

LEGISLATIVE COUNCIL

Thursday, 8 September 2022

The **PRESIDENT (Hon. T.J. Stephens)** 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. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (11:01)**: I move:

That standing orders be so far suspended as to enable petitions, the tabling of papers and questions without notice to be taken into consideration at 2.15pm.

Motion carried.

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

Bills

SHOP TRADING HOURS (EXTENSION OF HOURS) AMENDMENT BILL

Introduction and First Reading

The **Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (11:02)**: Obtained leave and introduced a bill for an act to amend the Shop Trading Hours Act 1977. Read a first time.

Second Reading

The **Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (11:03)**: I move:

That this bill be now read a second time.

I am pleased to introduce the Shop Trading Hours (Extension of Hours) Amendment Bill 2022, which implements the government's election commitments on shop trading reform. Before I turn to the specifics of the bill, I want to outline the two main principles which have informed the government's approach to these reforms.

The first is that this government is strongly committed to working with both businesses and workers' representatives to forge consensus and deliver positive, practical change for the people of South Australia. The second is that this government recognises that shop trading legislation affects a wide variety of industry stakeholders across the entire South Australian community. Those stakeholders should be at the core of the decision-making process. We are never going to agree on all aspects of all matters, but this government will always listen and take into account a range of opinions from all stakeholders.

The legislation is a product of significant consultation with key industry groups that has occurred both prior to the election and since. I particularly want to thank Business SA, Foodland, IGA, Metcash, the Motor Trade Association, the SA Retail Association and the SDA for their considered and constructive feedback. As a direct consequence of this consultation, the government is in a position to implement not only our election commitments but a number of further reforms which were widely supported by stakeholders.

The bill delivers on our headline election promises by amending section 13 of the act to extend Sunday trading so that shops can open from 9am instead of 11am and to permanently allow Boxing Day trading in the city and suburbs. The bill amends section 13 of the act to codify

longstanding ministerial exemptions which allow extended midnight trading on Black Friday and on weekdays in the direct lead-up to Christmas.

The bill also amends section 13 of the act to permit shops to trade on additional public holidays, such as when an ordinary public holiday falls on a Sunday and an additional public holiday then takes place on the Monday. The bill inserts a new section 13B, which extends provisions that already apply to work on Sundays and confirms employees rostered on public holidays must have voluntarily agreed to work on those days.

These are sensible reforms which strike a fair balance between the interests of large and small business, workers and consumers. These changes also continue to support our thriving independent supermarket sector to compete against the bigger market players. Importantly, this bill also seeks to eliminate the outrageous practice of the former Treasurer, the Hon. Rob Lucas, in issuing blanket trading exemptions across the metropolitan area, which were fundamentally inconsistent with the careful balance struck by this parliament.

The policy of this government is clear: the rules set by parliament in the Shop Trading Hours Act should apply to all stakeholders equally and should only be departed from where there is industry consensus. Ministerial exemptions do not exist to simply carve out sections of the legislation that the government of the day finds inconvenient. Ministerial exemptions exist for those exceptional circumstances where they are needed to support special events of particular significance to the people of South Australia, and only where there is consensus amongst industry stakeholders.

This bill reforms the ministerial exemption powers under section 5 of the act to require the minister to consult with both business and worker representatives before issuing an exemption, and to be satisfied that the exemption is supported by a majority of interested stakeholders, including representatives of both businesses and workers.

This bill also confirms the minister must not grant exemptions which are so extensive as to undermine the controls on shop trading hours in the act, and confers standing on industry stakeholders in any judicial review proceedings challenging a ministerial exemption. That is consistent with the government's approach in this bill to regularise those frequently issued ministerial exemptions such as extended trading hours in the lead-up to Christmas. By permanently incorporating these arrangements into the act, we are minimising the need to rely on ministerial exemptions in the future.

The collaborative and consultative approach the Labor government has taken to these reforms is in stark contrast to the bull-headed 'my way or the highway' approach of the former Marshall Liberal government. The former government, in particular the former Treasurer, the Hon. Rob Lucas, pursued what can only be described as an ideological crusade for the total deregulation of shop trading in South Australia. That obsession with 24/7 trading was comprehensively rejected. It was rejected by consumers. It was rejected by trade unions. It was rejected by business advocates. And it was rejected by this parliament—twice.

In opposition, members of this government were not simply obstructionist on this issue. We were willing to work in good faith with the then Liberal government to achieve positive reform. In 2019, the now Premier held out an olive branch and offered to support changes to extend Sunday trading. That offer was rejected by the Liberal Party, including the now Leader of the Opposition, David Speirs. If the Liberal government had supported the proposal, the people of South Australia would have had extended Sunday hours trading, as this bill proposes, way back in 2019.

That reform would have been supported by local businesses, given more choice for consumers and more hours for workers, but the Liberals were so obsessed with the total deregulation that this important reform was delayed by years. Their focus on ideology over substance was a betrayal of the people of South Australia and they faced a reckoning at the ballot box as a consequence.

That will not be the approach of the Malinauskas Labor government. We are getting on with the job of working together with both businesses and workers to deliver these fair and sensible reforms. I urge the now Liberal opposition to learn from their mistakes and support these reforms. Changing their minds on this issue would be a sensible capitulation by the Leader of the Opposition,

David Speirs. I commend the bill to the council and seek to have the explanation of clauses inserted in *Hansard* without my reading it.

Leave granted.

EXPLANATION OF CLAUSES

Part 1—Preliminary

1—Short title

2—Commencement

These clauses are formal.

Part 2—Amendment of *Shop Trading Hours Act 1977*

3—Amendment of section 4—Interpretation

This clause removes obsolete references to the Glenelg Tourist Precinct and makes consequential changes to definitions.

4—Amendment of section 5—Exemptions

This clause changes the maximum period for which class or general exemptions can operate from 30 days to 14 days and alters the process for declaring or granting an exemption.

5—Amendment of section 7—Inspectors

This clause allows the Minister to appoint inspectors rather than the Governor.

6—Amendment of section 13—Hours during which shops may be open

This clause amends section 13 to allow general Sunday trading in the Greater Adelaide Shopping District from 9 am (instead of 11am), to allow new trading days, or extended trading hours, in that shopping district on certain days as set out in proposed new section 13(2).

7—Amendment of section 13A—Restrictions relating to Sunday trading

This is consequential to clause 8.

8—Insertion of section 13B

This clause inserts a new section 13B providing that the shopkeeper of a shop is only entitled to open the shop on a Sunday or a public holiday in accordance with section 13 if each employee who works in the shop during that Sunday or public holiday has voluntarily accepted an offer by the shopkeeper to work on that day.

9—Repeal of Schedule 1A

This clause removes the obsolete Schedule relating to the Glenelg Tourist Precinct.

Schedule 1—Transitional provision

1—Inspectors appointment to continue

This is consequential to clause 5 and ensures that the inspectors appointed by the Governor under the current provisions will continue to be appointed.

Debate adjourned on motion of Hon. L.A. Curran.

MAGISTRATES COURT (NUNGA COURT) AMENDMENT BILL

Introduction and First Reading

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (11:11): Obtained leave and introduced a bill for an act to amend the Magistrates Court Act 1991. Read a first time.

Second Reading

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (11:12): I move:

That this bill be now read a second time.

Today, I rise to introduce the Magistrate's Court (Nunga Court) Amendment Bill 2022. This bill implements the government's election commitment to provide the Nunga Courts with a formal and

recognised place in the justice system. The Nunga Courts at the Port Adelaide and Murray Bridge Magistrates Courts are, respectively, the oldest and the second oldest specialist courts for sentencing for Aboriginal and Torres Strait Islander peoples in Australia.

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

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

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

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

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

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

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

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

- include members of the Aboriginal and Torres Strait Islander communities in the sentencing process;

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

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

Significant consultation was undertaken through the development of this bill. The stakeholders have included the Chief Magistrate, the Hon. Mary-Louise Hribal, with the assistance of Magistrate Paul Bennett; the Chief Justice, the Hon. Chris Kourakis; Judge of the Youth Court, Judge Penny Eldridge; State Courts Administrator, Penny Croser, on behalf of the Courts Administration Authority; Dr Robyn Layton AO QC, Chair of Justice Reinvestment SA; the South Australian Aboriginal Community Controlled Organisation Network (SAACCON); the Aboriginal Legal Rights Movement (ALRM); Family Violence Legal Service; the Law Society of SA; the Legal Services Commission; and Tiraapendi Wodli at Port Adelaide.

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

I want to thank everyone who was involved in that process, and I want to acknowledge the consultation being facilitated by Mr Aaron Zammit, manager of the Aboriginal programs within the Courts Administration Authority. I would like to sincerely thank Aaron for all his work on this consultation.

The Magistrates Court session that was held was incredibly important and productive, where I had the firsthand opportunity to hear from those who have worked in the Nunga Court for many years working with Aboriginal people in the sentencing process, and has contributed valuable insight into how this bill would best protect the existing court.

I would also like to make special mention of and give a special note of thanks to Aunty Yvonne Agius, who was at that session and has been involved with the Nunga Court since it first commenced, playing a very significant role in the lives of many Aboriginal people.

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

Leave granted.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

These clauses are formal.

Part 2—Amendment of *Magistrates Court Act 1991*

3—Amendment of section 3—Interpretation

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

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

4—Amendment of section 7—Divisions of Court

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

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

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

6—Insertion of section 7C

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

7—Insertion of section 9AA

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

Debate adjourned on motion of Hon. L.A. Curran.

Motions

COMMONWEALTH GAMES

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (11:21): I move:

That this council—

1. Acknowledges and congratulates the 55 South Australian athletes who competed at the 2022 Commonwealth Games, for their achievements, dedication and hard work in representing their country on the world stage.
2. Recognises the achievements of all medallists who helped Australia finish on top of both the gold medal and overall medal tally in Birmingham.
3. Recognises all the performances of South Australian athletes who, individually and as teammates, won 23 gold medals, including:
 - (a) Sophie Edwards, Chloe Moran, Leigh Hoffman, Matthew Richardson, Matthew Glaetzer, Georgia Baker, Rohan Dennis and Maeve Plouffe (cycling);
 - (b) Christopher McHugh and Paul Burnett (beach volleyball);
 - (c) Jessica Stenson (marathon) and Kurtis Marschall (pole vault);
 - (d) Tahlia McGrath, Megan Schutt, Amanda-Jade Wellington and Darcie Brown (cricket);
 - (e) Matthew Temple, Meg Harris, Kyle Chalmers and Madison Wilson and Zac Incerti (swimming);
 - (f) Sarah Klau (netball).
4. Acknowledges that the Commonwealth Games are the 'friendly games' where para and able-bodied athletes compete on the same stage, promoting inclusivity and achievement through sport.
5. Recognises the huge sacrifices and part played by parents, family members, partners and friends in the lives of all athletes, whether it be at the elite or community level, to support their loved ones in their achievements.

This motion acknowledges and congratulates the athletes from South Australia who competed at the 2022 Commonwealth Games. Australia was represented by 433 athletes at the Birmingham Commonwealth Games, 55 of whom were based in South Australia. South Australian athletes made up a very respectable 12.8 per cent of the total Australian team, well above our 7 per cent per capita level.

Our 55 South Australian athletes competed in 17 different sports, including athletics, 3x3 basketball, beach volleyball, boxing, cricket, track cycling, road cycling, diving, gymnastics, hockey, lawn bowls, netball, squash, swimming, table tennis, triathlon and weightlifting.

The Games created many memorable moments, and Australia enjoyed great success, finishing first in the overall Birmingham 2022 Commonwealth Games medal tally, bringing home 67 gold, 57 silver and 54 bronze—178 medals in all. South Australian athletes contributed 23 gold, 11 silver and eight bronze medals in the overall Australian tally, which was 24 per cent of all Australian medals. What a remarkable result.

Firstly, I want to recognise the outstanding results of our 23 gold medallists, who competed either individually or in a team, including: Sophie Edwards, Chloe Moran, Leigh Hoffman, Matthew Richardson, Matthew Glaetzer, Georgia Baker, Rohan Dennis, Maeve Plouffe, Kristina Clonan and Caitlin Ward (cycling); Christopher McHugh and Paul Burnett (beach volleyball); Jessica Stenson (marathon) and Kurtis Marschall (pole vault); Tahlia McGrath, Megan Schutt, Amanda-Jade Wellington and Darcie Brown (cricket); Matthew Temple, Meg Harris, Kyle Chalmers, Madison Wilson and Zac Incerti (swimming); Sarah Klau (netball); and Tom Wickham (hockey).

Now, as a regional member of this place, I want to particularly highlight the achievements of athletes who are currently from or have their roots in regional South Australia. The path to competing for your country is challenging for any athlete, but athletes from the regions have additional hurdles to jump—if I may say—including less access to high-level coaching and competition, along with a significant amount of extra travel and expense, just to name a few.

I will start with marathon gold medallist Jess Stenson, whose passion for running began as a child in her home town of Naracoorte in South Australia's Limestone Coast. I am told that as a child she was heavily involved in a variety of sports, including netball, basketball, tennis, athletics and school cross-country.

Jess created Commonwealth marathon history, being the first female marathoner to win three Commonwealth medals, following on from bronze medals in 2014 and 2018. However, Jess was very humble in victory, paying tribute to her teammates and pointing out it was a team effort and that she could not have done it without her teammate Eloise Wellings selflessly passing her her own caffeine gel at a crucial stage of the race.

Callum Peters hails from Kapunda and was one of 10 Indigenous athletes on the Australian team, which is a record for the Birmingham team. Callum was the youngest member of the boxing team, competing in the 75 kilogram middleweight division, where he claimed a silver medal in his first ever international event. Callum is one of nine children and is coached by his father, Bradley, at the North Central Boxing Club at Kapunda.

Beau Wootton is from the Mawson electorate and won a bronze medal in track cycling in the men's sprint para sport B tandem event. Beau was one of four South Australian para athletes, two of whom won medals. Beau was born with a genetic condition, optic atrophy, that interferes with messages from the eye to the brain. He had never thought about competing in cycling until he was paired with Mike Hoile and they won the national men's road title. Beau was part of the tandem project, which was a proactive initiative of the late Kieran Modra, who thought if more pilot riders could be found and trained then more para riders would be convinced to take up the event.

Miles Scotson is from the Schubert electorate and competed in road cycling in his second Commonwealth Games. Miles attended Trinity College in Gawler and has had a stellar career in cycling, winning team pursuit world titles alongside his brother, Callum, national time trial titles and the senior national road race in 2017. Scotson joined the world tour team, BMC Racing, in 2018 and he has since competed in the Giro d'Italia, the Tour de France and the Tour Down Under.

Amanda Tscharke was born in the Barossa Valley and made her Commonwealth Games debut in Birmingham in table tennis. Amanda represented South Australia as a junior in athletics before she was injured at the age of 15 when the motorbike sidecar she was travelling in hit a tree, dislocating her spine. She used exercise to find her way back physically and mentally, and in 2013 she was scouted by her former high school counsellor, Cathy Lambert, to compete in para sport. Over the next two years, she excelled in javelin, shot-put and discus, before switching to table

tennis in 2015. A silver medal at the Oceania titles convinced her that she had indeed made the right choice.

Finally, Alex Wilson from Murray Bridge competed in 3x3 basketball, winning the bronze medal game 15 to 3 against New Zealand. While we celebrate athletes who achieve medals, I want to acknowledge the hard work, sacrifice and commitment of athletes, and their families, who participate at the highest level. We are all proud of every athlete and para athlete for the dedication and effort required to even get to the Commonwealth Games, and for their results, whatever they may be. Well done to you all.

Debate adjourned on motion of Hon. L.A. Curran.

Bills

BURIAL AND CREMATION (INTERMENT RIGHTS) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 16 June 2022.)

The Hon. J.E. HANSON (11:28): As my staff, no doubt, are sitting at the moment wondering how they are going to get my speech down to me, I will try not to make too many puns about the nature of going over old ground, because I know the bill has been around for a while. Come on, Sim. I am just about out of material, mate.

The Hon. T.A. Franks: Don't keep us guessing. Are you supporting the bill?

The Hon. J.E. HANSON: We will have to wait for my speech. I am sure it will not be long.

The PRESIDENT: The Hon. Ms Franks, interjections are out of order. Do not harass the member.

The Hon. J.E. HANSON: It is almost like waiting for other things to arrive, isn't it? Hasn't that been a feature of this morning? Burials and cremations: what do you think, Attorney-General? They are good, right?

The PRESIDENT: I am not sure you need the Attorney-General's help at the moment.

An honourable member interjecting:

The Hon. J.E. HANSON: Let's go with maybe another member. Are we able to do that or have I already been called on?

The PRESIDENT: The Hon. Mr Hanson, if you sit, that is it. We cannot—

The Hon. J.E. HANSON: Sadly, Attorney-General, I have to keep going.

The Hon. T.A. FRANKS: Mr President, in desperation, I draw attention to the state of the house.

Members interjecting:

The Hon. J.E. HANSON: I do not think you heard that, Mr President, so I am just going to kick off.

The PRESIDENT: Unfortunately, I did. Attention has been drawn to the state of the house.

Members interjecting:

The PRESIDENT: We have a quorum, it is all good. The Hon. Mr Hanson, it would be terrific if you could now continue.

The Hon. J.E. HANSON: Thank you, and what a comprehensive speech it is, as I look over it, Mr President. I rise to speak slowly on the Burial and Cremation (Interment Rights) Amendment Bill 2022. The importance of the bill, other than the previous comments already made, is the reintroduction of an amendment proposed to the Burial and Cremation (Interment Rights)

Amendment Bill, which we introduced last year but which lapsed at the end of sitting, is an unfortunate fact that we are now seeking to step up and step through on.

In our state, as previous members have already alluded to in debate, we have an automatic right of perpetuity relating to interment rights, which are generally limited up to terms of an amount of 99 years. Although this allows for flexibility and an ability to reinter remains, we know that people have had difficulties when trying to enforce these interment rights, and indeed I think this was highlighted at the St Philip and St James church cemetery in Old Noarlunga, which has led to a number of people seeking changes to the act.

That makes the amendment to this bill particularly important, as it seeks to clarify the legal status of those interment rights and prevent future conflict. Grieving families deserve to have their rights protected and any failure to meet those obligations should be subject to the types of tough penalties that we are seeking to amend and create in the amendments we have put forward today.

In rising to speak on the Burial and Cremation (Interment Rights) Amendment Bill, I think we have started to step back towards those rights being assured to people who are in scenarios where the legal status of interment rights is somewhat up for question. I think the steps that we have taken should make sure that those rights are paramount going forward. I look forward to the bill passing this place.

The Hon. R.P. WORTLEY (11:33): I am glad I have the opportunity to speak about the Burial and Cremation (Interment Rights) Amendment Bill. Unlike other states, such as Victoria, which have automatic right of perpetuity, interment rights in South Australia are generally limited to 50 or 99 years. While there is flexibility and the ability to reinter remains, it has also raised difficulty for people seeking enforced valid interment rights and there is no automatic assumption that interment rights are perpetual.

I had a personal experience with this where my grandfather had been buried for about 40 or 50 years. I went to his grave on Father's Day and there was a notice on there basically advising that if I had not contacted the authorities at the time and paid a further sum of money, the remains would be removed and put somewhere.

It did not actually say where they were going to put them, but at the time I thought it was quite a violation of how I believe my grandfather should have been left. After a lot of work, I managed to pay for another 50 years. Whilst this is a different situation, I know firsthand how I felt violated by the fact that someone I had known in my younger years had the potential of being removed from the grave and placed somewhere else. I think it is very important that people have the right to feel confident and safe that the remains of their loved ones are treated with respect.

This important bill amends the Burial and Cremation Act 2013 and has been introduced in response to incidents that have exposed difficulties with the existing legislation. Of course, one incident was the 2019 sale of the Old Noarlunga cemetery and church to private operators by the Anglican Diocese of The Murray.

We have also seen grieving families asked to pay high fees to have the remains of their loved ones moved to a different location. Despite these families having paid for the right to inter and memorialise their deceased family members, cemetery operators instructed them to pay or face the prospect of leaving their loved ones without a memorial. I think everyone here would have to acknowledge the fact that this is not the way that we expect our loved ones to be treated after they pass on. The behaviour shows a stark disrespect for generally accepted norms of consumer protection.

The bill seeks to enforce and protect interment rights by amending section 19 of the Burial and Cremation Act 2013 to create an offence of removing remains from interment or a natural burial ground unless by the holder of the interment right or their personal representatives. The creation of this offence will provide a significant deterrent against removing or disturbing human remains, to ensure the protection of interred persons.

I am sure many people in this chamber have experienced the sort of violation that one believes happens when the remains of their loved ones are not treated in a very respectful way, so I urge the council to support the bill.

The Hon. C. BONAROS (11:37): I rise to speak on behalf of SA-Best on the Burial and Cremation (Interment Rights) Amendment Bill. An earlier version of the bill, as we have heard, passed this place in September last year under the previous government. I understand the only minor tweak that has been made takes into account the newly enacted Legislation Interpretation Act 2021.

The bill, as we know, seeks to amend the Burial and Cremation Act 2013 primarily in response to the issues created following the sale of the decommissioned Church of St Philip and St James at Old Noarlunga in 2019. Five months after the sale of the property, operation of the 170-year-old cemetery and associated trust account funds were transferred to the new owners, following which allegations began to arise that the new owners were refusing to honour the interment rights previously issued by the Anglican diocese and had sought additional payments from rights holders.

The former Attorney initiated proceedings in the Supreme Court on behalf of about 20 rights holders concerning existing and future interment sites, and I understand an agreement has since been made between the parties. Perhaps our Attorney can enlighten us about the matter's finalisation subject of course to any legal qualifications.

The bill seeks to amend section 13 of the act to create an offence for the unauthorised removal of remains from an interment site or natural burial ground with some exceptions, such as where scattered ashes have become part of the soil or where the relevant authority removes and reinters remains due to maintenance or repair work. An example of that could be where cremated remains are placed in a memorial wall and the wall requires repair or replacement. It also seeks to express the enforcement of interment rights against the relevant authority of a cemetery or burial ground, with penalties ranging from \$10,000 for individuals and \$20,000 for body corporates, regardless of the original issuer.

I note that the bill does provide a defence if the defendant was unaware of the existence of interment rights and are able to prove that they took reasonable steps to identify their existence at the time of assuming administration. The Attorney flagged the possibility of the establishment of a central registrar or other mechanisms for recording rights on titles during the committee stage of the previous replica bill, and foreshadowed situations where the existence of burial grounds may not be apparent; for example, on pastoral lands. I understand the government is looking to deal with this potentially in a separate bill at a later date and I am keen to see how that evolves and any time frames around that legislation.

I will take this opportunity to highlight that interment rights under the Burial and Cremation Act are the subject of a disallowance motion before this place as well, an issue I have had discussions about with the Attorney-General's team in the context of this bill and I know is under further consideration. Those regulations came into operation in January of this year and they provide a schedule of the maximum percentage of the current fees for an interment right which may be deducted for costs at a date of surrender, having consideration for the number of years which have expired since the interment right was issued.

The fees that are operational now are determined by a formula based on the number of years since issue, unexpired portion remaining and current fee payable for a similar right. I am no mathematician by any stretch of the imagination, but I can tell you that the practical effect is that the owner of a right purchased 30 years ago would not be paid its current day value or even close to it today, and the cemetery authority would, in a sense, be repurchasing a right at a significantly discounted rate to then be able to onsell it for today's value. If there is one thing I do know with some certainty, it is that gravesites are not cheap; they are, indeed, very expensive, and each year the prices increase.

For cemeteries that have faith-based sections, this is particularly topical. If there was real estate available—and this is a terrible way to describe this—in cemeteries that you could buy up, then plots would be one of them that should be on top of the list because the prices each year go up by a lot. To buy a plot today compared to buying one in 10 years' time, or 10 years previously, there is a huge financial difference in the amount that is payable. In fact, I know that many particularly faith-based sections of cemeteries offer those for sale at today's rates so that people can save themselves those funds into the future.

I think they would be horrified to think that if for whatever reason they were to have to surrender one of those rights, they would be doing so at the discounted rates that those regulations would have apply. That is an issue, as I said, that has caused an erosion of rights, caused by the introduction of regulations, and one that will certainly be the subject of further discussion.

Just in terms of those discussions, though, I understand the Attorney, in relation to the regulations themselves, has undertaken to review that situation as it exists, given that they came into effect in January this year, and given the disallowance motions that exist, and has made various commitments to provide a more fair and equitable way to deal with this situation, subject to much more extensive and appropriate consultation. I think that is a good step by the Attorney and certainly one that I hope can be addressed, given that we are now looking at having further changes made when it comes to burial and cremations more generally.

Finally, it is no secret that my colleague the Hon. Frank Pangallo has been heavily consulting on legislative reform of the funeral industry for over a year now on issues that are also related to burial and cremation. I make those points because there are clearly other issues than those that are addressed in this bill that remain outstanding and absolutely warrant further attention and consideration.

I am pleased the government has now indicated that it is open to considering those issues with a view to landing somewhere much more suitable than where we are now and I look forward to further consultation with his department and stakeholders on that front and the introduction of a new bill and more regulations that better address the current situation. With those words, I indicate our support for the current bill.

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (11:45): I would like to place on the record my thanks to all members who made contributions on this bill. As I indicated, and other members have mentioned during the course of the debate on this bill, this is an important bill that addresses a need that has arisen.

Often in this place when a certain incident comes to light it shines a light on the need that is there, but it is not just for that one particular occasion that it is needed. It draws our attention to what might and often is a wider problem that we have. This came to light, as members have mentioned, as a result of the situation of the former St Philip and St James church cemetery at Old Noarlunga.

Although the urgency has dissipated with further action that has occurred, and I know the honourable member was interested in an update, my understanding is that it is not finalised, but I would welcome the honourable member maybe at clause 1 asking a further question, when I might have some better and further particulars that I can provide to the chamber about that. The issue still remains that interment rights are an important issue for people. It is often at a time when people are dealing with loved ones who have passed away and there are heightened emotions that come into play, and it is a very important issue for many families.

As the Hon. Connie Bonaros points out, the surrendering and the buying back of interment rights is an issue that I know much more about now than I knew six months ago. How those work is an important thing. It is not lost on me and many of us here that, when you are dealing with things like burials, it is very personal and an emotional issue to many people.

If I can get some more information as well, I might perhaps expand at clause 1 on some of the issues that have been faced in terms of the surrender and the buying back of those interment rights, some of the work that we are looking at and some of the nuances, because it is not straightforward. I will try to get some more information at clause 1 about that as well. With that, I commend the bill to the chamber.

Bill read a second time.

Committee Stage

In committee.

Clause 1.

The Hon. C. BONAROS: The minister just alluded to the same matter that gave rise to this bill and where those agreements are at. My understanding was that, despite the fact that proceedings had been initiated in the Supreme Court on behalf of those 20 right holders, there has been an agreement between parties, or the parties are in the process of reaching an agreement. I was seeking some clarification about where that matter is at in terms of finalisation.

The Hon. K.J. MAHER: We covered some of this during the second reading debate, but by way of background, in 2020 the Anglican Diocese of The Murray sold the former Church of St Philip and St James and cemetery at Old Noarlunga to private operators who reportedly—and it was quite widely reported—refused to properly recognise interment rights previously issued by the Anglican Church, which disclosed, I am informed, at the time of the sale of the church the interment sites. The new owners reportedly sought additional and inflated payments from consumers to inter family members in sites they had already paid for.

Proceedings were commenced in the Supreme Court in the name of the Attorney-General and Commissioner for Consumer and Business Services. I am informed that those proceedings have been settled in principle. My further update is that they were adjourned to allow the other side to take instructions and it is back today. There might be breaking news later today about, hopefully, a finalisation of this matter, if we can.

The Hon. R.A. SIMMS: Just a few minor matters of clarification for the Attorney-General. At section 13(1)(c), is there any requirement that notice be given to the interment holder before maintenance is carried out that would require the temporary removal of remains?

The Hon. K.J. MAHER: I am advised that the provision does not require that notice be given to an interment right holder in relation to improvement works. Under section 43 of the Burial and Cremation Act 2013 a relevant authority has a number of general powers, including the power to undertake works to improve or embellish the cemetery, natural burial ground or crematorium.

The Hon. R.A. SIMMS: A final question of clarification: if the bill passes, what are the implications for provisions under other acts in relation to Aboriginal ancestral resting places?

The Hon. K.J. MAHER: My advice is that it does not impact on that. I know that a bill, which has lapsed, was introduced in the last session of parliament in relation to that. I also note that, I think, just last week legislation passed in the Northern Territory about Aboriginal and traditional burial grounds. My colleague and good friend Chansey Paech, the Attorney-General in the Northern Territory, passed their bill, and I will certainly be liaising with my colleagues in the Northern Territory to see what application that might have to South Australia, but my advice is that, as far as this bill goes, it does not have any effect in relation to that area.

The Hon. C. BONAROS: I might start with some confirmation from the Attorney in the context of what I raised during the second reading debate. There is ongoing work being done in this area, of there potentially being a central register or mechanism for recording rights on titles. This had been foreshadowed previously; for instance, particularly where they apply to pastoral lands and the like.

The Hon. K.J. MAHER: I know that, when this bill was before us during the last term of parliament, these were certainly questions I was very interested in when I had a different role, that of asking questions at briefings. It is certainly ongoing work within the department to see how those aspects of a property might be better reflected in the instruments that hold themselves out to the world as the nature and the obligations forming part of that property.

The Hon. C. BONAROS: Given that we have the benefit of the Attorney here, in terms of the regulations that have come into operation as of 1 January this year and concerns that have been raised by stakeholders in relation to those, based on the formula that is to be used when you have unexpired portions and current fees payable for interment rights, perhaps this might be an opportunity to provide some clarity around any changes to those regulations or, indeed, the policy behind that in the context of the discussions that we have had on this bill.

The Hon. K.J. MAHER: It is certainly an area that I did not know as much about as I have come to learn, particularly from the good work of the Legislative Review Committee in inquiring more about regulations that predate my time in this role. Certainly, the issue of interment rights and the

terms of those rights is something that is important. The honourable member, in her second reading contribution, noted that these are an expensive thing that people deal with. Part of the human experience is that you have to deal with death and what follows it, which is often the need to find a resting place for loved ones. It is something that many people have to deal with at some stage in their lives.

I might give a bit of background before I talk about what we are looking at, at the moment. There are fixed-term interment rights. Fixed-term rights allow remains to be interred for a set period; for example, 50 years. At the end of that period, the right holder must decide whether to renew the right or to allow the right to be reused. My information is that, when it is reused, the general process is that all skeletal remains are carefully recovered from the site, placed within a box and reinterred at a lower depth in the same site or stored in the cemetery as per the regulations that apply.

Interment rights can be bought pre-needed—that is, before the person to be buried has died—and they typically come with a grace period. The fixed-term right will not commence until the remains are interred on site or until the grace period expires, whichever occurs earlier.

The valuation regulations addressed an issue where an interment right holder would receive what was considered an excessive refund. I am advised that a key contributing factor to this problem is that the formula to determine the fees on a fixed-term rate is based on the number of years left on the fixed term. A right that has a grace period attached to it will have the same number of years left for the purposes of the formula, whether it is one day or 15 years into the grace period, since it only takes into account the years left on the substantive fixed term. This can cause an excessive refund, as the formula operates as if the cemetery has spent no time maintaining the site during the grace period, even after a substantial period of time has passed.

The current solution under the variation regulations was to cap how many years left on the fixed term can be considered when calculating that refund, so capping this will reduce the refunds in some instances. I am informed this is aimed not to disadvantage a right holder if surrender occurs after a substantial portion of the grace period has passed.

For example, consider a 50-year burial right with a 25-year grace period surrendered at the end of the grace period. Under the old formula, the right holder's refund could take into account all 50 years left, operating in effect as if there had not been that 25 years of maintenance that was the grace period, whereas under the varied formula it would only take into account 30 years left.

However, and this often happens when you have to have restrictions of a formula in place, it could also sometimes operate to disadvantage the right holder. The example I have outlined just now assumes that the surrender occurs after a lengthy grace period. However, you might consider if the right holder surrenders the right quite soon after they bought it, such that the cemetery in question had very little maintenance costs during that time.

For example, if a person bought a grave with a 50-year tenure and a 20-year grace period, as the example I gave before, in July 2022, it would cost at the time somewhere around \$9,950. That price is based on the Adelaide Cemeteries Authority pricing guide from a few months ago, in July 2022. If they surrendered it just 11 months later, under the former regulations they would be entitled to a refund of \$7,462, with the cemetery keeping 25 per cent of that original fee. Under the new variation regulations they would be refunded \$4,478, meaning the cemetery has kept over 50 per cent of that original fee. Such a substantial reduction in the refund might be seen as not justified in this scenario, and the underlying issue is that neither the old nor the new formula directly takes grace periods into account.

Further, I have been advised, that in some cases the cap creates arbitrary differences between individual purchasers' outcomes. An example of that might be a scenario where two purchasers each buy a right and surrender it several years later—still during that grace period. For example, one person bought a 50-year right affected by the cap, and one bought a 25-year right not affected by the cap. For the 50-year right, if for example the original purchase price was \$10,000, a refund, assuming a 5 per cent price increase, might be \$4,725, meaning the percentage of the original purchase price returned would be 47.25 per cent.

But in the similar scenario where there is a 25-year right purchased for \$5,000, a refund, again assuming a 5 per cent price increase, would be \$3,935.70, which would see the percentage of the original price returned at 78.7 per cent. So there is a big difference between 47 per cent and 78 per cent, which as I said leads to what look like unjust outcomes for two people in very similar circumstances, yet the purchaser of that 50-year right regains a very significant lower percentage of their original purchase price simply because they bought a longer and, at the time, more expensive right.

These same sorts of problems and considerations do not arise in relation to perpetual interment rights. They do not have a grace period and, under both the old and the new method, the refund is directly linked to the number of years since purchase, so it bears some rational relationship to the amount of time that the site has been maintained. The variation regulations did not change the overall system, but adjusted the scale in relation to these.

In my view, the refund system for perpetual rights is not nearly such a pressing concern. I note in particular that perpetual interment rights are uncommon. I am advised that prior to 1 February 2014 perpetual interment rights were not allowed in public cemeteries, and even since their introduction they are overall not offered or used often. For example, I am informed that the Adelaide Cemeteries Authority does not offer them at all.

I can inform the chamber that I have instructed my department to review the refund model to ascertain whether there might be a more suitable system that can be developed in relation to those fixed-term interment right refunds, with a view to striking that right balance between consumers and cemetery authorities and properly taking into account the key factors at play. This work is being developed in consultation with the cemetery authorities, local government and the Law Society.

It is tricky, but I am sure there is a way we can look at it that has a look at that balance. As the examples pointed out, under the old system it led to significant inequities. We will address that in the new system, where we look at two people in two very similar scenarios. Where one person buys a 50-year right and another person buys a 25-year right—the same sort of values, one being, in the example, \$10,000 and one being \$5,000—there is a very substantial difference in the refund that is available.

As I said, it is an area that I now know much more about than I thought I would ever need to, but I do appreciate the Legislative Review Committee looking at this. I think it is an example of where the checks and balances we have in our system are working very well, that it can be reviewed by the Legislative Review Committee looking at how this works, looking at the equity of how our schemes work.

I am very pleased that we are having a further look at trying to find a way that balances the legitimate expectations of consumers not to be treated vastly differently, but also takes into account the legitimate expectations of cemeteries and cemetery authorities, which have maintained a plot and are not having it used and need to cover their reasonable costs in doing that. It is an area that is now undergoing further work.

The Hon. C. BONAROS: I think that certainly provides a lot of clarity for the record and perhaps for the benefit of other members in terms of the burial and cremation regulations and how they fit within the scheme of this legislation in the broader context. I do not actually have a question. I just want to thank the Attorney for the body of work he has done to ensure that this issue, which has been raised by stakeholders—it is certainly something that has been raised with me and something that I debated in the context of this debate—is actually now being addressed, hopefully with a fairer and more equitable outcome.

Clause passed.

Remaining clauses (2 to 6) and title passed.

Bill reported without amendment.

Third Reading

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (12:09): I move:

That this bill be now read a third time.

Bill read a third time and passed.

Sitting suspended from 12:10 to 14:15.

Petitions

HUMPHREY PUMP

The Hon. N.J. CENTOFANTI (Leader of the Opposition): Presented a petition signed by 1,024 residents of South Australia, concerning the Humphrey Pump situated at the Cobdogla Irrigation and Steam Museum in the Riverland. The petitioners pray that the house will support SA Water to invest in the Humphrey Pump to bring the pump up to the modern standards of operational safety required so that the public can continue to enjoy this piece of South Australian history.

Parliamentary Procedure

PAPERS

The following paper was laid on the table:

By the Minister for Primary Industries and Regional Development (Hon. C.M. Scriven)—

South Australian child protection expenditure the Productivity Commission's Report on Government Services 2022—June 2022

Question Time

MINISTERIAL CONDUCT

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:18): I seek leave to make a brief explanation before asking a question of the Attorney-General regarding ministerial conduct.

Leave granted.

The Hon. N.J. CENTOFANTI: As described by the now Minister for Health and Wellbeing in a media release on 31 July 2018, we are reminded that former ICAC Commissioner Bruce Lander said in his annual report, and I quote:

It has come to my attention that at least in some government offices, personal email accounts might be used to convey official information between public officers, rather than through official government email facilities...It is a matter of concern that public officers would seek to circumvent a legislative scheme designed to enhance transparency and government decision-making. Such conduct might, at the least, amount to misconduct in public administration and be the subject of investigation and potential disciplinary action.

My questions to the Attorney-General are:

1. Is he aware of these comments?
2. Are all of his ministers complying with the act?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:19): I thank the honourable member for her question. I do recall those comments, and the Premier has made it very clear that he expects all ministers to comply with all such requirements.

MINISTERIAL CONDUCT

The Hon. J.M.A. LENSINK (14:19): Supplementary question: if ministers are found not to be complying with those, what actions will this government take?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:19): I thank the honourable member for her question. The appropriate action.

MINISTERIAL CONDUCT

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:20): My question is to the Attorney-General regarding ministerial conduct. Will the Attorney-General commit to investigating the Minister for Human Services in relation to her admission in yesterday's House of Assembly question time that she has used a non-government email for work purposes?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:20): I thank the honourable member for her question. I don't have such investigative functions.

MINISTERIAL CONDUCT

The Hon. J.M.A. LENSINK (14:20): Supplementary question: what is the Attorney-General going to do if ministers of this government are not complying with an act which is under his purview?

The Hon. I.K. HUNTER: Point of order, Mr President.

Members interjecting:

The Hon. I.K. HUNTER: Well, rules are important.

The PRESIDENT: Order!

The Hon. I.K. HUNTER: I find it very hard—

The PRESIDENT: I will listen to the Attorney-General. Sorry, I will listen to the whip.

The Hon. I.K. HUNTER: Not yet, sir, not yet.

The PRESIDENT: Yes, sorry. I will listen to the whip. Go.

The Hon. I.K. HUNTER: I find it very hard to—

The Hon. J.M.A. Lensink: Anyone could do a better job.

The PRESIDENT: Order!

The Hon. I.K. HUNTER: I find it very hard to see how that could arise from the very brief and concise answer the Attorney gave.

The PRESIDENT: It's not really up to you to make that decision; it's up to me. I will allow you to answer it, Attorney, if you see fit.

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:21): It is almost impossible to answer. It's a hypothetical question because I am not aware of any suggestion that someone has actually breached any such conduct.

REGIONAL COUNCIL AMALGAMATIONS

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:21): My question is to the Minister for Primary Industries and Regional Development regarding regions. Does the minister support the Premier's push to amalgamate the City of Mount Gambier council and the District Council of Grant?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:22): I thank the honourable member for her question; however, the basis of her question is incorrect. The Premier's push is to involve local communities in having a say over directions they may want to take. In fact, I found it quite remarkable to see one of the honourable member's federal colleagues—

Members interjecting:

The PRESIDENT: Order!

The Hon. C.M. SCRIVEN: —claiming concerns about a lack of consultation, given that this is about consultation.

Members interjecting:

The PRESIDENT: Order!

The Hon. C.M. SCRIVEN: This is about consultation. Every registered voter—

Members interjecting:

The PRESIDENT: Order!

The Hon. C.M. SCRIVEN: Every registered voter in the City of Mount Gambier and the District Council of Grant—

Members interjecting:

The PRESIDENT: Order! Minister, sit down, please. I could hear nothing that the minister actually said in regard to trying to give an answer then. The opposition have asked a question. I expect to be able to hear the answer. Minister, please continue.

The Hon. C.M. SCRIVEN: Thank you, Mr President. As I was saying, this is all about consultation. This is about ensuring that every voter who is on the electoral roll—

An honourable member interjecting:

The PRESIDENT: It's very hard for me to listen to you with any sense of seriousness with this, alright?

The Hon. C.M. SCRIVEN: —for the council elections can have a say on whether they want the possibility of an amalgamation to be further investigated. If they don't want the possibility of an amalgamation to be further investigated then they will vote no. I found it quite remarkable that a member of the honourable member's—

Members interjecting:

The PRESIDENT: Order!

The Hon. C.M. SCRIVEN: —federal team wanted to complain that, supposedly, there wasn't consultation. So he wants consultation about consultation. Perhaps he would like consultation about consultation about consultation about the consultation that's happening. It was quite a remarkable kind of comment that he made. What I think is incredibly—

Members interjecting:

The PRESIDENT: Order!

The Hon. C.M. SCRIVEN: —relevant is that this is the way that those opposite are trying to position themselves as caring about the regions. We know what happened in the previous government. We had local people in the Limestone Coast—

Members interjecting:

The PRESIDENT: Order! Continue, minister—

The Hon. C.M. SCRIVEN: Thank you.

The PRESIDENT: —but it's not an unlimited time.

The Hon. C.M. SCRIVEN: I know those opposite don't like to hear the truth but what we had in the previous Liberal government—

The Hon. K.J. Maher interjecting:

The PRESIDENT: Leader!

The Hon. C.M. SCRIVEN: —was it being so absent from regional areas, such as the Limestone Coast, we had people asking why on earth their Premier was not there, and why is it that they waited, looking forward to a Liberal government, only to find that the Liberal government ignored them, to find that the former Premier ignored them, to find that the #RegionsMatter was nothing more than a hashtag?

It's interesting; this is not just me saying this. If we look at the Leech report about the Liberals' performance, on page 7 the report states, 'It's important that the Liberal Party regain the confidence of rural South Australia.' They pointed out how popular country cabinets had been to regional residents. One of the recommendations of the Leech report stated—

Members interjecting:

The PRESIDENT: Order, the Government Whip and the Leader of the Opposition! Order, enough! Minister, please conclude your remarks so that we can move on.

The Hon. C.M. SCRIVEN: Thank you. I'm hoping they might be heard. On page 31 of the Leech report it said, 'The Liberal Party needs to re-engage with its dwindling rural support base.' We saw many Liberal MPs receive double-digit swings against them because the Liberal Party—

Members interjecting:

The PRESIDENT: Order!

The Hon. C.M. SCRIVEN: —stopped listening to residents in the regions. They stopped listening to residents in the regions just like—

Members interjecting:

The PRESIDENT: Order! Minister—

The Hon. C.M. SCRIVEN: —those opposite refuse to listen now.

Members interjecting:

The PRESIDENT: Minister, sit down. Order!

The Hon. H.M. GIROLAMO: Point of order.

The PRESIDENT: You have a point of order, I will listen to it.

The Hon. H.M. GIROLAMO: I do question the relevance of that report in regard to—we were talking about the council of Grant, so can we please focus on that area.

Members interjecting:

The PRESIDENT: Order! There is no point of order. Continue, but conclude, please, so that we can move on.

The Hon. C.M. SCRIVEN: Just a hint: the Limestone Coast is regional. Maybe just a little point to note there that when we're talking about engagement with regional residents. We are very much looking forward to local people being able to have a say and express their opinion when it comes to the potential to investigate an amalgamation between the District Council of Grant and the City of Mount Gambier. It is entirely up to the residents of the local area to talk and have their voices heard.

AGRICULTURAL TOWN OF THE YEAR

The Hon. I. PNEVMATIKOS (14:27): My question is to the Minister for Primary Industries and Regional Development. Will the minister please update the chamber on the Agricultural Town of the Year?

Members interjecting:

The PRESIDENT: Order! The two leaders are not being helpful today.

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:27): I am very pleased to be able to advise the council that the field for the title of 2022 Agricultural Town of the Year has been narrowed to five towns. Each year the award highlights the importance of developing and maintaining a strong and vibrant agricultural sector in South Australia by recognising towns that are excelling in agricultural practices and also the flow-on effect that this has on communities.

This year's finalist towns are—and I feel that I do need to point out where some of these towns are for those opposite because obviously they thought that Grant and Mount Gambier weren't regional. The finalist towns are Crystal Brook in the Yorke and Mid North—

Members interjecting:

The PRESIDENT: Order!

The Hon. C.M. SCRIVEN: —Kapunda in the Barossa, Light in the Lower Light—

Members interjecting:

The PRESIDENT: Order!

Members interjecting:

The PRESIDENT: The two leaders, you are not helping.

The Hon. C.M. SCRIVEN: Mypolonga for Murray River and Mallee, Orroroo for—

Members interjecting:

The PRESIDENT: Order! Sorry, minister, can you just start that sentence again. I'm hearing none of it.

The Hon. C.M. SCRIVEN: Certainly. This year the—

Members interjecting:

The PRESIDENT: Order! Minister, please.

The Hon. C.M. SCRIVEN: Thank you, I would be delighted to continue if those opposite would show the appropriate restraints.

The PRESIDENT: Minister, just continue.

The Hon. C.M. SCRIVEN: Crystal Brook, Yorke and Mid North, Kapunda in the Barossa, Light and Lower Light region, Mypolonga in Murray River and Mallee, Orroroo in Yorke and Mid North, and Waikerie in Murray River and Mallee. This year Crystal Brook and Waikerie are first-time finalists while Orroroo, Mypolonga and Kapunda have made the list for another year.

A public vote decided the finalists from 54 nominated towns, with 4,100 votes received, representing a 35 per cent increase on the 3,200 received votes the previous year. The growth in votes received this year shows the competition is growing in prominence and that communities are rallying around their favourite agricultural towns to get them well-deserved recognition.

For the next stage of the judging process, a panel of independent judges, which comprises a mix of ambassadors, well-known identities and experts from South Australia's primary industries and regions, will visit each of the finalist towns. The judging panel is made up of Angelo Demasi, Chief Executive Officer of the SA Produce Market and a passionate South Australian food ambassador; wine and agribusiness ambassador Simon Maddocks, Chair of Primary Producers SA; Mayor Erika Vickery OAM, Naracoorte Lucindale Council and Chair of the South Australian Regional Organisation of Councils; Kris Lloyd AM, Chief Executive and Head Cheese Maker, Woodside Cheese Wrights and proud food, wine and agribusiness ambassador.

The 2022 Agricultural Town of the Year will be announced on Friday 4 November at the Regional Showcase celebrations, so I encourage all members who truly care about regions to put that date into their diaries. It will be an excellent regional showcase celebration, and I encourage everyone to be involved. The winning town receives entrance signage recognising its achievement and a community unveiling event.

I would like to extend my personal congratulations to Crystal Brook, Kapunda, Mypolonga, Orroroo and Waikerie on being named in the top five. These towns represent different regions and showcase diverse elements of South Australia's agricultural and regional landscape. I am also pleased to see some of the towns making the finalist list for the second or third time in addition to the two new entries.

Approximately a third of the state's population live in our regional areas. AgTown of the Year not only recognises our primary producers but highlights the importance of the communities that support them. The award is a way of giving thanks for everything agriculture and everything that our regions contribute to South Australia, including adding more than \$29 billion to the state's economy every year. Well done to the finalists, and I look forward to the announcement on 4 November.

AGRICULTURAL TOWN OF THE YEAR

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:31): Supplementary, Mr President.

Members interjecting:

The PRESIDENT: Order!

The Hon. N.J. CENTOFANTI: Can the minister tell us who won the AgTown of the Year in 2020?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:31): I don't think I can.

CHILD PROTECTION

The Hon. T.A. FRANKS (14:32): I seek leave to make a brief explanation—

Members interjecting:

The PRESIDENT: Order! I want to hear the question.

The Hon. T.A. FRANKS: I seek leave to make a brief explanation before addressing a question on the topic of child death and serious injury reporting to the minister representing the Minister for Child Protection.

Leave granted.

The Hon. T.A. FRANKS: As members are aware, there are currently several reviews underway into child protection in our state. There is of course the review of the Children and Young People (Safety) Act 2017, as well as the review being led by former police commissioner Mal Hyde into what interactions government departments had with the families of Charlie and Makai and the appropriateness and effectiveness of the current systems in place.

Of course, there is also the independent post-coronial review being undertaken by Kate Alexander, scrutinising the government's progress in implementing recommendations of previous child protection inquests. There is also an ongoing review into the South Australian foster and kinship care system. These reviews are important and necessary, but I and others are left wondering how effective they can be without complete information.

Under the Children and Young People (Oversight and Advocacy Body) Act 2016, which continued the Child Death and Serious Injury Review Committee work, one of the functions of that committee is to 'maintain a database of child deaths and serious injuries and their circumstances and causes'.

I have had concerns raised with me by South Australian carers that the 2021 annual report of this committee shows that it did not use its power to properly record serious injuries for children. In fact, all of the annual reports for this committee that we can see since its creation focus solely on child deaths and contain no reporting on serious injuries at all.

My office then referenced the data.sa.gov.au website. There is only one dataset available from this committee which contained last year's child death statistics, but even then, again, nothing available for serious injuries. More concerningly, when contacted via the parliamentary library, as well as my office, the committee advised that the committee's main focus is apparently just child deaths.

They went on to say that their understanding was that the intent of the act was to give the committee leeway to investigate cases of serious injury where they are similar in nature to cases resulting in death, not to create an obligation to collect comprehensive serious injury data. This is

despite serious injuries being both in the name of the committee and listed in their functions under the act. My questions to the child protection minister, via the minister representing her here, are:

1. Is it the role of the Child Death and Serious Injury Review Committee to review and report on serious injuries experienced by children in our state?
2. How can we effectively review South Australia's child protection system when we are not keeping data on serious injuries experienced by children, particularly in care, and their circumstances and causes?
3. How is a committee that is supposed to 'review cases in which children die or suffer serious injury with a view to identifying legislative or administrative means of preventing similar cases of death or serious injury in the future' meant to do that if they are not collecting, maintaining, reviewing or reporting on serious injuries?
4. Finally, how is this committee, which is supposed to 'make and monitor the implementation of recommendations for avoiding preventable child death or serious injury', doing their job if they are not doing this?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:35): I thank the honourable member for her question on a very important topic. I will refer that to the Minister for Child Protection in the other place and bring back a response to the chamber.

ASSISTANT MINISTER FOR AUTISM

The Hon. J.S. LEE (Deputy Leader of the Opposition) (14:36): My questions are to the parliamentary secretary regarding her role as Assistant Minister for Autism:

1. How many additional FTEs have been allocated to assist in her role as Assistant Minister for Autism?
2. What budget allocation has been provided to support her role as Assistant Minister for Autism?
3. Is she receiving any additional loading in her new role?
4. Which department or agency will her extra staff or financial resources come from in relation to her autism portfolio responsibility?

The Hon. E.S. BOURKE (14:36): I thank the honourable member for her question. I am delighted to get up and stand here today to talk about this incredible new position. I think all South Australians should be proud, and everyone in this chamber—no matter what side of the chamber you are on—should be proud that South Australia is leading the way in this space.

South Australia has been put on the map in regard to what we are doing in this space. For the first time not just in South Australia, for the first time not just in this country, but potentially for the first time in the world, we have a sole member of government focused on autism, and that is an incredible achievement.

That has been achieved not because we thought of it overnight. It has been achieved because we did something extraordinary: we consulted with the community. We did that time and time again whilst we were in opposition, that is why we have been able to create this position, and I am really proud that we have achieved that.

In regard to your questions: have there been any further FTE positions created? No. Is there a budget allocated to me? No. Am I increasing my loading? No. I am doing this for the right reasons, and I am so proud of that, because I will work every day to make this a success, because it is not about me, it is not about a loading. I am not doing this for money; I am doing this for the community that needs it. They have called time and again for this to be a focus. Your government didn't listen—we have. Your government didn't do anything—we have, and we will continue to do things.

The Hon. J.M.A. LENSINK: Point of order: all members are supposed to refer through you not directly to members in this chamber.

The PRESIDENT: You should refer your answers back through me.

The Hon. E.S. BOURKE: Thank you, Mr President. The previous government did not do anything and we have. The previous government did not create this role, but we did. I will not be receiving a loading to undertake this role; it will be a privilege for me to do it every single day of the week in my capacity as the parliamentary secretary.

ASSISTANT MINISTER FOR AUTISM

The Hon. L.A. CURRAN (14:38): Supplementary: was the parliamentary secretary receiving a loading prior to becoming the advocate for autism?

The Hon. E.S. BOURKE (14:39): I am the parliamentary secretary, so I do receive a loading to be the parliamentary secretary. The question was: will I be taking an additional loading? The answer is no. If we want to refer back to the question, the question was: will you be taking an additional loading? No, I will not be. My loading is the parliamentary secretary loading, and that is the loading I will be taking, because I already have.

LEGAL SERVICES COMMISSION

The Hon. R.P. WORTLEY (14:39): My question is to the Attorney-General.

Members interjecting:

The PRESIDENT: Order! The Hon. Mr Hanson! The Hon. Mr Wortley is to be heard in silence, please.

The Hon. R.P. WORTLEY: My question is to the Attorney-General. Will the minister inform the council about the Legal Services Commission's activities in Port Adelaide?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:40): I thank the honourable member for his question and his ongoing and continuing interest in justice in South Australia. The Legal Services Commission's presence in Port Adelaide dates back to 1986. The commission established its presence in Port Adelaide in the mid-eighties because it recognised the needs of the community, and those needs are still driving the commission's delivery of legal advice and representation today.

The Legal Services Commission's Port Adelaide office was set up because, for many people, it can be a long, inconvenient or impossible trip into the commission's Adelaide CBD premises. As was the case in the eighties, there are pockets of disadvantage in the western suburbs areas, and it is crucial that the Legal Services Commission is poised to respond to all those needs.

In response, the assistance that the Legal Services Commission delivers from its Port Adelaide office has been life-changing for many people over a number of decades. That's why I was pleased that, on Friday 29 July, I was invited to open the Legal Services Commission's new Port Adelaide office. The Deputy Premier, the Hon. Dr Susan Close MP, member for Port Adelaide, was in attendance, as was the local Port Adelaide magistrate, Magistrate Pandya.

The Legal Services Commission's new Port Adelaide office is very well situated on St Vincent Street, across the road from the Port Adelaide Magistrates Court. The new position of the office will be able to increase the Legal Services Commission's visibility in the community and remind people to connect with the commission when they need such legal help. Locating suitable premises across the road from the Port Adelaide Magistrates Court was a great find for the commission, and magistrates sitting at Port Adelaide and court staff can very easily direct people just across the road for legal assistance, if needed.

It is also of great benefit to the Legal Services Commission's duty solicitors as they go about their day, assisting unrepresented clients before the local Magistrates Court. The Legal Services Commission's duty solicitor services are vital in all SA courts, and that is true also at Port Adelaide. The Legal Services Commission provides crucial and expert help in criminal law, family matters and a wide range of civil issues. The commission staff are to be commended for their assistance to victims of domestic violence, efforts to protect older South Australians and also the assistance provided to vulnerable children.

While the Port Adelaide office is not the biggest that the commission has, it remains a crucial part of the heavy lifting the organisation undertakes each year in the justice sector. The commission has delivered, I am informed, in excess of four million legal assistance services to South Australians since it began its operations in 1979. I am informed that the commission provides more than 140,000 services per year, and many thousands of them are delivered from Port Adelaide.

The assistance the commission provides makes a significant difference to individuals, to their families, to the justice system and to the wider community. I commend them for the work that they do and congratulate them on the opening of their new office in Port Adelaide.

POKER MACHINES

The Hon. C. BONAROS (14:43): I seek leave to make a brief explanation before asking the Attorney representing the Minister for Consumer and Business Affairs in the other place a question about poker machines.

Leave granted.

The Hon. C. BONAROS: Monash University's highly respected Gambling and Social Determinants Unit has recently released some data revealing Australians lost a total of \$11.4 billion to poker machines in a single year. The report shows that more than 3.3 million people used gambling machines in New South Wales, Victoria, South Australia, Queensland and Tasmania in 2021-22. They each lost an average of \$3,429 in the last year, according to that data. The local government area in South Australia with the biggest losses was Port Adelaide Enfield, with \$86 million.

Deakin University gambling researcher Professor Samantha Thomas was scathing in her assessment of what she said has been years of government inaction, despite the overwhelming evidence that poker machines were harmful. I quote:

[Poker machines] are the most harmful form of gambling in Australia. We've reached a point where there is no excuse for governments not to be intervening and doing something about this.

My questions to the minister are:

1. What is this government doing to reduce the damage being caused by poker machines?
2. Does the government acknowledge views that say that the 'gamble responsibly' messaging places blame on gamblers and removes the responsibility from industry and governments who reap the rewards of those poker machines?
3. Given this most recent data, will you give consideration to establishing a task force into poker machines in SA?
4. Does this government remain committed to the inquiry it insisted on during the 2019 debate in this place around changes to the Gaming Machines Act?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:45): I thank the honourable member for her question, and acknowledge her longstanding and widely recognised interest and advocacy in this area, and I will refer the questions the member has asked to the minister in another place and bring back a reply.

AUTISM LEAD TEACHERS

The Hon. J.M.A. LENSINK (14:45): I seek leave to make a brief explanation before directing a question to the parliamentary secretary regarding autism.

Leave granted.

The Hon. J.M.A. LENSINK: In 2022-23, the state budget included some \$28.8 million over the forward estimates to appoint an autism lead teacher in every government primary school. My question to the parliamentary secretary is: is the government's funding for specific autism programs in education in addition to the funding signed up to already as a result of the Gonski agreement, or is the government taking this funding out of the general disability funding under Gonski?

The Hon. E.S. BOURKE (14:46): I thank the honourable member for her question. We did commit \$17 million when we took this to the state election, and when we got into government it was one of those programs that the education department at the time thought and agreed was a fantastic initiative that we were taking to the people. They said that they had similar programs they wanted to support, and that this would be a really fantastic opportunity to achieve that outcome.

Additional funding was made available to increase it to \$28 million, and that has enabled us to increase the amount of time that is given to students in the classroom. We know across our classrooms if we do not have the knowledge about what autism is—we can continue to talk about the word autism, and that makes no change at all. By investing in this, and bringing this knowledge into our schools, we can create that change.

At the moment there are students being excluded from school—autistic students make up a high proportion of kids that are excluded from schools—and we need to do something about that. Increasing this funding will enable us to hopefully reduce the exclusion in our schools because that is one of our main aims here; it is to keep kids in schools, so that they can get the education that they deserve. We are really proud that we are investing in that.

AUTISM LEAD TEACHERS

The Hon. J.M.A. LENSINK (14:47): Supplementary question: while I appreciate the parliamentary secretary talking about what the funding will be spent on, can she advise which bucket of money it has come out of, as was in my original question?

The Hon. E.S. BOURKE (14:48): As was highlighted in the budget papers, it has come out of the education department, and it will be funded by the education department.

AUTISM LEAD TEACHERS

The Hon. J.M.A. LENSINK (14:48): Further supplementary: is it general disability funding under Gonski, or is it another source?

The Hon. E.S. BOURKE (14:48): As the honourable member herself has highlighted, the details are highlighted in the state budget, and it is being funding out of the Department for Education.

AUGMENTED REALITY TECHNOLOGY

The Hon. J.E. HANSON (14:48): My question is to the Minister for Primary Industries and Regional Development. Will the minister update the chamber on how augmented reality technology is being used to assist farmers to recognise emergency animal diseases?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:48): I thank the member for his question, and his ongoing interest in this topic. I am very pleased to advise the chamber that world-leading augmented reality (AR) technology developed in South Australia is being used to assist producers to recognise emergency animal diseases such as foot-and-mouth disease in sheep.

Funded through the state government's Red Meat and Wool Growth Program, and Animal Health Australia, the Sheep Emergency Animal Disease (EAD) AR tool has been developed by South Australian innovative immersive technology studio Think Digital, in collaboration with Animal Health Australia and the Department of Primary Industries and Regions.

The tool, members might be interested to know, generates a flock of augmented reality sheep, providing an opportunity for the user to identify the sick animal by looking for signs and symptoms of exotic AED diseases, such as foot-and-mouth disease, bluetongue, scrapie and sheep pox. The tool is now available on both the App Store and Google Play and can be downloaded by searching for sheep EAD AR, to benefit the Leader of the Opposition, who is clearly trying to search the term. With the heightened risk of emergency animal disease, the launch of this world-first cutting-edge tool could not be more timely. This tech will be an extra tool in the preparedness work being done to fight against these diseases.

What is really important to note is that the diseases that are featured in this augmented reality tool are not diseases that have been in Australia before, so most primary producers and others who work on farm are not necessarily familiar with the signs and symptoms to look for. Tools like this will

help to educate and increase awareness, helping producers to be more vigilant with their on-farm biosecurity practices. It is important to know that it is not a diagnostic tool; it is an educative tool so that people can become more familiar with what to look for.

It is exciting—very exciting—that this technology was developed right here in South Australia. It is well timed for our primary industries here, but also it is generating international interest, especially in Europe. According to Dr Robert Barwell, head of program biosecurity at Animal Health Australia, this exciting simulation tool, along with an associated information package, will result in higher levels of engagement and ultimately improved awareness.

Feedback from user testing has been that the tool is easy to navigate and engaging to use, leading to better awareness of these diseases and the action required if suspected. I was delighted to be able to try out this augmented reality tool just, I think, last week at the Growing SA conference. It was quite interesting. It took a little while to get used to, but not very long. You could actually see the sheep in front of you and appear to be touching them, looking at the leg that might have demonstrated a limp or something similar.

I had the additional benefit of having the goggles to use, but if you download it you can still do it on a tablet or, I think, on an iPhone. It is imperative that workers across the agricultural sector can spot suspicious signs in animal behaviour and be aware of and comfortable with how to report so that we can remain vigilant against emerging animal diseases.

REGIONAL COUNCIL AMALGAMATIONS

The Hon. R.A. SIMMS (14:52): I seek leave to make a brief explanation before addressing a question without notice to the Minister for Primary Industries and Regional Development on the topic of council amalgamation consultations in the regions.

Leave granted.

The Hon. R.A. SIMMS: On Monday, Premier Malinauskas announced the government's plan for a plebiscite at the November council elections exploring a merger between the City of Mount Gambier and the District Council of Grant. The Premier claimed that the plebiscite was in response to community and business demands.

Additionally, yesterday in this place the Minister for Primary Industries and Regional Development told this place that she had had 'informal discussions with individuals who live in the area' regarding the amalgamation. My question to the minister is: who precisely has the minister had these informal discussions with?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:53): I thank the honourable member for his question. The answer is members of the public.

REGIONAL COUNCIL AMALGAMATIONS

The Hon. R.A. SIMMS (14:53): I have a supplementary question: could the minister advise whether these members of the public included the business and community leaders that the Premier referenced?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:53): I have a number of conversations and interactions with people across regional areas. Of course, our Premier has also been out in regional areas a great deal, both prior to becoming Premier, when we were in opposition, and also since, because we think it is incredibly important to be in touch with residents in regional areas.

I can't guarantee that exactly the same people that the Premier has spoken to are the same people that I have spoken to. I am sure there are some crossovers, and I would imagine there would be many on the list who have raised it with me who haven't necessarily spoken with the Premier, and plenty who have raised it with the Premier who haven't necessarily spoken to me.

It is a general matter of community discussion from time to time, and that can sometimes be sitting in a coffee shop. Sometimes it might be at something like country cabinet or, indeed, at shadow

country cabinet when we were previously in opposition. Those sorts of conversations happen at all sorts of times.

REGIONAL COUNCIL AMALGAMATIONS

The Hon. R.A. SIMMS (14:54): Supplementary: would the minister agree to publish her ministerial diary so that this information could be more readily available?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:54): The Leader of the Opposition is FOling my diary I think every month, it seems, so far, so that will be available under the usual FOI processes.

SCHOOLS, SPECIALIST SUPPORT

The Hon. S.G. WADE (14:55): I seek leave to make a brief explanation before asking a question of the parliamentary secretary regarding specialist support in schools.

Leave granted.

The Hon. S.G. WADE: The government made an election commitment to spend \$50 million to fund 100 additional speech pathologists, occupational therapists, psychologists and counsellors for the public school system. My questions to the parliamentary secretary are:

1. Do the 100 additional specialists equate to 100 additional full-time equivalents over and above the staff that were already budgeted prior to the election, or does it include the 55 specialists announced by the former government?
2. Has recruitment of these additional specialists commenced?
3. When will all 100 be recruited and working?

The Hon. E.S. BOURKE (14:56): I do thank the honourable member for his question. This is a really important part of our commitment to more inclusivity in our schools and also access to support that is required. The government has committed an additional \$50 million over four years to employ 100 additional mental health and learning support specialists. This will be providing that support in our schools, which is really important.

The workforce will include psychologists, social workers, speech pathologists and other learning support specialists. They will be available to work one on one with students and school staff and to support students' wellbeing and engagement in education. The roles are to be created and advertised by the end of June, which has already commenced, and over 25 FTEs have already been recruited for those roles.

SCHOOLS, SPECIALIST SUPPORT

The Hon. S.G. WADE (14:57): Supplementary question: could the parliamentary secretary address the issue of whether the additional specialists are in addition to the 55 already committed by the former government and in fact the additional is only 45?

The Hon. E.S. BOURKE (14:57): As I stated earlier, the government has committed an additional \$50 million over four years to employ 100 additional mental health and learning support specialists.

UNITING COMMUNITIES LAW CENTRE

The Hon. T.T. NGO (14:57): My question is to the Attorney-General. Will the Attorney-General inform the council about the activities of Uniting Communities Law Centre and his recent visit to their office?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:57): I certainly will and I thank the honourable member for his question and pay tribute to how in touch he is with the community. He has obviously heard about my visit to their centre recently.

With a growing workforce of over a thousand staff and 400 volunteers, with outlets across metropolitan and regional South Australia and service portfolios that range from mental health and

drug and alcohol rehabilitation, aged care, disability, youth and family services and homelessness, financial inclusion and legal services, and children's services, Uniting Communities plays an important and influential role in the South Australian community.

Providing assistance to more than 80,000 South Australians each year and having recently completed one of the state's most significant new developments in the form of U City, Uniting Communities plays a major role in the state's social, economic and environmental wellbeing. As the honourable member has indicated, Uniting Communities runs a community legal centre, the Uniting Communities Law Centre. The Law Centre provides free, independent and confidential legal services to over 2,000 vulnerable and disadvantaged people across regional and metropolitan South Australia in any given year.

The Uniting Communities Law Centre provides information, advice and representation, and education on a range of matters including family law, criminal law, family violence and civil law matters. I had the pleasure of visiting the Uniting Communities Law Centre towards the end of July where I saw firsthand the dedicated passion of its staff. In a roundtable discussion with staff, the law centre told me about the trials and tribulations of some of the specialist services they run, including:

- a social security legal service, which assists people navigating Centrelink and government benefits;
- a mediation service, which provides community mediation, assisting neighbours with issues around things like trees, fences, noise, behaviours, retaining walls and other disputes;
- a consumer credit law centre, which consists of a team of lawyers and financial counsellors who assist people with things such as home repossessions, bankruptcy, payday lenders, banks and lenders, credit card debts, maladministration in lending and other complex matters;
- an elder abuse team, which consists of a lawyer and social workers providing assistance to elderly people who are experiencing financial, physical, social or psychological abuse from their child or close family member; and
- a disability advocacy service, which provides advocacy and legal representation to people navigating the NDIS system.

The discussions I had highlighted the need for a dynamic, comprehensive and responsive legal assistance sector, and I am pleased that the government can work together with organisations such as Uniting Communities to deliver this.

South Australia's legal assistance strategy, which is being developed for 2022 to 2025 and which was launched by the Attorney-General's Department a couple of months ago, outlines the government's commitment to assist vulnerable people facing disadvantage who are unable to afford private legal services and access and engage effectively with legal solutions and the justice system to address their legal needs.

Community legal centres such as Uniting Communities Law Centre play a vital role in this landscape, and for their dedication to the people within their service to ensure access to justice in this state I thank them and commend their work to this chamber.

ACUTE BEHAVIOURAL ASSESSMENT UNITS

The Hon. S.L. GAME (15:01): I seek leave to make a brief explanation before addressing a question to the Attorney-General representing the Minister for Health and Wellbeing regarding acute behavioural assessment units.

Leave granted.

The Hon. S.L. GAME: I have met with South Australia's Chief Psychiatrist, who fully endorses the rollout of acute behavioural assessment units attached to hospital emergency departments. I understand he has already relayed this advice to the Minister for Health and Wellbeing. The old way of thinking was to treat a substance abuse issue separate from other mental

health issues. This is incorrect. The latest research states that these issues should be treated simultaneously.

Assessment units provide care for people under the influence of substances and alcohol when they may otherwise be turned away from an emergency department for being intoxicated. We have come a long way in reducing stigma around certain aspects of mental health, but those who suffer simultaneously from mental health crises and substance abuse still face discrimination, judgement and are often met with low levels of empathy and understanding.

Feedback I have had from local advocacy groups says that patients who are alcoholic or addicted to substances feel discriminated against by emergency room practices here in South Australia. Melbourne has introduced purpose-built acute behavioural assessment units attached to hospital emergency departments. They have been proven to reduce stigma and fear for those needing to present at hospital while harbouring a substance problem, improve resourcing throughout the emergency department both within the unit and the extended ED facility, and decrease the use of restrictive interventions such as restraints.

These facilities improve safety and reduce stigma, yet currently South Australia has no such facility attached to our hospitals. Local professionals have noted that The Queen Elizabeth Hospital is well placed to facilitate these assessment units. My questions to the Attorney-General representing the minister are:

1. Is the government committed to introducing this important service to South Australian hospitals, as recommended by research papers, our Chief Psychiatrist and several other mental health professionals, and when?

2. What is the government plan to reduce stigma for people suffering substance abuse simultaneously with mental health issues, especially those who present to our emergency departments?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:04): I thank the honourable member for her questions and will refer those important questions to the minister in another place and bring back a reply.

AUTISM LEAD TEACHERS

The Hon. L.A. CURRAN (15:04): I seek leave to make a brief explanation before asking a question of the parliamentary secretary regarding autism.

Leave granted.

The Hon. L.A. CURRAN: The Labor government made an election commitment to empower schools to manage the process of allocating support and resources. My question to the parliamentary secretary is: how is the government empowering schools to manage the process of allocating support for students with autism in their school?

The Hon. E.S. BOURKE (15:04): An interesting question. I guess we are empowering schools to support the autistic community by giving them knowledge. We cannot create any change in our schools until we build that knowledge. We have invested \$28 million to release a teacher from a classroom to be trained, for one day a week in some schools and also for four hours a week in other schools. That will enable us to provide training to teachers so that they have the flexibility to go back into their school environment and create that real cultural change.

We can keep talking about autism as a word or we can actually start creating real knowledge of what autism is. We don't have the time any more to wait for teachers to be leaving university with the credentials potentially to be able to teach and support all children in the classroom. What we need to do now is create a workforce with the people we have, to create this network in our schools. We are doing something that hasn't happened anywhere else in Australia before. We are creating the largest network of autism inclusion focused teachers right here in South Australia.

Every public primary school will have access to someone who has that knowledge. They will have knowledge of what autism is so that when we have kids in the classroom, all kids can be

included. Every kid will feel like they are a part of their classroom, and that is really important, and I think everyone in this chamber should be proud of that.

The Hon. L.A. CURRAN: I have a supplementary question.

The PRESIDENT: A supplementary question, and I will listen to it. The Clerk has made a very interesting point to me with regard to the parliamentary secretary and her responsibility with regard to it. She is actually not the minister responsible for delivering the program, so it will be up to the parliamentary secretary to answer if she sees fit. I will listen to your supplementary question but it is something that I have been made aware of.

AUTISM LEAD TEACHERS

The Hon. L.A. CURRAN (15:06): What is the role of each government primary school in determining the resource level required for the autism lead teacher in their school?

The Hon. E.S. BOURKE (15:07): The role has been created through the department, so the department has determined which schools will be receiving a teacher who will be funded for one day a week and also the schools that will be funded for four hours a week or one day per fortnight. That is being determined on a scale of need.

We all know in this chamber that we have the scale of one to seven, I believe it is, one being lower socio-economic areas or more demand in our schools, so those schools that are in need of more support are receiving a teacher based on one FTE, or a 0.2 FTE, sorry, I should confirm. Those who don't need as much support in their school will get 0.1. This is something that we have determined through that scale process of where the support is needed, and the support is going where we believe it is required.

AUTISM LEAD TEACHERS

The Hon. J.S. LEE (Deputy Leader of the Opposition) (15:08): Supplementary: can the parliamentary secretary inform if every government primary school been advised of the autism lead teacher allocation yet? If she does not have the answer, can she take it on notice?

The Hon. E.S. BOURKE (15:08): I am happy to answer that question. Yes, the schools have been advised of their allocation breakdown. We made that very unique announcement yesterday through the media, that we will be providing the scope and the role requirements to all public schools this week. That is a significant announcement. As I said before, this is the largest network of autism inclusive teachers to be rolled out anywhere in this country. No other state has access to an autism inclusion teacher in every public primary school.

Most other states have gone down the role of a hub and spoke model; we are implementing the dream model. We are implementing something that other states have been talking about but haven't been able to implement. We are implementing that here in South Australia and it is a big step for everyone.

AUTISM LEAD TEACHERS

The Hon. J.S. LEE (Deputy Leader of the Opposition) (15:09): Supplementary: I appreciate the parliamentary secretary taking the questions. Can the parliamentary secretary confirm whether she will be responsible for the decisions regarding funding, resource allocation and policy direction, or will the decision-making sit directly with the Minister for Education?

Members interjecting:

The PRESIDENT: Order!

The Hon. E.S. BOURKE (15:09): As the President has clearly highlighted, I am not the minister. I have not been sworn in as a minister. As members on this side have rightly highlighted, it is departments that also make those decisions.

GRAIN INDUSTRY

The Hon. I. PNEVMATIKOS (15:10): My question is to the Minister for Primary Industries and Regional Development. Will the minister please update the chamber on how South Australia is

leading the nation in using technology to measure and assist in reducing on-farm emissions for grain producers?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:10): I thank the honourable member for her question. I am very pleased to advise the chamber that technology to measure and assist in reducing on-farm emissions for grain producers will be trialled in South Australia in what is a national first. The technology is called FLINTpro and it allows Australian farmers to evaluate, benchmark and communicate the environmental footprint of their production. For the first time in Australia, FLINTpro for Farms will be used by grain producers.

FLINTpro for Farms technology uses a cradle-to-farm-gate approach, measuring not only the greenhouse gas output of on-farm activities but also the embedded emissions that are found elsewhere in the supply chain—for example, in fertilisers, chemicals and diesel.

It also allows farmers to assess their environmental performance against regional benchmark data and to monitor environmental aspects beyond greenhouse gas emissions. The trial of FLINTpro for Farms in South Australia under a project called Target Net Zero for Farms will aim to create a system for grain producers to confidently and efficiently measure and report farm emissions and will involve 10 farms. Producers will apply the best practices in farm emissions reporting, tailored to their own grain operations.

It is another great example of the partnership between this government and the grains industry. This trial will be jointly funded by state government and Grain Producers SA and will be delivered by GPSA through the Mullion Group. On completion of the trial, it will be evaluated for potential to roll out to grain producers more broadly so that producers can gather valuable data about their own environmental footprint.

Putting it very simply, for producers to reduce their carbon emissions, they of course must first know what their carbon footprint is. The trial of this technology right here in South Australia using 10 of our grain producers will help find a credible, reliable solution to understanding a farm's environmental footprint that is applicable to South Australian conditions. I say well done to FLINTpro and well done to GPSA.

GRAIN INDUSTRY

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (15:12): I thank the minister. Can the minister explain why the application process for registration of interest is only open for four weeks?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:12): Certainly. First of all, it is under the auspices of GPSA, so they have made that decision. That is my understanding. When I was speaking with them at the Cleve field days a few weeks ago and we were discussing this very exciting initiative, they were saying that they were really hoping to get it completed within a short period of time.

It is a trial and therefore the expressions of interest open from 6 September, closing I think on 30 September. It is important to get those 10 participants involved. There has been a reasonable amount of media coverage of this when it was announced some weeks ago as well as, I know, this week, when certainly some of the regional media has run articles encouraging producers to get involved with the program.

Producers who are interested in participating can lodge their expression of interest with GPSA. They need to provide the name, location and contact details. So I certainly hope there is a lot of interest in this, because it certainly has the potential to benefit grain producers and South Australia more broadly.

BROMLEY, MR D.J.

The Hon. F. PANGALLO (15:13): I seek leave to make a brief explanation before asking a question of the Attorney-General about the High Court and Australia's longest serving Indigenous prisoner.

Leave granted.

The Hon. F. PANGALLO: On 16 September, Australia's longest serving Indigenous prisoner, Derek Bromley, is seeking special leave to appeal to the High Court against his murder conviction. Mr Bromley has been in prison for 38 years, 14 years longer than the period set for his parole.

He has not been paroled, despite his excellent behaviour, because he refuses to admit he committed murder and has always claimed his innocence. Mr Bromley's conviction was reached partly on the so-called expert evidence of the disgraced former chief forensic pathologist, Dr Colin Manock. It has been well established that the state knew that Dr Manock was unqualified to carry out thousands of autopsies, and he secured hundreds of criminal convictions. However, there was no disclosure by the prosecution to the courts of Dr Manock's lack of qualifications and skills.

Despite the biggest scandal in the state's criminal justice history, not one single authority or integrity agency wants to go near it. That is in itself shameful and a monumental scandal, and it is called wilful blindness. Respected legal academic Dr Robert Moles has written several letters to the previous Attorney-General and the Acting Attorney-General, the current Attorney-General, the previous Premier and the current Premier, pointing out there is no indication that, in his response to the application, the current Director of Public Prosecutions, Mr Martin Hinton, has any intention of notifying the High Court of Dr Manock's discredited history.

I seek leave to table a letter dated 4 January 2022 to the Attorney-General and the Acting Attorney-General, and an email dated 9 June 2022 to the Premier and current Attorney-General.

Leave granted.

The Hon. F. PANGALLO: My question to the Attorney-General is: will he now urgently give directions to the DPP, a power that he has in the DPP Act, section 9(2)—that the Attorney-General may give directions and furnish guidelines in relation to carrying out their duties—to ensure the High Court is fully informed of all matters that are relevant to a just outcome, including Dr Manock's shocking record, when it hears the matter?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:16): I thank the honourable member for his question and do note his longstanding interest in this and other matters. In response to his question, I will not be directing the DPP in relation to this matter. The power for direction to the DPP is an extraordinary power and is used very rarely, and I have confidence the DPP will apply as necessary what is right in these circumstances.

BROMLEY, MR D.J.

The Hon. F. PANGALLO (15:17): Supplementary: is the Attorney-General not concerned that the gravity in the state's failure to disclose Dr Manock's history to any court, including the High Court, undermines confidence in the rule of law in this state, damages the state's position as a model litigant and that it could have resulted in grave miscarriages of justice, and what does he intend to do to correct past sins as the state's principal law officer?

The PRESIDENT: Attorney, it was not out of the original answer; however, if you would like to provide an answer, I am sure it will be appreciated.

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:18): I thank the honourable member for his supplementary question. In these sorts of matters it is always open to someone who is making an application for a review or taking an appeal to raise issues that they think are important as they see fit. It is entirely open to the legal team representing someone to raise an issue that they think a court should take into account when assessing what action to take.

If the applicant in this particular case (or any case, for that matter) feels that there has been a miscarriage of justice in any way, shape or form, it is entirely open for that applicant's legal team to put such information before the court for the court to assess it.

The PRESIDENT: The Hon. Mr Pangallo, time has expired for asking questions without notice.

Motions

CONTROLLED SUBSTANCES ACT, FEES NOTICE

Orders of the Day, Private Business, No. 1: Hon. C. Bonaros to move:

That the fees notice under the Controlled Substances Act 1984 concerning youth treatment orders, made on 18 November 2021 and laid on the table of this council on 30 November 2021, be disallowed.

The Hon. C. BONAROS (15:19): I move:

That this order of the day be discharged.

Motion carried; order of the day discharged.

PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT, FEES NOTICE

Orders of the Day, Private Business, No. 2: Hon. C. Bonaros to move:

That the fees notice under the Planning, Development and Infrastructure Act 2016, made on 25 November 2021 and laid on the table of this council on 30 November 2021, be disallowed.

The Hon. C. BONAROS (15:19): I move:

That this order of the day be discharged.

Motion carried; order of the day discharged.

LIQUOR LICENSING ACT, GENERAL REGULATIONS

Orders of the Day, Private Business, No. 26: Hon. I. Pnevmatikos to move:

That the general regulations under the Liquor Licensing Act 1997 concerning interstate direct sales licence, made on 21 October 2021 and laid on the table of this council on 26 October 2021, be disallowed.

The Hon. I. PNEVMATIKOS (15:20): I move:

That this order of the day be discharged.

Motion carried; order of the day discharged.

LIQUOR LICENSING ACT, FEES NOTICE

Orders of the Day, Private Business, No. 27: Hon. I. Pnevmatikos to move:

That the fees notice (No. 2) under the Liquor Licensing Act 1997, made on 21 October 2021 and laid on the table of this council on 26 October 2021, be disallowed.

The Hon. I. PNEVMATIKOS (15:21): I move:

That this order of the day be discharged.

Motion carried; order of the day discharged.

Bills

**RETURN TO WORK CORPORATION OF SOUTH AUSTRALIA (CONSTITUTION OF BOARD)
AMENDMENT BILL**

Introduction and First Reading

The Hon. T.A. FRANKS (15:21): Obtained leave and introduced a bill for an act to amend the Return to Work Corporation of South Australia Act 1994. Read a first time.

Second Reading

The Hon. T.A. FRANKS (15:22): I move:

That this bill be now read a second time.

I rise today to introduce a bill to amend the Return to Work Corporation of South Australia Act 1994. I think it is fair to say that some of the turmoil we have witnessed of late regarding the Return to Work

scheme can, and in fact must, be attributed, at least in part, to the Return to Work board. We have seen the board, as I have outlined in a previous speech, seriously mismanage the scheme by holding up workers' claims through lengthy and failed legal battles over a series of years.

We have seen the board and the corporation fail to account for the outcomes of these cases, which as we are all aware, I believe, has led to the threat of raising premiums above 2 per cent and has triggered the recent changes to the Return to Work Act. The bill I put forward today is quite simple. It provides for better representation on the board by modifying its make-up. That make-up will consist of:

- three members nominated by the minister;
- three members nominated by the minister after consulting with associations representing the interests of employees; and
- three members nominated by the minister after consulting with associations representing the interests of employers.

This will provide us with a new board of nine members, with a more representative board that reflects the interests of both business and workers in the operation of the Return to Work scheme.

Importantly, what this bill would do, as part of its transitional provisions, is vacate the current board on commencement of the transitional provisions. Through this step, the Greens hope to provide the Return to Work corporation, board and scheme with a fresh start following the significant changes, questions and concerns that we have seen over the past months of debate, let alone the past few years of questionable management. I certainly draw this bill to this place at this time.

We saw the board nudge the government to essentially make injured workers pick up the bill for a liability of their own making, and they did this by dangling the threat of high premiums for business over the heads of the current government. We in the Greens do not think this is an appropriate way for any board to act, and certainly not a board that is supposed to be looking out for injured workers in our state.

I remind the chamber again that even though the South Australian Employment Tribunal has slammed the corporation's conduct in regard to workers, and how it handles litigation under the scheme, there has so far been no appropriate response—certainly not from the parliament yet. Over the past few weeks, the failings of the current board have been a frequent factor in the feedback that we have received on the Return to Work matters in this state that the parliament debated just before the winter break, and will be continuing to debate in the near future.

We were told that the board and the corporation operate to turn a profit to keep premiums lower than they otherwise would, and that has come at the expense of outcomes for injured workers. I do not think it is acceptable for us to continue to have a board in this state operating such a vital scheme for injured workers, that affects the lives of vulnerable and injured workers, if this is the feedback that their actions are creating. Something has to change, and changing the board seems like the logical place to start. I commend the bill.

Debate adjourned on motion of Hon. L.A. Curran.

Motions

GONIS, MR B.

The Hon. J.S. LEE (Deputy Leader of the Opposition) (15:27): I move:

That this council—

1. Expresses its condolences and deepest sympathies to the family, friends, Greek community and the wider community of South Australia on the sad and sudden passing of the late Mr Bill Gonis OAM on Tuesday 3 May 2022;
2. Recognises Mr Gonis's longstanding service and contributions to the South Australian Greek community through his role as President of the Greek Orthodox Community of South Australia from 2015-2022;

3. Acknowledges Mr Gonis's significant contributions to the taxi and transport industry in South Australia, for which he was awarded an Order of Australia Medal in 2006;
4. Pays tribute to Mr Gonis's legacy of selfless community service through volunteering at organisations such as the Julia Farr Centre and other not-for-profit organisations; and
5. Acknowledges Mr Gonis's passion for Hellenic accomplishments and significant contributions to foster an inclusive multicultural South Australia.

It is with great sadness that I rise today to move the motion standing in my name to convey my deepest condolences to the family, friends and loved ones of the late Mr Bill Gonis OAM. For those who have had the pleasure of knowing Bill, and to work with him, they will have many fond memories of Bill. Bill was a dear friend and respected community leader, and I know the sudden and heartbreaking news of his passing in early May 2022 shocked and saddened all of us.

Bill passed away suddenly on 3 May 2022 from complications following his heart surgery. He departed this world at only 63 years old, far too young and so unexpectedly. It is a tragic loss to his beloved family, friends from all walks of life, the Greek community, not-for-profit organisations that he served so passionately, and the South Australian community.

I was very honoured to attend Bill's funeral at the Cathedral of Archangels Michael and Gabriel on 12 May 2022. The cathedral was filled with the heavy hearts of family, friends, religious and community leaders, colleagues and politicians from all persuasions, and other dignitaries who gathered to pay their respects and tributes to Bill's life and achievements.

Looking around at the vast assembly, it was abundantly clear that Bill had made a difference and touched hundreds of lives throughout his professional and community life. It was a moving and heartbreaking memorial service that acknowledged the late Bill Gonis's lifelong dedication to the community and his devotion, intense pride and love for his family.

Flowers were everywhere, as were messages of sympathy and support delivered from all corners of South Australia, from other parts of Australia, and the world. The eulogies and tributes to Bill were touching and heart-wrenching. It was very difficult for many of us to hold back tears, as we felt our hearts ache as we expressed our deepest condolences to Bill's family. Special tributes and words were repeatedly heard at the funeral to describe Bill. These words included generous, authentic, humble, kind, compassionate, and the importance of family and community.

The late Bill Gonis exemplified a successful migrant story of hard work and resilience. After migrating with his family from Greece, Bill managed a KFC franchise at Glenelg and a Hungry Jack's on Pulteney Street, before becoming a taxi driver in the 1980s. By all accounts, Bill was the friendliest and most knowledgeable cabbie, who always had the cleanest car. Bill worked across the taxi industry, from driver to cab operator to radio dispatcher, and was one of the driving forces behind the launch of the revolutionary Adelaide Independent Taxis in 1991.

One of Bill's greatest achievements within the transport industry was successfully advocating for and managing the accessible wheelchair service and ensuring that this served the community and its users with ease and comfort every step of the way. Bill was a member of the Australian National Taxi Regulators Group from 2005 to 2015 and a member of the International Association of Transportation Regulators (IATR) from 2011. The President of IATR, Matthew Daus, said the following:

It is with great sadness that the world has lost a great public servant and wonderful human being in Bill Gonis.

Bill has been a friend of mine and of the IATR for over 10 years, having served as co-chair of IATR's Australian Regulators' Group for many years.

Bill was our key liaison to the National Transport Regulators' Group in Australia, and he was always there to help IATR to share best practices and knowledge.

We plan to honour his memory and accomplishments at our upcoming Memphis conference in September, and virtually, and offer our sincere condolences, thoughts and prayers to his family and friends. Bill left us way too soon, but may he rest in peace, and let's celebrate a life well lived.

In addition to his professional work and volunteering work at the Julia Farr Centre, Bill was the longest serving president of the Greek Orthodox community of South Australia and was described as a humble man and an exemplary leader. Bill devoted his life to everyone and everything he held close

and dear to his heart: his family, his church, his community and the industry he worked in. Bill was awarded a Medal of the Order of Australia in 2006 for his service to the taxi and transport industry and for his unconditional support to the Greek community.

Profound affection and respect for Bill were felt by all who had the privilege, the pleasure and the honour to have known Bill and be a part of his incredible life journey. I became very emotional at Bill's funeral, particularly when his daughter, Betty, was paying tribute to her dad. I reflected back on the difficult time when I suffered the loss of my wonderful father suddenly and unexpectedly in November 2020.

The deep sorrow associated with losing a father was something I experienced firsthand. It was really hard to explain in words the devastating loss of someone so significant until it happened. It was as if the world had collapsed. When my dad passed away, it was really difficult to come to terms with the fact that I was no longer able to have my dad around to talk to, as a big shoulder to lean on, to laugh with, to enjoy a meal with and to share the highs and lows of life in general.

When I heard the sad news of Bill's passing, I felt personally connected to the deep sorrow Bill's family must be going through at the time. After Bill's funeral service, I reached out to his family to offer my heartfelt condolences and support and asked them if there was anything I could do for them during this difficult time of sadness and loss. Bill's beautiful wife, Chrissy, daughter, Betty, and son, Peter, responded, saying it would be most comforting if friends could share stories of or tributes to their beloved dad, Bill, and keep his memory and legacy alive in whatever way or form they felt comfortable doing.

The Gonis family appreciated the outpouring of tributes for Bill flowing through on Facebook, the Greek Herald news, InDaily news and other media platforms. With their permissions and blessings, it is truly my honour today to move this motion in Parliament House and provide a small glimpse into Bill's cherished life and share the devotion he had for his family, his achievements and contributions to South Australia.

Bill's wife, Chrissy, and his children, Betty and Peter, have provided valuable information about Bill and I thank them sincerely for their generosity to share their personal stories and meaningful tributes, which greatly assisted me in my preparation for today's contribution. I would like to take this moment to quote a few paragraphs from Bill's children and put their fond reflections and memories about their father, their hero, permanently on the public record. In Bill's daughter's moving words, Betty spoke from the heart, saying, and I quote:

- I want to share my reflections of the man that was my dad, my baba, Mr Bill Gonis.
- Humble, kind, patient, understanding, hardworking, generous and compassionate. These are the words that best describe my dad.
- My dad was an earth angel and helped everyone whenever and wherever he could.
- He helped people with authenticity. There were no strings attached.
- It was out of the goodness of his heart and it was a big heart.
- My dad loved his family and family meant everything to him. He loved us all but all in different ways.
- With my brother he bonded over their classic cars, with my mum, it was going out to eat at pubs, with my uncle, it was their trips to Yannis Yiros and the markets, with my sister in law—well she was just his golden daughter in law, and with myself it was our bond over the garden, renovations, cooking and our love for music.
- Dad's happiest moment I think was when he joined me in my neighbourhood and became my neighbour.
- We have the best adventures and very funny times, I also share the wacky immature sense of humour my dad had.
- From watering the lawns together, to walking food over, to driving past fifty thousand times a day always beeping, to our walks to keep fit whilst inspecting all the neighbours gardens and fences.
- My dad was one of a kind, so passionate, so helpful and so caring. He was an inspiration, a true leader.
- If we can learn anything from my dad it would be to practise gratitude, kindness and authenticity.

- To live for the now and appreciate life and the people in it. To never take anybody for granted and to spend time with people and tell them you love them whilst they are alive and healthy.

I will also take a few moments to read a few reflections from Peter, Bill's son, and I quote:

- With the pending arrival of dad's grandson, Vasili Gonis. Dad had surgery scheduled around the same time as Baby Vasili's due date—my dad kept pestering us. When will he be here? Does Teri have a due date yet?
- In early March we finally locked down a date for Vasili's birth—17 March. Now I still don't know whether it was by chance, or Dad actually had something to do with it, but all of a sudden his surgery was put back a week—so he was with us for the birth and got to hold his grandson before going in for surgery only days later.
- My dad was so excited and so proud—I only wish he was afforded more time to watch his grandson grow up. But that was not to be.
- Dad, I promise you, our little Billy will never go a day without being told how wonderful his Pappou was and how loved and respected he was by us all here today.
- Dad and I had so much in common. We had the same sense of humour, only his jokes were a bit tamer than mine.
- We both shared a love for our communities and enjoyed giving back to those communities. That is something that will stick with me for the rest of my life—the importance of giving back to your community.
- Dad was a master at it. He was perfect in every way.
- Baba, Billy, Dad, Bill, Mate. I am going to miss you. Rest in Peace.

Thank you to Chrissy, Betty and Peter for letting me share their stories. As a member of parliament who has had a special interest and portfolio duties in multicultural affairs for more than a decade, I knew Bill best through his remarkable work within our multicultural community. Bill was one of the longest serving presidents of the Greek Orthodox Community of South Australia. From 2015 until his passing, Bill provided strong and stable leadership with outstanding vision and passion for promoting Hellenic culture and accomplishment throughout South Australia.

I have so many fond memories of working alongside Bill on so many rewarding community programs, attending Greek community events that Bill and his committee had organised over the years. It is impossible to recount them all. Bill has been a positive influencer with great determination. I have always been impressed by Bill's dedication to helping others.

I remember the incredible work he did to establish a community relief fund to help those impacted by the tragic fires in Greece in 2018. He organised many fundraisers with his committee, worked extremely hard and utilised his capacity and network to work with the Marshall Liberal government at the time, and worked with many community organisations and the private sector to raise much-needed funds for the Greece fire appeal.

Bill was always there for everyone in good times and in difficult times, including helping seniors and vulnerable families to stay safe and healthy during the unprecedented coronavirus pandemic. Bill worked selflessly and compassionately and contributed significantly to the Greek community as well as our diverse multicultural society in our state. He leaves a legacy of profound community service and we owe him a debt of gratitude for everything he has done for South Australia.

On behalf of my family and the Liberal Party of South Australia, it is a great honour to recognise the late Bill Gonis' longstanding service and contributions to our state. We collectively convey our deepest sympathies and thoughts to his family and loved ones. He has left this world way too soon.

We will always remember Bill as the kindest friend and most generous community leader, and we will miss him dearly. Bill will continue to be the guiding light for us all. May his eternal legacy and loving memories stay in the hearts and minds of his friends and loved ones forever. Vale Bill Gonis OAM.

Debate adjourned on motion of Hon. I.K. Hunter.

ORGAN DONATION

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (15:42): I move:

That this council—

1. Notes that 24 July to 31 July is DonateLife Week 2022;
2. Recognises that organ and tissue donation saves many lives every year;
3. Encourages people to discuss organ donation with their family and friends; and
4. Acknowledges the life-changing decision of donors and their families.

Organ and tissue donation saves lives. Last year, the lives of 1,174 Australians were changed by receiving an organ transplant thanks to the generosity of 421 deceased organ donors and their families—1,174 Australians. They are fathers, mothers, grandparents, children, partners and friends. I would like to acknowledge every donor and thank their families who have said yes to donation. It is a decision no-one ever wants to make, a decision we all hope we never have to make.

The generosity of those families to make such a selfless decision at such an awful moment in their lives is remarkable, but there is something we can all do to make that moment a little bit easier for our loved ones should the need ever arise: we can talk about organ and tissue donation with them. If you would like to be a donor, you can tell your loved one and, if you want to be a donor, you can register.

DonateLife Week 2022 was held earlier this year from 24 July to 31 July. The week plays an important role in encouraging more Australians to have those conversations with their loved ones and to register as an organ and tissue donor. This year, the DonateLife Week launch event for South Australia included the first annual walk for DonateLife South Australia through Adelaide's Elder Park. It was an absolute pleasure to join Heather Makris, donor recipient and organiser of the walk, and walk with her as we remembered those who gave the gift of life and said thank you to their families.

It was also the start of the Great Registration Race, which aims to encourage 100,000 more Aussies to register as organ and tissue donors. While South Australia has the highest registration rate in the country, 73 per cent of the population registered to be a donor, we must continue to drive that number higher. There are more than 1,700 Australians waiting for a life-saving organ transplant, and thousands more whose lives could be transformed through organ and tissue donation.

It only takes one minute to sign up as an organ and tissue donor. You can register on the DonateLife website or with just three taps in your Express Plus Medicare app. After two years where our health system has been ravaged by COVID-19 it is important that we all do what we can to help increase donor rates. The national donor program was severely impacted by COVID-19. Donation and transplant activity across the country decreased as a result of the challenges faced by our hospitals, and logistical challenges that included COVID-19 restrictions, flight reductions and border closures.

In 2020, there was a 12 per cent decrease in the number of people receiving a transplant and a 16 per cent decrease in the number of donors compared to 2019. In 2021, there was a 7 per cent decrease in the number of people receiving an organ transplant, and a 9 per cent decrease in the number of deceased donors compared to 2020. South Australia was the only jurisdiction to exceed the national donors per million population target of 25 donors per million population, with a rate of 28.2 donors per million population.

I would like to acknowledge the work that DonateLife South Australia does to coordinate all organ and tissue donor activities across the state. DonateLife works with hospitals, healthcare specialists and donor families, raising awareness, providing education and offering care and support. Their tireless efforts ensure that South Australia continues to be nation-leading in this space.

I would like to acknowledge the generosity of all Australians who donate or have registered to donate their organs and tissue. And, importantly, I encourage everyone to talk about organ and tissue donation with your loved ones. Tell them if you want to be a donor and please register as an organ and tissue donor; it only takes one minute.

Debate adjourned on motion of Hon. I.K. Hunter.

COMMUNITY CENTRE WEEK

Adjourned debate on motion of Hon. J.S. Lee:

That this council—

1. Notes that Community Centre Week was celebrated in South Australia from Monday 9 May to Sunday 15 May 2022, coinciding with national Neighbourhood House Week;
2. Recognises the vital role that local community centres play in providing welcoming and inclusive spaces for social activities, support services, and personal development for people from all walks of life;
3. Acknowledges the contribution of all the staff and volunteers who are the heart of the 165 community centres located across South Australia;
4. Notes that this year's theme is 'Building resilience by bringing people together,' highlighting the importance of rebuilding strong social connections as we re-emerge from the isolation caused by the COVID-19 pandemic; and
5. Commends the Marshall Liberal government on implementing the new Community Connections program to support socially isolated people to increase their independence and to build strong, sustainable social and community connections.

(Continued from 15 June 2022.)

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:48): National Neighbourhood House Week, which is called Community Centres Week in South Australia, was celebrated across the country from 9 May to 15 May. The theme of this year's celebration 'Building resilience by bringing people together' is a strong message that reminds us that, despite the challenges of COVID-19, we must strive to build the resilience and strength of our community.

Community centres started in South Australia in the 1970s when the women's movement sought to have a meaningful impact on social structures. This started with a meeting for a day or two each week to assist those in the community who felt isolated and lacked social connections. They were initially only run by volunteers and met in churches and halls.

Community centres have come a long way since that time but retain their important role in fostering social connection. They are friendly and informal places found all across South Australia and form the heart of many communities. They provide low-cost and free services and activities that reflect the needs of the area in which they are located and the people who use them. Community centre activities include activities for adults and children, workshops, health and fitness, IT classes, personal development, arts and crafts, amongst a host of other activities.

Everyone needs social connections to survive and thrive. People can find themselves spending more time alone as they age, if they have lower income or experience a range of barriers, from language to health or culture. In turn, one person's problem of isolation can turn into a problem for the community, as their health and wellbeing is negatively affected. Community centres are critical in our community's fight against isolation and our fight for a more inclusive society.

Of course, no community centre runs without the blood, sweat and tears of dedicated volunteers who run programs and devote their time and energy to this important work. The work of these volunteers does not go unnoticed or unappreciated. The Minister for Human Services in the other place has asked me to express her sincere appreciation for the work of all volunteers and staff of community centres across South Australia. They are the beating heart of communities, and they are the ones who stand up when their neighbours need them the most.

The last two years of COVID have left more people feeling isolated than ever before. We need community centres now more than ever. That is why the Minister for Human Services was so disappointed, upon coming to government, to discover a plan to reduce funding to community centres. I am also advised that there was a plan to reform the funding of community centres without proper consultation with the people who run them.

This followed other actions by the former Liberal government that saw \$1 million in funding stripped from community centres when the Adult Community Education (ACE) program was stripped from them. In stark contrast to this approach, the new Labor Minister for Human Services put a stop to the recommissioning process, and DHS has spent the last few months working with stakeholders to deliver a better outcome for the future. We hope to announce the outcome of this process before the end of the year.

In further contrast, the new Labor Minister for Education, Training and Skills reversed the cruel cut to the ACE program and restored the \$1 million that was cut by the Liberals. This funding helped community centres do critical work such as literacy programs. For these reasons, I have lodged an amendment in my name to remove the final paragraph of the motion that commends the former Liberal government. I do not think we should be politicising what should be a multiparty recognition of the value of community centres.

Of course, I could seek to amend the motion to condemn the former government for its cuts, or similar. I could even move an amendment to praise ourselves as the new government, but I do not want to politicise the recognition of the excellent work done by community centres. So I hope members of this council will support me in simply removing the paragraph and leaving it at that. The real judge of how we value and support community centres will be the communities they serve, and the Labor government is standing with them. I commend the motion. I move to amend the motion as follows:

Leave out paragraph 5.

The Hon. F. PANGALLO (15:53): I did not intend to speak on this, but I do have an amendment that I wish to move to this motion. I move to amend paragraph 5 of the motion as follows:

Leave out the words 'Commends the Marshall Liberal government on implementing' and insert 'Acknowledges the purpose of'

The Hon. J.S. LEE (Deputy Leader of the Opposition) (15:54): I thank honourable members for making a contribution to this motion. I am sure the staff and volunteers working across the 170 fantastic community centres will appreciate the generous acknowledgment of their hard work and dedication to support our communities.

I want to thank the Hon. Frank Pangallo for making an amendment to acknowledge the new Community Connections program, to support socially isolated people to increase their independence and to build strong, sustainable social and community connections, being one of those that the Liberal opposition will accept. I urge members to consider the Hon. Frank Pangallo's amendment and I commend the motion.

To clarify, we will reject the amendment put by the Hon. Clare Scriven and accept the amendment moved by the Hon. Frank Pangallo to remove some of the words.

The council divided on the Hon. F. Pangallo's amendment:

Ayes8
Noes.....9
Majority1

AYES

Bonaros, C.	Centofanti, N.J.	Curran, L.A.
Game, S.L.	Girolamo, H.M.	Lee, J.S.
Pangallo, F. (teller)	Wade, S.G.	

NOES

Bourke, E.S.	Franks, T.A.	Hanson, J.E.
Hunter, I.K.	Maher, K.J.	Ngo, T.T.
Scriven, C.M. (teller)	Simms, R.A.	Wortley, R.P.

PAIRS

Lensink, J.M.A.
Pnevmatikos, I.

Martin, R.B.

Hood, D.G.E.

Amendment thus negatived.

The Hon. C.M. Scriven's amendment carried; motion as amended carried.

SA YOUTH WEEK

Adjourned debate on motion of Hon. J.S. Lee:

That this council—

1. Notes that SA Youth Week 2022 will be held over 10 days from Friday 13 May to Sunday 22 May 2022;
2. Recognises that there are over 266,000 young people between the ages of 12 and 24 years who live in South Australia;
3. Acknowledges the significant social, cultural, and economic contributions that young people make to our state; and
4. Commends the Marshall Liberal Government for developing the Strong Futures SA Youth Action Plan 2020-2022 to ensure that young people are engaged, active contributors as well as creating opportunities for learning and growth so that they can reach their full potential.

(Continued from 15 June 2022.)

The Hon. L.A. CURRAN (16:06): I rise today to speak in support of the Hon. Jing Lee's motion. As a young member in this parliament, I am interested in ensuring that young South Australians are given the opportunity and tools that they need to live fulfilling lives.

SA Youth Week is South Australia's largest celebration of young people aged 12 to 25. It is held over 10 days in May and recognises the ideas, talents and contributions of our youth. SA Youth Week includes a wide range of events and activities organised by and for young people. This year, these included the Youth Week launch party, a financial literacy workshop, a young mums' group, a women's self-defence class, among other things.

The important week aligns with the Connect and Grow priority of the previous Marshall Liberal government's Strong Futures SA Youth Action Plan, which was launched at SA Youth Week in 2020. The SA Youth Action Plan has four priority areas. The Hon. Jing Lee detailed these when she moved her motion, but I would like to take a moment to highlight the third priority area, being wellbeing and the environment, which aims to create a future where young South Australians can be safe, healthy and resilient.

In terms of wellbeing, it can be influenced by physical, mental, economic, social and cultural elements. Being R U OK? Day, I would like to take a moment to acknowledge the importance of accessible mental health services. Beyond Blue states that half of all mental health conditions that are experienced will have started by age 14. When help is needed, it is important that young people have access to the right information, and to the support that they need when they need it.

Keeping young people safe and well mentally is critical to their positive wellbeing. In June 2021 *The Advertiser* reported that AMA SA President Dr Michelle Atchison said that psychiatrists and GPs across SA were still struggling to cope with mental health demand 15 months after the pandemic broke, and that the rolling impact of COVID-19 on mental health would be felt for years to come.

In addition to the effect of the COVID-19 pandemic on youth mental health, there is also the current housing crisis in cost-of-living pressures that young South Australians must contend with. Finding work can be a problem for young South Australians with the unemployment rate of those aged between 15 and 24 being double the overall rate. In 2020, the National Youth Commission published a report that stated that:

Young people represent a disproportionate share of immediate and longer-term job losses, working in industries that were already characterised by precarious income and wage theft; in particular, hospitality, tourism and retail.

It is therefore now, more than ever, more important that we support our young South Australians. I commend the Hon. Jing Lee for bringing this motion to parliament, which takes the time to acknowledge the contributions that our young South Australians make to our community. I support this motion because I want to see the continuation of the great initiatives that were set forth in the Youth Action Plan by the former Marshall Liberal government.

I support this motion because I think it is important that we in this chamber should continuously strive to create a greater South Australia, with better opportunities to provide South Australians with the tools they need to lead fulfilling lives, that we strive for a South Australia where our youth are not looking over the border for opportunity but can stay right here to build their careers, to build their homes and to build their families. There is no better place than South Australia. I chose to make South Australia my home for these very reasons.

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (16:10): I rise to speak on this motion regarding Youth Week. South Australian Youth Week is South Australia's biggest celebration of young people aged 12 to 25. This year, Youth Week was held over 10 days and was a recognition of young people's ideas, talents and contributions. It included a wide range of events and activities by and for young people.

I would like to touch on some of the diverse events that occurred across South Australia during Youth Week this year. The City of West Torrens hosted a car care workshop in conjunction with the RAA. This provided help with basic car maintenance, including changing a car tyre and oil checks. These are practical skills with long-term benefits. The Wattle Range Council hosted a series of free events, including laser tag in Mount Burr Forest. Salisbury council hosted The Hunt, a scavenger hunt that merges teambuilding and technology into a fun outdoor adventure.

The beauty of Youth Week is that it includes so many different kinds of events and engagement, from the practical to the simply fun. The Department of Human Services provided grants to 15 councils and organisations in regional and rural South Australia to ensure that every young person had the chance to engage. This year's Youth Week celebration included the exciting announcement by the Minister for Human Services about the opening of applications for her Youth Advisory Council.

The council will be a direct line of communication to the minister for young people to advocate on policies and programs. It will have its membership announced in the coming weeks and will be a key voice for young people across our state. The council will keep the minister informed on issues affecting young people and the youth sector, and will provide advice, support and representation across a variety of policy areas.

The Malinauskas Labor government is committed to investing in the future of young South Australians. Our aim is to ensure the contributions of young people are valued and understood by all South Australians and that their rights are promoted, upheld and protected. In particular, we know that young people have been significantly impacted by the COVID-19 pandemic and the mental health of young people has suffered. We are committing \$50 million to employ 100 new mental health and learning support specialists to support school students across South Australia.

I am proud to be part of a government that is so committed to engaging young people in their futures. I would like to place on record our thanks to everyone involved in putting on Youth Week: the volunteers, staff and Department of Human Services. I look forward to hearing about the celebrations next year, which will no doubt be bigger and better.

In closing, I will be moving an amendment to the motion that simply removes the final paragraph. This paragraph seeks to commend the former Liberal government, and it is unfortunate that the opposition is again seeking to use a celebratory motion, in this case to use young people, as a way to pump up their own tyres. If they wanted help pumping up their tyres, they should have attended the car care workshop that I referenced earlier! I trust this council will join me in depoliticising this motion and simply acknowledging the importance of young people for a better future. I move:

Leave out paragraph 4.

The Hon. J.S. LEE (Deputy Leader of the Opposition) (16:14): First of all, I would like to thank the Hon. Laura Curran for supporting the motion wholeheartedly and also thank her for sharing her important work experience as a young legislator. I cannot say a lot about the Hon. Clare Scriven. I just want to thank her for her contribution in terms of recognising young people socially, culturally and economically, but I am disappointed that the Labor government is attempting to remove the terms of reference about commending the Marshall Liberal government for developing the Strong Futures SA Youth Action Plan.

I know how the numbers count, so I will not call for a division, except to say this: I hope and urge the Malinauskas Labor government to continue the great initiatives that were set forth by the Youth Action Plan. I am hoping the Labor government will not lose sight of the fact that this Youth Action Plan will be a very significant initiative in shaping and providing a bright future for our ambitious young people. I still urge members to support the original terms of the motion, but I understand how the will of the chamber will work this afternoon.

Amendment carried; motion as amended carried.

REFUGEE WEEK

Adjourned debate on motion of Hon. J.S. Lee:

That this council—

1. Notes that Refugee Week will be celebrated across Australia from Sunday 19 June to Saturday 25 June 2022 and provides a platform to celebrate the positive social and economic contributions made by refugees to Australian society and create a culture of welcome;
2. Notes this year's theme of 'healing' raises awareness of the experience of refugees and encourages mainstream and refugee communities to learn from each other to heal wounds and grow stronger as a connected society;
3. Congratulates the Australian Migrant Resource Centre for being the successful convener of SA Refugee Week since 2001 and for hosting the annual Youth Poster Awards Exhibition which features posters from primary, secondary and tertiary students that celebrate the courage, resilience and contributions of people of refugee backgrounds; and
4. Commends the Marshall Liberal government for standing in solidarity with the Afghan and Ukrainian communities in view of the humanitarian tragedies unfolding overseas, funding the Afghan Community Service Hub to support the South Australian Afghan community throughout the Afghanistan crisis and establishing the Eastern European Conflict Mental Health Support Line to address the urgent mental health needs of Ukrainian community members deeply affected by the invasion of Ukraine.

(Continued from 15 June 2022.)

The Hon. T.T. NGO (16:17): It is my pleasure to rise today to speak on the significance of Refugee Week. For the past 20 years, this has been a national event in Australia and one which is celebrated in more than 100 countries. As honourable members will be aware, I have spoken in this place previously about my own journey as a refugee. The healing theme of the 2022 Refugee Week showcased aspects of the refugee experience and engaged the wider community on what it is like to be a refugee. Importantly, healing was a way of saying to refugees, 'We are happy that you are here.'

For Australia, the 2022 Refugee Week also happened to be the time for Australians to welcome the return of the refugee Nadesalingam family to their home in Biloela, a rural town in central Queensland, an event brought about by the actions of the Labor Albanese government, the government which ended the ongoing trauma for this particular family and for the community who fought long and hard for this outcome.

Another great outcome for an Australian refugee also occurring during Refugee Week was Labor's Ms Fatima Payman, who won Western Australia's sixth Senate seat. Ms Payman arrived as a refugee from Afghanistan as a child with her parents and three siblings, and grew up in Perth's northern suburbs. Inspired by the hard work of her parents, this wonderful victory for Australia's first hijab-wearing Muslim female was announced on 20 June 2022, World Refugee Day.

Refugee Week is a time to acknowledge how our migrants have helped to make this country better. Wherever they have come from, refugees have contributed to the vibrant multicultural Australia we have today. It is good to know that our small regional and rural areas that often have volatile economies and communities are also prospering from our refugee input. Data estimates from the Australian Bureau of Statistics show that roughly 70,900 migrants moved to a regional centre between 2020 and 2021.

The latest census data shows that the Karen language spoken by the Myanmar population is the second most spoken language in our Mount Gambier regional community. The Hon. Clare Scriven MLC is a resident of this area and I know she has seen firsthand how the refugees from Myanmar have opened up their lives to the locals through the sharing of their food, cultural practices, music and traditions. Importantly, refugees do not take jobs; they actually help create them. They are often entrepreneurial, creating their own businesses and employing other Australians. Statistics from the ABS support this and have shown that refugees are in fact the most entrepreneurial migrants.

Earlier this year, I represented the Hon. Zoe Bettison MP, Minister for Multicultural Affairs and Tourism, at an opening of an international hotel on Anzac Highway. This first-class accommodation will support Adelaide's tourism industry and contribute to our economy. It was established through the hard work and dedication of three men who arrived in this country from Afghanistan as asylum seekers. On that journey, they set about establishing a partnership, working long hours and sharing their skills to build a business in their new home.

This is a common journey for many of our refugee migrants, who often hold down more than one job in order to earn the money to set themselves up in a business. In doing so, they create employment for themselves and others. There are many such success stories from people who came to this country, often with only the clothes they were wearing. Refugee Week is also a time to reflect on the many forms of adversity displaced individuals have had to endure. We should commend them for their resilience and thank them for being here, enriching our communities in Australia.

In this place in recent months, debate has centred on acts of antisemitism, racism and prejudice, highlighting that Australian communities must do more to ensure people from all walks of life feel accepted. I think Australia can use opportunities such as Refugee Week and the healing theme to push the reset button on how we behave towards one another. How we behave, what we say and how we act will pave the way to making sure all people can feel accepted.

This Labor government's policies and actions are about protecting people's rights, recognising social justice discriminations and taking steps to rectify them. The Malinauskas Labor government acted quickly and swiftly in offering support to Australia's Ukrainian and Afghan communities as well as to their families and friends in their homeland.

Early in April, five pallets of medical supplies were sent to Ukraine to support hospitals and healthcare workers. The federal Labor government also responded quickly to support Ukrainian refugees following the Russian invasion of their country on 24 February this year. Prime Minister Albanese has pledged ongoing financial and logistical assistance for Ukraine, offering \$99.5 million in military assistance. Other measures implemented include targeted financial sanctions and travel bans on 16 additional Russian ministers and oligarchs.

Returning to the focus of South Australia's Labor government, our Premier was one of the first Australians to be banned by President Putin. Premier Malinauskas described his ban on entering Russia as 'a badge of honour' because this government will not be bullied and will always stand firm on the importance of doing all we can to promote democracy and human rights in Australian communities as well as our global communities.

With that, I want to thank all our multicultural organisations and the thousands of people who support Refugee Week, including the settlement services and especially the displaced people themselves.

The Hon. T.A. FRANKS (16:26): I rise briefly to support this motion, and note that the Greens intend to support it in a foreshadowed—not officially yet foreshadowed—amended form. That form will take the politics out of this. The areas of refugees and asylum seeking in this country really

do need the politics taken out of them. We had a proud history in the post-Federation commonwealth government of refugees and asylum seekers being seen as not just a bipartisan but cross-party issue. While we have a sad legacy of things like the White Australia policy, we never used to politicise refugee intake and people seeking asylum, and I just want to put on record a few things.

It is not a crime to seek asylum. It is not an indictment to be a refugee. We could all be refugees, given political or climate or environmental or natural disasters. If we are in the wrong place at the wrong time, any of us could become a refugee and need to seek asylum. We have othered refugees in recent decades but South Australia has always been quite bipartisan in our support of the refugee and asylum-seeking community.

Unfortunately, at a commonwealth level this has not been the case. I was repoliticised in my adult life by the events of the *Tampa*, and I full well remember the politicisation of the *Tampa*, the claims as well of children overboard found to be false, and I recoil with horror at the recent attempt by the former Prime Minister, Scott Morrison, on election day to yet again use people who are seeking asylum, who seek to be refugees, as political playthings. I would hope that this would never happen in a South Australian parliamentary chamber. With that, I commend the motion in an amended form, I believe, as it will be eventually moved.

The PRESIDENT: The Hon. Mr Pangallo, I believe you are going to move an amendment; is that correct?

The Hon. F. PANGALLO (16:28): Yes, thank you, Mr President. I was not scheduled to speak on this but I just wanted to warmly acknowledge the motion and also the words that have been spoken by the speakers on this, including the Hon. Tung Ngo and the Hon. Tammy Franks.

I, too, acknowledge the invaluable contributions that refugees have made to this country over the years, beginning even after World War II and, of course, after the Vietnam War and more recently with people from Afghanistan and also Ukraine, who have come here and many others as well who have left war-torn countries seeking refuge—which is where the word comes from—in this country, a better life and safety and security for their families.

Over the years in my previous career, I came across many people who were refugees and heard their harrowing stories of what they had to do in order to come to Australia, even one from the Hon. Tung Ngo, which I was quite moved to hear. In the process of that, I have been able to meet many people who came here as refugees and have made a very valuable life for themselves and their family in this community.

Particularly in the Afghan community, I have met young people who came here without being able to speak a word of English. Within four or five years, the particular young girl who I met not only was able to speak English fluently but ended up becoming one of the top students in South Australia. She won awards and went on to study at university and is now a journalist. I look forward to her joining the ranks of journalists in the state.

As I mentioned, there have been so many other success stories that have emanated out of refugees. It is fortunate that we live in a country like Australia that actually opens its doors to them and welcomes them, despite the interference and politicisation of the situation. Refugees tend to be used as political pawns in trying to score political points and, in some ways, also create divisions within the community about it. I am glad the South Australian community, along with the Australian community, has now moved on and is largely very accepting of people who come to this country seeking a better life.

I seek to move an amendment in my name. I know it is late and I apologise to honourable members but, as the Hon. Tammy Franks pointed out, it is moments like this that you actually take the politics out of the situation, which is what my amendment is intending to do. It is to acknowledge the work of the previous state government as well as the current one in their work to assist refugees. I move:

Leave out paragraph 4 and insert new paragraph as follows:

4. Acknowledges the actions of previous and current state governments for standing in solidarity with the Afghan and Ukrainian communities in view of the humanitarian tragedies unfolding overseas and in providing financial assistance, free education and health services.

The Hon. J.S. LEE (Deputy Leader of the Opposition) (16:32): I thank all honourable members who made a contribution to this motion. I want to thank them for their support: the Hon. Tung Ngo, the Hon. Tammy Franks and the Hon. Frank Pangallo. I agree that we live in a very lucky country of democracy, where we all need to preserve our sense of belonging. I extend that welcome to those who are not in a better place—people who have come to this country due to circumstances in their homelands, which have been affected either by war or riots or unfortunate circumstances that require them to flee their country and come to Australia.

I also mention that refugees, including the incoming intake of refugees and the way that we treat them and policies going forward, have always received bipartisan and multipartisan support. I would agree with those comments. With those remarks, I accept the amendment moved by the Hon. Frank Pangallo, and I think this is the will of the chamber.

Amendment carried; motion as amended carried.

Bills

STATE ASSETS (PRIVATISATION RESTRICTIONS) BILL

Second Reading

Adjourned debate on second reading.

(Continued from 18 May 2022.)

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (16:35): I rise to speak on the State Assets (Privatisation Restrictions) Bill 2022, introduced by the Hon. Robert Simms MLC. The bill seeks to prevent the sale, disposal or lease of certain state-owned assets unless reviewed and recommended by a parliamentary committee and approved by both houses of parliament.

The bill has a wide definition of state-owned asset and includes a related corporate body and asset of the following: HomeStart Finance, the Lifetime Support Authority of South Australia, the Motor Accident Commission, the Return To Work Corporation of South Australia, the South Australian Government Financing Authority, the South Australian Water Corporation, the Superannuation Funds Management Corporation of South Australia, and an asset prescribed by regulation.

The now Labor government went to the recent state election promising to take back control of our trains and trams, and made clear that we are not supportive of privatisation. The former Marshall Liberal government, despite claiming before their election that they did not have a privatisation agenda, quickly got on with privatising our aforementioned trains and trams, as well as the Remand Centre. As the Hon. Robert Simms referred to in his second reading speech on this bill, the privatisation of the Electricity Trust of South Australia is one of the most egregious and worst examples of privatisation to the detriment of South Australians that we have seen in the history of this state.

We welcome this bill, which seeks to ensure that the body corporates listed remain in public hands. I also commend the mover of this bill for the sensible insertion of subsection (4)(a), which states that the bill does not prevent the sale, disposal or lease of state-owned assets in the ordinary course of business and operations of a state-owned asset. This is a sensible and pragmatic part of the bill.

I foreshadow now that the government has three filed amendments; however, we will be only moving one of them, which is a minor amendment and which will make the relevant parliamentary committee that would review any proposed sale or disposal of the state-owned asset and report back to both houses of the findings of the review the Economic and Finance Committee.

The Hon. H.M. GIROLAMO (16:37): I am speaking on this bill today as the lead speaker for the Liberal Party in the Legislative Council. As we know, this bill seeks to prevent the sale, disposal or lease of a list of state-owned assets, unless reviewed and recommended by the parliamentary committee and approved by both houses of parliament. I think it is worth mentioning

that privatising state-owned assets is not always about money. Privatising has the potential to improve services for South Australians, creating jobs and encouraging competition in the market.

Privatisation is not always the enemy, like it is often portrayed. By taking away decision-making power from the government of the day we effectively are saying that the government is not able to govern its own assets. Let us not forget that, under 16 years of Labor's rule, the concept of privatisation of state-owned assets was not uncommon. The Motor Accident Commission, SA Lotteries and ForestrySA were outsourced to help the Labor Party bounce back from the dreadful debt it was suffering.

The Labor Party is always very critical of privatisation; however, I do not think it is too harsh to say how hypocritical that is of those opposite in the chamber—they privatised anything that was not pinned down. It is also worth recalling that SA Water, once a government department called the Engineering and Water Supply (E&WS), now a statutory authority, albeit being wholly owned by the government, can be used for whatever purposes the government wants. At one stage, the Labor government privately and sneakily investigated the impact of privatising the agency under their rule.

I am sure we will all remember the years and months leading up to the 2018 election, when water prices were among the highest in the country. The independent regulator of essential services in our state was asked by the former government and the former minister, who sits opposition me in this chamber, to keep SA Water's regulated asset base figures up so that prices can remain higher. This has to be one of the most shameful acts that government can undertake: deceitfully changing numbers to make sure that South Australians pay more for water than anywhere else in the country.

I believe the question asked regularly of the former minister was: is this the government using SA Water as a cash cow? The media described it as a money-printing machine for the government. As history now tells us, yes, it was. This was a shameless, shameful act by Labor and the minister responsible for the government-owned agency at the time, who undoubtedly played a huge role in making sure that the regulated asset base figures reflected the outcome they were seeking: more money back to fix their bottom line.

One of the biggest achievements of the former Liberal government was committing to South Australians that it would reduce their household expenditure to ease cost-of-living expenditure for all, and commit to it we did. We made sure that the figures in the regulated asset base reflected the actual value, which then saw prices drop by around \$200 per year for families and around \$1,300 per year for businesses.

In coming back to the bill before us today, it is important that we bear in mind that the government of the day should have the ability to properly and adequately govern. This bill effectively takes that, and the government of the day's decision-making powers, away. However, we understand that the government is responsible to the community and, therefore, to the parliament.

The Hon. F. PANGALLO (16:41): I intend to speak only briefly in giving our strong support to the Hon. Robert Simms' bill. I had the pleasure of serving on Mr Simms' select committee, which looked at privatisation and made a number of recommendations, including the one that is covered in this bill, which will require the parliament to assess and approve any future privatisations of government assets.

I will not go through the past mistakes of both Labor and Liberal governments that have left taxpayers a lot poorer as a result of their poor judgement calls, including the sale of our electricity assets, the SA Gas Company, the Motor Accident Commission, the lands titles office, Forestry, SA Lotteries, TAB and on it goes. If you look back and see just how much money these assets are now generating for private enterprise, their new owners, it is appalling to think that South Australian taxpayers have missed out on so much income.

Governments had a misplaced ideology that they could not run ventures like this profitably and that they were best left to private enterprise. How wrong they were, particularly with energy costs now going through the roof. Electricity prices have not come down. They will not come down, and any political leader or party who promises to do that is a fool.

I note that the Malinauskas Labor government has committed to its election promise to reverse the privatisation of our trains. Let's hope they stick to their about-face on privatisations. We

know that privatisations do not work. Our committee heard of the economic and social damage that privatisations can and have caused. Evidence presented demonstrated that there was a need for more accountability and transparency, as well as ongoing monitoring of contracts. Also, there was a need for an independent regulatory body to oversee privatised assets and services.

Thanks to the Hon. Mr Simms' bill, the parliament will be able to scrutinise any proposed sale or disposal of an asset, and both houses will need to approve it. It does not mean privatisation of assets will not happen; this legislation ensures the matter is given full consideration. No longer will there be secret deals done behind closed doors or decisions made within cabinet without full disclosure first being made to the parliament. I commend the bill to the chamber.

The Hon. R.A. SIMMS (16:43): I want to thank all members for their contribution to this debate: the Leader of the Government in this place, the Hon. Kyam Maher; the Hon. Heidi Girolamo on behalf of the Liberal Party; and the Hon. Frank Pangallo. As the Hon. Mr Pangallo has noted, we were both part of a select committee to investigate privatisation in South Australia and the effects that it has had on our state. As the member has noted, those effects have been devastating.

Privatisation has had a catastrophic effect on South Australia. It has resulted in higher prices, it has resulted in reduced services, and it has resulted in Public Service cuts. That genie was let out of the bottle many years ago by the Olsen government, and we have not been able to put it back in over many years. What we have seen is a fire sale of our state assets, and that has come at a terrible cost for our community.

What this bill does is prevent governments from being able to privatise public services by stealth. It ensures that there is public oversight, a parliamentary oversight, examination by a committee, and approval of any attempted sale of public assets by the parliament itself. I think that is a really important safeguard.

It is a very important safeguard when one considers the extraordinary statements made by the opposition in this place today that demonstrate that they have not heeded the lessons from their recent election defeat. It seems they still have a privatisation agenda, and should they ever return to the government benches in this state, it is an agenda that they will seek to implement once again.

We know from their form they say one thing during an election campaign—we are not going to privatise public services—but hey presto, when they find themselves on the government benches the fire sale begins. Just look at what they have done to our train network. What this bill does is safeguard those public services that have not been privatised, key public assets from privatisation of any future government, and I think that is a really important step.

Should this bill pass both houses of parliament, and I anticipate it will with the support of the Labor Party in the other place, then this will end the practice of government saying one thing before an election and doing another once they find themselves in office because it will ensure that the parliament plays a key role in scrutinising privatisations and blocking attempts to privatise services when it is considered in the state's interests to do so.

I want to thank the Labor government for the constructive way in which they have engaged with the Greens on this bill. In particular, I want to thank the Treasurer, Stephen Mullighan. He and I have had many conversations around this reform, and I have really appreciated the constructive way with which he has worked with me on this, and I really appreciate the government's support of this.

As noted by the Leader of the Government in this place, the Labor Party, like the Greens, campaigned very strongly on opposing further privatisations of public assets in this state, and today this sends a very important message in the parliament that the fire sale of our public assets will end, and I think that is something that will be welcomed by the South Australian community. With that, I conclude my remarks.

Bill read a second time.

Committee Stage

In committee.

Clause 1 passed.

Clause 2.

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

Amendment No 1 [AG-1]—

Page 2, lines 11 to 13 [clause 2, definition of *relevant parliamentary committee*—Delete the definition of *relevant parliamentary committee* and substitute:

relevant parliamentary committee means the Economic and Finance Committee established under the *Parliamentary Committees Act 1991*;

In moving this, as I foreshadowed in my second reading contribution, I will inform the chamber again that I do not intend to move amendments Nos 2 and 3, which have been filed in my name. The amendment I am moving, again as I foreshadowed, relates to the parliamentary committee that has oversight in relation to the functions in this act. The government believes the Economic and Finance Committee would be the most appropriate committee to deal with the necessary reviews of the potential disposal of any state-owned asset, and I commend the amendment to the chamber.

The Hon. R.A. SIMMS: I rise to indicate that the Greens will be supporting the amendment. As the honourable Attorney-General has stated, this is a simple amendment. It simply means that the Economic and Finance Committee will be the delegated committee to consider privatisations and we consider that to be an appropriate change.

Amendment carried; clause as amended passed.

Remaining clauses (3 and 4) and title passed.

Bill reported with amendment.

Third Reading

The Hon. R.A. SIMMS (16:51): I move:

That this bill be now read a third time.

Bill read a third time and passed.

SUPERANNUATION FUNDS MANAGEMENT CORPORATION OF SOUTH AUSTRALIA (INVESTMENT IN RUSSIAN ASSETS) AMENDMENT BILL

Introduction and First Reading

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

Second Reading

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (16:53): 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.

The horrors that continue to be visited upon the people of Ukraine continue to splash across our headlines, but the sheer scale of the human cost is difficult to even comprehend.

The events perpetrated by Russian aggression has resulted in the loss of thousands of lives and precipitated a humanitarian crisis with approximately 7.1 million Ukrainians internally displaced whilst over five million people have fled to neighbouring countries.

According to the United Nations as of late April 2022, Poland has taken in almost three million refugees alone from Ukraine.

Over ten million people have been forced to leave their homes to seek safety. These numbers are hard to even imagine: this is the fastest and largest displacement of people in Europe since World War 2, and the horrors are far from over.

Most countries around the world have imposed tough economic sanctions on Russia to respond to their acts of aggression. This has included the banning of new investments in Russia, freezing the assets of Russian banks, and sanctioning Russian financial institutions.

Australia has joined this chorus of international condemnation and has prohibited the import of oil, refined petroleum products, natural gas, coal and other energy products from Russia, as well as prohibiting the supply, sale or transfer of certain luxury goods.

These actions, carried out in concert with the international community, is putting powerful economic pressure on President Putin and his indefensible war of conquest.

However, the current war in Ukraine and resulting Russian sanctions have highlighted that the current Act does not have a mechanism by which Funds SA can be directed by the government to divest Russian investments.

This is an immediate issue that requires a focussed response.

During the 2022 State Election campaign the Opposition, under the now-Premier's leadership, committed to amending the Superannuation Funds Management Corporation of South Australia Act 1995 to enable Ministerial discretion to enable the removal of state government funds from Russian assets.

When the now-Premier made this promise, there was a suggestion from others this was all too hard.

He made the point at the time: 'When you get elected to Premier, you get elected with an extraordinary amount of authority and the idea of the job is to use that authority consistent with a set of principles that you believe to be right'.

He promised that if he were elected Premier, when Parliament resumes, he'd be walking in with a piece of legislation to fix it.

And here we are.

There is a clear and urgent need to ensure that Australians are not inadvertently helping to fund Russian aggression through their retirement savings.

As such, these amendments will feed into a process that is already under way. Funds SA has already divested itself of over \$50 million in Russian assets. But given the ongoing sanctions against Russia, divesting these assets without incurring significant losses will take time. There are still an estimated \$9 million worth of investments to address, almost all of which are held indirectly.

There is a clear need to enable a direction by the Minister to Funds SA for the divestment of remaining Russian assets. Once Funds SA is directed to divest Russian assets, actions taken by the Corporation to fulfill this direction should be in line with their fiduciary duties.

These amendments have been made in consultation with the Board and Management of Funds SA, who have flagged their concerns about the impact on investment returns and potential conflict with the terms outlined in the Heads of Government Agreement.

The proposed Bill addresses these concerns, and the amendments contained in this Bill will enable this divestment to occur in a sensible manner that specifically targets Russian held investments without breaching the principles of trustee governance under the *Superannuation Industry (Supervision) Act of 1993*.

These amendments are limited, targeted and seek to close a loophole in the existing legislation in order to strengthen our response to Russian aggression and reaffirms our support for the people of Ukraine in their times of trial.

These amendments to the legislation enable us as a Government to do what the public rightly expect of us.

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

Explanation of Clauses

Part 1—Preliminary

1—Short title

This clause is formal.

2—Commencement

This clause provides that the measure will come into operation on a day to be fixed by proclamation.

Part 2—Amendment of *Superannuation Funds Management Corporation of South Australia Act 1995*

3—Amendment of section 21—Direction of Minister

Section 21 of the Act as proposed to be amended by this clause will provide that a Ministerial direction given to the Superannuation Funds Management Corporation of South Australia may include a direction in relation to

divestment of Russian assets. Action taken by the Corporation in accordance with such a direction is to be taken prudently and consistently with the Corporation's responsibilities. There is also a requirement for annual review of the new provisions and for a report of the review to be provided to the Minister and included in the Corporation's annual report.

Debate adjourned on motion of Hon. L.A. Curran.

PLEBISCITE (SOUTH EAST COUNCIL AMALGAMATION) BILL

Introduction and First Reading

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

Second Reading

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (16:55): 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.

I am pleased to introduce the Plebiscite (South East Council Amalgamation) Bill 2022. This bill proposes that a plebiscite be held in both the District Council of Grant and the City of Mount Gambier to seek the views of the electors in these communities about whether they support an investigation into the potential amalgamation of the District Council of Grant and the City of Mount Gambier.

The bill also proposes that these plebiscites be undertaken by the Electoral Commission of South Australia to coincide with the upcoming council elections.

The question to be put to electors is: 'Do you support the examination of an amalgamation of the District Council of Grant and the City of Mount Gambier to form a single council?'

The possible amalgamation of these two councils has been a point of discussion in the South-East and in local government circles for some time, certainly since the amalgamation processes that were undertaken in South Australia in the late 1990s that resulted in the creation of our current 68 councils.

While many councils amalgamated at this time, including the District Council of Mount Gambier and the District Council of Port MacDonnell, the City of Mount Gambier was left untouched. It remains as an island city, completely surrounded by its hinterland, with two councils, two elected member bodies and two administrations to lead and service what many would consider to be a single community. This is a unique situation in South Australia.

This question was raised consistently with cabinet members at the recent country cabinet in Mount Gambier. The member for Mount Gambier has made strong representations to the government that the amalgamation of these two councils should be actively considered. While the government agrees that this is an idea that should be taken seriously and properly investigated, our strong view is that the people who would be most affected by an amalgamation should have a say as to whether or not an investigation into it should take place. That is why we propose these plebiscites.

To be clear, these plebiscites are not triggers for a proposal to be put to the boundaries commission. They will inform the government's decision on whether or not this should occur. If there is a positive response from the community in the plebiscites, the government's next step will be to refer the proposals to the South Australian local government boundaries reform commission, which will then use the process laid out in the Local Government Act 1999 to independently and thoroughly explore the proposal.

On receipt of a proposal, the commission makes an assessment as to whether an inquiry should be undertaken to consider the merits of the proposal. In making this assessment, the commission considers the proposal in the context of the objectives of the Local Government Act 1999; the roles, functions and objectives of councils under the Local Government Act; and the principles laid out in section 26 of that act that outline what is expected of the services, capacity, representation and functioning of councils.

The inquiry itself is undertaken in accordance with the act and the commission's own guidelines, and comprises an investigation into the significance and impact of the proposal. This includes a full analysis of the proposal on the affected councils and their communities. It also involves significant community engagement.

At the end of its inquiry, the commission will report to me, as the Minister for Local Government, with any recommendations for boundary changes that, in the commission's view, are in the best interests of these communities. This report will be made public at that time and I will seek the views of the member for Flinders at that particular time. In addition to this process under the act, it is also considered appropriate that the South Australian Productivity

Commission inquire into the economic benefits or costs of amalgamating the two councils to further inform the commission's inquiry.

All voters for South Australian councils will have their ballot papers posted to them in October, and the voters in these two councils will have an additional vote to cast to indicate their views on this proposal. The state government will then carefully analyse and consider what the community has said through the plebiscites before a decision is made about whether or not to take the next step of referring the matter to the commission.

The government encourage the people of the District Council of Grant and the City of Mount Gambier to participate in these plebiscites, which have the potential to help resolve a question that has been asked and speculated on for many years in the South-East of our state.

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

Explanation of Clauses

1—Short title

The short title is the *Plebiscite (South East Council Amalgamation) Act 2022*.

2—Plebiscites

Provision is made for a proposition to be submitted to electors at plebiscites in accordance with the section as to whether they support the examination of an amalgamation of the District Council of Grant and the City of Mount Gambier to form a single council.

The *Local Government (Elections) Act 1999* (including regulations made under that Act) is applied to the plebiscites as if they were polls held under that Act, subject to exclusions and modifications under Schedule 1 (and any exclusions and modifications under regulations).

Certain dates are fixed for the purposes of the plebiscites.

3—Regulations

Provision is made for the Governor to make regulations.

Schedule 1—Exclusions and modifications of *Local Government (Elections) Act 1999* and *Local Government (Elections) Regulations 2010*

The exclusions and modifications of the *Local Government (Elections) Act 1999* and the *Local Government (Elections) Regulations 2010* are specified for the purposes of the plebiscites.

Debate adjourned on motion of Hon. L.A. Curran.

LOCAL GOVERNMENT (DEFAULTING COUNCIL) AMENDMENT BILL

Introduction and First Reading

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

Second Reading

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (16:56): 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.

The Local Government (Defaulting Council) Amendment Bill 2022 (the Bill) will amend the *Local Government Act 1999* (the Local Government Act) to extend the period of administration in the District Council of Coober Pedy until the local government periodic elections due to be held in 2026. It will also cause the periodic election for the Council, for which voting closes in November 2022, to cease to be held.

On 24 January 2019, the then Governor, His Excellency, the Hon Hieu Van Le AC, issued a proclamation declaring the District Council of Coober Pedy (the Council) to be a defaulting council pursuant to section 273(5) of the Act and appointed Mr Timothy Robert Sandford Jackson to be the administrator of the affairs of the Council.

This proclamation was made on the basis of a 2018 report by the South Australian Ombudsman, which demonstrated serious failings and irregularities in the conduct of affairs at the Council, particularly in relation to the Council's negotiation of a power purchasing agreement with EDL Pty Ltd.

The Ombudsman was of the view that this process demonstrated 'one of the most serious examples of maladministration in public administration' that he had observed since the relevant provisions of the *Independent Commissioner Against Corruption Act 2021*, as in place at that time, were enacted.

Subsequently, the Ombudsman's findings were supported by a lengthy examination of the Council by the Auditor-General that was released on 4 December 2018. The Auditor-General also identified significant failings and deficiencies in the Council's financial management and position.

Members may also recall that in November 2019, Parliament passed a Bill to amend the Local Government Act to extend the period of the Council's administration. At that time, all council administrations were limited by the Local Government Act to a maximum period of 12 months. Given that the decision to place a council in administration must always be based on serious failings or irregularities at a council, this was considered to be insufficient time for all administrations to put a council to rights and was extended to 24 months in all cases.

However, at that time, the very difficult circumstances in Coober Pedy were also recognised, with administration at this Council extended for the whole council term – that is, until November 2022.

These circumstances largely arise from the Council's role – which is unique amongst all South Australian councils – to provide not only what are usually considered to be municipal services (roads, waste management and the like), but also essential services – water, wastewater, and electricity retail services. This has meant that the long history of mismanagement at the Council, as demonstrated by the Ombudsman and the Auditor-General, has had an enormous impact on all services in the town. In turn, this has meant that resolving these issues is not a straightforward matter.

While I commend the Council's Administrator, Mr Tim Jackson, for the commitment he has shown since his appointment in 2019 to turn things around for the Council and the community, and recognise the significant improvements in the Council's financial governance and administration, the reality is that there is a long way to go. The Council cannot yet be considered to be financially sustainable. The essential services in the town, particularly the water service, cannot yet be regarded as running securely and efficiently for the future.

I can assure members that the Government is committed to finding a solution that will work for Coober Pedy in the long term. It will take time, however, to determine how one of our most remote communities can best be supported through local governance and services that best fit its needs.

The extension of the administration will allow for this time. I should note that while this Bill will set a maximum time for the administration for a further four years, the administration may end sooner than this if matters are resolved.

The Bill also recognises that for the administration to be continued, the election process that is now underway for all councils, including the District Council of Coober Pedy, must be stopped. Recognising the importance of local government elections in all communities, putting this before Parliament is not a decision that has been made likely. However, as I have described, it is necessary.

I also recognise that the consideration of this Bill coincides with the first steps in the 2022 election process that is now underway, as nominations for Council closed on 6 September.

I am advised that there have been two nominations for Council. I recognise that if this Bill passes, the election of these two people will not take effect but commend those that have nominated for the commitment to their community that has prompted their nomination. I trust that this commitment will also be demonstrated through support for the town's administrator, if the administration is extended as this Bill proposes.

I commend the Bill to Members.

EXPLANATION OF CLAUSES

Part 1—Preliminary

1—Short title

This clause is formal.

Part 2—Amendment of *Local Government Act 1999*

2—Amendment of section 273—Action on report

This clause amends section 273 of the principal Act to change when the District Council of Coober Pedy ceases to be a defaulting council under Chapter 13 Part 3 Division 1 of the principal Act to the conclusion of the periodic elections due to be held in 2026 (unless a proclamation under section 273(16) is made before that time).

Schedule 1—Transitional provision

1—Periodic election

This clause sets out a transitional provision that provides that the periodic election in the District Council of Coober Pedy for which voting closes in November 2022 will cease to be held from the commencement of the provision and anything done for the purposes of the election will be taken to be void and of no effect.

Debate adjourned on motion of Hon. L.A. Curran.

At 16:56 the council adjourned until Tuesday 20 September 2022 at 14:15.