.

At recent meetings of the Board of Treasurers, treasurers from each of the other jurisdictions have raised this issue of the pressure that is now being placed on supply chains, but in particular pressure being placed on skills shortages, and that is that we have this massive expansion of public sector infrastructure; at the same time we have the pressure of HomeBuilder in terms of the housing construction industry, because some of the trades and skills involved in both those sectors cross over.

What treasurers have raised are these significant issues and the need for a national response. The issue has been raised at the Council on Federal Financial Relations (CFFR) with the federal Treasurer, Josh Frydenberg, and he has agreed for a national discussion at that treasurers level about the need for a national response in terms of skills shortages.

This issue has been particularly exacerbated by the fact that at the time we have this huge increase in demand we have a massive reduction in supply; that is, with the closure of international borders as a result of COVID-19, the section of the skills market which for decades has been provided by the supply of skilled migrants from overseas coming to our nation has been cut off. Even though in South Australia, for example, we have had a massive increase in traineeship and apprenticeship programs, the reality is nationally, and therefore in South Australia, we have seen a significant reduction in terms of the supply of skilled migrants coming into our economy.

In part, the skill shortages will be resolved by the opening of international borders and the reinstatement of migration programs nationally and therefore into South Australia as well, but in significant part it is going to need to be addressed by a national skills agreement between the commonwealth government and the state and territory governments in terms of encouraging more young people in particular, but older South Australians and Australians as well, to look in terms of the skilled trades that we need, and a significant ongoing investment in terms of training through both our public training institutions and also our private training institutions, nationally as well.

That is why it is imperative that the commonwealth government reaches an agreement with the state and territory governments in terms of the rewrite or the review of the national skills

agreement (NPA) in that particular area. Treasurers are involved, together with line ministers, in that particular discussion, and we place on the public record our willingness to continue to engage with the commonwealth government officers in terms of trying to reach an early resolution for what is a critical imperative which has now been further identified by that skills report released recently by Infrastructure Australia.

#### **ADELAIDE TO MELBOURNE BIKE TRAIL**

**The Hon. R.A. SIMMS (15:07):** I seek leave to make a brief explanation before addressing a question without notice to the Treasurer on the topic of the feasibility study into the major cycling trail connecting Adelaide to Melbourne.

Leave granted.

**The Hon. R.A. SIMMS:** Ahead of the 2018 state election, the Marshall government, while in opposition, promised to build the 'Great Southern Bike Trail', describing the proposal as a premier tourist attraction that would inject millions of dollars into our economy. Today, reports in InDaily suggest that this plan has been scrapped, despite the government undertaking a feasibility study into the proposal in 2019. My question to the Treasurer is: will the government make the feasibility study into the proposal, and the reasoning behind scrapping it, public and will the government commit to redirecting the funds promised to the development of a cycling network throughout the regions?

**The Hon. R.I. LUCAS (Treasurer) (15:08):** It is appropriate that that question is raised today, because we farewelled in a speech the Hon. David Ridgway, and this was a real passion of the Hon. David Ridgway. Not that I ever saw him on a bike, but it was a real passion for him. I don't know whether that would be an attractive sight, but this was a real passion for him as the shadow minister.

**The PRESIDENT:** I remind the Treasurer about injurious reflections, but once again he is a former member.

**The Hon. R.I. LUCAS:** Exactly, I can be as injurious as I wish now, within the standing orders. As I said, he certainly pursued this in opposition. He had discussions on it, I recall, with the Victorian either shadow or tourism minister at the time and also the federal minister at the time. That portfolio has obviously now been passed on to the Premier, who is now the Minister for Tourism. It was as the tourism shadow and then the tourism minister that he was pursuing the issue, not as the recreation and sport minister, which he was not. I am happy to take that particular part of the question on notice to see whether there is a business case, or whatever it was the Hon. Mr Simms referred to, and what might be made available.

I can certainly recall, however, because I put the costings together, that the wording of the commitments in opposition was very careful, and there were certainly no specific elements of funding put aside in our publicly released costings documents in relation to anything other than exploration of the particular issue. We are always very careful in terms of what we put on the public record, and I can assure the Hon. Mr Simms there were no specific large lumps of money committed by the then Liberal opposition in relation to this issue. It was an issue we were prepared to continue to explore. My recollection was—and again I will take advice—that the minister, when he was the Minister for Tourism—

*An honourable member interjecting:*

**The PRESIDENT:** Order!

**The Hon. R.I. LUCAS:** —did pursue some elements of the project or the proposal, clearly the elements that were closer to Adelaide, I think, and there was some early discussion about the near-Adelaide part of the trails. But, again, I will seek some clarification and advice from the Premier or the Minister for Tourism, who has now inherited that particular portfolio area, and see what information, if any, I can bring back to the chamber.

**ADELAIDE TO MELBOURNE BIKE TRAIL**

**The Hon. R.A. SIMMS (15:10):** Supplementary: noting the Treasurer's response, will he commit to redirecting needed funds to cycling infrastructure in the regions? That was the other part of the question that wasn't answered.

**The Hon. R.I. LUCAS (Treasurer) (15:11):** Well, I'm happy to answer that question, because I don't believe there were any funds that were committed to this particular project. That's the point that I made: in opposition we made no commitment. Perhaps I should have extended that by saying in our first budget we made no specific commitment of funds. To my knowledge, other than funding for the exploration of the proposal—there might have been business case funding—in terms of actual dollars for projects, there was no, 'Here's \$50 million or \$100 million' towards this particular project.

As I said, the minister might have been able to get funds either from tourism or rec and sport or somewhere else to start elements of what might have been his proposal, but there was no separate bucket of money promised in opposition or indeed implemented in government for this particular project that can be redirected to the worthy cause that the member is espousing.

*Members interjecting:*

**The PRESIDENT:** Order! The Hon. Mr Hanson has the call.

*Members interjecting:*

**The PRESIDENT:** The Hon. Mr Hanson is on his feet.

**COVID-19 HOSPITAL RESPONSE**

**The Hon. J.E. HANSON (15:12):** I seek leave—

*Members interjecting:*

**The PRESIDENT:** And he will be assisted by his front bench being quiet.

**The Hon. J.E. HANSON:** I seek leave to make a brief explanation before asking a question of the Minister for Health and Wellbeing regarding health.

Leave granted.

**The Hon. J.E. HANSON:** In today's paper the Premier is quoted as saying, 'We want to ease the borders by Christmas, we want to have as normal Christmas as we possibly can in South Australia.' If the government is so keen to ease the borders by Christmas, my question to the minister is: can the minister clarify when the first of the 93 beds announced this morning will be fully staffed and fully operational?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:12):** I thank the honourable member for his question. The 93 beds that relate—

*Members interjecting:*

**The PRESIDENT:** I would like to hear the minister, and I can't. The leader is out of order. I would like to hear the minister.

**The Hon. S.G. WADE:** The beds that are referred to will be—

**The Hon. K.J. Maher:** Just give a date. Then you don't have to stumble over it.

**The PRESIDENT:** Order!

**The Hon. S.G. WADE:** My advice is that the beds that were announced this morning will be opened progressively between now and January.

*The Hon. K.J. Maher interjecting:*

**The PRESIDENT:** Order, leader!

**The Hon. S.G. WADE:** I need to stress that this is not the first investment by this government—

*The Hon. K.J. Maher interjecting:*

**The PRESIDENT:** The leader is out of order. I won't tolerate it. The minister is trying to answer a question from one of your backbench. Minister, please continue.

**The Hon. S.G. WADE:** I want to stress that this \$123 million investment has been rolling out for months. I've already said that we've got 30 beds that have already been operationalised at the Repat hospital.

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. S.G. WADE:** The 93 beds I understand will be activated over the next three months: November, December and January in particular.

*Members interjecting:*

**The PRESIDENT:** Order! The Hon. Mr Wortley!

**The Hon. S.G. WADE:** The honourable member seems to want to link the opening of the beds with the opening of the borders. I think it's important to appreciate that, whilst we are very keen to use the beds to ease the pressure on hospitals that they are experiencing at the moment, the need for the inpatient beds to be used for COVID purposes will not happen the day after the borders open.

One of the realities of COVID-19 is that, particularly with a well-vaccinated community, the impact of illness and particularly serious illness is reduced and that, if you like, the cases have a trajectory such that people will contract the disease and deteriorate with the condition. There may well be some cases that require hospitalisation early in the course of the disease, but the modelling put forward by the Doherty Institute to the national cabinet envisages gradual increases over time, so that, with the opening of beds that has been happening over recent months, as I said, we are already in the process of operationalising 60 beds, with the 93 that I referred to this morning, plus a series of announcements.

I don't want the Labor Party members to get too excited because there is more to come. This is not the limit of this government's commitment. We want to highlight the diversity of what is a very creative package. As I said, we have been rolling out initiatives for months now. The announcements that are being made this week are a reflection of a lot of hard work and planning by the SA Health team, and I'm sure it will continue to provide reassurance to the people of South Australia that SA Health has got their back.

**The PRESIDENT:** Supplementary, the Hon. Mr Hanson.

#### COVID-19 HOSPITAL RESPONSE

**The Hon. J.E. HANSON (15:16):** If the minister is aware that these 93 beds are being opened progressively between now and January, can he indicate when the first of these beds will be open and operational?

**The Hon. S.G. WADE (Minister for Health and Wellbeing) (15:16):** I have already answered that question.

#### GRANTS SA

**The Hon. J.S. LEE (15:16):** My question is to the Minister for Human Services regarding Grants SA. Can the minister provide an update to the council on how the Marshall Liberal government is supporting not-for-profit community organisations through Grants SA funding rounds?

**The Hon. J.M.A. LENSINK (Minister for Human Services) (15:17):** I thank the honourable member for her question and for her interest in the Grants SA program, which has for many years been providing support to all our fantastic community and non-government organisations throughout South Australia through a range of rounds of funding. It has purchased kitchens, trailers for Lions groups to take along when they are doing their Bunnings' barbecues, a whole range of things, and unique little programs that organisations have run that have helped with capacity building in the community.

We are really pleased that the latest round of Grants SA has now been released. We have two rounds, the medium and minor rounds, for this particular financial year, and we are encouraging all community organisations to participate with that. The themes for 2021-22 include women's leadership and economic security; youth outcomes, which are aligned to our youth action plan; and support for the South Australian LGBTQIA+ community. We have allocated some \$2½ million via the two grant rounds and we encourage organisations to apply for those through the DHS website.

Grants SA has existed in many forms since roughly 1996. It's funded via the Charitable and Social Welfare Fund and the Gaming Machines Act. The department receives approximately \$4 million a year annually from the Charitable and Social Welfare Fund. It also provides funds to a range of other community organisations, which include Good Shepherd Microfinance, Second Chances SA, Prisoners' Kids program, Foundation SA and a range of other programs.

These grants will support the vital work of the not-for-profit community organisations, and include previous recipients such as the Australian Migrant Resource Centre. For instance, \$9,000 was invested in its Sister Act initiative, which enabled its Murraylands team to train 40 migrant and refugee women on alternative pathways to employment, social enterprise, self-employment and tourism.

Through that program, the Murraylands Migrant Resource Centre has partnered with the Rural City of Murray Bridge and Monarto Safari Park to develop a volunteer program involving participants in various roles, including tour guides, driver and information centre workers, which has assisted with the local regional tourism and hospitality sectors.

It is a very diverse program and I am always delighted and amazed at the particular applications we get that we are able to fund. They are very diverse and often incredibly innovative. We look forward to receiving those applications, and I encourage all members to let their local community groups know about these two rounds.

#### *Bills*

### **EMERGENCY MANAGEMENT (ELECTRICITY SUPPLY EMERGENCIES) AMENDMENT BILL**

#### *Second Reading*

Adjourned debate on second reading.

(Continued from the 7 September 2021.)

**The Hon. C.M. SCRIVEN (15:21):** I indicate that I am the lead speaker for the opposition on the bill, the Emergency Management (Electricity Supply Emergencies) Amendment Bill. In this bill the government is seeking to streamline the acts that allow the government to act in an emergency to maintain our electricity supply. The opposition, of course, supports that.

We understand the government wants the ability to turn people's solar panels on or off at their homes so that the grid can be stabilised in an emergency. Of course, the opposition supports the ability to stabilise the grid in an emergency. That makes sense. However, the opposition considers that householders should be compensated on the very rare occasions that this may occur. We are, therefore, moving an amendment, which I will speak to very briefly today and give more detail on in the committee stage if the bill passes the second reading.

Solar panels on people's homes have two positive economic impacts: the first is the feed-in tariff, and the second is the offset of personal power use. This amendment means that householders will potentially lose both of those benefits. We think it is fair and reasonable that they should be compensated, and that, essentially, is the crux of the amendment that has been filed. Without this amendment, the government's bill will create a disincentive to householders to invest in solar panels. I look forward to speaking further to the particulars of the amendment at the committee stage, but I would like to place on the record the opposition's appreciation for how this bill has been developed.

The government issued a discussion paper, which they then consulted on. They sought advice from all the relevant stakeholders, and they have given the opposition and the community ample time to consider amendments and for us to consult on those amendments, so we appreciate the government's cooperative way in terms of developing this legislation. In summary, the opposition

will be supporting the bill but we hope to also get support for the very reasonable and commonsense amendment.

Debate adjourned on motion of Hon. J.S. Lee.

### **ELECTORAL (ELECTRONIC DOCUMENTS AND OTHER MATTERS) AMENDMENT BILL**

#### *Second Reading*

Adjourned debate on second reading.

(Continued from 12 October 2021.)

**The Hon. R.A. SIMMS (15:24):** I rise to speak in support of the electoral reform bill, with some caveats. I understand the Labor Party will be moving some amendments to address one of the issues the Greens have with this bill, and that is the push to close the rolls early. We worry that would disenfranchise young people, particularly first-time voters for this election, many of whom we know may not necessarily be on the roll.

We are very concerned about that change and what that would mean for voters in this election, and we have made it clear to the government that we will not be supporting legislation that will undermine the capacity of young people to get on the roll and participate in this election.

Another issue we want to address—and I will do so through amendment and also speak to that in the third reading speech—is the right of young people aged 16 and 17 to vote on an optional basis. If you are old enough to drive, if you are old enough to work and pay taxes, then surely you should be old enough to vote, surely you should be given the opportunity to participate in the great contest of ideas that is our democracy. After all, the decisions made by the government impact on the conditions of working people, they impact on their rights just as much as they do on other members of our society.

What the Greens are proposing is the inclusion of a clause that would give young people aged 16 and 17 the opportunity to vote, if they so wish. We think this would also have the added benefit of improving understanding of our political system and better engaging young people in our political system at a time when many people are feeling disenfranchised. Looking at the events that have unfolded in the other place over the last 48 hours, one can certainly understand why young people might feel disenfranchised from politics and disconnected from the *Game of Thrones* theatre that we see playing out in the other place.

One way we can change that is by giving young people the chance to vote, the opportunity to participate in our political system and have their voice heard. They pay their taxes, they work, they drive; surely they have a right to have a say in the direction this state takes, surely they have a right to determine who should be in government come the 19 March election.

To go to the broad elements of the bill, we are supportive of the broad intention of the bill. We understand that many of these changes have been advocated by the Electoral Commission but, should this bill advance to the next stage, we will be seeking to amend it substantially and will not be supporting it in its current form. With that, I conclude my remarks.

Debate adjourned on motion of Hon. I. Pnevmatikos.

#### *Motions*

### **PALESTINIAN CONFLICT**

Adjourned debate on motion of Hon. C. Bonaros:

That this council—

1. Condemns the loss of 242 Palestinian lives, including 66 children, during the recent 11-day bombardment by Israel of heavily populated Gaza;
2. Condemns the loss of 12 lives, including two children, due to Hamas rocket fire in Israel;
3. Welcomes the announcement of a ceasefire on 21 May 2021;
4. Calls for an immediate halt to illegal settler expansion in the occupied West Bank and Jerusalem;

5. Recognises the right of the Palestinian people to exercise their inalienable rights, including the right to self-determination without external interference, the right to national independence and sovereignty and the right to return to their homes and property from which they have been displaced;
6. Notes the recent Human Rights Watch report entitled 'A Threshold Crossed: Israeli Authorities and the Crimes of Apartheid and Persecution';
7. Calls upon the federal government to assist with the immediate delivery of critical humanitarian assistance to the Palestinian people, particularly those living in Gaza; and
8. Calls upon the federal government to advocate for equal rights for Palestinian and Israeli people.

(Continued from 13 October 2021.)

**The Hon. K.J. MAHER (Leader of the Opposition) (15:28):** I will conclude my remarks; I do not have long to go. When we spoke on this yesterday I talked about the current situation facing many in the Palestinian territories, I talked about Labor's strong support for the people of Palestine, from people like Bob Carr and Bob Hawke, and I spoke about the South Australian Labor Party's strong support of a Palestinian state through various motions that the South Australian branch of the party has passed. I finished by quoting from a 2020 Al Jazeera report on some of the history of the borders and the conflict in Palestine.

In closing, I want to pay tribute to some of the work that is happening right here in Adelaide. Adelaide is the national home of the Australian Friends of Palestine Association. Its website says it is, and I quote:

[It is] a not-for-profit community organisation based in South Australia actively engaged in advocacy for a just peace between Palestine and Israel.

Since its foundation in 2004, AFOPA has significantly added to an understanding in Australia of the Israeli-Palestinian conflict and its effects on the Palestinian people.

AFOPA operates as a membership-based Incorporated Association...Our strong, diverse membership is supported by a structured organisation with an active and involved Executive Committee.

The website of the Australian Friends of Palestine Association goes on to explain some of the achievements and aims of the association:

- Encouraging Australian governments to take an active international role in easing the suffering of the Palestinian people;
- Lobbying Australian political parties to develop just policies...
- Engaging local media...
- Broadening the Australian community's awareness of Palestine and the Palestinians and encouraging support [for the cause and the position they find themselves in].

I want to pay tribute to the Australian Friends of Palestine Association, an association that I have had a long association with. I meant to check before coming to see if my membership of the association was currently financial. I forgot to do that. I will say that I have had a long association and membership and I will check on my financial status and regularise that if I have not paid my dues for this year.

It is an organisation that has done a lot of work on raising awareness, as has the Parliamentary Friends of Palestine Association, which has done very good work in raising awareness for people in this parliament and individuals and families in South Australia. I particularly want to single out the late Fred Shahin, a Palestinian refugee who came to Australia after being dispossessed of his home. He came to South Australia and, as we know, is one of the great success stories of South Australia. Certainly, the next generation of the Shahin family in South Australia have long educated me on some of the issues that are faced in their homeland and I thank them for that.

In supporting this motion, I want to say being this far away does not reduce our capacity to offer compassion, empathy and assistance for the plight in Palestinian territories. In supporting this motion, I know the opposition extends its compassion and empathy to the victims on both sides of this conflict and calls on parties to ensure that human rights are respected for the sake of a peaceful future.



**The Hon. I. PNEVMATIKOS (15:32):** I rise today in support of the motion of the Hon. Connie Bonaros. It has been five months since the 11-day bombardment on the Gaza Strip. It is important to note the imbalance of power and resources between the parties as well as the restrictive living conditions in Gaza, which I will talk about briefly.

Today, Gaza is home to more than two million Palestinians in 365 kilometres square, many of whom are refugees from other regions and have been under Israeli blockade since 2007. The Palestinians living there are impacted by the occupation in every aspect of their lives. Their civil rights, freedom of movement, access to land, ability to build, to name a few, are all dependent on whether they have Israeli citizenship. If you are ethnically Palestinian or from several other Arab countries, you are ineligible.

As reflected in the Human Rights Watch report, this illustrates the institutionalised discrimination faced by Palestinians, the severity and continuation of which amount to persecution and crimes against humanity under international criminal law. Israeli authorities methodically privilege Jewish Israelis while repressing Palestinians, most severely in occupied territory.

Since the first Nakba in 1948, Israeli authorities have facilitated the transfer of Jewish Israelis to Palestinian land. Forced evictions and forced demolition of Palestinian homes are occurring to this day and severely impact on already impeded livelihoods. This process is occurring in occupied Palestinian territories, which are Gaza, the West Bank and East Jerusalem.

Earlier this year, a video online went viral of an Israeli settler, Yacob, who had taken over the home of the El-Kurd family in Sheikh Jarrah, East Jerusalem. In the video Yacob can be heard telling the Palestinian woman Muna El-Kurd, 'If I don't steal your house, someone else will.'

Muna's family is one of many in this situation. The El-Kurd family have been sharing their home with settlers who were granted the right to appropriate it in 2009 leaving them with 50 square metres to live in. The conflict earlier this year came to a head following protests in East Jerusalem over an awaited decision of the Israeli Supreme Court on the eviction of six families in Muna's neighbourhood.

Tensions spilled into the nearby areas of East Jerusalem, the Old City, and on 7 May Israeli troops stormed the local al-Aqsa mosque firing stun grenades, tear gas and rubber bullets at worshippers during Ramadan, this being one of the holiest months of the year for many Palestinian Muslims. Hundreds were injured. Hamas rockets fired into Israel on 10 May in response to this, as well as the Israeli authority's refusal to withdraw security forces in the Sheikh Jarrah homes. This attack sadly killed 12 people.

Unfortunately, the assault to follow from Israel was far worse. Israeli forces fired at the blockaded Gaza Strip using warplanes, armed drones and artillery mounted on tanks. As the Hon. C. Bonaros mentioned, the Israeli defence force systematically targeted schools, hospitals, primary healthcare centres, a refugee camp and buildings that house international media. The 11-day assault resulted in almost 250 known deaths, approximately 2,000 injured and over 70,000 displaced.

Although a ceasefire was announced on 21 May, the after-effects live on in destruction of infrastructure, mass homelessness and displacement, and resultant trauma. As the Hon. C. Bonaros mentioned in her speech, access to basic human needs such as health services, sanitation, water and electricity, as well as educational opportunities, are severely lacking in Gaza. One can only imagine the impact the bombardment has had.

We must call on the federal government to improve bilateral support for Palestine by providing critical humanitarian assistance and to advocate for equal rights, starting with a call for the immediate halt to illegal settler expansion in occupied Palestinian territories. This is a start for the federal government to better support the overarching issue, equal rights for Palestinians and ultimately national independence and sovereignty.

It is not enough to simply advocate for a two-state solution. The federal government must take an active stance against state-sanctioned violence and colonial settler oppression. The Gaza attack in May was about domination not defence. This is supported by the long list of criminal practices listed in the HRW report. Our own PM referred to the resulting pro-Palestine rallies by saying:

By all means, people can have concerns and views, and there is a tolerance for that, but at the same time we do not want to import the troubles of other parts of the world into this country.

I disagree, as would Palestinian Australians and many other Australians alike. I believe that, as a nation, we should take an active stand against persecution, and to not want to acknowledge injustice is to take the side of the oppressor.

Lastly, I would like to mention advocates for the Palestinian cause in our South Australian community. The Australian Friends of Palestine Association are a non-profit organisation, which have been actively advocating for justice and peace through education, fundraising and campaigning since 2004. It is important that we as a community, and individuals, take an active stand against discrimination and persecution in solidarity with Palestine.

**The Hon. R.I. LUCAS (Treasurer) (15:40):** I rise on behalf of the government to speak on this motion moved by the Hon. Ms Bonaros about the conflict in Palestine. I first acknowledge the statement made by Senator the Hon. Marise Payne, Minister for Foreign Affairs, on 12 May 2021, which called on all parties to refrain from violent or provocative acts, and echo her strong words that violence is no solution.

The South Australian government, like the federal government, is concerned about the escalating violence and humanitarian situation in Gaza and the West Bank and welcomed the announcements of a ceasefire on 21 May 2021. We echo the federal minister's calls for all parties to focus on direct and genuine peace negotiations with a view to defining a just, durable and resilient peace agreement.

I note that since this motion was first moved on 26 May 2021, the Minister for Foreign Affairs also announced on 3 June 2021 an additional \$5 million in humanitarian funding for the Palestinian territories, including \$3 million for the International Committee of the Red Cross for vital medical supplies and \$2 million to the UN Office for Project Services to fund urgent logistics to address critical humanitarian needs. In total the Australian government will provide an estimated \$29.8 million in official development assistance to the Palestinian territories in 2021-22.

The Australian Representative Office in Ramallah, established in September 2000, oversees the implementation of Australia's development program and humanitarian assistance in the West Bank and Gaza Strip. This aid to the Palestinian territories is a practical demonstration of the Australian government's longstanding support for a two-state solution in which Israel and a future Palestinian state coexist in peace and security within internationally recognised borders.

As the Prime Minister has said, Australia acknowledges the aspirations of the Palestinian people for a future state with its capital in East Jerusalem. Australia also recognises Israel's right to defend itself in accordance with international law and the right of Israelis to live in peace. Equally, Palestinians must be allowed to live in peace and dignity. With this in mind, I move the following amendment standing in my name, which I understand has been circulated to all members:

Leave out paragraphs 1 to 8 and insert new paragraphs as follows:

1. Expresses concern for the loss of life in the Israel-Palestine conflict after the recent escalation of violence which commenced on 10 May 2021;
2. Welcomes the announcement of a ceasefire on 21 May 2021;
3. Commends the diplomatic efforts of all parties who have sought to bring an end to the conflict;
4. Calls on all parties to the conflict to return to direct and genuine peace negotiations as soon as possible, with a view to defining a just, durable, and resilient peace agreement; and
5. Supports a two-state solution to the Israel-Palestine conflict, consistent with the federal government's longstanding position on the matter.

**The Hon. R.A. SIMMS (15:42):** I rise to add my support for the Hon. Connie Bonaros's motion on behalf of the Greens. We thank the honourable member for putting this forward and for providing space for this important discussion to happen here in this place. This motion calls out the Israeli occupation of Palestine, and that is exactly what it is. This is not a conflict. It is an illegal occupation of Palestinian land that is led by the Israeli government.

For decades we have seen the devastating impacts of this military occupation and the resulting violence that has ensued. The 11-day bombardment is merely the most recent outburst of violence in a long history of oppression of the Palestinian people. In only 11 days it is estimated that a staggering 260 lives were lost, which includes at least 60 children—60 children. I recall seeing videos and photos that were circulated over social media just before both the electricity and internet were cut off in the area. There were videos of families hiding in their houses in Gaza as rockets literally rained down around them, and heartbreaking tweets from families sleeping together in one room so that when, not if, they die, they die together and no-one is left behind.

Let's consider for a moment the terrible tragedy of being in that situation and having to consider such things. It is gut-wrenching, and we cannot stand idly by as this cruel oppression of the Palestinian people continues.

The lead-up to this outbreak consisted of several insulting moves made by the Israeli government, provocative moves which stoked the many underlying tensions between the two groups. Twenty-seven days before the first strike Israeli police entered a mosque, the third holiest site in Islam, and on the third night of Ramadan they cut the cables to the speakers broadcasting prayers because it was a memorial day in Israel and the President was delivering a speech.

A week later, a far right-wing Jewish group marched through central Jerusalem chanting 'death to Arabs' and attacking Palestinians on the street. On the last day of Ramadan, Israeli police entered a mosque yet again, this time armed with tear gas, stun grenades and rubber bullets. Seeing armed police carry and fire weapons in one of the holiest sites on one of the holiest nights in Islam was seen as a terrible insult, and rightly so.

At around the same time, six families were also facing expulsion from their homes, as many have over time due to a provision in Israeli law that allows Jewish people to reclaim land that was once owned by Jewish people prior to 1948, although there is no such provision for the many Palestinians who have had to flee their homes and return to reclaim their land.

The final hearing happened to fall on Jerusalem Day, where Jewish people celebrate the reunification of Jerusalem in 1967, which was actually a result of an illegal occupation in East Jerusalem by Israeli forces. Both the hearing and the celebrations were postponed, but by 6pm that evening the militant group that controls the Gaza Strip, Hamas, began firing rockets, which saw the start of attacks from both sides. Years and years of blockades, restrictions, occupations and discrimination that has not been addressed rose to the surface, as they have in the past and will likely again in the future, unless a lasting solution that both Palestinians and Israelis can agree to is found.

This is by no means a simple issue—I think we all recognise that—but the UN plan of 1947 was a gross oversimplification that resulted in more harm than good and has seen Palestinian land shrink smaller and smaller ever since. Due to its significance in Judaism, Islam and Christianity, all throughout history we have seen the area surrounding Jerusalem overthrown time and again by various powers, buildings burnt down and then the rebuild on the sacred Temple Mount.

However, this long history does not mean we can simply dismiss this as too complex and put it in the too-hard basket. Some think that speaking out against this oppression is to be anti-Semitic; that is simply not true. People are being pushed out of their homes and forced to build illegal settlements because they cannot move freely. People are being denied their human rights, and human rights watchers found that in certain areas these deprivations are so severe that they amount to crimes against humanity of apartheid and persecution.

The late and great Martin Luther King once said that injustice anywhere is a threat to justice everywhere. We have a responsibility, as the Hon. Irene Pnevmatikos has said, to speak up against the oppression of the Palestinian people and to urge our federal government to play a leadership role, to show some moral leadership, not simply to say, 'Oh, this is all too hard, we don't want other countries' problems being talked about here in Australia.'

What an absurd approach is that, particularly when one considers the involvement of Australia, in particular under the leadership of the Liberal Party, in the Middle East, the illegal war on Iraq, the wars on Afghanistan and so on. We do have a responsibility to apply diplomatic pressure

and to call Israel to account when it behaves in a way that is in breach of international law and when it flouts international conventions. We have a responsibility, a moral responsibility, to speak out.

I wish to conclude by echoing calls to the Australian government to take a stand against this illegal occupation, to provide help and support to the people of Palestine and to call for a lasting solution for both Palestinians and Israelis. It is time for the Morrison government to step up and to engage and to show some leadership on human rights.

**The Hon. E.S. BOURKE (15:49):** On behalf of the Hon. I.K. Hunter, I move to amend the motion as follows:

Leave out paragraph 6, and insert new paragraph as follows—

6. Notes the growing number of reports highlighting the Palestinian people's plight, including the Human Rights Watch report;

We are moving this amendment to acknowledge the work that has been put in by the Hon. Connie Bonaros, but we feel that it is too narrow just to focus on one particular report and will be expanding that to look at the growing number of reports that are looking into this matter.

**The Hon. C. BONAROS (15:50):** At the outset, I would like to thank honourable members for their contributions: the Leader of the Opposition, the Hon. Kyam Maher; the Hon. Irene Pnevmatikos; the Hon. Robert Simms; the Hon. Emily Bourke for the amendment that she has moved; the Hon. Rob Lucas; and our crossbench colleagues, the Hon. Tammy Franks and the Hon. John Darley.

I too would like to express my thanks once again to the Australian Friends of Palestine Association and its members both past and present. Of course, it would be remiss of me not to acknowledge the efforts of many individuals, as highlighted by the Leader of the Opposition, including the Shahin family, who have made it their mission to ensure we all keep the plight of the Palestinian people front and centre of our minds. I would like to thank in particular Dr Amal Shahin, who has worked with me on some of these issues, and I would personally like to thank a very dear friend of mine and advocate, Ms Abby Hamden.

This very important motion recognises the right of the Palestinian people to exercise their inalienable rights: the rights of self-determination without external interference, the right to national independence and sovereignty, and the right to return to their homes and properties from which they have been displaced.

The Palestinian people have suffered inequality and oppression for years, and that has been highlighted today by honourable members, and many have not known any other way of life. While the world watches, and despite our absolute horror, human rights abuses continue to go unchecked. The Palestinian people continue to live without their basic human rights in an open-air prison, with sweeping restrictions on movement. As highlighted by the Hon. Irene Pnevmatikos, the Palestinian people continue to live without proper sanitation. They continue to live in conditions where water is unfit for human consumption and children continue to suffer because of it. They continue to live an oppressed life.

I would like to close by saying that this is not about choosing sides. It is about basic human rights. It is not about fearing to offend our Israeli brothers and sisters in Australia. It is about equal rights for everyone, regardless of their nationality, regardless of their religion and regardless of their race. As I have said before, it is about recognising the right of the Palestinian people to exercise their inalienable rights. That is not something that we should be fearful of supporting. It is something that we should support freely, openly and with as much enthusiasm as it deserves.

I am very grateful to everybody for their support. I would like to indicate in closing once again my thanks—SA-Best's thanks—to all honourable members and indicate that I will be supporting the amendment of the Hon. Emily Bourke.

The Hon. R.I. Lucas' amendment negatived; the Hon. E.S. Bourke's amendment carried; motion as amended carried.

**CITY OF CAMPBELLTOWN BY-LAWS**

**The Hon. C. BONAROS (15:55):** I move:

That by-law No. 6 of 2020 of the City of Campbelltown concerning cats, made under the Local Government Act 1999 and the Dog and Cat Management Act 1995 on 24 December 2020 and laid on the table of this council on 2 February 2021, be disallowed.

I do not propose to speak to this motion because I spoke to a number of similar motions yesterday, and I refer members to those motions. The one thing that I would like to do, which I did say yesterday I would do, is to table the letter regarding this specific motion, but that will apply equally to the other motions in many respects. That letter is from the RSPCA.

Leave granted.

Debate adjourned on motion of Hon. I. Pnevmatikos.

**VIOLENCE AGAINST WOMEN**

Adjourned debate on motion of Hon. C. Bonaros:

That this council—

1. Acknowledges the 55 Australian women who died as a result of violence in 2020;
2. Expresses its deepest condolences to the families, friends and loved ones of the murdered women;
3. Acknowledges the importance of the annual Pay Our Respects event in honouring the women whose lives were tragically taken in the preceding year in Australia;
4. Recognises the importance of the annual Pay Our Respects event in highlighting the prevalence of violence against women;
5. Recognises the role of gender equality in ending violence against women;
6. Condemns all forms of violence against women; and
7. Calls upon all members of parliament to continue to advocate for the prevention of violence.

(Continued from 3 February 2021.)

**The Hon. I. PNEVMATIKOS (15:56):** I rise to support the motion and in so doing thank the Hon. Connie Bonaros for bringing this motion to the chamber. Earlier this year, I stood on the steps out the front of this place at the Pay Our Respects event. I was joined by 54 others who were standing up for the 55 Australian women who lost their lives because of violence in 2020. Others in this place, people involved in the prevention of violence against women and families, and families of those who have died, came together to remember and honour those women.

Seeing the sea of people on the steps and in the crowd was a reminder of how widespread and entrenched violence against women is in our state. SA Police investigate more than 10,000 related crimes each year, and South Australians made more than 15,000 calls to the 1800 RESPECT hotline in 2019-20. Data released by SA Police earlier this year revealed that during the pandemic there has been a significant increase in the number of domestic violence assaults during the state's lockdown. Calls to police on the family and domestic violence hotline increased by 11 per cent in 2020 compared to 2019. That is 1,000 more reported assaults.

The pandemic has shown us how big the problem is; however, it is important that we do not blame the pandemic for people's behaviour. Yes, the pressures of the pandemic, economic factors, and social factors all placed increased pressure on families; however, that does not explain the reality that men choose to use violence in their relationships.

In the short 3½ years I have been in this chamber I have already lost count of the number of times I have stood up and spoken on this issue. This chamber and the other place have mentioned the words 'sexual violence', 'domestic violence', 'gendered violence' and 'violence against women' that many times I think that some members are becoming desensitised and immune to the impact violence against women has on our community.

Things are slow moving in this place, but if we compare the number of times we have talked about these issues to how much we have actually been able to change, it is dismal. It is incredible

that we make it seem like some ridiculously hard thing to do. We know that if we invest in public housing, increase funding to DV support programs and change our laws we could change these statistics, but we continue to sit here and twiddle our thumbs.

It is not just the state government but the federal government as well. We sit and talk about what to do, while we continue to have one woman die every week at the hands of a violent partner. In fact, just yesterday, Senator Anne Ruston, federal Minister for Women's Safety, was in the paper saying that business must lead on respect for women. I agree that we all have to play a role, but when your government is not pulling their weight, it is very rich to push responsibility onto others.

Violence against women must be viewed holistically. We cannot have strong laws without strong policy. We cannot have programs specific to domestic violence without housing, economic and justice programs. Violence against women cannot be seen as a standalone issue. This is where we consistently get it wrong. It is not enough to pass protective laws. It is not enough to tell business to do better. We need an approach that is all-inclusive and means that women and children have the best chance of leaving violent situations, because currently we are failing. Until we reduce the number of deaths to zero, we are failing.

**The Hon. R.A. SIMMS (16:01):** I rise on behalf of the Greens to speak in favour of this very important motion, and in so doing I want to reflect, as the Hon. Irene Pnevmatikos has done, on some of the statistics—really alarming statistics—on the prevalence of domestic violence and violence against women in our community.

In South Australia, there was an 11 per cent increase in family and domestic-related assaults reported to police during the pandemic—that is, 2020. Obviously, we know the pandemic is ongoing. SA domestic violence services experienced a large spike in demand for emergency accommodation coinciding with the pandemic in 2020. Nationally, there is a very similar trend. A survey of 15,000 women in May 2020 found that two-thirds of those who had experienced violence during the first few months of the pandemic said the violence had either started or escalated during that time.

On average, one woman a week is murdered by her current or former partner—one woman a week. Australian women are nearly three times more likely than men to experience violence from an intimate partner. Almost 12 women a day are hospitalised for assault injuries perpetrated by a spouse or domestic partner, and in 2018 to 2019 Aboriginal and Torres Strait Islander women had 29 times the rate of hospitalisation for non-fatal violence assaults when compared with non-Indigenous women.

It is very clear that this parliament needs to take action, and I commend the Hon. Connie Bonaros for putting this forward because it is so vitally important that we show leadership on this. What does that leadership look like? Of course, it is through passing resolutions, such as this today. It is also about ensuring that there is support for women who are in crisis: governments adequately funding crisis accommodation and ensuring that women and children have safe spaces to go.

It is also about leading cultural change. It is about stopping the narrative that says that women are somehow to blame for the terrible things that men are doing to them—this narrative that tries to pathologise or blame women or shame women in terms of how they dress and so on. We need to stop that kind of destructive, sexist and misogynistic framing and instead get men to take responsibility for their behaviour.

Men need to step up and take responsibility for stamping out this appalling behaviour and ending this violence because it is men who are the perpetrators of this behaviour. It is really vitally important that men in our society take responsibility for their actions and that we see an end to the sexist and misogynistic language that is all too often associated with this debate. I commend the motion on behalf of the Greens and encourage members to support it.

**The Hon. J.M.A. LENSINK (Minister for Human Services) (16:04):** I rise to support this motion and to thank the Hon. Connie Bonaros for putting it on the *Notice Paper*. Indeed, this is a very important event that a number of members of this chamber attend every year in January. South Australians are invited to congregate on the steps of Parliament House as a community to pay our respects to women murdered by domestic or gendered violence. Those who take part in this event are invited to hold a placard with a number which represents each of the women who have been murdered in the previous year.

Each woman's name is read and silence observed. At the 2021 event, 55 Australian women were remembered. I acknowledge that there were a number of members from this chamber and from my own party, including Carolyn Power MP, Rachel Sanderson MP, Paula Luethen MP, the Hon. Jing Lee, and the Hon. Dr Centofanti, as well as myself. I would also like to commend the previous speakers for their comments. I agree with all of them in the sense that everybody must do everything they can to prevent and eliminate violence against women. We will not have reached that goal until there are no lives lost and no violence experienced.

There is a range of ways that we, as a community, address these matters. It is a job for government, it is a job for business, and it is a job for the community. It is a job within families and among friends. I would particularly like to thank the Hon. Rob Simms for his comments about men taking responsibility because one of the areas in which there is more activity is for men to be allies in the movement and to be calling out the sorts of attitudes which clearly demonstrate disrespect towards women.

There are campaigns, certainly at a national level, which the South Australian government contributes to, which are very much in the primary prevention space as well, which is about attitude change starting early. It can be quite a distressing area to work within, and in a policy space to work within as well, but I think we need to recognise that as well as the services we provide we need to change attitudes into the future and so make sure that we are looking towards younger people for that generational change. There is certainly a lot of good activity that takes place within schools to support that as well. There is a lot of activity across the board. There is White Ribbon, which is very active in the community. There are also the services that are being provided and funded through government.

In terms of our government's response, we have been very focused, prior to the election and also since coming to government, on ensuring that we are providing services in a range of ways because pathways for people to receive help if they are experiencing violence may be many. There are people who are in crisis but there are also people in the community who do not necessarily even recognise that what they are experiencing is domestic violence and so to try to reach out to them so that they can then get help is also part of what we are working towards.

In terms of funding, we have committed more than \$21 million in new funding towards a range of different measures which are across the board. We have also worked with the commonwealth government, and I have the privilege to be part of the Women's Safety Ministers Group which has met regularly, particularly during the pandemic when the increasing complexity and the challenges that people have had, being locked up at home, in reaching out and seeking help have been recognised as something that we need to address. To that end, there has been a national partnership to address this that has provided nearly \$10 million in additional funding. That has enabled us to expand services, fast-track measures, and respond to some immediate challenges so that we can provide funding to those who need it most.

At the same time, we also very recently launched the Women's Leadership and Economic Security Strategy. This is important because we know that if women have economic security and independence they can leave; they have choices, and they can make those decisions without having to fear they will be financially disadvantaged because they cannot escape their situation. So it is incredibly important for us to work on that as well.

In terms of the \$21 million of funding, that has included \$4 million to roll out 40 new crisis accommodation beds for South Australians. We had that as one of our election commitments. The original commitment was for two specific sites, but when we consulted with the sector they told us it should be configured differently, that we needed to include regional South Australia in that. That has been delivered in that sense.

The other thing they said to us—which has been a bit novel for some people to appreciate—is that some of that funding should go to beds for perpetrators. The concept behind that is that if it is assessed as safe for the family to remain in the family home it is much less disruptive for them; the children can keep going to the same school and be connected within their communities, and the perpetrator is removed. That has been completed and those services are up and running.

We also decided to fund the women's domestic violence crisis line 24 hours, because we know that people need that emergency advice any time of the day or night. We funded a new Domestic Violence Disclosure Scheme, which I have spoken about in this place before. That scheme enables someone who is a friend of an individual, or an individual themselves, to check on someone's criminal history to see whether there is some history of violence. We have had a very high take-up of people making inquiries through that scheme, where they can be interviewed by SAPOL and advised of someone's past record.

We have also delivered a new—since we came into government—domestic violence app, which is referred via the women's frontline DV services. Someone can access that app, which enables them to contact emergency services very quickly and gives them peace of mind if they are in a potentially unsafe situation. We also provided funding to the peak body for all the services, which is now known as Embolden.

We have been opening domestic violence safety hubs in regional areas; I will have the privilege of opening the newest one at Whyalla next week. The concept of these is that for most of the models we train up Women's Information Service volunteers, who are recruited from the local community. They are very intensively trained in what to recognise, how to understand the impacts, and how to assist people in that situation. As I have said previously, there are people in the community who may not appreciate that what they are experiencing is something we call domestic violence. They can start to get some assistance, and in some instances they may escape that dangerous situation.

We also provided funding to Stop it at the Start, the national campaign to change attitudes, and have provided a \$5 million interest-free loan to develop a new DV support housing initiative, which I am hoping we will be able to announce soon. In a similar vein, other initiatives include the Ask for Angela initiative, where a woman in a licensed venue can go to the bar and 'ask for Angela' if she is experiencing sexual harassment or something of that nature. We have the document Committed to Safety, which encompasses all of our policy. It is a living document that we add to as we need to.

Particularly within the Attorney-General space we have implemented new laws targeting the perpetrators of domestic violence, giving authorities stronger tools to tackle repeat and serious offenders, including a new standalone criminal offence of strangulation, which has come into force, as well as tougher penalties for repeated breaches of intervention orders.

We remain committed to all and any ways that we can improve the situation for South Australians, including through the Attorney-General extending whether we have the current 'right to ask' model through the disclosure scheme to a 'right to know' model. The Attorney remains as committed as I, as does the Assistant Minister for Domestic and Family Violence Prevention, Ms Carolyn Power, to ensuring we are doing everything as a government we can to address this terrible issue.

**The Hon. C. BONAROS (16:15):** As the Hon. Michelle Lensink just said, as the Hon. Irene Pnevmatikos highlighted, as the Hon. Rob Simms highlighted, each and every one of us has a responsibility to work towards ending violence against women. Each and every one of us has a responsibility to ensure that men in particular have a role to play in ending that violence.

I commend this government, and I said that when I first spoke to this motion, for their increase in funding. I know that this is clearly an area that many of us are passionate about. When it comes to domestic violence, when it comes to the murder of innocent men, women and children, of course we all are equally as concerned and of course we all want those numbers to disappear.

The numbers, the grim death tolls, are unacceptable; we know that. We know that the 55 women who were killed in 2020 was unacceptable. We know that the 63 women killed in 2019 was unacceptable. We know that the 71 women murdered in 2018 was unacceptable. So I am really pleased that earlier this year we got together, as we do, and we honoured those women to highlight the continued need for change, and we did so across the political divide, and that is how it should be.

It took almost an hour to read each and every woman's name, their age, their number, and pay our respects to each with a moment's silence. The silence in those moments was profound and



I doubt there was a dry eye on the steps or in the crowd. This year, I am sad to say that there has been another 35 women to date who have been killed as a result of violence. We are not at the end of the year and we know that that number is going to go up.

We know that on the Saturday just past, we heard the tragic news of the murder of Michelle Darragh, who was pregnant with her third child. She was the mum of two young boys and she and her former partner were discovered with life-threatening injuries by police. Sadly, she died when help arrived. Of course, we do not know the circumstances of that death, but what we do know, what we know for sure as a result of that murder, is that there are two little kids and a grieving family who have been left behind to pick up the pieces.

That is the tragedy of this, that there is always an innocent life taken and then there is an innocent family left behind to somehow try to make sense of what has happened and to pick up the pieces. Next year, it is my sincere hope—and I think I can speak for all honourable members when I say it is our sincere hope—that the event will be much shorter because the numbers will be fewer.

In summing-up, I would like to again express my gratitude to all honourable members because I know that we all support this, and in particular the Hon. Irene Pnevmatikos, the Hon. Robert Simms and the Hon. Michelle Lensink for their contributions. I would like to also thank, once again, the organisers of the Pay Our Respects event, Gillian Lewis and Stacey Nelan, because their selfless advocacy is needed. As admirable and as needed as it is, I hope we reach a day where we do not need them to be doing what they do for us every year. With those words, I thank members and commend the motion to the house.

Motion carried.

### *Bills*

## **FAIR TRADING (MOTOR VEHICLE INSURERS AND REPAIRERS) AMENDMENT BILL**

### *Second Reading*

**The Hon. J.A. DARLEY (16:21):** I move:

That this bill be read a second time.

The Fair Trading (Motor Vehicle Insurers and Repairers) Amendment Bill 2021 has been passed in the other place. The object of the bill is to provide for fair, timely and transparent conduct between insurers and repairers so that consumers with damaged motor vehicles are not unduly inconvenienced or unfairly treated as a result of the business practices in, or disputes between, the motor vehicle insurance and repair industries.

People take out insurance for peace of mind expecting their insurer to be there when something goes wrong and to be treated fairly and with dignity and respect. The Economic and Finance Committee conducted an inquiry into the motor vehicle insurance and repair industry in South Australia, discovering that many crash repairers and consumers encountered the following issues while trying to get vehicles repaired as part of an insurance claim:

- difficulties in consumers accessing their repairer of choice and claims of insurers steering consumers toward their preferred network of repairers;
- the use of second-hand and/or non-original equipment manufacturer parts in repairs and related safety, warranty and liability concerns when using those parts;
- a lack of transparency of information, with consumers often not being made fully aware by insurers of all the details related to their repairs and/or insurance policies;
- disagreements over the methodology used by crash repairers and insurers to assess the repairs needed, and the cost of said repairs, to restore the motor vehicle back to pre-accident condition, and the quote negotiation process; and
- insurers choosing to provide cash settlements to consumers instead of repairing their vehicles.

The committee made a number of recommendations. The primary recommendation was for the South Australian government to introduce legislation to mandate the Motor Vehicle Insurance and Repair Industry Code of Conduct in South Australia as well as provisions for:

- a binding mediation process to enable the expedited resolution of internal disputes between motor vehicle insurers and crash repairers, overseen by a suitable independent authority, such as the Small Business Commissioner or the Commissioner for Consumer and Business Services;
- appropriate financial penalties for breaches of the code of conduct to ensure compliance by all parties; and
- an ongoing review process to ensure that the code of conduct remains up to date and relevant to the current industry requirements.

Should a change to the Motor Vehicle Insurance and Repair Industry Code of Conduct be needed, this can be executed by regulation by the minister of the day and not require changes to the act. Insurers are being asked to be good corporate citizens through the code of conduct but if they are not penalty provisions apply.

The legislation outlines a mandatory code of conduct for all parties involved with motor vehicle dealings, setting a maximum penalty of \$100,000 for a corporate body and \$20,000 for an individual who fails to comply with the provisions set out in the bill. The code will provide peace of mind for all parties dealing with a motor vehicle insurance dispute.

The Motor Trade Association have worked to bring the industry together and drive the issue with the industry. The genesis of the bill has arisen from the bipartisan recommendations of the committee. The government in the other place contributed to its amendments. I commend the bill to the council.

Debate adjourned on motion of Hon. D.G.E. Hood.

### **SOUTH AUSTRALIAN MULTICULTURAL BILL**

#### *Final Stages*

The House of Assembly agreed to the amendments made by the Legislative Council without amendment.

### **ELECTORAL (FUNDING, EXPENDITURE AND DISCLOSURE) AMENDMENT BILL**

#### *Introduction and First Reading*

Received from the House of Assembly and read a first time.

#### *Second Reading*

**The Hon. R.I. LUCAS (Treasurer) (16:26):** 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 President, I am pleased to introduce the Electoral (Funding, Expenditure and Disclosure) Amendment Bill 2021. This Bill makes amendments to Part 13A of the *Electoral Act 1985* to make the election funding, expenditure and disclosure scheme more efficient and workable while maintaining transparency, accountability and consistency with the objects of the scheme.

The 2018 election was the first election at which public funding was payable. In July 2019 the Electoral Commission of South Australia published the Report into the Operation and Administration of South Australia's Funding, Expenditure and Disclosure Legislation. After considering the recommendations in the Report and after further consultation with the Electoral Commission and registered political parties the Government has now prepared a draft Bill.

To make the scheme more workable relevant periods that commence when the election is announced will now commence by publication in the Government Gazette rather than be announced in Parliament. This will be helpful in by-elections when Parliament may not be sitting at the time of the announcement.

The scope of the application of Part 13A will be clarified. The general limitation that only donations and amounts received for State electoral purposes need to be disclosed under this Part is extended to candidates, groups and relevant entities, which includes registered political parties, associated entities and third parties.

Registered political parties, candidates, groups and third parties all have the power to appoint and terminate an agent under the current Act. The Bill will extend this power to associated entities. The processes for dealing with resignation of agents are clarified. The current Act does not set out what would happen if an agent resigned and these amendments fill that gap.

A number of amendments dealing with disendorsement of candidates have been moved from the Regulations to the Act, this will provide greater clarity.

There have been changes to the keeping of State campaign accounts to ensure transparency. There is a limit of one State campaign account for each political party, third party, candidate and group. Gifts are to be deposited directly into State campaign account and may not be deposited in an account for federal electoral purposes

Mr President, all registered political parties will now be eligible for special assistance funding, with three categories of funding. For political parties with zero or 1-5 sitting MPs there will be set amounts prescribed in regulations. For political parties with 6 or more MPs, the types of administrative expenditure that can be claimed will be prescribed up to a maximum amount.

The current time period for parties, candidates and groups to opt in to the funding scheme will be extended to allow an extra 7 day period in certain circumstances.

The requirement for parties to disclose cap allocation agreements before the election will be removed. However, parties must still lodge a return setting out details of their political expenditure within 60 days of the election.

There will be an additional trigger to commence the disclosure period for independent candidates being when they are in receipt of a gift for electoral purposes. This will be in addition to the two existing triggers of a person announcing that they will be a candidate and a person being nominated as a candidate. (see 130ZF(1))

In most cases donation returns will not be required to be disclosed if they are nil returns and the requirement for donors to complete returns has been removed. However, political parties, candidates and groups that receive gifts of the amount or value of more than \$5000 must disclose them.

Additional reporting requirements for large gifts during designated periods will be removed as these gifts are already required to be reported in the high frequency disclosures that must be made at this time.

The definition of third party will be modified so that it is only parties that do incur more than \$10 000 of political expenditure in the designated period leading up to an election who will fall within the definition. A party who has an intention to incur that expenditure but does not actually spend the money will not be included in the definition of third party.

Third parties will only be required to disclose amounts received that they intend to use for political expenditure in the returns that must be lodged every six months until the next election. The requirement for a third party annual return will be abolished.

Registered political parties will be required to submit an annual list of associated entities to the Electoral Commission. This will assist the Electoral Commission in the administration of the Act.

The investigation powers of authorised officers are extended and clarified. The current Act provides that for compliance purposes an authorised officer may require that the relevant agent, financial controller or officer of a registered political party, third party or associated entity must produce documents or appear to give evidence. This power for authorised officers to require that a person provide documents or attend at a hearing is extended to candidates and groups.

The power to make regulations of a savings or transitional nature is expanded to apply to any amendments to the Act or on the commencement of specified provisions of the Act.

These amendments are intended to ensure that our funding and disclosure scheme is both rigorous, workable and transparent. This Bill ensures that the laws are as simple as they can be, while allowing the public to access the information they would expect around donations to candidates, groups, political parties, associated entities and third parties.

Mr President, I commend the Bill to the House.

Explanation of Clauses

Part 1—Preliminary

1—Short title

## 2—Commencement

## 3—Amendment provisions

These clauses are formal.

Part 2—Amendment of *Electoral Act 1985*

## 4—Amendment of section 130A—Interpretation

Various definitions are amended for the purposes of the measure, including the definition of *third party*.

## 5—Amendment of section 130C—Application of Part

The limitation that only donations and amounts received for State electoral purposes need to be disclosed under Part 13A is extended to candidate, group or relevant entity.

## 6—Amendment of section 130F—Third parties and associated entities may appoint agents

Associated entities are authorised to appoint agents. Another amendment is consequential.

## 7—Amendment of section 130H—Registration of agents

The requirement to notify the Electoral Commissioner of the death or resignation of an agent is limited to registered political parties.

## 8—Amendment of section 130I—Termination of appointment of agent

Certain amendments are consequential. Another amendment provides that if a candidate endorsed by a registered political party in relation to an election ceases to be so endorsed, the agent's appointment as agent of the candidate is taken to be revoked on the date of the disendorsement.

## 9—Amendment of section 130K—Requirement to keep single State campaign account

Sections 130K(1) is amended so that it provides that the agent of a registered political party, third party, candidate or group must keep 1 separate State campaign account for State electoral purposes.

## 10—Substitution of section 130L

Section 130L is substituted:

## 130L—Gifts to be paid directly into State campaign account

Various amendments are made to the provisions relating to the payment of gifts into State campaign accounts.

## 11—Substitution of section 130U—Entitlement to and claims for half yearly entitlement to special assistance funding

Section 130U is substituted:

## 130U—Entitlement to and claims for half yearly entitlement to special assistance funding

Currently, under section 130U special assistance funding is paid for administrative expenditure (which is defined) incurred by a party. The measure substitutes references to administrative expenditure with references to expenditure of a prescribed kind (which is not defined (but allows kinds of expenditure for which special assistance funding is payable to be prescribed by the regulations)).

In addition, under current section 130U(1)(a) a party is only entitled to special assistance funding if it has a member of Parliament. That requirement is deleted from subsection (1) but the amount of the half yearly entitlement under subsection (2) is amended. Certain parties will be entitled to be paid the amount of expenditure of a prescribed kind incurred by the party during the relevant half yearly period up to a maximum amount prescribed by regulation. Other parties will be entitled to be paid an amount prescribed by regulation. (The variation in amount is to be based on the party's number of members of Parliament).

## 12—Amendment of section 130Y—Application of Division

One amendment relates to the timeframes for lodgement of certificates opting into the limitations on political expenditure by candidates not endorsed by parties.

Section 130Y(3) is amended so that it applies to all elections (currently, it only applies to general elections).

Section 130Y(5) is a provision that currently is located in the *Electoral Regulations 2009* (pursuant to a power to modify the operation of Part 13A by regulation). The provision is elevated into the Act.

## 13—Amendment of section 130Z—Expenditure caps

The requirement under subsection (2a) to notify the Electoral Commissioner of variations to amounts agreed between parties and candidates is deleted.

Inserted subsections (3) to (3d) involve provisions that currently are located in the *Electoral Regulations 2009* (pursuant to a power to modify the operation of Part 13A by regulation) being elevated into the Act.

## 14—Amendment of section 130ZF—Returns by certain candidates and groups

The *disclosure period* for campaign donations returns for new candidates (as defined in Part 13A) includes an additional potential starting point of the day on which the person received their first gift for State electoral purposes in relation to the election.

The exception in section 130ZF(5a) to furnishing a return (where a 'nil return' would be furnished) is extended so that it applies to agents of members of a group of candidates not endorsed by a registered political party (currently, it only applies to agents of candidates and groups endorsed by a registered political party).

A new subsection is inserted to provide that a reference to an amount received is a reference to the amount received excluding GST.

## 15—Repeal of sections 130ZG and 130ZH

Sections 130ZG and 130ZH are repealed.

## 16—Amendment of section 130ZI—Special reporting of large gifts

Existing subsection (2) related to sections 130ZG and 130ZH and so is deleted.

A new subsection is inserted to provide that a return is not required to be furnished under subsection (1) during the designated period in relation to an election.

Another new subsection is inserted to provide that a reference to an amount received is a reference to the amount received excluding GST.

The amendment to subsection (1)(c) is technical.

## 17—Amendment of section 130ZJ—Certain gifts not to be received

These amendments are technical.

## 18—Amendment of section 130ZK—Certain loans not to be received

These amendments are technical.

## 19—Amendment of section 130ZN—Returns by registered political parties

A new subsection is inserted to provide that a reference to an amount received is a reference to the amount received excluding GST.

## 20—Amendment of section 130ZO—Returns by associated entities

A new subsection is inserted to provide that a reference to an amount received is a reference to the amount received excluding GST.

Another amendment is consequential.

## 21—Amendment of section 130ZP—Returns by third parties

Certain amendments involve inserting references to amounts 'intended by the third party to be used for political expenditure' or similar.

A new subsection is inserted to provide that a reference to an amount received is a reference to the amount received excluding GST.

## 22—Amendment of section 130ZR—Annual returns relating to political expenditure

The distinction in subsection (1)(b) between third parties and others is removed.

Subsection (3) is deleted.

A new subsection is inserted to provide that section 130ZR does not apply to a third party.

## 23—Amendment of section 130ZV—Audit certificates

One amendment is consequential. The other is technical.

## 24—Insertion of section 130ZWA

New section 130ZWA is inserted:

130ZWA—Registered political party to provide details of associated entities

A requirement for a registered political party to provide the Electoral Commissioner with details of associated entities known to the party is inserted.

25—Amendment of section 130ZZB—Investigation etc

Certain investigatory powers are expanded to extend to candidates and groups. Other technical amendments are also provided for.

26—Amendment of section 130ZZH—Regulations

This amendment is technical.

27—Amendment of section 139—Regulations

This amendment expands the power to make regulations of a savings or transitional nature to apply to any amendments to the Act or on the commencement of specified provisions of the Act (currently it only applies to Part 13A).

Debate adjourned on motion of Hon. J.E. Hanson.

At 16:27 the council adjourned until Tuesday 26 October 2021 at 14:15.

*Answers to Questions***ELECTRIC VEHICLES**

In reply to **the Hon. R.A. SIMMS** (22 June 2021).

**The Hon. J.M.A. LENSINK (Minister for Human Services):** The Treasurer has advised:

The Marshall Liberal government is committed to investing in the uptake of environmentally friendly, zero and low emission vehicles, whilst ensuring that there is a sustainable model for critical road funding into the future.

In South Australia's 2020-21 budget, the Marshall government made the single largest investment in electric vehicles in the state's history through its \$18.3 million Electric Vehicle Action Plan. The 2020-21 budget also announced the government's intention to introduce a road user charge for zero and low emission vehicles.

Drivers of internal combustion engine vehicles pay fuel excise when they fill up their vehicles with petrol, diesel or LPG. Drivers of zero and low emission vehicles pay little or no fuel excise. Currently, there are very few zero and low emission vehicles in South Australia, but it is expected that the uptake will increase as the availability of models increases and they reach price parity with comparable internal combustion engine vehicles.

As the state transitions towards a higher concentration of zero and low emission vehicles, there will be a corresponding reduction in the number of motorists paying fuel excise, which contributes funding to help maintain and improve the state's road network. A road user charge ensures that all vehicle owners, regardless of what car they drive, contribute to the maintenance and improvement of our road network into the future. This includes supporting infrastructure for electric vehicles.

The details of the proposed road user charge are included in the Motor Vehicles (Electric Vehicle Levy) Amendment Bill 2021.

Recognising that the market for electric vehicles is still being established, the road user charge is now proposed to commence from 1 July 2027, or when the sale of battery electric vehicles reaches 30 per cent of new motor vehicles sale in South Australia, whichever is earlier. This is the same approach proposed in New South Wales.

The details of the charge are broadly consistent with similar arrangements in place in Victoria and proposed in New South Wales.

The Tasmanian government has also announced as part of its recent 2021-22 budget that it intends to introduce a road user charge for zero and low emission vehicles from 1 July 2027, or when zero and low emission vehicles make up 30 per cent of all new vehicles sales.

The charge will be calculated on the number of kilometres travelled by an electric vehicle apart from travel undertaken on an area of private land that is not open to or used by the public.

The rate applying to the number of kilometres travelled by an electric vehicle is in line with that applying in Victoria and proposed in New South Wales at:

- 2.0 cents per kilometre (indexed) for plug-in hybrid vehicles; and
- 2.5 cents per kilometre (indexed) for any other electric vehicles.

Consistent with the proposed indexation arrangements in New South Wales, the prescribed rate will be indexed annually, from 2022-23. The prescribed rate will be indexed by movements in the Adelaide consumer price index.

These rates are below the average amount of fuel excise paid per kilometre by owners of internal combustion engine vehicles. The lower per kilometre charge recognises that there are environmental and health benefits associated with electric and zero emission vehicles. The lower rate for plug-in hybrid vehicles compared to other electric vehicles recognises that they pay some existing fuel excise.

Based on the average fuel consumption and distance travelled by passenger vehicles in South Australia (2018 ABS data), a non-electric vehicle pays around \$565 in fuel excise each year, on average, at the current fuel excise rates. This is around \$260 higher than the charge that would be payable by a battery electric vehicle.

The road user charge would be calculated and billed in arrears as part of the vehicle registration process. Owners will be required to provide their odometer readings when they register, with the charge calculated on the distance travelled since the last renewal/odometer reading. This approach is intended to minimise the administration burden associated with the new charging arrangements by leveraging off the existing registration arrangements.

To support the uptake of electric vehicles while the market is being established, the government will also introduce an \$18 million electric vehicle subsidy package subject to the passage of this bill through parliament. The package will provide a \$3,000 subsidy for the first 6,000 battery electric vehicles purchased in South Australia from the date the bill is approved by parliament. A price cap of \$68,750 (GST inclusive) will apply for the subsidies to provide an incentive to bring lower priced electric vehicles to the market and avoid subsidising expensive electric vehicles.

Combined with the existing \$18.3 million Electric Vehicle Action Plan in South Australia, this package will increase the total level of support for electric vehicles to \$36 million, and should support the uptake of electric vehicles in South Australia while introducing a more sustainable long-term road funding model.

The final package considers feedback received through the consultation process and allows the market for electric vehicles to develop further before commencing new charging arrangements. The design also takes into account the similar arrangements introduced in Victoria and those proposed in New South Wales.

#### HOMELESSNESS

In reply to **the Hon. T.A. FRANKS** (25 August 2021).

**The Hon. J.M.A. LENSINK (Minister for Human Services):** I have been advised:

The Safety and Wellbeing Taskforce has been working closely with several communities, including remote Aboriginal communities across the APY lands and the Northern Territory, and local Kaurna elders and community members, including:

- APY Executive Board.
- Kaurna Yerta Aboriginal Corporation.
- Iwiri Aboriginal Corporation.
- City of Adelaide Reconciliation Committee.
- APY Art Centre Collective.

The taskforce has the support of Aboriginal elders from the affected communities, notably Kaurna and Anangu, who have been involved with the taskforce following its establishment.

This support was highlighted during the recent engagement with the City of Adelaide Reconciliation Committee when elders publicly endorsed the approach to date. Elders commended the work of the taskforce and offered their continued support.

#### COVID-19 DAVENPORT COMMUNITY

In reply to **the Hon. T.A. FRANKS** (21 September 2021).

**The Hon. R.I. LUCAS (Treasurer):** The Premier has advised:

1. On 26 March 2020, a commonwealth determination came into force under the Biosecurity Act 2015 enabling Aboriginal communities in South Australia to become designated areas, which provided communities with a legislative framework to restrict travel into their communities, as a precautionary measure against COVID-19.

From 26 March 2020, Davenport Community Council opted into the biosecurity arrangements on behalf of the Davenport community. On 24 May 2020 Davenport Community Council opted out of the biosecurity arrangements.

The supplies provided by ALT were delivered to the Davenport community on 5 June 2020, at which time the Davenport community were out of the biosecurity arrangements and residents could access local shops for their shopping needs.

The Davenport Community Council determined to retain the ALT supplies with a view to distributing them in the event of the community being placed back into a lockdown situation or being otherwise unable to access such products independently. An audit was conducted by the ALT appointed manager for Davenport community on 29 June 2021 and confirmed that all products delivered to Davenport community were accounted for.

2. The Premier acknowledges the outstanding role that Aboriginal community leaders played during the COVID-19 responses in 2020 across the state, in what were very difficult circumstances. The Premier will not be withdrawing the award presented to the Davenport Community Council.